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**of the**

**House of Delegates**

**of**

**Maryland**

**2014 Regular Session**

**Volume IV**

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**Annapolis, Maryland**  
**Legislative Day: March 26, 2014**  
**Calendar Day: Wednesday, April 2, 2014**

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The House met at 10:21 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Brian K. McHale of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 918)

The Journal of March 25, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical  
Del. Carter – personal  
Del. Cullison – late – business  
Del. Frank – medical  
Del. Harper – medical  
Del. A. Kelly – personal  
Del. Minnick – illness  
Del. Tarrant – business  
Del. Valentino-Smith – late – business

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 14 – ~~Senator Reilly~~ Senators Reilly, Benson, Jennings, and Simonaire**

AN ACT concerning

~~Task Force to~~ **Department of Health and Mental Hygiene – Study of Starting Times for Maryland Public Schools Safe and Healthy School Hours for Maryland Public Schools**

~~FOR the purpose of establishing the Task Force to Study Starting Times for Maryland Public Schools; providing for the composition, chair, and staffing of the Task~~

~~Force; prohibiting Task Force members from receiving compensation, but authorizing reimbursement for certain expenses under the Standard State Travel Regulations; requiring the Task Force to study and make recommendations relating to a later starting time for Maryland public schools; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Starting Times for Maryland Public Schools.~~

FOR the purpose of requiring the Office of Public Health Services in the Department of Health and Mental Hygiene to conduct a certain study of safe and healthy school hours for Maryland public schools, consult with certain persons, make recommendations relating to alternative school day starting times for Maryland public schools, and submit a certain report to the Governor and the General Assembly on or before a certain date; and generally relating to a study of safe and healthy school hours for public schools in Maryland.

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

**Senate Bill 910 – Senators Madaleno, Benson, Colburn, Currie, Feldman, Forehand, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Montgomery, Pinsky, and Young**

AN ACT concerning

**Education – Federal Elementary and Secondary Education Act – ~~Waivers~~  
Waiver Requests**

~~FOR the purpose of requiring certain waivers from the federal Elementary and Secondary Education Act requested by the State Department of Education to the United States Department of Education to be consistent with State law and regulations; requiring the Department to adopt certain regulations before requesting certain waivers; requiring the State Superintendent of Schools to submit a certain description of how certain waivers are consistent with State law and regulations, including certain references to certain statutes and regulations, to the Governor and the General Assembly at least a certain number of days before requesting certain waivers; the State Department of Education to submit a certain request for a waiver from the federal Elementary and Secondary Education Act to the Legislative Policy Committee before the Department submits the proposed waiver request to the United States Department of Education; requiring the State Department of Education to give the Legislative Policy Committee a certain amount of time to review and comment on a certain proposed waiver request; and generally relating to the request requests for waivers to the United States Department of Education from the federal Elementary and Secondary Education Act.~~

BY adding to

Article – Education  
 Section 2–107  
 Annotated Code of Maryland  
 (2008 Replacement Volume and 2013 Supplement)

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

**Senate Bill 1113 – Senators Pugh and Conway**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Transfer of License**

FOR the purpose of authorizing the transfer of ~~one certain~~ Class B–D–7 alcoholic beverages ~~license from a certain block~~ licenses from certain blocks in Baltimore City to ~~another block~~ other blocks in Baltimore City; make a stylistic change; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 9–204  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2013 Supplement)

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

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 180	Dorchester Co. Del.	Dorchester County Sanitary Commission – Enforcement of Liens – Tax Sale Authorization
HB 217	Washington County De	Maryland Income Tax Refund – Washington County – Warrants
HB 219	Del. Jameson	Workers’ Compensation – Workers’ Compensation Commission – Issuance of Subpoenas
HB 313	Del. Anderson	Maryland Income Tax Refund – Baltimore City – Warrants

HB 323	Frederick County Del	Frederick County – Hotel Rental Tax – Transient Charge
HB 329	Frederick County Del	Frederick County – Gaming Permits
HB 367	Worcester County Del	Worcester County – Bingo Board – Repeal
HB 485	Frederick County Del	Frederick County – Sheriff – Salary
HB 592	Del. Morhaim	Mental Health – Approval by Clinical Review Panel of Administration of Medication – Standard
HB 603	Del. Jameson	Limited Lines Insurance Licenses – Self-Service Storage Producers
HB 693	Del. Bromwell	Health Insurance – Essential Health Benefits – Pediatric Dental Benefits
HB 743	Del. Clagett	Income Tax Forms – Graphical Representation of General Fund Expenditures

Read and ordered journalized.

### THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

#### **Senate Bill 226 – Senators Pinsky and Young**

AN ACT concerning

#### **Alcoholic Beverages – Brewing Company Off-Site Permit**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

#### **Senate Bill 232 – Senators Stone, Benson, Currie, Feldman, Frosh, Kelley, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, ~~and Young~~ Young, and Jones-Rodwell**

AN ACT concerning



**Procurement – Prevailing Wage – Applicability**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 456 – Senator Pugh**

AN ACT concerning

**Insurance – Definition of Premium – Inclusion of Motor Vehicle Driving Record Report and Accident History Report Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 585 – ~~Senator Middleton~~ Senators Middleton, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

**SB0585/253799/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 585

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 12 down through “Act;” in line 13; and in line 17, strike “11-1605” and substitute “11-1604”.

AMENDMENT NO. 2

On page 2, strike beginning with “THIS” in line 22 down through “11-1603.” in line 25.

On page 5, in line 8, strike “11-1604.” and substitute “11-1603.”; and in line 13, strike “11-1605.” and substitute “11-1604.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 619 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Organizational Licenses**

**SB0619/273891/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 619

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Organizational Licenses” and substitute “Act of 2014”; in line 6, after “purposes;” insert “altering a certain restriction on the number of bottles of wine that may remain open at any one time at a wine sampling or tasting event in the County; prohibiting a single individual at an event from consuming more than a certain amount of wine from all brands in a single day; requiring the Board to adopt certain regulations;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8-406

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 6, after “LIQUOR” insert “FOR CONSUMPTION ON THE PREMISES ONLY”.

AMENDMENT NO. 3

On page 3, after line 16, insert:

“8-406.

- (a) This section applies only in Frederick County.
- (b) A beer and wine sampling or tasting (BWST) license may only be issued to a holder of a Class A license.
- (c) The annual license fee is \$200.
- (d) (1) Applications for a BWST license shall be made on forms supplied by the Board of License Commissioners.
  - (2) Renewals of the license may be made at the time the regular license is renewed.
  - (3) A license may be granted without a hearing.
  - (4) If application for a license is denied, the applicant may request a public hearing before the Board.
- (e) (1) A holder of a BWST license may allow consumption by a single individual for sampling or tasting purposes of:
  - (i) Not more than 1 ounce of a given brand of light wine; and
  - (ii) Not more than 3 ounces of a given brand of beer.
- [(2) A maximum of six bottles of wine may be opened at any one time.]
- (2) THE BOTTLES OF WINE THAT MAY BE OPENED AT ANY ONE TIME AT A WINE SAMPLING OR TASTING EVENT ARE:**
  - (1) ALL OF THE BOTTLES IN A WINE PRESERVATION SYSTEM THAT THE BOARD APPROVES; AND**

**(II) NOT MORE THAN SIX OTHER BOTTLES OF WINE OPENED BY A HOLDER OF A SOLICITOR'S PERMIT, THE HOLDER OF THE BWST LICENSE, OR AN EMPLOYEE OF THE LICENSE HOLDER.**

**(3) A SINGLE INDIVIDUAL MAY NOT CONSUME MORE THAN 6 OUNCES OF WINE FROM ALL BRANDS IN A SINGLE DAY.**

~~[(3)]~~ **(4) The licensee shall notify the Board in writing at least 5 days prior to each event.**

~~[(4)]~~ **(5) Once opened, each bottle used for the beer and wine sampling or tasting event shall be marked that it is to be used for that purpose only.**

~~[(5)]~~ **(6) The contents of each bottle may not be mixed with any other bottle and all bottles shall be destroyed once they are empty.**

(f) **(1) A BWST license is for on-premises consumption only.**

**(2) Sampling or tasting of beer or wine may not be conducted from a drive-through window.**

**(G) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION."**

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 ENVIRONMENTAL MATTERS REPORT #16**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 57 – Senator Colburn**

AN ACT concerning

**Office of the State’s Attorney – Dorchester County – Authority to Appoint Criminal Investigators**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 93 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Recreational Incentives Pilot Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 401 – Senator Young**

AN ACT concerning

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

**SB0401/480318/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 401

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Balcony” insert “Railing”; in line 4 and in lines 6 and 7, in each instance, strike “a political subdivision” and substitute “certain political subdivisions”; in line 4, strike “conduct” and substitute “require”; in line 7, after the first “to” insert “conduct the inspections,”; in the same line, strike “periodic”; in the same line, after “inspections” insert “, or require a certain professional inspector employed by the owner of a multifamily dwelling to conduct and certify the inspections in a certain manner; requiring certain political subdivisions to provide a certain notice”

to the owner of a multifamily dwelling”; in line 10, after “inspection;” insert “prohibiting a unit from being inspected under certain circumstances; prohibiting Baltimore City from issuing or renewing a certain multiple-family dwelling license unless the applicant demonstrates that a professional inspector has completed a certain inspection; requiring Baltimore City to notify the holder of a multiple-family dwelling license of a certain inspection requirement at a certain time;”; strike beginning with “providing” in line 11 down through “term” in line 13 and substitute “defining certain terms; requiring a political subdivision to require a certain inspection under this Act of certain multifamily or multiple-family dwellings on or before a certain date; providing that this Act does not require a political subdivision to inspect a certain balcony railing more than once within a certain period of time, with a certain exception; providing for the application of this Act”; and in line 14, strike “balconies in multifamily dwellings” and substitute “certain balcony railings”.

#### AMENDMENT NO. 2

On page 2, in line 6, after “(3)” insert “(I)”; in the same line, strike “BUILDING” and substitute “PROPERTY”; in lines 8, 9, 10, 11, 12, 13, 14, and 15, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, “7.”, and “8.”, respectively; and after line 15, insert:

#### “(II) MULTIFAMILY DWELLING DOES NOT INCLUDE:

1. A CONDOMINIUM, AS DEFINED IN § 11-101 OF THE REAL PROPERTY ARTICLE; OR

2. A COOPERATIVE HOUSING CORPORATION, AS DEFINED IN § 5-6B-01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

#### (4) “PROFESSIONAL INSPECTOR” MEANS:

(I) A PROFESSIONAL ENGINEER LICENSED UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE AND EXPERIENCED IN THE PRACTICE OF STRUCTURAL ENGINEERING;

(II) AN ARCHITECT LICENSED UNDER TITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE AND KNOWLEDGEABLE IN THE DESIGN, CONSTRUCTION, AND INSPECTION OF BUILDINGS; OR

**(III) FOR PURPOSES OF THE INSPECTION OF A MULTIFAMILY DWELLING CONTAINING MORE THAN 10 DWELLING UNITS, A QUALIFIED PERSON WITH AT LEAST 5 YEARS OF EXPERIENCE IN MULTIFAMILY DWELLING OPERATIONS, UPKEEP, AND MAINTENANCE.”.**

On page 3, strike in their entirety lines 16 through 18, inclusive, and substitute:

**“(3) (I) THIS PARAGRAPH DOES NOT APPLY IN BALTIMORE CITY.”;**

in line 19, strike “CONDUCT” and substitute “**REQUIRE**”; in line 20, after “OF” insert “**AT LEAST 10% OF THE UNITS IN**”; in line 22, strike “5” and substitute “**10**”; in line 23, after “YEARS” insert “**, BEGINNING NO LATER THAN 10 YEARS AFTER THE BALCONY IS CONSTRUCTED,**”; in the same line, strike “EACH BALCONY MEETS” and substitute “**THE BALCONY RAILINGS MEET**”; in line 25, after “MAY” insert “**:**”

**1. CONDUCT INSPECTIONS REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH;**

**2.**”;

in line 26, after “INSPECTIONS” insert “**REQUIRED**”; in line 27, after “PARAGRAPH” insert “**ON BEHALF OF THE POLITICAL SUBDIVISION; OR**”

**3. REQUIRE AN INSPECTION REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH TO BE CONDUCTED AND CERTIFIED TO THE POLITICAL SUBDIVISION BY A PROFESSIONAL INSPECTOR EMPLOYED BY THE OWNER OF THE MULTIFAMILY DWELLING”;**

after line 27, insert:

**“(IV) A CERTIFICATION MADE BY A PROFESSIONAL INSPECTOR UNDER SUBPARAGRAPH (III)3 OF THIS PARAGRAPH SHALL:**

**1. BE MADE IN THE FORM REQUIRED BY THE APPLICABLE POLITICAL SUBDIVISION; AND**

2. INCLUDE:
  - A. A STATEMENT THAT THE BALCONY RAILINGS HAVE BEEN INSPECTED;
  - B. THE NAME OF THE OWNER OF THE MULTIFAMILY DWELLING;
  - C. THE ADDRESS OF THE MULTIFAMILY DWELLING;
  - D. THE NAME OF THE INSPECTOR;
  - E. THE DATE THE MULTIFAMILY DWELLING WAS INSPECTED;
  - F. THE RESULTS OF THE INSPECTION; AND
  - G. ANY OTHER INFORMATION REQUIRED BY THE POLITICAL SUBDIVISION.

(v) A POLITICAL SUBDIVISION SHALL:

1. PROVIDE NOTICE TO THE OWNER OF A MULTIFAMILY DWELLING AT LEAST 10 DAYS BEFORE ANY INSPECTION OF THE DWELLING CONDUCTED UNDER SUBPARAGRAPH (III)1 OR 2 OF THIS PARAGRAPH; OR
2. A. NOTIFY THE OWNER OF A MULTIFAMILY DWELLING OF THE NEED TO HAVE A PROFESSIONAL INSPECTOR COMPLETE AN INSPECTION UNDER SUBPARAGRAPH (III)3 OF THIS PARAGRAPH; AND
  - B. ALLOW THE OWNER OF THE MULTIFAMILY DWELLING A REASONABLE PERIOD OF TIME TO HAVE THE INSPECTION COMPLETED.”;



in line 28, strike “(IV)” and substitute “(VI)”; in line 29, strike “5” and substitute “10”; and after line 31, insert:

“(VII) A UNIT MAY NOT BE INSPECTED UNDER THIS PARAGRAPH IF THE TENANT OR LAWFUL OCCUPANT LEASING THE UNIT DENIES THE INSPECTOR ACCESS TO THE UNIT.

(4) (I) IN THIS PARAGRAPH, “MULTIPLE-FAMILY DWELLING” HAS THE MEANING STATED IN ARTICLE 13, § 5-1 OF THE BALTIMORE CITY CODE.

(II) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

(III) BALTIMORE CITY MAY NOT ISSUE OR RENEW A MULTIPLE-FAMILY DWELLING LICENSE UNLESS THE APPLICANT DEMONSTRATES THAT A PROFESSIONAL INSPECTOR HAS COMPLETED AN INSPECTION OF THE MULTIPLE-FAMILY DWELLING TO ENSURE THAT EACH BALCONY RAILING IN THE MULTIPLE-FAMILY DWELLING MEETS THE REQUIREMENTS OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY.

(IV) BEGINNING IN OCTOBER 2015, AND EVERY 5 YEARS THEREAFTER, AT THE TIME THAT BALTIMORE CITY SENDS A RENEWAL NOTICE TO A HOLDER OF A MULTIPLE-FAMILY DWELLING LICENSE, BALTIMORE CITY SHALL NOTIFY THE LICENSE HOLDER OF THE INSPECTION REQUIREMENT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH.”.

On page 4, in line 1, strike “(4)” and substitute “(5)”; and in line 5, after “(3)” insert “OR (4)”.

### AMENDMENT NO. 3

On page 5, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, a political subdivision shall require an inspection, in accordance with the requirements of this Act, of each multifamily or multiple-family dwelling in the

political subdivision in which a unit in the multifamily or multiple-family dwelling has a balcony railing that is at least 10 years old.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act does not require a political subdivision, other than Baltimore City, to inspect a balcony railing inspected before the effective date of this Act more than once within a 10-year period.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act does not require a political subdivision that conducts balcony railing inspections before the effective date of this Act to alter its method of conducting inspections, but any change to balcony railing inspection methods made on or after October 1, 2014, must comply with this Act.”;

and in line 6, strike “2.” 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.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

### **Senate Bill 557 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Sheriff – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

### **Senate Bill 827 – Senator Pugh**

AN ACT concerning

#### **Criminal Law – Possession of Dangerous or Wild Animals**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 960 – Senator Ferguson**

AN ACT concerning

**Environment – Cox Creek Citizens Oversight Committee – Composition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON JUDICIARY REPORT #11**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 50 – Senator Frosh**

AN ACT concerning

**Crimes – Use of Personal Identifying Information or the Identity of Another –  
Sexual Crimes**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 116 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Committed Facilities – Repeal of Termination**

**SB0116/582316/1**

BY: House Judiciary Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal of Termination” and substitute “Extension of Termination Date”; in line 3, strike “repealing” and substitute “extending”; and in line 6, after “circumstances;” insert “requiring the Department of Juvenile services to report to the General Assembly on or before a certain date; specifying the contents of the report;”.

AMENDMENT NO. 2

On page 2, in lines 20 and 22, in each instance, strike the bracket; in line 20, strike “2” and substitute “4”; in line 21, strike “2014” and substitute “2016”; after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before January 1, 2015, the Department of Juvenile Services shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.

(b) The report shall specifically provide information on the process for removing youth from committed residential placements, including who is responsible for making the decision to remove youth and how those decisions are reviewed.

(c) In addition, the Department shall provide the following data for each fiscal year, beginning with fiscal 2011:

(1) the number of youth ejected from committed residential placements;

(2) the number of referrals to the Department’s Central Review Committee;

(3) the number of youth transferred to a new residential placement under Chapter 198 of 2012;

(4) the number of youth transferred to a new committed program who are placed in detention pending relocation;

(5) the average length of stay for pending placement youth who are placed in detention pending relocation to a new committed residential placement;

(6) the number of pending placement youth held in detention for more than 30 days due to ejection from a committed residential placement;

(7) the number of youth who request and receive a hearing as a result of a proposed change to the residential placement; and

(8) the reasons for ejection of youth from committed residential placements.”;

and in line 23, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 223 – Senator Muse**

AN ACT concerning

**Crimes – Threat of Mass Violence**

**SB0223/302714/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 223

(Third Reading File Bill)

On page 1, in line 3, strike “causing” and substitute “threatening to cause”.

On page 2, in line 14, strike the comma; in the same line, after “OR” insert “THREATEN TO”; and in line 15, strike the first comma.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 247 – Senators Frosh, Forehand, Gladden, Hershey, Jacobs, Jennings, Shank, and Stone**

EMERGENCY BILL

AN ACT concerning

**Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 337 – The President (By Request – Administration)**

AN ACT concerning

~~Criminal Law – Crimes Committed~~ **Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 348 – Senator Manno**

AN ACT concerning

**Texting While Driving – Accidents Resulting in Death or Serious Injury – Penalties**

**SB0348/632018/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 348  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Texting” and substitute “Use of Text Messaging Device or Handheld Telephone”; strike beginning with “altering” in line 4 down through “circumstances;” in line 7; in line 9, after “device” insert “or a handheld telephone”; in the same line, strike “causes” and substitute “substantially contributes to”; in the same line, after the second “that” insert “directly”; in line 10, after “another;” insert “requiring a person who is involved in a motor vehicle accident that results in the death of or a life threatening injury to another person and who is detained by a police officer who has reasonable grounds to believe that the person has been driving while using a text messaging device or a handheld telephone in violation of a certain provision of law to provide the officer with certain information regarding the device;”; in line 17, after “Act;” insert “providing that a sentence imposed under this Act shall be separate from and concurrent with a sentence for a certain other crime;”; in line 19, strike “prohibition” and substitute “prohibitions”; and in the same line, after “device” insert “and a handheld telephone”.

AMENDMENT NO. 2

On page 1, in line 22, after “16-402(a)(39)” insert “, 21-1124.3”.

On page 2, in line 1, strike “with” and substitute “without”; and in line 3, after “21-1124.1” insert “and 21-1124.2”.

AMENDMENT NO. 3

On page 2, in line 14, strike “§ 21-1124.1(B)(2)” and substitute “§ 21-1124.3(A)”; in line 23, strike “(1)”; in line 24, strike “THE INDIVIDUAL’S HANDS TO USE”; and strike in their entirety lines 27 through 30, inclusive.

AMENDMENT NO. 4

On page 3, after line 27, insert:

“21-1124.2.

(a) (1) In this section the following words have the meanings indicated.

(2) “Handheld telephone” means a handheld device used to access wireless telephone service.

(3) “9–1–1 system” has the meaning stated in § 1–301 of the Public Safety Article.

(b) This section does not apply to:

(1) Emergency use of a handheld telephone, including calls to:

(i) A 9–1–1 system;

(ii) A hospital;

(iii) An ambulance service provider;

(iv) A fire department;

(v) A law enforcement agency; or

(vi) A first aid squad;

(2) Use of a handheld telephone by the following individuals when acting within the scope of official duty:

(i) Law enforcement personnel; and

(ii) Emergency personnel;

(3) Use of a handheld telephone as a text messaging device as defined in § 21–1124.1 of this subtitle; and

(4) Use of a handheld telephone as a communication device utilizing push-to-talk technology by an individual operating a commercial motor vehicle, as defined in 49 C.F.R. Part 390.5 of the Federal Motor Carrier Safety Regulations.

(c) The following individuals may not use a handheld telephone while operating a motor vehicle:

(1) A driver of a Class H (school) vehicle that is carrying passengers and in motion; and



(2) A holder of a learner's instructional permit or a provisional driver's license who is 18 years of age or older.

(d) (1) This subsection does not apply to an individual specified in subsection (c) of this section.

(2) A driver of a motor vehicle that is in motion may not use the driver's hands to use a handheld telephone other than to initiate or terminate a wireless telephone call or to turn on or turn off the handheld telephone.

(e) (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 \$75;

(ii) For a second offense, a fine of not more than \$125; and

(iii) For a third or subsequent offense, a fine of not more than \$175.

(2) Points may not be assessed against the individual under § 16-402 of this article unless the offense contributes to an accident.

(f) The court may waive a penalty under subsection (e) of this section for a person who:

(1) Is convicted of a first offense under this section; and

(2) Provides proof that the person has acquired a hands-free accessory, an attachment or add-on, a built-in feature, or an addition for the person's handheld telephone that will allow the person to operate a motor vehicle in accordance with this section.

### **21-1124.3.**

**(A) A PERSON MAY NOT COMMIT A VIOLATION OF § 21-1124.1 OR § 21-1124.2 OF THIS SUBTITLE THAT SUBSTANTIALLY CONTRIBUTES TO AN**

ACCIDENT THAT DIRECTLY RESULTS IN THE DEATH OR, AS DEFINED IN § 27-113 OF THIS ARTICLE, SERIOUS BODILY INJURY OF ANOTHER.

(B) IF A PERSON IS INVOLVED IN A MOTOR VEHICLE ACCIDENT THAT RESULTS IN THE DEATH OF OR A LIFE THREATENING INJURY TO ANOTHER PERSON AND THE PERSON IS DETAINED BY A POLICE OFFICER WHO HAS REASONABLE GROUNDS TO BELIEVE THAT THE PERSON HAS BEEN DRIVING WHILE USING A TEXT MESSAGING DEVICE OR A HANDHELD TELEPHONE IN VIOLATION OF § 21-1124.1 OR § 21-1124.2 OF THIS SUBTITLE, THE PERSON SHALL PROVIDE THE OFFICER WITH THE FOLLOWING INFORMATION REGARDING THE DEVICE:

(1) THE TELEPHONE NUMBER ASSOCIATED WITH THE DEVICE;

(2) THE IDENTITY OF THE SERVICE CARRIER FOR THE DEVICE;

AND

(3) ANY ELECTRONIC MAIL ADDRESS ASSOCIATED WITH THE DEVICE.”.

AMENDMENT NO. 5

On page 3, in line 29, before “A” insert “(A)”; in the same line, strike “§ 21-1124.1(B)(2)” and substitute “§ 21-1124.3(A)”; in line 31, strike “3 YEARS” and substitute “1 YEAR”; and after line 31, insert:

“(B) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE SEPARATE FROM AND CONCURRENT WITH A SENTENCE FOR ANOTHER CRIME BASED IN WHOLE OR PART ON THE ACT ESTABLISHING THE VIOLATION OF § 21-1124.3 OF THIS ARTICLE.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 369 – Senator Stone**

AN ACT concerning

**Peace Orders and Protective Orders – Penalties – Second or Subsequent Offenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 398 – Senator Shank**

AN ACT concerning

**Criminal Procedure – Certificate of Completion**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 460 – Senators Raskin, Forehand, and King**

AN ACT concerning

**Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor**

**SB0460/482510/2**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 460

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “the definition of” and substitute “a certain prohibition against a certain”; strike beginning with “for” in line 5 down through “against” in line 6 and substitute “from”; in line 6, after “engaging” insert “in certain conduct to prohibit a certain person in a position of authority from engaging”; in line 8, strike “certain”; in the same line, after “minor” insert “who is enrolled or participating”

in the institution, program, or activity at which the person in a position of authority works; defining a certain term; making a certain conforming change; providing a certain statute of limitations for a violation of this Act; providing penalties for a violation of this Act; providing that a violation of this Act may not be considered a lesser-included offense of another crime, with a certain exception; providing that a prosecution under this Act does not preclude a certain other prosecution;”; strike beginning with “to” in line 16 down through “school;” in line 17; and after line 23, insert:

“BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2013 Replacement Volume and 2013 Supplement)”.

On page 2, after line 10, insert:

“BY adding to  
Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)”.

#### AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Courts and Judicial Proceedings

5–106.

(z) A prosecution for a misdemeanor offense under [§ 3–308(c)] § 3–325 or, if the victim was a minor at the time of the offense, § 3–308(b)(1) of the Criminal Law Article shall be instituted within 3 years after the offense was committed.”;

strike in their entirety lines 20 through 28, inclusive; and in line 29, strike “(b)” and substitute “**(A)**”.

On page 3, strike in their entirety lines 7 through 14, inclusive; and in line 15, strike “(d)” and substitute “**(B)**”.

On page 4, after line 28, insert:

“3-325.

(A) (1) IN THIS SECTION, “PERSON IN A POSITION OF AUTHORITY” MEANS A PERSON WHO:

(I) IS AT LEAST 21 YEARS OLD;

(II) WORKS AT:

1. A PUBLIC OR PRIVATE PRESCHOOL, ELEMENTARY SCHOOL, OR SECONDARY SCHOOL; OR

2. A SPORTS OR RECREATIONAL FACILITY OR PROGRAM; AND

(III) EXERCISES SUPERVISION OVER ONE OR MORE MINORS ENROLLED OR PARTICIPATING IN THE INSTITUTION, PROGRAM, OR ACTIVITY.

(2) “PERSON IN A POSITION OF AUTHORITY” INCLUDES AN INDIVIDUAL WHO IS A VOLUNTEER WITH, UNDER CONTRACT WITH, OR A PAID EMPLOYEE OF A COUNTY BOARD OF EDUCATION OR AN INSTITUTION, A PROGRAM, OR AN ACTIVITY DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION.

(B) A PERSON IN A POSITION OF AUTHORITY MAY NOT ENGAGE IN SEXUAL CONTACT, A SEXUAL ACT, OR VAGINAL INTERCOURSE WITH A MINOR WHO IS ENROLLED OR PARTICIPATING IN THE INSTITUTION, PROGRAM, OR ACTIVITY AT WHICH THE PERSON IN A POSITION OF AUTHORITY WORKS.

(C) (1) UNLESS SPECIFICALLY CHARGED BY THE STATE, A VIOLATION OF THIS SECTION MAY NOT BE CONSIDERED A LESSER-INCLUDED OFFENSE OF ANOTHER CRIME.

**(2) A PROSECUTION OF A VIOLATION OF THIS SECTION DOES NOT PRECLUDE A PROSECUTION UNDER § 3-602 OF THIS TITLE.**

**(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 476 – Senator Colburn**

AN ACT concerning

**Criminal Procedure – ~~Seeking Medical Assistance for Another Who Ingested Alcohol or Drugs – Minors~~ Limited Immunity – Alcohol- or Drug-Related Medical Emergencies**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 512 – ~~Senator Gladden~~ Senators Gladden and Muse**

AN ACT concerning

**Criminal Injuries Compensation Board – Membership – Family Member of Homicide Victim**

**SB0512/102819/1**

BY: House Judiciary Committee

**AMENDMENTS TO SENATE BILL 512**

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Family” in line 2 down through “Victim” in line 3 and substitute “Victim of Crime or Family Member”; and in line 5, strike “family member of a homicide victim” and substitute “victim of crime or a family member of a victim of crime”.

AMENDMENT NO. 2

On page 2, in line 2, after the first “A” insert “VICTIM OF CRIME OR A”; in the same line, strike “**HOMICIDE**”; and in line 3, after “**VICTIM**” insert “OF CRIME”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 542 – ~~Senator Muse~~ Senators Muse, Frosh, Brochin, Forehand, Gladden, Hershey, Jacobs, Raskin, Shank, Stone, and Zirkin**

AN ACT concerning

**Law Enforcement Officers – Entrance–Level and ~~Annual~~ In–Service Training Requirements  
(Christopher’s Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 659 – Senator Gladden**

AN ACT concerning

**Crimes Relating to Animals – Surgery on Dogs – Penalties**

**SB0659/282715/1**

BY: House Judiciary Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “, or” in line 3 down through “veterinarian,” in line 5; and strike beginning with “prohibiting” in line 6 down through “dog;” in line 7.

AMENDMENT NO. 2

On page 2, in line 5, strike “**(1)**”; strike beginning with “**SUBSECTION**” in line 5 down through “**(3)**” in line 6 and substitute “**SUBSECTION (A)**”; strike beginning with “, **OR**” in line 7 down through “**VETERINARIAN,**” in line 8; and strike in their entirety lines 10 through 12, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 815 – Montgomery County Senators**

AN ACT concerning

**Criminal Law – Telecommunication Devices in Place of Confinement –  
Montgomery County Work Release and Prerelease Programs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 867 – Senator Benson**

AN ACT concerning

**Correctional Services – Revocation of Parole – Repeal of Sunset**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:



**Senate Bill 897 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Orphans’ Court Judges – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON WAYS AND MEANS REPORT #14**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 607 – Delegates Kaiser, Afzali, Barkley, Barnes, Bates, Carr, Clagett, Elliott, Fraser-Hidalgo, George, Glenn, Guzzone, Healey, Hogan, Krebs, Lafferty, Luedtke, McDermott, McDonough, McIntosh, Pendergrass, Schulz, Serafini, Smigiel, Stocksdale, Valentino-Smith, Vitale, and Zucker**

AN ACT concerning

**Education – Student Privacy and Cloud Computing Act**

**HB0607/485160/3**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 607

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Afzali,”; in the same line, strike “Elliott,”; in the same line, strike “George,”; in the same line, strike “Hogan, Krebs,”; in the same like, strike “McDermott, McDonough,”; in the same line, strike “Schulz, Serafini, Smigiel, Stocksdale,”; in the same line, strike “Vitale,”; in the same line, strike “and Zucker” and substitute “Zucker, Ivey, Stukes, F. Turner, Walker, and A. Washington”; in line 2, after “Student” insert “Data”; in the same line, strike “and Cloud Computing”; in the same line, after “Act” insert “of 2014”; strike beginning with “authorizing” in line 3 down through “manner,” in line 8 and substitute “requiring the State Department of Education, on or before a certain date, to consult with certain”

experts on certain issues relating to student data privacy, establish certain parameters for using a certain software service, and develop certain sample contracts; requiring certain local education agencies to use a certain sample contract for certain contracts entered into on or after a certain date;; in line 9, strike “State Superintendent of Schools” and substitute “Department”; strike beginning with “defining” in line 9 down through “terms;” in line 10; in line 10, after “Student” insert “Data”; in the same line, strike “and Cloud Computing”; and in the same line, after “Act” insert “of 2014”.

#### AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 11 on page 1 through line 23 on page 3, inclusive.

#### AMENDMENT NO. 3

On page 3, after line 23, insert:

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

(a) On or before December 31, 2014, the State Department of Education shall:

(1) Consult with experts in the field of children’s privacy protection on best practices for protecting student data privacy if a local education agency decides to use a software service to host student data;

(2) Establish parameters for the appropriate manner in which a local education agency may use a software service to host student data;

(3) Develop, in consultation with industry experts, a sample contract, that includes a provision that student data may not be used for online behavioral advertising or marketing purposes, to be used by a local education agency if the local education agency decides to use a software service provider to process student data; and

(4) Once the sample contract is developed, provide each local education agency with the sample contract.

(b) Each local education agency shall use the sample contract developed by the Department under subsection (a)(3) and (4) of this section in contracts entered into with a software service provider on or after March 31, 2015.

(c) The Department shall adopt regulations to implement this section.”;

and in line 25, strike “October” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O’Donnell moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 106 – Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Recordation and Transfer Taxes – Transfer of Property Between Business Entities – Reorganizations – Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 267 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Property Tax Credit – Newly Constructed Dwellings**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 374 – Senators Currie, Kasemeyer, King, Peters, ~~and Robey~~  
Robey, and DeGrange**

AN ACT concerning

**State Lottery – Online Ticket Sales – Moratorium ~~and Study~~**

**SB0374/905165/2**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 374

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Online Ticket Sales – Moratorium” and substitute “Task Force to Study Lottery Revenue”; and strike beginning with “prohibiting” in line 3 down through “Internet” in line 13 and substitute “establishing the Task Force to Study Lottery Revenue; 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 determinations regarding certain matters; requiring the Task Force to report its findings, determinations, and any 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 a study of State lottery revenue”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 16 through 18, inclusive, and substitute:

“(a) There is a Task Force to Study Lottery Revenue.

(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 Director of the State Lottery and Gaming Control Agency, or the Director's designee;

(4) the Secretary of Budget and Management, or the Secretary's designee;

(5) a representative of the Center of Excellence on Problem Gambling;  
and

(6) the following members, appointed by the Governor:

(i) one representative of the retail industry that is a licensed agent;

(ii) one representative of the e-commerce industry; and

(iii) two consumer members.

(c) Each consumer member:

(1) shall be a member of the general public familiar with games offered by the State lottery;

(2) may not be a licensee of or otherwise subject to regulation by the State Lottery and Gaming Control Agency; and

(3) for a period of at least 1 year before appointment to the Task Force, may not have had a financial interest in or have received compensation from a person regulated by the State Lottery and Gaming Control Agency.

(d) The Governor shall designate the chair of the Task Force.

(e) The State Lottery and Gaming Control Agency shall provide staff for the Task Force.

(f) 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.

(g) The Task Force shall study:

(1) data on the causes of the decline in lottery revenue;

(2) potential innovations that may improve the lottery experience and restore revenues, including:

(i) Maryland participation in multistate raffles;

(ii) expansion of lottery ticket tie-ins to sports teams in the State;

(iii) development of means to capitalize on the consumer shift to digital and multiplatform use;

(iv) the use of online platforms for lottery sales; and

(v) implementation of lottery games earmarked for specific purposes or causes;

(3) lottery agent commissions and bonus incentive programs; and

(4) e-commerce, banking, privacy, and security issues related to lottery sales through multiple sales channels and platforms.

(h) On or before January 1, 2015, 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 it is the intent of the General Assembly that the State Lottery and Gaming Control Agency not implement any new e-commerce related to lottery sales before April 6, 2015.”.

### AMENDMENT NO. 3

On page 3, 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 572 – Senators King, Feldman, Manno, Peters, and Robey**

AN ACT concerning

**Homestead Tax Credit – Eligibility – Definition of Legal Interest**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 613 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Hotel Rental Tax – Transient Charge**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 616 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Property Tax – Exemption for Property Owned by  
Affordable Housing Land Trust**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 730 – Senators Jacobs, Colburn, Glassman, and Hershey**

AN ACT concerning

**Maryland Transportation Authority – ~~Transportation Facilities Projects –  
Cash Toll Lanes~~ All-Electronic Tolling – Study**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 736 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Property Tax Credit for Historic or Heritage Properties –  
Calculation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 784 – Senators Montgomery, Astle, Benson, Brinkley, Colburn, Conway, Feldman, Kelley, Klausmeier, Middleton, ~~and Ramirez~~ Ramirez, and Dyson**

AN ACT concerning

**~~Education – Loan Assistance – Professional Counselors and Alcohol and Drug  
Counselors~~  
Higher Education – Loan Assistance – Licensed Clinical Counselors**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 895 – The Minority Leader**

AN ACT concerning

**Election Law – Baltimore City Republican Party Central Committee – Filling  
of Vacancies**



Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 899 – Senator Hershey**

AN ACT concerning

**Kent County – Gaming – Permits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#19**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**House Bill 1479 – Delegates Frank, Aumann, Boteler, Cluster, Impallaria,  
Kach, McDonough, and Szeliga**

AN ACT concerning

**Election Law – Baltimore City Republican Party Central Committee – Filling  
of Vacancies**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**Senate Bill 654 – ~~Senator Middleton~~ Senators Middleton, Astle, Brinkley,  
Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and  
Ramirez**

AN ACT concerning

**Health – Down Syndrome – Required Information**

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**Senate Bill 687 – ~~Senator Raskin~~ Senators Raskin, Forehand, and Gladden**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, Factory Branches, and Affiliates  
– Relationship With Dealers**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**Senate Bill 1075 – Senator Conway**

EMERGENCY BILL

AN ACT concerning

**Public Safety – Hotels – Carbon Monoxide Alarms**

The Bill was re-referred to the Committee on Environmental Matters.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 171 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2014,  
and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008,  
2009, 2010, 2011, 2012, and 2013**

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF  
DELEGATES – 2014 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF  
ACTION PERTAINING TO SENATE BILL 171 – THE CAPITAL BUDGET

(See Exhibit K of Appendix II)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 171 – THE CAPITAL  
BUDGET

(See Exhibit L of Appendix II)

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT  
ADOPTED. FAVORABLE REPORT NOT ADOPTED.

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendments 7 through 13 were read and adopted.

Committee amendments 14 through 17 were read and adopted.

Committee amendments 18 through 38 were read and adopted.

Committee amendments 39 through 53 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 133 Members present.

(See Roll Call No. 919)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #67**

**House Bill 450 – Delegates Hixson, Harper, A. Miller, Serafini, Stukes,  
Summers, and A. Washington**

AN ACT concerning

**Income Tax Credit – Endow Maryland**

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

Affirmative – 118    Negative – 14    (See Roll Call No. 920)

The Bill was then sent to the Senate.

**House Bill 1136 – Delegates Rosenberg, Carter, and Oaks**

AN ACT concerning

**Video Lottery Terminals – Local Impact Grants – Schedule and Reporting Requirements for Baltimore City**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 921)

The Bill was then sent to the Senate.

**House Bill 1510 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Behavioral Health Administration – Establishment and Duties**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 922)

The Bill was then sent to the Senate.

**House Bill 1516 – Delegates Hixson and Frick, Frick, and A. Washington**

AN ACT concerning

**Economic Development – Arts and Entertainment Districts – Qualifying Residing Artists**

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

Affirmative – 124    Negative – 6    (See Roll Call No. 923)

The Bill was then sent to the Senate.

**Senate Bill 89 – Chair, Finance Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Maryland Health Care Commission – Requirement for Certificate of Need – Exceptions**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 924)

The Bill was then returned to the Senate.

**Senate Bill 103 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Health Programs for Children – Renaming and Modernization**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 925)

The Bill was then returned to the Senate.

**Senate Bill 162 – Senators Conway, Dyson, and Young**

AN ACT concerning

**Health Occupations – Licensed Podiatrists – Scope of Practice and Hospital Privileges**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 926)

The Bill was then returned to the Senate.

**Senate Bill 379 – Senator Conway**

AN ACT concerning

**State Acupuncture Board and State Board of Dietetic Practice – Action and Penalties for Violations of Practice Acts**

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

Affirmative – 129 Negative – 3 (See Roll Call No. 927)

The Bill was then returned to the Senate.

**Senate Bill 412 – Senator Dyson**

AN ACT concerning

**Health Occupations – Licensed Dentists Who ~~Prepare and~~ Dispense  
Antibiotics – Exclusion From Maryland Pharmacy Act**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 928)

The Bill was then returned to the Senate.

**Senate Bill 413 – Senator Dyson**

AN ACT concerning

**Health Occupations – Dentists With Permits to ~~Prepare and~~ Dispense Dental  
Products – Exclusion From Maryland Pharmacy Act**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 929)

The Bill was then returned to the Senate.

**Senate Bill 415 – Senators Klausmeier, Benson, Reilly, and Young**

AN ACT concerning

**Morticians and Funeral Directors – Pre-Need Contracts**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 930)

The Bill was then returned to the Senate.

**Senate Bill 453 – Senator Conway**

AN ACT concerning

**State Board of Examiners for Audiologists, Hearing Aid Dispensers, and  
Speech-Language Pathologists – Cease and Desist Orders and Injunctive  
Relief**

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

Affirmative – 130    Negative – 0    (See Roll Call No. 931)

The Bill was then returned to the Senate.

**Senate Bill 508 – Senators Currie, Benson, Muse, Peters, Ramirez, and  
Rosapepe**

AN ACT concerning

**Office of the Attorney General – Establishment of a Consumer Affairs  
Satellite Office in Prince George’s County**

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

Affirmative – 96    Negative – 35    (See Roll Call No. 932)

The Bill was then returned to the Senate.

**Senate Bill 577 – Senator Astle**

AN ACT concerning

**Department of Health and Mental Hygiene – State Facilities – Cemeteries**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 933)

The Bill was then returned to the Senate.

**Senate Bill 606 – Senators Robey, Kasemeyer, Manno, McFadden, ~~and Peters~~  
Peters, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier,  
Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Developmental Disabilities Administration – Deputy Secretary –  
Establishment**

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

Affirmative – 130 Negative – 0 (See Roll Call No. 934)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #19**

#### **Senate Bill 620 – Senator Kelley**

AN ACT concerning

#### **Mental Health – Approval by Clinical Review Panel of Administration of Medication – Standard**

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

Affirmative – 130 Negative – 1 (See Roll Call No. 935)

The Bill was then returned to the Senate.

#### **Senate Bill 622 – Senator Middleton**

AN ACT concerning

#### **Health Insurance – Step Therapy or Fail-First Protocol**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 936)

The Bill was then returned to the Senate.

#### **Senate Bill 644 – Senators Ferguson, Currie, Dyson, Jacobs, Jones-Rodwell, Klausmeier, Madaleno, Manno, Montgomery, and Raskin**

AN ACT concerning

#### **State Government – Open Data Policy – Council on Open Data**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 937)

The Bill was then returned to the Senate.

#### **Senate Bill 648 – Senator Conway**



AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments  
Owned by a Single Owner – Pre-Need Trustee Licenses and Public  
Notification of Death**

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

Affirmative – 131    Negative – 0    (See Roll Call No. 938)

The Bill was then returned to the Senate.

**Senate Bill 669 – Senators Ramirez, Astle, Benson, King, Manno, Muse, Pugh,  
and Rosapepe**

AN ACT concerning

**Procurement – Debarment – Violations of Law**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 939)

The Bill was then returned to the Senate.

**Senate Bill 852 – Senator Conway**

AN ACT concerning

**Health Occupations – Dispensers of Devices and Equipment – Exclusion  
From the Maryland Pharmacy Act**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 940)

The Bill was then returned to the Senate.

**Senate Bill 854 – Senator Conway**

AN ACT concerning

**State Board of Pharmacy – Registered Pharmacy Interns**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 941)

The Bill was then returned to the Senate.

**Senate Bill 882 – ~~Senator Pugh~~ Senators Pugh and Kelley**

AN ACT concerning

~~**Assertive Community Treatment (ACT) – Targeted Outreach, Engagement,  
and Services**~~

**Department of Health and Mental Hygiene – Continuity of Care Advisory  
Panel**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 942)

The Bill was then returned to the Senate.

**Senate Bill 893 – Chair, Finance Committee (By Request – Department of  
Legislative Services)**

AN ACT concerning

**Health Insurance – Insurance Laws That Apply to Health Maintenance  
Organizations – Consolidation and Clarification**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 943)

The Bill was then returned to the Senate.

**Senate Bill 975 – Senators Montgomery, Benson, Ramirez, and Rosapepe**

AN ACT concerning

**Small Business Reserve Program – Definition of Small Business – Repeal of  
Sunset Provision**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 944)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #20**

**Senate Bill 35 – Senator Shank**

AN ACT concerning

**Family Law – Domestic Violence Incident Report – Dissemination**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 945)

The Bill was then returned to the Senate.

**Senate Bill 40 – Carroll County Senators**

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Carroll County – Fees  
for Appearance of Counsel**

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

Affirmative – 122    Negative – 10    (See Roll Call No. 946)

The Bill was then returned to the Senate.

**Senate Bill 64 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Children in Need of Assistance – Educational Stability**

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

Affirmative – 129    Negative – 3    (See Roll Call No. 947)

The Bill was then returned to the Senate.

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

AN ACT concerning

**Drunk Driving – Ignition Interlock System Program – Repeat Offenders**

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

Affirmative – 131 Negative – 1 (See Roll Call No. 948)

The Bill was then returned to the Senate.

**Senate Bill 114 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Public Safety – Internal Investigative Unit – Name Change and Duties**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 949)

The Bill was then returned to the Senate.

**Senate Bill 122 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Detention – Community Detention Violation Hearings**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 950)

The Bill was then returned to the Senate.

**Senate Bill 126 – Chair, Finance Committee (By Request – Departmental –  
Public Safety and Correctional Services)**

AN ACT concerning

**Public Safety – Prohibition of Polygraph Examinations by Employers –  
Exemption**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the Senate.

**Senate Bill 144 – Senator Kelley**

AN ACT concerning

**Family Law – Foster Care – Kinship Parent Age Requirements**

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

Affirmative – 131    Negative – 0    (See Roll Call No. 952)

The Bill was then returned to the Senate.

**Senate Bill 206 – Senator DeGrange (Chair, Special Joint Commission on Public Safety and Security in State and Local Correctional Facilities)**

AN ACT concerning

**Criminal Law – Contraband – Telecommunication Devices and Accessories – Penalty**

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

Affirmative – 131    Negative – 0    (See Roll Call No. 953)

The Bill was then returned to the Senate.

**Senate Bill 224 – Senators Raskin, Forehand, Frosh, Jones–Rodwell, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pugh, Ramirez, Young, and Zirkin**

AN ACT concerning

**State Prosecutor and Deputy State Prosecutor – Witness Immunity – Compulsory Testimony**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 954)

The Bill was then returned to the Senate.

**Senate Bill 246 – Anne Arundel County Senators**

AN ACT concerning

**Public Safety – Anne Arundel Community College Police Force**

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

Affirmative – 130 Negative – 1 (See Roll Call No. 955)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #21**

#### **Senate Bill 248 – Senators Frosh, Madaleno, and Raskin**

AN ACT concerning

#### **Criminal Law – Use of Handgun in Crime of Violence or Felony – Statute of Limitations**

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

Affirmative – 132 Negative – 0 (See Roll Call No. 956)

The Bill was then returned to the Senate.

#### **Senate Bill 321 – Senator Getty**

AN ACT concerning

#### **Estates and Trusts – Personal Representatives and Guardians – Standards**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 957)

The Bill was then returned to the Senate.

#### **Senate Bill 333 – Senator Frosh and the President (By Request – Administration) and Senators Forehand, King, ~~and Raskin~~ Raskin, Brochin, Jacobs, Ramirez, and Stone**

AN ACT concerning

#### **Peace Orders and Protective Orders – Burden of Proof**

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

Affirmative – 116 Negative – 17 (See Roll Call No. 958)

The Bill was then returned to the Senate.

**Senate Bill 334 – The President (By Request – Administration) and Senators Frosh and Raskin**

AN ACT concerning

**Family Law – Domestic Violence – Permanent Final Protective Orders**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 959)

The Bill was then returned to the Senate.

**Senate Bill 390 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Law – Illegal Dumping and Litter Control Law – Driver’s License – Points**

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

Affirmative – 117    Negative – 16    (See Roll Call No. 960)

The Bill was then returned to the Senate.

**Senate Bill 391 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Registers of Wills – Records**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 961)

The Bill was then returned to the Senate.

**Senate Bill 396 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Equity Court Jurisdiction – Immigrant Children – Custody or Guardianship Petitions**

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

Affirmative – 88    Negative – 44    (See Roll Call No. 962)

The Bill was then returned to the Senate.

**Senate Bill 434 – Senators Frosh, Forehand, Raskin, Shank, and Stone**

AN ACT concerning

**Peace Orders and Protective Orders – Extensions**

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

Affirmative – 131    Negative – 2    (See Roll Call No. 963)

The Bill was then returned to the Senate.

**Senate Bill 436 – Senator Frosh**

AN ACT concerning

**Law Enforcement ~~Officer~~ Officers' Bill of Rights – ~~Hearing Board – Exclusion~~  
~~of Evidence~~ Show Cause Order – Appropriate Relief**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 964)

The Bill was then returned to the Senate.

**Senate Bill 556 – Carroll County Senators**

AN ACT concerning

**Carroll County – Orphans' Court Judges – Salary**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 965)

The Bill was then returned to the Senate.

**Senate Bill 608 – Senators Shank and Gladden**

AN ACT concerning



**Correctional Services – Swift and Certain Sanctions Pilot Program –  
Expansion**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 966)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #22**

**Senate Bill 15 – Senators ~~Jacobs and Ferguson~~, Ferguson, and Reilly**

AN ACT concerning

**Election Law – Statewide Voter Registration List – ~~Reports~~ Removal of  
Deceased Voters**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 967)

The Bill was then returned to the Senate.

**Senate Bill 42 – Senator Klausmeier**

AN ACT concerning

**Financial Education and Capability Commission – Membership and Duties**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 968)

The Bill was then returned to the Senate.

**Senate Bill 95 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

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

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

Affirmative – 116    Negative – 18    (See Roll Call No. 969)

The Bill was then returned to the Senate.

**Senate Bill 107 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Lottery and Gaming Control  
Agency)**

AN ACT concerning

**State Lottery – Retailer Licenses – Background Investigations**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 970)

The Bill was then returned to the Senate.

**Senate Bill 108 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Lottery and Gaming Control  
Agency)**

AN ACT concerning

**State Lottery – Unlawful Representation**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 971)

The Bill was then returned to the Senate.

**Senate Bill 111 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Advisory Councils**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 972)

The Bill was then returned to the Senate.

**Senate Bill 112 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Innovative Partnerships for  
Technology Program – Repeal**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 973)

The Bill was then returned to the Senate.

**Senate Bill 118 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Juvenile Services Education – Facilities**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 974)

The Bill was then returned to the Senate.

**Senate Bill 120 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

SECOND PRINTING

AN ACT concerning

**Education – Children With Disabilities – Parent Surrogates**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 975)

The Bill was then returned to the Senate.

**Senate Bill 124 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education Coordinating Committee and Lida Lee Tall Learning Resources  
Center – Repeal**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 976)

The Bill was then returned to the Senate.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#20**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

**Senate Bill 1099 – Senators Manno ~~and Miller~~, Miller, Middleton, Astle,  
Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Workers' Compensation – Occupational Disease Presumptions – Paid  
~~Emergency Medical Services Providers~~ Rescue Squad Members and Paid  
Advanced Life Support Unit Members**

The Bill was re-referred to the Committee on Economic Matters.

**AMENDED IN THE SENATE**

**House Bill 274 – Delegates Lafferty, Bobo, Carr, Clippinger, Conaway, Frush,  
Healey, Luedtke, McIntosh, Niemann, S. Robinson, Rosenberg, Stein,  
Valderrama, Waldstreicher, M. Washington, Wilson, and Zucker**

AN ACT concerning

**~~Civil Actions~~ Foreclosure Sales of Residential Property – Statute of  
Limitations for Certain Specialties and Motion for Certain Deficiency  
Judgments**

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0274/178779/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 274  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Foreclosure Sales of Residential Property” and substitute “Civil Actions”; and strike beginning with “to” in line 7 down through “property” in line 19 and substitute “, within a certain time period, to file a motion for a deficiency judgment under certain circumstances; requiring the party to serve the motion in accordance with certain procedures; providing that the filing of a certain motion shall constitute the sole post-ratification remedy available to a certain party under certain circumstances; providing for the application of this Act; and generally relating to specialties and deficiency judgments”.

AMENDMENT NO. 2

On page 3, in line 4, strike “BY A MORTGAGOR”.

On pages 3 and 4, strike in their entirety the lines beginning with line 7 on page 3 through line 33 on page 4, inclusive, and substitute:

“Article – Real Property

7-105.13.

(A) AFTER THE FINAL RATIFICATION OF THE AUDITOR’S REPORT FOLLOWING A SALE MADE IN ACCORDANCE WITH §§ 7-105 THROUGH 7-105.8 OF THIS SUBTITLE OR THE MARYLAND RULES, A SECURED PARTY OR AN APPROPRIATE PARTY IN INTEREST MAY FILE A MOTION FOR A DEFICIENCY JUDGMENT IF THE PROCEEDS OF THE SALE, AFTER DEDUCTING ALL COSTS AND EXPENSES ALLOWED BY THE COURT, ARE INSUFFICIENT TO SATISFY THE DEBT AND ACCRUED INTEREST.

(B) A MOTION FOR DEFICIENCY JUDGMENT UNDER THIS SECTION SHALL BE FILED WITHIN 3 YEARS AFTER THE FINAL RATIFICATION OF THE AUDITOR’S REPORT.

(C) THE SECURED PARTY OR PARTY IN INTEREST SHALL SERVE THE MOTION IN ACCORDANCE WITH THE MARYLAND RULES.

(D) THE FILING OF A MOTION FOR DEFICIENCY JUDGMENT IN ACCORDANCE WITH THIS SECTION AND THE MARYLAND RULES SHALL CONSTITUTE THE SOLE POST-RATIFICATION REMEDY AVAILABLE TO A SECURED PARTY OR PARTY IN INTEREST FOR BREACH OF A COVENANT CONTAINED IN A DEED OF TRUST, MORTGAGE, OR PROMISSORY NOTE THAT SECURES OR IS SECURED BY OWNER-OCCUPIED RESIDENTIAL PROPERTY, AS DEFINED IN § 7-105.1 OF THIS SUBTITLE.

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 cause of action arising before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.”.

The preceding 2 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB 0274**

SPONSOR: Del Lafferty, et al

SUBJECT: Forclsre Sales of Resid Prop – Statute of Lims for Crtn Specialties & Motion for Crtn Defency Judgts

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 Norman, and

Delegate Beidle.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 430 – Delegate Cardin**

AN ACT concerning

**Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

Delegate Davis moved that the House not concur in the Senate amendments.

**HB0430/627272/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 430

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “providing for the application of this Act;”; and in line 16, strike “11–1604” and substitute “11–1605”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

**“THIS SUBTITLE DOES NOT APPLY TO AN ASSERTION OF PATENT INFRINGEMENT THAT INCLUDES A CLAIM FOR RELIEF ARISING UNDER 35 U.S.C. § 271(E)(2) OR 42 U.S.C. § 262.**

**11–1603.”**

On page 5, in line 3, strike “**11–1603.**” and substitute “**11–1604.**”; and in line 8, strike “**11–1604.**” and substitute “**11–1605.**”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE****BILL: HB 0430****SPONSOR: Del Cardin****SUBJECT: Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

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 ClerkRead and adopted.**CONCURRENCE CALENDAR #4****AMENDED IN THE SENATE****House Bill 598 – Delegate Dumais**

AN ACT concerning

**Law Enforcement Officers’ Bill of Rights – Prosecutorial Disclosures –  
Punitive Action**

Delegate Conway moved that the House concur in the Senate amendments.

**HB0598/248374/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 598

(Third Reading File Bill)

On page 1, in line 2, strike “Prosecutorial”; and in line 19, strike “prosecutorial”.

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 – 131    Negative – 0    (See Roll Call No. 977)

**AMENDED IN THE SENATE**

**House Bill 322 – Washington County Delegation**

AN ACT concerning

**Washington County – Alcoholic Beverages – Restaurant Seating Capacity**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0322/583925/1**

BY: Senator Shank

AMENDMENTS TO HOUSE BILL 322

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Capacity” insert “and License Quota”; and in line 5, after “County;” insert “excepting Class P licenses rather than Class B licenses from calculations in determining whether the number of licenses within an election district exceeds the population ratio quota;”.

AMENDMENT NO. 2.

On page 2, in line 15, strike “B” and substitute “**P**”.

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 – 132    Negative – 0    (See Roll Call No. 978)

**AMENDED IN THE SENATE**

**House Bill 1026 – Delegates A. Kelly, Hucker, Barkley, Barnes, Bobo, Braveboy, Clippinger, Cullison, Frick, Glenn, Gutierrez, Haynes, Impallaria, Kramer, Love, McHale, A. Miller, Mitchell, Oaks, Olszewski,**

**Pena–Melnyk, Pendergrass, Reznik, S. Robinson, Valderrama, Vaughn,  
and A. Washington**

AN ACT concerning

**Labor and Employment – Unpaid Parental Leave – Birth or Adoption of a  
Child**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1026/887674/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1026

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “vacation”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 24 and 25.

On page 4, in lines 10 and 12, in each instance, strike “VACATION”.

On page 7, in line 4, in each instance, strike “**SECRETARY**” and substitute “**COMMISSIONER**”.

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 – 92    Negative – 41    (See Roll Call No. 979)

**AMENDED IN THE SENATE**

**House Bill 1225 – Delegates Rosenberg, Barkley, Barnes, Haddaway–Ricchio,  
Impallaria, Jameson, Love, McHale, W. Miller, Mitchell, Rudolph, and  
Schulz**

AN ACT concerning

**Legal Mutual Liability Insurance Society of Maryland – Conservatorship and Transfer**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1225/657770/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1225

(Third Reading File Bill)

On page 1, in line 16, after “assets” insert “and certain liabilities”.

On page 4, strike beginning with the comma in line 13 down through “STATE” in line 14; and in line 17, strike “FULLY”.

On page 7, in line 18, after “ASSETS” insert “OF THE SOCIETY”; and in line 19, strike “OF” and substitute “UNDER POLICIES ISSUED BY”.

On page 8, in line 1, after “assets” insert “of the Society”; and in the same line, strike “of” and substitute “under policies issued by”; and in lines 34 and 35, strike “as the insurer of last resort”.

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 – 132    Negative – 0    (See Roll Call No. 980)

**AMENDED IN THE SENATE**

**House Bill 440 – Delegates Pena–Melnik, Anderson, Barnes, Beidle, Bobo, Braveboy, Carr, Frush, Gilchrist, Glenn, Gutierrez, Harper, Healey, Holmes, Kramer, Lafferty, McMillan, A. Miller, Myers, Niemann, Otto, Reznik, S. Robinson, Simmons, Valderrama, Vitale, A. Washington, and Wilson**

AN ACT concerning

**Education – School Vehicles – Authorized Riders**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0440/508071/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 440

(Third Reading File Bill)

On page 2, in line 17, strike “**PLAN, 504 PLAN**” and substitute “**PROGRAM, 504 PLAN UNDER THE FEDERAL REHABILITATION ACT OF 1973**”.

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 – 132    Negative – 0    (See Roll Call No. 981)

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**House Bill 607 – Delegates Kaiser, Afzali, Barkley, Barnes, Bates, Carr, Clagett, Elliott, Fraser–Hidalgo, George, Glenn, Guzzone, Healey, Hogan, Krebs, Lafferty, Luedtke, McDermott, McDonough, McIntosh, Pendergrass, Schulz, Serafini, Smigiel, Stocksdales, Valentino–Smith, Vitale, and Zucker**

AN ACT concerning

**Education – Student Privacy and Cloud Computing Act**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O’Donnell moved to make the Bill a Special Order for Thursday.

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

Affirmative – 52    Negative – 74    (See Roll Call No. 982)

FLOOR AMENDMENT

**HB0607/973221/1**

BY: Delegate Szeliga

AMENDMENTS TO HOUSE BILL 607, AS AMENDEDAMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0607/485160/3), in line 10 of Amendment No. 1, after “experts” insert “and certain parents and guardians of certain students”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in Amendment No. 3, strike beginning with “Consult” in line 3 down through “if” in line 4 and substitute “If”; and in line 5, after “data” insert “, consult with:”

(i) experts in the field of children’s privacy protection on best practices for protecting student data privacy; and

(ii) parents and guardians of students under the jurisdiction of the local education agency regarding concerns about protecting student data privacy”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50    Negative – 79    (See Roll Call No. 983)

## FLOOR AMENDMENT

**HB0607/763221/1**

BY: Delegate O’Donnell

AMENDMENTS TO HOUSE BILL 607, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, before “requiring” insert “requiring each local education agency to adopt a certain policy that includes a certain process for the parents or guardian of a certain student to opt out of certain student data collection;”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments (HB0607/485160/3), in Amendment No. 3, after line 17, insert:

“(c) Each local education agency shall adopt a policy that includes a process by which the parents or guardian of a student under the jurisdiction of the local education agency may opt the student out of the collection of student data by the local education agency.”;

and in line 18, strike “(c)” and substitute “(d)”.

The preceding 2 amendments were read only.

Delegate O’Donnell moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

### INTRODUCTION OF BILLS

Delegate Bromwell moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 125    Negative – 2    (See Roll Call No. 984)

In compliance with the rules, the Bill was introduced.

Delegate Bromwell moved to suspend the rules and assign the bill to the committee of jurisdiction.

The roll call vote resulted as follows:

Affirmative – 110    Negative – 13    (See Roll Call No. 985)

### House Bill 1555 – Delegate Bromwell

AN ACT concerning

### Health Occupations – Maryland Perfusion Act – Applicability

FOR the purpose of providing that certain provisions of law governing the practice of perfusion do not apply to certain persons or certain organizations; and generally relating to the regulation of perfusionists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5E–02  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 986)

### ADJOURNMENT

At 12:26 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 27, 2014, Calendar Day Thursday, April 3, 2014.

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**Annapolis, Maryland**  
**Legislative Day: March 27, 2014**  
**Calendar Day: Thursday, April 3, 2014**

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The House met at 10:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cathy Vitale of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 988)

The Journal of March 26, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical  
Del. Costa – late – personal  
Del. Davis – late – illness  
Del. Harper – medical  
Del. Mizeur – late – personal  
Del. Stifler – late – illness  
Del. Waldstreicher – personal – family emergency

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 4	Del. Barkley	Alcoholic Beverages – Vaportinis and Similar Devices – Prohibited
HB 6	Ch., Econ Matters Co	Maryland Home Improvement Commission – Guaranty Fund – Claims
HB 16	Del. Smigiel	Cecil County – Board of Elections – Membership
HB 18	Del. Stein	Institutions of Higher Education – Student Notification – Financial



HB 58	Del. Haddaway–Riccio	Information Talbot County – Chesapeake Bay Critical Area – Prosecution or Civil Suit for Certain Violations
HB 87	Anne Arundel Co. Del	Anne Arundel County – Superintendent of Schools – Compensation
HB 105	Ch. Hlth & Govt Ops	Md Hlth Care Comm – Powers – Auth to Award Fnds and Make Agts With Grantees and Payees
HB 112	Del. Hubbard	Bd of Prof Cnslrs and Thrpsts – Cease and Desist Orders and Pnlts for Misrep & Practice Without Lic
HB 113	Del. Hubbard	State Board of Examiners of Psychologists – Psychology Associates – Registration
HB 121	Del. S. Robinson	Chesapeake Bay Trust – Powers and Duties – Member Terms
HB 129	Del. S. Robinson	Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest Provisions
HB 141	Montgomery Co. Del.	Montgomery County – Barbershops – Restriction on Operation Repealed MC 1–14
HB 165	Del. Stein	Financial Education and Capability Commission – Membership and Duties
HB 209	Charles County Del.	Charles County – Board of Education – Salaries and Expenses
HB 220	Del. Jameson	Injured Workers’ Insurance Fund Employees – Registration as Registered Lobbyists
HB 229	Del. Hubbard	Public Health – Child Care Products Containing Flame–Retardant Chemicals – TDCPP – Prohibition
HB 251	Del. Nathan–Pulliam	State Board of Nursing – Electrology Practice Committee – Membership
HB 253	The Speaker	State Board of Stationary Engineers – Sunset Extension and Program Evaluation
HB 254	The Speaker	State Board of Individual Tax

		Preparers – Sunset Extension and Program Evaluation
HB 256	The Speaker	Maryland Horse Industry Board – Sunset Extension and Program Evaluation
HB 258	The Speaker	St Bd of Audiologists, Hrg Aid Dispensers, and Speech–Lang Pthlgsts – Sunset Ext and Pgm Eval
HB 261	Del. Minnick	Alcoholic Beverages – Hard Cider – Definition
HB 270	The Speaker	General Provisions Article
HB 272	Del. Reznik	Health Occupations – Licensed Podiatrists – Scope of Practice and Hospital Privileges
HB 298	The Speaker	Hlth Servs Cost Review Comm – Powers and Duties, Reg of Facs, and Md All–Payer Model Contract
HB 301	Del. Reznik	Hlth Occups – Dentists With Prmts to Dispense Den Prods – Exclusion From Md Pharmacy Act
HB 302	Del. Reznik	State Board of Podiatric Medical Examiners – Cease and Desist Orders and Fines
HB 303	Del. Reznik	Hlth Occups – Lic’d Dentists Who Dispense Antibiotics – Exclusion From Md Pharmacy Act
HB 337	Del. Schulz	Farm Breweries – Location and Self–Distribution
HB 343	Allegheny County Del.	Allegheny County and Garrett County – Boards of Education – Removal of Ex Officio Member
HB 350	Del. Haddaway–Ricchio	Education – Talbot County Board of Education – Lease of Public School Facility
HB 356	Del. Barkley	Alcoholic Beverages – Class 8 Farm Breweries – Festival Licenses
HB 378	Del. Otto	Somerset Co – Service Award Program for Emergency Medical Services and Fire and Rescue Pers

HB 398	Del. Murphy	State Board of Pharmacy – Election of Officers
HB 401	Del. Cullison	Chiropractors, Massage Therapists, and Physical Therapists and Assts – Crim History Rcds Checks
HB 403	Del. Cullison	St Bd for Audiolgsts, Hrg Aid Dspnsrs, & Spch–Lang Pthlgsts – Cease & Desist Ordrs & Injctv Relief
HB 413	Del. Luedtke	Special Ed – Individualized Ed Program Parental Notice Requirements and Service Models List
HB 427	Del. Hixson	Education – Maryland Sudden Cardiac Arrest Awareness Act
HB 428	Del. Luedtke	Children – Maryland Infants and Toddlers Program – Eligibility
HB 433	Frederick County Del	Frederick County – Alcoholic Beverages Act of 2014
HB 451	Ch, Envir Matters Co	Neighborhood Business Development Program – Financial Assistance for Food Deserts
HB 453	Ch, Envir Matters Co	Housing and Community Development – Multifamily Rental Housing Programs Efficiency Act
HB 454	Ch., Ways and Means	Gaming – Emergency Suspension of License
HB 459	Ch., Ways and Means	Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants
HB 460	Ch., Ways and Means	Gaming – Background Investigations
HB 464	Del. Schulz	Alcoholic Beverages – Micro–Brewery Licenses – Retail Sale – Prepackaged Beer
HB 482	Del. M. Washington	Higher Education – Unaccompanied Homeless Youth – Tuition Exemption
HB 487	Del. Reznik	Small Business Reserve Program – Definition of Small Business – Repeal of Sunset

HB 546	Del. Rosenberg	Provision Higher Education – Janet L. Hoffman Loan Assistance Repayment Program – Modifications
HB 600	Del. Luedtke	Alcoholic Beverages – Farmers’ Market Permit – Establishment

Read and ordered journalized.

#### HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 657	Del. Pena–Melnik	State Board of Dental Examiners – Dentists and Dental Hygienists – Grounds for Discipline
HB 658	Del. Carter	Jt Committee on Transparency and Open Govt – Study on Appeals Under the Md Public Information Act
HB 699	Del. Murphy	Income Tax – Subtraction Modification – Unreimbursed Expenses of Foster Parents
HB 727	Del. Olszewski	Procurement – Prevailing Wage – Applicability
HB 772	Del. George	Local Govt Investments – Self–Ins Funds and Trust Fund Accounts of Political Subdivisions
HB 779	Del. Hammen	Maryland Health Care Commission – Health Care Provider–Carrier Workgroup
HB 791	Del. Bromwell	State Board of Examiners in Optometry – Cease and Desist Orders, Injunctive Relief, and Penalties
HB 796	Del. V. Turner	Procurement – Debarment – Violations of Law
HB 798	Del. A. Kelly	Education – Children With Disabilities – Habilitative Services Information
HB 827	Del. Summers	Municipal Elections – Campaign Finance Rpts – Submission of Copies to the

HB 834	Del. Frush	State Bd of Elections Environment – Water Pollution Control – Penalty
HB 908	Del. Nathan–Pulliam	St Bd of Nsg – Nurses, Nsg Assists, Med Techs, & Elctrlgsts – Licensng, Certfn, Reg, Viols, & Pens
HB 922	Del. Luedtke	Physical Education and Athletic Programs for Students With Disabilities – Funding
HB 932	Del. Murphy	Charles County – Property Tax Credit – Senior Citizens Receiving Social Security Benefits
HB 939	Caroline County Del.	Caroline County and Talbot County – Annual Financial Report – Filing Date
HB 950	Del. Hogan	Prop Tax – Chrtble, Educ, or Religious Props – Tax on Formerly Exempt Prop
HB 969	The Speaker	General Provisions – Cross–References and Corrections
HB 991	Del. Haddaway–Ricchio	Queen Anne’s County and Talbot County – Board of Elections – Membership
HB 999	The Speaker	Code Revision – Miscellaneous Provisions
HB 1001	Del. Hixson	Education – Federal Elementary and Secondary Education Act – Waiver Requests
HB 1006	Del. Kaiser	TF to Stdy the Impact of Expndg Cr & Noncr Courses for Stdts With Intellectual & Devmtl Dsblts – Ext
HB 1024	Del. McIntosh	Rural Maryland Prosperity Investment Fund – Revisions and Extension of Termination Date
HB 1029	Del. Murphy	Health Occupations – Dispensers of Devices and Equipment – Exclusion From the Md Pharmacy Act
HB 1033	Queen Anne’s Co. Del	Queen Anne’s County Board of Education – Filling a Vacancy

HB 1046	Prince George's Del.	in Membership City of College Park Employees – Participation in the Employees' Pension System PG 404–14
HB 1057	Prince George's Del.	PG Co – Univ of Md, College Pk Bus Serv – Mtr Carrier Prmt Exemp – Rmvl of Sunset PG 403–14
HB 1059	Del. Clagett	Transportation – Highway User Revenues – Local Government Reporting
HB 1082	Del. Jameson	Title Insurers – Statutory or Unearned Premium Reserves
HB 1147	Del. McHale	Public Utilities – Fixed Charges for Taxicab Services – Baltimore City
HB 1205	Frederick County Del	Frederick Co – Transition to Chrtr Govt – Corrections to Refs in the Annotated Code of Md
HB 1218	Del. Cullison	State Board of Pharmacy – Registered Pharmacy Interns
HB 1222	Del. Haynes	Ruth M. Kirk Public Social Work Scholarship
HB 1258	Del. Pendergrass	Health Occupations – Maryland Environmental Health Specialists Act – Revisions
HB 1260	Del. Barve	State Government – Open Data Policy – Council on Open Data
HB 1283	Del. Hammen	Environment – Cox Creek Citizens Oversight Committee – Composition
HB 1385	Washington County Del	Washington County Gaming Commission – Membership – Conflict of Interest
HB 1409	Anne Arundel Co. Del	Anne Arundel County – Collection of Hotel Taxes and Distribution of Revenues – City of Annapolis
HB 1417	Ch., Econ Matters Co	Unemployment Insurance – Work Sharing
HB 1436	Calvert County Del.	Calvert County – Salaries of County Officials and County Commissioner Retirement Plan Participation

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 1167	Del. Hixson	Teachers and Principals – Performance Evaluation Criteria – Use of Student Growth Data

Read and ordered journalized.

**THE COMMITTEE ON APPROPRIATIONS REPORT #13**

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**House Bill 708 – Delegates Serafini, Beitzel, Clagett, Donoghue, K. Kelly, Myers, and Parrott**

AN ACT concerning

**Correctional Officers' Retirement System – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1036 – Delegates M. Washington, Rudolph, Arora, Dumais, Eckardt, Glenn, Griffith, Kaiser, Mitchell, Nathan–Pulliam, Summers, Vaughn, Wilson, and Zucker**

AN ACT concerning

**Human Services – Interagency Council on Homelessness**

**HB1036/624263/2**

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1036

(First Reading File Bill)

On page 4, in line 11, strike “AND”; after line 11, insert:

“(11) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY’S DESIGNEE; AND”;

in line 12, strike “(11)” and substitute “(12)”; in line 16, strike “AND”; in line 17, strike “FIVE” and substitute “SIX”; and in line 19, after “HEALTHCARE” insert “;AND

(IV) ONE COMMUNITY REPRESENTATIVE WHO HAS PERSONALLY EXPERIENCED HOMELESSNESS”.

On page 8, in line 13, after “OF” insert “AFFORDABLE AND ACCESSIBLE HOUSING”; in line 17, after “RECOMMENDATIONS” insert “ANNUALLY”; in the same line, after “THE” insert “GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AND”; in line 18, after “EFFECTIVE” insert “POLICIES, EFFECTIVE”; in line 19, after “RESOURCES” insert a comma; in line 22, after “YOUTH,” insert “FAMILIES,”; in lines 22 and 23, strike “MENTAL ILLNESSES” and substitute “BEHAVIORAL HEALTH PROBLEMS”; and in line 25, after “THE” insert “PREVALENCE AND”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1309 – Delegates Smigiel, Jacobs, and Otto**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records  
Check – Exemptions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:



House Bill 1323 – Delegates Kaiser, Olszewski, Ivey, Arora, Aumann, Barkley, Barnes, Barve, Boteler, Braveboy, Bromwell, Burns, Cardin, Carr, Cluster, Cullison, Davis, DeBoy, Frank, Fraser–Hidalgo, Frick, Frush, Gilchrist, Gutierrez, Healey, Hixson, Holmes, Howard, Hubbard, Huckler, Impallaria, Kach, A. Kelly, Kramer, Lee, Luedtke, McDonough, A. Miller, Minnick, Mizeur, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnik, Proctor, Reznik, S. Robinson, Simmons, Stein, Summers, Swain, Szeliga, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, Weir, and Zucker

AN ACT concerning

**Supplemental Public School Construction Matching Fund Program**

**HB1323/374469/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1323

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Jones, Griffith, Eckardt, Sophocleus, Conway, Gaines, Haynes, James, and Guzzone”; in line 2, strike “Supplemental”; and in the same line, strike “Matching Fund Program” and substitute “– Creative Financing Study”.

AMENDMENT NO. 2

On pages 1 through 9, strike in their entirety the lines beginning with line 3 on page 1 through line 31 on page 9, and substitute:

“FOR the purpose of requiring the Interagency Committee on School Construction to conduct a certain study and make certain recommendations regarding the development of certain alternative financing methods; requiring the Interagency Committee to solicit input from certain entities; requiring the Interagency Committee to submit certain reports on or before certain dates; and generally relating to the financing of public school construction.”

Preamble

WHEREAS, School facilities are critical to a strong education system and a strong community; and

WHEREAS, Investment in school facilities is needed now to ensure that 21st century teaching and learning environments are available to prepare our students for the future; and

WHEREAS, Investment in school facilities is the interest of the State as a whole as it will help ensure a prosperous economy, strong business growth, and our students' ability to compete for good jobs in the global, high-technology economy; and

WHEREAS, Despite the large infusions of State and local funding for capital improvements that have been invested since fiscal year 2006, the gap between Maryland's public school facility needs and funding capacity remains large; and

WHEREAS, Rapid enrollment growth and maintenance or renovation needs in older schools continue to place enormous pressure on all school facilities; and

WHEREAS, If the State intends to continue to position itself as a global leader in education, the State and counties must collectively pursue a path forward0. by looking at all available options for meeting the financial demands of public school construction; now, therefore,

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

(a) The Interagency Committee on School Construction shall conduct a study and make recommendations on:

(1) developing creative means, financing or otherwise, to increase funding for public school construction;

(2) creating more reliable revenue streams that could include leveraging funds by counties to meet public school construction needs; and

(3) examining the use of lease payments for other alternative financing methods, as defined in § 4-126 of the Education Article, by local school systems for public school construction.

(b) In conducting the study required under subsection (a) of this section, the Interagency Committee on School Construction shall solicit input and collaborate with the State Treasurer’s Office, local school systems, and county governments.

(c) (1) On or before December 1, 2014, the Interagency Committee on School Construction shall submit an interim report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee.

(2) On or before September 1, 2015, the Interagency Committee on School Construction shall submit a final report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**House Bill 1483 – Delegates Hucker and Costa**

AN ACT concerning

**State Reformed Contributory Employees’ and Teachers’ Pension Systems –  
Prior Eligibility Service**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 7 – Senator Colburn**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Talbot County – Oxford  
Community Center**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 74 – Senators Klausmeier and Ferguson**

AN ACT concerning

**Institutions of Higher Education – Student Notification – Financial Information**

**SB0074/344169/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 74

(Third Reading File Bill)

On page 2, in line 8, after “SHEET” insert “OR THE INFORMATION CONTAINED ON THE FINANCIAL AID SHOPPING SHEET”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 88 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Department of Transportation – Special Bonds and Borrowing – Revenue-Backed Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 168 – Calvert County Senators**

AN ACT concerning

**Calvert County – Public Facilities Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 205 – Senator DeGrange (Chair, Special Joint Commission on Public Safety and Security in State and Local Correctional Facilities)**

AN ACT concerning

**Correctional Services – Correctional Facilities – Officers and Inspection Standards**

**SB0205/234862/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 205

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 7 down through “circumstances;” in line 11 and substitute “providing that a correctional officer who receives an emergency suspension without pay after being charged with a certain misdemeanor and who is not convicted of the misdemeanor violation shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored, subject to a certain exception;”; and in line 12, after “Correctional Services” insert “, in collaboration with a certain person.”.

On page 2, in line 2, after “Section” insert “9-415.”; and in the same line, after “9-416” insert a comma.

AMENDMENT NO. 2

On page 2, in line 27, strike “OR”; and in line 29, after “OF” insert “§ 9–415,”; in the same line, after “§ 9–416” insert a comma; and in line 30, after “ARTICLE” insert “; OR”

(III) A CORRECTIONAL OFFICER IS CHARGED WITH A VIOLATION OF § 9–412 OF THE CRIMINAL LAW ARTICLE INVOLVING CONTRABAND THAT IS:

1. MONEY OR A MONEY EQUIVALENT; OR
2. AN ITEM OR SUBSTANCE INTENDED TO CAUSE PHYSICAL INJURY”.

On page 3, strike beginning with the first “THE” in line 3 down through “ARTICLE” in line 4 and substitute “MISDEMEANOR”.

On page 4, before line 8, insert:

“9–415.

(a) This section does not apply to an alcoholic beverage delivered or possessed in a manner authorized by the managing official.

(b) A person may not:

(1) deliver an alcoholic beverage to a person detained or confined in a place of confinement; or

(2) possess an alcoholic beverage with the intent to deliver it to a person detained or confined in a place of confinement.

(c) A person detained or confined in a place of confinement may not knowingly possess or receive an alcoholic beverage.

(d) 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.”.

AMENDMENT NO. 3

On page 5, in line 6, after “Department” insert “, in collaboration with the exclusive representative for correctional officers at State facilities.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 256 – Senator Colburn****EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Talbot County – Easton  
Head Start Center**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 446 – Senators Conway, Benson, Dyson, Ferguson, Forehand,  
Frosh, Jennings, Jones–Rodwell, King, Klausmeier, Montgomery,  
Pinsky, Pugh, Raskin, Reilly, Rosapepe, Shank, Simonaire, Stone, and  
Young**

AN ACT concerning

**~~Commission on~~ Department of Disabilities – Study of Accessibility Concepts  
in Computer Science, Information Systems, and Information Technology  
Programs in Higher Education**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 455 – ~~Senator Reilly~~ Senators Reilly, Conway, Dyson, Ferguson,  
Montgomery, and Rosapepe**

AN ACT concerning

**Higher Education – Unaccompanied Homeless Youth – Tuition Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 555 – Carroll County Senators**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 575 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Code Simplification and Clarification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 576 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Penalty for Failure to Submit Certification**

Favorable report adopted.



Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 610 – ~~Senator Jennings~~ Senators Jennings, Benson, Conway, Dyson, Ferguson, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young**

AN ACT concerning

**National Guard – Tuition Assistance – Members of Disbanded Units**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 665 – ~~Senators Edwards, Shank, and Madaleno~~ Madaleno, Colburn, Jones-Rodwell, and McFadden**

AN ACT concerning

**Correctional Officers’ Retirement System – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 686 – Senator Zirkin**

AN ACT concerning

**Law Enforcement Officers’ Bill of Rights – Prosecutorial Disclosures – Punitive Action**

**SB0686/604269/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 686  
(Third Reading File Bill)

On page 1, in line 2, strike “Prosecutorial”; and in line 19, strike “prosecutorial”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 763 – Senator Colburn**

AN ACT concerning

**Talbot County – Child Support Enforcement Administration – Transfer of Personnel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 794 – Senator Reilly**

AN ACT concerning

**~~Department of Planning~~ – Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project**

**SB0794/124468/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 794

(Third Reading File Bill)

On page 4, strike beginning with “through” in line 17 down through “funding” in line 18 and substitute “from non-State sources”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 796 – ~~Senator Madaleno~~ Senators Madaleno, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Human Services – Interagency Council on Homelessness**

**SB0796/854866/1**

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 796

(Third Reading File Bill)

On page 8, in line 23, after “RECOMMENDATIONS” insert “ANNUALLY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 879 – Senator Kelley**

AN ACT concerning

**State Personnel – Disciplinary Appeal and Grievance Procedure Documents  
– Electronic Transmission**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 939 – Senator Shank**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Leave of Absence –  
Extension of Purchase Period**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 1082 – ~~Senator Madaleno~~ Senators Madaleno, Jones-Rodwell,  
Manno, and Raskin**

AN ACT concerning

**State Reformed Contributory Employees' and Teachers' Pension Systems –  
Prior Eligibility Service**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 1104 – ~~Senators Middleton and Ramirez~~ Ramirez, Astle, Feldman,  
Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**University of Maryland Medical System Corporation – Governance – Medical  
Center Employees**

**SB1104/864969/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1104

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, strike “represented by a certain entity” and substitute “who have elected to be exclusively represented”.

AMENDMENT NO. 2

On page 6, strike beginning with “elected” in line 28 down through “Corporation” in line 29 and substitute “have elected to be exclusively represented”.

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 ECONOMIC MATTERS REPORT #23

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

#### Senate Bill 495 – Calvert County Senators

AN ACT concerning

#### Calvert County – Alcoholic Beverages – Premises Inspections and Penalties

**SB0495/973597/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 495

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 4, after “county,” insert “at certain intervals.”

##### AMENDMENT NO. 2

On page 2, in line 8, strike the second opening bracket; in line 9, strike “three” and substitute “SIX”; in the same line, strike the bracket; in lines 16 and 28, in each instance, strike “\$2,500” and substitute “\$1,000”; and in line 26, strike “5” and substitute “3”.

On page 3, strike beginning with the second “THE” in line 2 down through “LICENSEE” in line 4 and substitute “:”

#### **(I) THE CLASS OF LICENSE; AND**

**(II) THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE ON:**

- 1. THE BUSINESS OF THE LICENSEE; AND**
- 2. EMPLOYEES OF THE LICENSEE”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 548 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine  
and Liquor ~~License~~ Permit**

**SB0548/543492/1**

BY: Economic Matters Committee

**AMENDMENTS TO SENATE BILL 548**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 9, strike “by the Board”.

**AMENDMENT NO. 2**

On page 2, in line 11, strike “**500**” and substitute “**1,000**”; in line 13, strike “**THAT THE BOARD OF LICENSE COMMISSIONERS REQUIRES**” and substitute “**REQUIRED**”; and in line 20, strike “**\$500**” and substitute “**\$1,000**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

### **Senate Bill 977 – Senator Feldman**

AN ACT concerning

### **Property and Casualty Insurance – Notices – Use of First-Class Mail Tracking Methods**

**SB0977/373691/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 977

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 6, after “insurance,” insert “of the offer of certain coverage for water damage, of certain information about flood insurance, of certain optional coverages, of certain notices concerning portable electronics insurance.”; strike in their entirety lines 11 through 16 and substitute:

“BY repealing and reenacting, without amendment,

Article – Insurance

Section 1–101(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Insurance

Section 1–101(m–1)”;

in line 21, strike “12–106(a), (f),” and substitute “12–106(f)”; in the same line, strike “27–602(a)” and substitute “19–202(b), 19–206(a)(2) and (c), 19–207(a)(2) and (c), 19–903(h)(2), 27–601.2(c), 27–602(c)(1)”; in the same line, strike “27–603(a) and (d)” and substitute “27–603(c)(1), (d), and (e)(1)”; in line 22, strike “27–613(a),” and

substitute “27–613(b)(2), (c)(1), and”; in the same line, strike “and (e),”; and in the same line, strike “27–614(a) and (c)(1)” and substitute “27–614(c)(1)”.

On page 2, strike in their entirety lines 3 through 19, inclusive; and strike beginning with “Section(s)” in line 21 down through “That” in line 25.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“1–101.

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

(M–1) (1) “FIRST–CLASS MAIL TRACKING METHOD” MEANS A MAIL TRACKING METHOD THAT PROVIDES EVIDENCE OF THE DATE THAT A PIECE OF FIRST–CLASS MAIL WAS ACCEPTED FOR MAILING BY THE UNITED STATES POSTAL SERVICE.

(2) “FIRST–CLASS MAIL TRACKING METHOD” INCLUDES:

(i) A CERTIFICATE OF MAIL; AND

(ii) AN ELECTRONIC MAIL TRACKING SYSTEM USED BY THE UNITED STATES POSTAL SERVICE.

(3) “FIRST–CLASS MAIL TRACKING METHOD” DOES NOT INCLUDE A CERTIFICATE OF BULK MAILING.”.

On page 4, after line 32, insert:

“19–202.

(b) If an application or renewal is made by telephone, the insurer is deemed to be in compliance with subsection (a) of this section if, within 7 calendar days after the date of application or renewal, the insurer sends [by certificate of mailing] the offer to the applicant or insured BY A FIRST–CLASS MAIL TRACKING METHOD.

19–206.



(a) (2) If an application is made by telephone, the insurer is deemed to be in compliance with this section if, within 7 calendar days after the date of application, the insurer sends [by certificate of mailing] the notice to the applicant or insured **BY A FIRST-CLASS MAIL TRACKING METHOD.**

(c) A notice required to be sent by [certificate of mailing] **A FIRST-CLASS MAIL TRACKING METHOD** under this section may be sent with the statement required under § 19-207 of this subtitle.

19-207.

(a) (2) If an application is made by telephone, the insurer is deemed to be in compliance with this section if, within 7 calendar days after the date of application, the insurer sends [by certificate of mailing] the statement to the applicant or insured **BY A FIRST-CLASS MAIL TRACKING METHOD.**

(c) A statement required to be sent by [certificate of mailing] **A FIRST-CLASS MAIL TRACKING METHOD** under this section may be sent with the notice required under § 19-206 of this subtitle.

19-903.

(h) (2) (i) Unless notice by electronic means is authorized under paragraph (3) or (4) of this subsection, notice under this section shall be provided by [mail] **A FIRST-CLASS MAIL TRACKING METHOD** in accordance with subparagraphs (ii) and (iii) of this paragraph.

(ii) Notice shall be mailed to the vendor at the vendor's last known mailing address on file with the insurer.

(iii) Notice shall be mailed to a covered customer at the covered customer's last known mailing address on file with the insurer or vendor.

(iv) The insurer or vendor responsible for mailing the notice under this section shall maintain proof of mailing.

27-601.2.

(c) Delivery of a notice in accordance with subsection (b) of this section shall be considered equivalent to any delivery method required under this subtitle, including delivery by first-class mail, certified mail, [certificate of mail, or certificate of mailing] OR A FIRST-CLASS MAIL TRACKING METHOD.”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 24 on page 3, inclusive.

On page 5, strike in their entirety lines 2 through 24, inclusive; in line 25, strike “(d)” and substitute “(c)”; in line 31, strike the brackets; and in the same line, strike “(E)”.

On page 6, strike in their entirety lines 4 through 26, inclusive; and in line 27, strike “(d)” and substitute “(c)”.

On page 7, in line 1, strike the brackets; in the same line, strike “(E)”; in line 5, strike “(f)” and substitute “(e)”; strike in their entirety lines 12 through 25, inclusive; and in line 26, strike “(c)” and substitute “(b)”.

On page 8, in line 8, strike “(d)” and substitute “(c)”; in line 15, strike the brackets; in the same line, strike “(E)”; and strike in their entirety lines 19 through 24, inclusive.

On pages 8 and 9, strike in their entirety the lines beginning with line 26 on page 8 through line 16 on page 9, inclusive.

On page 9, in line 22, 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 999 – Senator Pugh**

AN ACT concerning

**Insurance – Reinsurance – Certification of Reinsurers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 1091 – ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Astle, Feldman, Glassman, Kelley, Kittleman, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Financial Institutions – ~~Transitional Registered Mortgage Loan Originator~~  
Originators – Expedited Licenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #17**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 6 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Preventive Maintenance Program – Preventive Maintenance Technician**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

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

AN ACT concerning

**Motor Vehicles – Weight and Axle Load Limits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 76 – Senator Colburn**

AN ACT concerning

**Dorchester County Sanitary Commission – Enforcement of Liens – Tax Sale Authorization**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 77 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Commercial and Farm Vehicles – Safety Inspections and Utility Emergencies**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)****EMERGENCY BILL**

AN ACT concerning

**Vehicle Laws – Size, Weight, and Axle Load Limits**

**SB0086/250817/1**

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 86

(Third Reading File Bill)

On page 2, in line 6, after “BY” insert “OR UNDER CONTRACT WITH”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 378 – Senator Conway**

AN ACT concerning

**Vehicle Laws – Electric Bicycle – Definition**

**SB0378/940513/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 378

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “defined terms” and substitute “definitions of”.

AMENDMENT NO. 2

On page 2, in line 5, strike “(A)”; in the same line, strike “a” and substitute “:

**(1) A**;

in lines 6, 7, and 9, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 10, after “wheel” insert “**;OR**

**(2) AN ELECTRIC BICYCLE”;**

strike line 11 in its entirety; strike beginning with “**HAS**” in line 14 down through “**PROPULSION**” in line 18 and substitute “**IS DESIGNED TO BE OPERATED BY HUMAN POWER WITH THE ASSISTANCE OF AN ELECTRIC MOTOR**”;

**(2) IS EQUIPPED WITH FULLY OPERABLE PEDALS;**

**(3) HAS TWO OR THREE WHEELS;**

**(4) HAS A MOTOR WITH A RATING OF 500 WATTS OR LESS”;**

in line 19, strike “(4)” and substitute “(5)”; and in the same line, strike “EQUIPPED WITH AN ELECTRIC MOTOR AND IS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 471 – Senator Edwards**

AN ACT concerning

**Sideling Hill and Sideling Hill Wildlife Management Area Washington County – Off-Road and Off-Highway Recreational Vehicles Vehicle Trails – Prohibition of Establishment on Sideling Hill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 520 – Senator Robey**

AN ACT concerning

**Vehicle Laws – Bicycles and Motor Scooters – Operation on Roadways**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 617 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Sheriff – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 678 – Senator Conway**

AN ACT concerning

**Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 781 – Senators Montgomery, Feldman, Jones-Rodwell, Madaleno, Pugh, Stone, and Young**

AN ACT concerning

**Environment – Recycling – ~~Public and Commercial Buildings~~, Special Events, and ~~Single-Family Residences~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 813 – Senators Raskin, Forehand, Montgomery, Stone, Young, and Zirkin**

AN ACT concerning

**Motor Vehicle Administration – Drivers’ Licenses and Identification Cards – Organ Donor Designation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 901 – Senator Hershey**

AN ACT concerning

**Kent County and Queen Anne’s County – School Buses – Length of Operation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 936 – Cecil County Senators**

AN ACT concerning

**Cecil County – ~~Salary of the Sheriff and Orphans’ Court Judges~~ – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.



Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 314 – Senators Pugh, Gladden, Kelley, Madaleno, Middleton, Montgomery, and Young**

AN ACT concerning

**Health Occupations – State Board of Physicians – ~~Naturopathic Medicine~~  
Doctors**

**SB0314/356482/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 314  
(Third Reading File Bill)

On page 28, in line 27, strike “A” and substitute “THE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 449 – ~~Senators Young and Mathias, Mathias, and Simonaire~~**

AN ACT concerning

**State Government – Administrative Procedure Act – Effective Date of  
Adopted Regulations**

**SB0449/136682/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 449  
(Third Reading File Bill)

On page 2, in line 32, strike “**OR**”.

On page 3, after line 3, insert:

**“9. THE REGULATION IS ADOPTED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT UNDER TITLE 17 OF THE CODE OF MARYLAND REGULATIONS; OR”.**

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 586 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments – Unannounced Inspections**

**SB0586/496783/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO SENATE BILL 586**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike beginning with “requiring” in line 6 down through “establishments;” in line 10 and substitute “authorizing certain staff members of the State Board of Morticians and Funeral Directors to call certain supervising morticians and request certain access to certain areas of a funeral establishment under certain circumstances; requiring certain supervising morticians to immediately provide certain staff members with the location of the key or access code to certain areas of a funeral establishment; providing that certain employees are not required to accompany certain staff while the staff conducts certain inspections;”; in line 11, after “hours;” insert “providing for the application of certain provisions of this Act;”; and in line 12, after “licensees” insert “or supervising morticians”.

**AMENDMENT NO. 2**

On page 2, strike in their entirety lines 12 through 18, inclusive, and substitute:

**“(C) (1) THIS SUBSECTION APPLIES TO INSPECTIONS CONDUCTED:**

**(I) IN RESPONSE TO VALID INFORMATION PROVIDED TO THE BOARD RESULTING IN A COMPLAINT BEING OPENED BY THE BOARD CONCERNING THE PREPARATION OR BODY STORAGE AREAS OF A LICENSED FUNERAL ESTABLISHMENT; OR**

**(II) OF A FUNERAL ESTABLISHMENT THAT THE BOARD HAS PLACED ON PROBATIONARY STATUS IN ACCORDANCE WITH § 7-316(B) OF THIS TITLE.**

**(2) A TRAINED STAFF MEMBER OF THE BOARD WHO IS QUALIFIED TO DO INSPECTIONS MAY CALL THE SUPERVISING MORTICIAN OF A LICENSED FUNERAL ESTABLISHMENT, AS DESIGNATED UNDER § 7-310(E) OF THIS TITLE, AND REQUEST IMMEDIATE ACCESS TO THE PREPARATION AND BODY STORAGE AREAS OF THE FUNERAL ESTABLISHMENT.**

**(3) IF A REQUEST IS MADE UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE SUPERVISING MORTICIAN IMMEDIATELY SHALL PROVIDE THE STAFF MEMBER OF THE BOARD WITH THE LOCATION OF THE KEY OR ACCESS CODE TO THE PREPARATION OR BODY STORAGE AREAS OF THE FUNERAL ESTABLISHMENT.**

**(4) AN EMPLOYEE OF A LICENSED FUNERAL ESTABLISHMENT IS NOT REQUIRED TO ACCOMPANY A STAFF MEMBER OF THE BOARD WHILE THE STAFF MEMBER CONDUCTS AN INSPECTION OF A PREPARATION OR BODY STORAGE AREA IN ACCORDANCE WITH THIS SUBSECTION.”.**

**AMENDMENT NO. 3**

On page 2, strike beginning with “A” in line 27 down through “TITLE” in line 29 and substitute **“THE SUPERVISING MORTICIAN FOR THE LICENSED FUNERAL ESTABLISHMENT, AS DESIGNATED UNDER § 7-310(E) 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.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 592 – ~~Senator Jones-Rodwell~~ Senators Jones-Rodwell, Conway, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

~~Department of Health and Mental Hygiene – Community Health Workers  
Certification and Reimbursement  
Workgroup on Workforce Development for Community Health Workers~~

**SB0592/836788/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 592  
(Third Reading File Bill)

On page 4, in line 1, strike “December 1, 2014” and substitute “June 1, 2015”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 694 – Senators Klausmeier, Colburn, Currie, Feldman, King, Kittleman, Mathias, Middleton, Robey, and Young**

AN ACT concerning

**Health Occupations – Maryland Behavior Analysts Act**

**SB0694/466287/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 694  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 18 down through “Fund;” in line 20; and in line 24, strike “Board” and substitute “Committee”.

AMENDMENT NO. 2

On page 5, in line 18, strike “**SEPTEMBER 30**” and substitute “**DECEMBER 31**”; and in line 24, strike “**OCTOBER 1, 2014**” and substitute “**JANUARY 1, 2015**”.

AMENDMENT NO. 3

On page 21, in line 12, strike “**(1)**”; and strike in their entirety lines 16 through 18, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 790 – ~~Senator Kelley~~ Senators Kelley, Astle, Feldman, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – Communications Between Carriers and Enrollees –  
Conformity With the Health Insurance Portability and Accountability Act  
(HIPAA)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 874 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Feldman, Glassman, Kelley, Kittleman, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Health Insurance – Specialty Drugs**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 884 – Senators Pugh, Feldman, Klausmeier, and Mathias**

AN ACT concerning

**Health Insurance – Incentives for Health Care Practitioners**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 891 – ~~Senator Middleton~~ Senators Middleton, Kittleman, and Pugh**

AN ACT concerning

**Maryland Health Care Commission – Authority of Acute Care Hospitals to Provide Cardiac Surgery Services – Voluntary Relinquishment – Regulations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 952 – Senator Astle**

AN ACT concerning

**Pharmacy Benefits Managers – Pharmacy Contracts – ~~Payments~~ Maximum Allowable Cost Pricing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 1040 – Senator Middleton**

AN ACT concerning

**Maryland Community Health Resources Commission – Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 1108 – Senators Conway and Dyson**

AN ACT concerning

**Sterile Compounding Permits – ~~Exemptions~~ – Definition of “Compounding”  
and Exemption for Sterile Compounding Facilities That Compound Only for  
Immediate Use**

**SB1108/866788/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 1108

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Compounding” insert “, Study, and Recommendations”; in line 8, strike the semicolon and substitute “and guidance; requiring the Secretary of Health and Mental Hygiene to convene a workgroup, including representatives of certain health occupations boards, organizations, and other parties, to study certain standards for certain acts performed by, or under the supervision of, certain health care professionals in the treatment of certain conditions and to report, on or before a certain date, to the Governor and certain legislative committees on the results of the study and the Secretary’s recommendations;”.

AMENDMENT NO. 2

On page 2, in line 17, after “OTHER” insert “SIMILAR”; in the same line, after “ACTS” insert “ROUTINELY”; in line 18, after “ONCOLOGIST” insert “, A RHEUMATOLOGIST,”; in line 20, after “MEDICATION,” insert “RHEUMATOLOGY THERAPY,”; in line 21, after “CANCER” insert “, A RHEUMATOLOGY CONDITION,”; in line 24, strike “AND”; and in line 26, after “LABELING” insert “; AND”

**3. OTHER DIRECTION OR GUIDANCE FROM THE U.S. FOOD AND DRUG ADMINISTRATION RELATING TO THE ACTS DESCRIBED IN THIS PARAGRAPH**.

AMENDMENT NO. 3

On page 7, in line 1, after “That” insert “the Secretary of Health and Mental Hygiene shall:”

(1) convene a workgroup, including representatives of the Maryland Board of Physicians, the State Board of Pharmacy, the Maryland Society of Clinical Oncology, MedChi, and other interested parties, to study appropriate national safety standards for mixing, reconstituting, and other similar acts routinely performed by, or under the supervision of, an oncologist, a rheumatologist, or a hematologist who administers chemotherapy, biologic therapy, supportive care medication, rheumatology therapy, or any other therapy in the treatment of cancer, a rheumatology condition, or a blood condition; and

(2) on or before December 15, 2014, report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee on:

(i) the results of the study; and

(ii) the Secretary’s recommendations for appropriate oversight of the acts described in item (1) of this section.

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 2, 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.

**THE COMMITTEE ON JUDICIARY REPORT #12**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 282 – Senator Hershey**

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Program – Kent County**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 299 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Maryland Tort Claims Act – Human Services Torts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 364 – Senators Zirkin and Kittleman**

AN ACT concerning

**Criminal Law – Possession of Marijuana – Civil Offense**

**SB0364/692914/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 364

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Task Force on Marijuana Decriminalization and Diversion”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 4 on page 2, inclusive, and substitute:

“FOR the purpose of establishing the Task Force on Marijuana Decriminalization and Diversion; 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 on Marijuana Decriminalization and Diversion.”.

On page 2, strike in their entirety lines 5 through 34, inclusive.

AMENDMENT NO. 2

On page 2, in line 36, strike “the Laws of Maryland read as follows”.

On pages 2 through 11, strike in their entirety the lines beginning with line 37 on page 2 through line 3 on page 11, inclusive, and substitute:

“(a) There is a Task Force on Marijuana Decriminalization and Diversion.

(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 Secretary of Health and Mental Hygiene, or the Secretary's designee;
- (4) the Secretary of State Police, or the Secretary's designee;
- (5) the Executive Director of the Governor's Office of Crime Control and Prevention, or the Executive Director's designee;
- (6) the Public Defender, or the Public Defender's designee; and
- (7) the following representatives, appointed by the Governor:
  - (i) a State's Attorney;
  - (ii) a representative of the Maryland Chiefs of Police Association, Inc.;
  - (iii) a representative of the Maryland Sheriffs' Association;
  - (iv) a representative of the American Civil Liberties Union;
  - (v) a representative of the National Association for the Advancement of Colored People;
  - (vi) a representative of a nonprofit organization that seeks to prevent, study, or assist those affected by drug addiction;
  - (vii) a representative of a nonprofit organization that seeks to reduce penalties for or legalize the use of marijuana;
  - (viii) a representative of a nonprofit organization that opposes decriminalization or legalization of the use of marijuana;
  - (ix) a scientist who has experience in the science of marijuana and has studied its effects on the population; and
  - (x) a representative of the Insurance Institute for Highway Safety.

- (c) The Governor shall designate the chair of the Task Force.
- (d) The Governor’s Office of Crime Control and Prevention 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 study and make recommendations regarding:
- (1) whether Maryland should decriminalize the use and possession of marijuana, and if so, what the details of such a plan to decriminalize marijuana should be; and
  - (2) whether Maryland should implement a program or programs for diversion or treatment of people whose marijuana use has reached problematic levels, and if so, what the details of such a program or programs should be.
- (g) On or before December 31, 2015, 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.”.

### AMENDMENT NO. 3

On page 11, strike line 5 in its entirety and substitute “June 1, 2014. It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2016, 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 803 – Senator Raskin**

AN ACT concerning

**Courts and Judicial Proceedings – Communications Between Patient or Client and Health Care Professional – Exceptions to Privilege**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 818 – ~~Senator Forehand~~ Senators Forehand, Jacobs, and Muse Muse, and Kittleman**

AN ACT concerning

**State Government – Human Trafficking Address Confidentiality Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 830 – Senator Forehand**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse Victims**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 922 – Senator Stone**

AN ACT concerning

**Crime Victim and Crime Victim’s Representative – Electronic Notification**

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 548 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine  
and Liquor ~~License~~ Permit**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS  
AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for Friday.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 989)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #30****Senate Bill 171 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2014,  
and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008,  
2009, 2010, 2011, 2012, and 2013**

FLOOR AMENDMENT

**SB0171/133820/1**

BY: Delegate Hough

AMENDMENT TO SENATE BILL 171  
(Third Reading File Bill – Committee Reprint)

On page 52, under:

Heading: LOCAL SENATE INITIATIVES

Program: ZA02 (CC)

Entitled: Riverdale Welcome Center

In line 3, strike “50,000” and substitute “0”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42    Negative – 93    (See Roll Call No. 990)

FLOOR AMENDMENT

**SB0171/693621/1**

BY: Delegate McDonough

AMENDMENT TO SENATE BILL 171  
(Third Reading File Bill – Committee Reprint)

On page 52, under:

Heading: LOCAL SENATE INITIATIVES

Program: ZA02 (CC)

Entitled: Riverdale Welcome Center

In line 3, after “Center” insert “, provided that this facility may be used only by individuals who have lawful presence in the United States”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49    Negative – 85    (See Roll Call No. 991)

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

Affirmative – 100    Negative – 38    (See Roll Call No. 992)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #23**

#### **Senate Bill 203 – Senator Middleton**

AN ACT concerning

#### **Charles County – Board of Education – Salaries and Expenses**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 993)

The Bill was then returned to the Senate.

#### **Senate Bill 243 – Cecil County Senators**

AN ACT concerning

#### **Cecil County – Board of Elections – Membership**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 994)

The Bill was then returned to the Senate.

#### **Senate Bill 269 – Senator Conway**

AN ACT concerning

#### **Local Government – Municipal Elections – Voting Offenses, Penalties, and Enforcement**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 995)

The Bill was then returned to the Senate.



**Senate Bill 332 – The President (By Request – Administration) and Senators King, Ferguson, Astle, Benson, Conway, Currie, Klausmeier, Miller, Peters, Raskin, Robey, Rosapepe, ~~and Zirkin~~ Zirkin, Colburn, DeGrange, Dyson, Edwards, Getty, Jones-Rodwell, Kasemeyer, Kittleman, Madaleno, Manno, McFadden, Montgomery, and Pinsky**

AN ACT concerning

**Prekindergarten Expansion Act of 2014**

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

Affirmative – 103    Negative – 35    (See Roll Call No. 996)

The Bill was then returned to the Senate.

**Senate Bill 438 – Senator Mathias**

AN ACT concerning

**Municipal Elections – Inclusion of Offices and Questions on the State Ballot**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 997)

The Bill was then returned to the Senate.

**Senate Bill 441 – Senator Mathias**

AN ACT concerning

**Worcester County – Bingo Board – Repeal**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 998)

The Bill was then returned to the Senate.

**Senate Bill 465 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County Gaming Commission – Membership – Conflict of Interest**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 999)

The Bill was then returned to the Senate.

**Senate Bill 477 – Senator Colburn**

AN ACT concerning

**Education – Talbot County Board of Education – Lease of Public School Facility**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1000)

The Bill was then returned to the Senate.

**Senate Bill 503 – Senators Pugh, Forehand, Gladden, Madaleno, Manno, McFadden, Montgomery, Stone, ~~and Zirkin~~ Zirkin, and Jennings**

AN ACT concerning

**Public Schools – Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction – ~~Graduation Requirement~~  
(Breanna’s Law)**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1001)

The Bill was then returned to the Senate.

**Senate Bill 527 – Chair, Finance Committee**

AN ACT concerning

**Maryland Horse Racing Act – Sunset Extension and Program Evaluation**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 1002)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #24**

**Senate Bill 481 – Senators Klausmeier, Colburn, DeGrange, ~~and Robey Robey,~~  
Currie, and Montgomery**

AN ACT concerning

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

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1003)

The Bill was then returned to the Senate.

**Senate Bill 604 – Senators Manno, Astle, Benson, Brinkley, Colburn, Currie,  
DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty,  
Gladden, Glassman, Jennings, Jones–Rodwell, Kasemeyer, King,  
Kittleman, Klausmeier, Madaleno, Mathias, McFadden, Middleton,  
Miller, Peters, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young,  
and Zirkin**

AN ACT concerning

**Income Tax Forms – Graphical Representation of General Fund  
Expenditures**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1004)

The Bill was then returned to the Senate.

**Senate Bill 615 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Gaming Permits**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1005)

The Bill was then returned to the Senate.

**Senate Bill 630 – Senators Madaleno, Currie, Feldman, Kelley, King, Kittleman, Muse, ~~and Ramirez~~ Ramirez, Kasemeyer, McFadden, Colburn, DeGrange, Getty, Jones–Rodwell, Peters, and Robey**

AN ACT concerning

**Income Tax – Subtraction Modification – Student Loan Debt**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1006)

The Bill was then returned to the Senate.

**Senate Bill 676 – Senator King**

AN ACT concerning

**Teachers and Principals – Performance Evaluation Criteria – Use of Student Growth Data**

Delegate Smigiel moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

**Senate Bill 701 – Senators Madaleno, Colburn, Jones–Rodwell, King, Klausmeier, Mathias, Ramirez, Raskin, and Shank**

AN ACT concerning

**Education – Children With Disabilities – Habilitative Services Information**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1007)

The Bill was then returned to the Senate.

**Senate Bill 747 – Senator Astle**

AN ACT concerning

**Anne Arundel County – Superintendent of Schools – Compensation**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1008)

The Bill was then returned to the Senate.

**Senate Bill 857 – Senators Kasemeyer and Conway**

AN ACT concerning

~~**Task Force to Study a Funding Formula for Corollary Athletic Programs**~~  
**Physical Education and Athletic Programs for Students With Disabilities –**  
**Funding**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1009)

The Bill was then returned to the Senate.

**Senate Bill 918 – Senator Colburn**

AN ACT concerning

**Talbot County – Board of Elections – Membership**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1010)

The Bill was then returned to the Senate.

**Senate Bill 930 – Senator Conway**

~~**EMERGENCY BILL**~~

AN ACT concerning

**Election Law – Filing Deadlines for Pre-Primary Election and Post-General  
Election Campaign Finance Reports**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1011)

The Bill was then returned to the Senate.

**Senate Bill 1054 – Senator Pugh**

AN ACT concerning

**Economic Development – Arts and Entertainment Districts – Qualifying  
Residing Artists**

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

Affirmative – 125    Negative – 13    (See Roll Call No. 1012)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #25**

**Senate Bill 226 – Senators Pinsky and Young**

AN ACT concerning

**Alcoholic Beverages – Brewing Company Off-Site Permit**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1013)

The Bill was then returned to the Senate.

**Senate Bill 232 – Senators Stone, Benson, Currie, Feldman, Frosh, Kelley,  
King, Klausmeier, Manno, McFadden, Montgomery, Muse, Pinsky,  
Pugh, Ramirez, Raskin, Rosapepe, ~~and Young~~ Young, and  
Jones-Rodwell**

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

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

Affirmative – 92    Negative – 43    (See Roll Call No. 1014)

The Bill was then returned to the Senate.

**Senate Bill 456 – Senator Pugh**

AN ACT concerning

**Insurance – Definition of Premium – Inclusion of Motor Vehicle Driving  
Record Report and Accident History Report Fees**

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

Affirmative – 133    Negative – 4    (See Roll Call No. 1015)

The Bill was then returned to the Senate.

**Senate Bill 585 – ~~Senator Middleton~~ Senators Middleton, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1016)

The Bill was then returned to the Senate.

**Senate Bill 619 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Organizational Licenses**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1017)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #26**

**Senate Bill 57 – Senator Colburn**

AN ACT concerning

**Office of the State’s Attorney – Dorchester County – Authority to Appoint Criminal Investigators**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1018)

The Bill was then returned to the Senate.

**Senate Bill 93 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Recreational Incentives Pilot Program**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1019)

The Bill was then returned to the Senate.

**Senate Bill 401 – Senator Young**

AN ACT concerning

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

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

Affirmative – 100    Negative – 36    (See Roll Call No. 1020)

The Bill was then returned to the Senate.

**Senate Bill 557 – Carroll County Senators**

AN ACT concerning

**Carroll County – Sheriff – Salary**

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

Affirmative – 136    Negative – 2    (See Roll Call No. 1021)

The Bill was then returned to the Senate.

**Senate Bill 827 – Senator Pugh**

AN ACT concerning

**Criminal Law – Possession of Dangerous or Wild Animals**

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



Affirmative – 136 Negative – 1 (See Roll Call No. 1022)

The Bill was then returned to the Senate.

**Senate Bill 960 – Senator Ferguson**

AN ACT concerning

**Environment – Cox Creek Citizens Oversight Committee – Composition**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1023)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #28**

**Senate Bill 460 – Senators Raskin, Forehand, and King**

AN ACT concerning

**Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1024)

The Bill was then returned to the Senate.

**Senate Bill 476 – Senator Colburn**

AN ACT concerning

**Criminal Procedure – ~~Seeking Medical Assistance for Another Who Ingested Alcohol or Drugs – Minors~~ Limited Immunity – Alcohol- or Drug-Related Medical Emergencies**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1025)

The Bill was then returned to the Senate.

**Senate Bill 512 – ~~Senator Gladden~~ Senators Gladden and Muse**

AN ACT concerning

**Criminal Injuries Compensation Board – Membership – Family Member of Homicide Victim**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1026)

The Bill was then returned to the Senate.

**Senate Bill 542 – ~~Senator Muse~~ Senators Muse, Frosh, Brochin, Forehand, Gladden, Hershey, Jacobs, Raskin, Shank, Stone, and Zirkin**

AN ACT concerning

**Law Enforcement Officers – Entrance-Level and ~~Annual~~ In-Service Training Requirements (Christopher’s Law)**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1027)

The Bill was then returned to the Senate.

**Senate Bill 659 – Senator Gladden**

AN ACT concerning

**Crimes Relating to Animals – Surgery on Dogs – Penalties**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 1028)

The Bill was then returned to the Senate.

**Senate Bill 815 – Montgomery County Senators**

AN ACT concerning

**Criminal Law – Telecommunication Devices in Place of Confinement – Montgomery County Work Release and Prerelease Programs**

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

Affirmative – 123    Negative – 14    (See Roll Call No. 1029)

The Bill was then returned to the Senate.

**Senate Bill 867 – Senator Benson**

AN ACT concerning

**Correctional Services – Revocation of Parole – Repeal of Sunset**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1030)

The Bill was then returned to the Senate.

**Senate Bill 897 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Orphans’ Court Judges – Salary**

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

Affirmative – 136    Negative – 1    (See Roll Call No. 1031)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #29**

**Senate Bill 106 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Recordation and Transfer Taxes – Transfer of Property Between Business  
Entities – Reorganizations – Exemption**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1032)

The Bill was then returned to the Senate.

**Senate Bill 267 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Property Tax Credit – Newly Constructed Dwellings**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1033)

The Bill was then returned to the Senate.

**Senate Bill 374 – Senators Currie, Kasemeyer, King, Peters, ~~and Robey~~  
Robey, and DeGrange**

AN ACT concerning

**State Lottery – Online Ticket Sales – Moratorium ~~and Study~~**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1034)

The Bill was then returned to the Senate.

**Senate Bill 572 – Senators King, Feldman, Manno, Peters, and Robey**

AN ACT concerning

**Homestead Tax Credit – Eligibility – Definition of Legal Interest**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1035)

The Bill was then returned to the Senate.

**Senate Bill 613 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Hotel Rental Tax – Transient Charge**

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

Affirmative – 110 Negative – 28 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

**Senate Bill 616 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Property Tax – Exemption for Property Owned by  
Affordable Housing Land Trust**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

**Senate Bill 730 – Senators Jacobs, Colburn, Glassman, and Hershey**

AN ACT concerning

**Maryland Transportation Authority – ~~Transportation Facilities Projects –  
Cash Toll Lanes All-Electronic Tolling – Study~~**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

**Senate Bill 736 – Senator Jones-Rodwell (By Request – Baltimore City  
Administration)**

AN ACT concerning

**Baltimore City – Property Tax Credit for Historic or Heritage Properties –  
Calculation**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1039)

The Bill was then returned to the Senate.

**Senate Bill 784 – Senators Montgomery, Astle, Benson, Brinkley, Colburn,  
Conway, Feldman, Kelley, Klausmeier, Middleton, ~~and Ramirez~~  
Ramirez, and Dyson**

AN ACT concerning

~~Education – Loan Assistance – Professional Counselors and Alcohol and Drug  
Counselors~~

Higher Education – Loan Assistance – Licensed Clinical Counselors

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1040)

The Bill was then returned to the Senate.

**Senate Bill 895 – The Minority Leader**

AN ACT concerning

**Election Law – Baltimore City Republican Party Central Committee – Filling  
of Vacancies**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1041)

The Bill was then returned to the Senate.

**Senate Bill 899 – Senator Hershey**

AN ACT concerning

**Kent County – Gaming – Permits**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1042)

The Bill was then returned to the Senate.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**House Bill 607 – Delegates Kaiser, Afzali, Barkley, Barnes, Bates, Carr,  
Clagett, Elliott, Fraser-Hidalgo, George, Glenn, Guzzone, Healey,  
Hogan, Krebs, Lafferty, Luedtke, McDermott, McDonough, McIntosh,**

**Pendergrass, Schulz, Serafini, Smigiel, Stocksdale, Valentino-Smith, Vitale, and Zucker**

AN ACT concerning

**Education – Student Privacy and Cloud Computing Act**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY DEL. O'DONNELL PENDING.

FLOOR AMENDMENT

**HB0607/763221/1**

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 607, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, before “requiring” insert “requiring each local education agency to adopt a certain policy that includes a certain process for the parents or guardian of a certain student to opt out of certain student data collection;”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments (HB0607/485160/3), in Amendment No. 3, after line 17, insert:

“(c) Each local education agency shall adopt a policy that includes a process by which the parents or guardian of a student under the jurisdiction of the local education agency may opt the student out of the collection of student data by the local education agency.”;

and in line 18, strike “(c)” and substitute “(d)”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

**HB0607/503321/1**

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 607, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0607/485160/3), in line 13 of Amendment No. 1, after “date” insert “and notify certain parents and guardians each year of certain rights in accordance with a certain federal law”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in line 6 of Amendment No. 3, strike “appropriate manner in which” and substitute “use by”; in line 7, strike “may use” and substitute “of”; in the same line, after “data” insert “that complies with the requirements of the federal Family Educational Rights and Privacy Act”; in line 15, after “shall” insert “:”

(1);

and in line 17, after “2015” insert “; and”

(2) notify parents and guardians of students each year of their rights under the federal Family Education Rights and Privacy Act regarding the disclosure of directory information”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46    Negative – 91    (See Roll Call No. 1043)

Read the second time and ordered prepared for Third Reading.

**Senate Bill 676 – Senator King**

AN ACT concerning

**Teachers and Principals – Performance Evaluation Criteria – Use of Student Growth Data**

STATUS OF BILL: BILL ON THIRD READING.

FLOOR AMENDMENT

**SB0676/963323/1**

BY: Delegate Smigiel



AMENDMENTS TO SENATE BILL 676  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “year;” insert “prohibiting a county board of education from being required to adopt certain model performance evaluation criteria;”.

AMENDMENT NO. 2

On page 3, after line 6, insert:

**“(8) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE A COUNTY BOARD TO ADOPT THE DEFAULT MODEL PERFORMANCE EVALUATION CRITERIA DEVELOPED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION.”**

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 35    Negative – 97    (See Roll Call No. 1044)

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1045)

The Bill was then returned to the Senate.

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #27**

**Senate Bill 50 – Senator Frosh**

AN ACT concerning

**Crimes – Use of Personal Identifying Information or the Identity of Another –  
Sexual Crimes**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1046)

The Bill was then returned to the Senate.

**Senate Bill 116 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Committed Facilities – Repeal of Termination**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1047)

The Bill was then returned to the Senate.

**Senate Bill 223 – Senator Muse**

AN ACT concerning

**Crimes – Threat of Mass Violence**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1048)

The Bill was then returned to the Senate.

**Senate Bill 247 – Senators Frosh, Forehand, Gladden, Hershey, Jacobs, Jennings, Shank, and Stone**

**EMERGENCY BILL**

AN ACT concerning

**Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption**

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

Affirmative – 137    Negative – 1    (See Roll Call No. 1049)

The Bill was then returned to the Senate.

**Senate Bill 337 – The President (By Request – Administration)**

AN ACT concerning

~~Criminal Law – Crimes Committed~~ Crimes – Committing a Crime of Violence  
in the Presence of a Minor – Penalties

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

Affirmative – 136    Negative – 1    (See Roll Call No. 1050)

The Bill was then returned to the Senate.

**Senate Bill 348 – Senator Manno**

AN ACT concerning

**Texting While Driving – Accidents Resulting in Death or Serious Injury –  
Penalties**

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

Affirmative – 117    Negative – 20    (See Roll Call No. 1051)

The Bill was then returned to the Senate.

**Senate Bill 369 – Senator Stone**

AN ACT concerning

**Peace Orders and Protective Orders – Penalties – Second or Subsequent  
Offenses**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 1052)

The Bill was then returned to the Senate.

**Senate Bill 398 – Senator Shank**

AN ACT concerning

**Criminal Procedure – Certificate of Completion**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1053)

The Bill was then returned to the Senate.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0274**

**SPONSOR:** Del Lafferty, et al

**SUBJECT:** Forclsre Sales of Resid Prop – Statute of Lims for Crtn Specialties & Motion for Crtn Defency Judgts

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 Norman

Delegate Beidle

The Senate appoints:

Senator Raskin, Chairman

Senator Muse

Senator Jacobs.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

**AMENDED IN THE SENATE**

**House Bill 101 – Delegate Kipke**

AN ACT concerning

**Dental Hygienists – Nitrous Oxide – Repeal of Termination Date**

Delegate Hammen moved that the House not concur in the Senate amendments.

**HB0101/254238/1**

**BY:** Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 101

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Dental” insert “Dentists and”; in the same line, strike “Repeal of Termination Date” and substitute “Required Notice and Authority to Monitor Patients”; in line 3, after the first “of” insert “requiring the State Board of Dental Examiners to adopt regulations that require a dentist to provide notice to certain employees and certain patients that nitrous oxide may be harmful to a pregnant woman;”; in line 5, after “of” insert “dentistry and”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–205(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 13, insert:

“(c) In addition to the duties set forth elsewhere in this title, the Board shall:

(1) Keep a record of each license and each action taken under § 4–315 of this title;

(2) Have an official seal; [and]

(3) Adopt rules, regulations, and bylaws as may be necessary to carry out the provisions of this title; AND

(4) ADOPT REGULATIONS THAT REQUIRE A DENTIST TO PROVIDE NOTICE TO THE DENTIST’S FEMALE EMPLOYEES AND FEMALE PATIENTS, PRIOR TO THE ADMINISTRATION OF NITROUS OXIDE, THAT NITROUS OXIDE MAY BE HARMFUL TO A PREGNANT WOMAN.”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE****BILL: HB 0101****SPONSOR: Del Kipke****SUBJECT: Dental Hygienists – Nitrous Oxide – Repeal of Termination Date**

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 Kipke, Chairman

Delegate Oaks, and

Delegate Pendergrass.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.**AMENDED IN THE SENATE**

**House Bill 794 – Delegates M. Washington, Branch, Braveboy, Cullison, Davis, Donoghue, Dumais, Glenn, Harper, Haynes, Kaiser, A. Kelly, McIntosh, A. Miller, S. Robinson, Rudolph, and Zucker**

AN ACT concerning

~~Department of Planning~~ – **Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project**

Delegate Conway moved that the House not concur in the Senate amendments.

**HB0794/764731/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 794

(Third Reading File Bill)

On page 1, in line 19, strike “Unaccompanied”; and in the same line, after “Maryland” insert “Unaccompanied”.

On page 4, in line 20, strike “from” and substitute “through an appropriation in the State budget or through”; and in the same line, after “sources” insert “of funding”.

The preceding amendment was read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB 0794**

SPONSOR: Del M. Washington, et al

SUBJECT: Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project

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 James, Chairman  
Delegate Haynes, and  
Delegate Szeliga.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### AMENDED IN THE SENATE

**House Bill 947 – Delegate Stein**

AN ACT concerning

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

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0947/334339/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 947  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Railing”; in line 4, strike “certain” and substitute “a”; in the same line, strike “subdivisions” and substitute “subdivision”; in the same line, after “to” insert “conduct”; in line 5, strike “require”; in line 7, strike “certain” and substitute “a”; in the same line, strike “subdivisions” and substitute “subdivision”; in line 8, strike “conduct the inspections,”; strike beginning with “inspections, or” in line 8 down through “dwelling” in line 12 and substitute “periodic inspections”; and strike beginning with “prohibiting” in line 15 down through “time:” in line 20.

On pages 1 and 2, strike beginning with “defining” in line 21 on page 1 down through “Act” in line 1 on page 2 and substitute “providing that this Act may not be construed to authorize a political subdivision to inspect an owner-occupied dwelling unit; defining a certain term”.

On page 2, strike beginning with “certain” in line 1 down through “railings” in line 2 and substitute “balconies in multifamily dwellings”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**(I)**”; in the same line, strike “**PROPERTY**” and substitute “**BUILDING**”; in lines 18, 19, 20, 21, 22, 23, 24, and 25, strike “**1.**”, “**2.**”, “**3.**”, “**4.**”, “**5.**”, “**6.**”, “**7.**”, and “**8.**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, and “**(VIII)**”, respectively; and strike in their entirety lines 26 through 28, inclusive.

On page 3, strike in their entirety lines 1 through 13, inclusive.

AMENDMENT NO. 3



On page 4, strike beginning with “THIS” in line 10 down through “CITY” in line 11 and substitute “NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO AUTHORIZE A POLITICAL SUBDIVISION TO INSPECT AN OWNER-OCCUPIED DWELLING UNIT”; in line 12, strike “REQUIRE” and substitute “CONDUCT”; in line 13, strike “AT LEAST 10% OF THE UNITS IN”; in line 16, strike “10” and substitute “5”; strike beginning with “, BEGINNING” in line 16 down through “CONSTRUCTED,” in line 17; in line 18, strike “THE” and substitute “EACH”; in the same line, strike “RAILINGS MEET” and substitute “MEETS”; strike beginning with the colon in line 20 down through “2.” in line 23; and in line 24, strike “REQUIRED”.

On pages 4 and 5, strike beginning with “ON” in line 25 on page 4 down through “COMPLETED” in line 26 on page 5.

On page 5, in line 27, strike “(VI)” and substitute “(IV)”; and in line 28, strike “10” and substitute “5”.

On page 6, strike in their entirety lines 1 through 19, inclusive; in line 20, strike “(5)” and substitute “(4)”; and in line 25, strike “OR (4)”.

On page 7, strike in their entirety lines 23 through 35, inclusive.

On page 8, in line 1, strike “5.” and substitute “2.”.

The preceding 3 amendments were read and not concurred in.

## MESSAGE TO THE SENATE

**BILL: HB 0947**

**SPONSOR: Del Stein**

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

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 Stein, Chairman  
Delegate Holmes, and  
Delegate Fraser–Hidalgo.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0737**  
**SPONSOR:** Sen Pugh, et al  
**SUBJECT:** Labor and Employment – Unpaid Parental Leave – Birth or Adoption of a Child

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 Pugh, Chairman  
Senator Feldman  
Senator Glassman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

BILL: **SB 0737**

SPONSOR: Sen Pugh, et al

SUBJECT: Labor and Employment – Unpaid Parental Leave – Birth or Adoption of a Child

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 Pugh, Chair  
Senator Feldman  
Senator Glassman

The House appoints:  
Delegate Vaughn, Chairman  
Delegate Olszewski, and  
Delegate Aumann.

Said Bill is returned herewith.

By Order,  
  
Sylvia Siegert  
Chief Clerk

Read and adopted.

**CONCURRENCE CALENDAR #5**

**AMENDED IN THE SENATE**

**House Bill 761 – ~~Delegate Hammen~~ Delegates Hammen, Holmes, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Ready, Reznik, and V. Turner**

AN ACT concerning

**Health Insurance – Specialty Drugs**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0761/567279/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 761

(Third Reading File Bill)

On page 4, in line 2, after “UNDER” insert “INDIVIDUAL, GROUP, OR BLANKET”; and in line 5, after “UNDER” insert “INDIVIDUAL OR GROUP”.

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 – 134    Negative – 0    (See Roll Call No. 1054)

**AMENDED IN THE SENATE**

**House Bill 813 – Delegates M. Washington, Rudolph, Braveboy, Cullison, Davis, Donoghue, Dumais, Eckardt, Glenn, Harper, Haynes, Kaiser, A. Kelly, Kipke, McIntosh, A. Miller, Ready, S. Robinson, Schulz, Szeliga, ~~and Zucker~~ Zucker, Swain, Hammen, Pendergrass, Bromwell, Costa, Elliott, Hubbard, Kach, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**Joint Committee on Ending Homelessness**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0813/327276/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 813

(Third Reading File Bill)

On page 3, in line 3, after “MEMBERS;” insert “AND”; and strike beginning with “QUARTERLY” in line 4 down through “(3)” in line 5.

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 – 132    Negative – 3    (See Roll Call No. 1055)

**CONCURRENCE CALENDAR #6**

**AMENDED IN THE SENATE**

**House Bill 35 – Delegate W. Miller**

AN ACT concerning

**Electric Reliability – Priorities and Funding**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0035/577777/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 35

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “for” insert “targeting”.

AMENDMENT NO. 2

On page 6, in line 1, after “COMPANY” insert “ASSESSED A PENALTY FOR A VIOLATION OF SERVICE QUALITY AND RELIABILITY STANDARDS UNDER THIS SECTION”; in line 2, after “FOR” insert “TARGETING”; in the same line, strike “OF POORLY” and substitute “EFFORTS TO IMPROVE ELECTRIC SERVICE QUALITY AND RELIABILITY FOR THE WORST”; in line 3, strike “THAT MAY BE PARTLY PAID FOR” and substitute “AND EQUIPMENT THAT SHALL BE PAID FOR, IN WHOLE OR IN PART,”; in line 4, strike “UNDER” and substitute “, AS AVAILABLE AND IN ACCORDANCE WITH”.

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 – 136    Negative – 0    (See Roll Call No. 1056)

**AMENDED IN THE SENATE**

**House Bill 189 – Delegates Serafini, Dwyer, George, Glass, and Schuh**

AN ACT concerning

**Maryland Occupational Safety and Health Act – Chemical Information List –  
~~Submission to Department of the Environment – Repeal~~ Submission,  
Maintenance, and Accessibility**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0189/367578/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 189

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 11 and 13, in each instance, after “Department” insert “of Labor, Licensing, and Regulation”; and in lines 16 and 18, in each instance, after “Department” insert “of the Environment”.

AMENDMENT NO. 2

On page 3, in lines 15 and 16, strike “THE ENVIRONMENT” and substitute “LABOR, LICENSING, AND REGULATION”; and in line 17, strike “THE ENVIRONMENT” and substitute “LABOR, LICENSING, AND REGULATION”.

On page 5, in line 17, strike “THE ENVIRONMENT” and substitute “LABOR, LICENSING, AND REGULATION”.

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 – 137    Negative – 0    (See Roll Call No. 1057)

## AMENDED IN THE SENATE

## House Bill 723 – Delegates Kramer and Simmons

AN ACT concerning

**Money Transmission – Protection of Elder Adults From Financial Abuse and,  
Financial Exploitation – ~~Training, and Fraud~~ – Requirements**

Delegate Davis moved that the House concur in the Senate amendments.

HB0723/127379/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 723

(Third Reading File Bill)

On page 4, strike beginning with “SOLELY” in line 22 down through “ENGAGES” in line 24; and in line 25, after “INTERNET” insert “; OR

**(2) (I) ENGAGES IN:**

**1. SELLING OR ISSUING STORED VALUE DEVICES, TRAVELER’S CHECKS, OR MONEY ORDERS, OR PROVIDING BILL PAYER SERVICES; OR**

**2. ANY COMBINATION OF SELLING OR ISSUING STORED VALUE DEVICES, TRAVELER’S CHECKS, OR MONEY ORDERS, OR PROVIDING BILL PAYER SERVICES; AND**

**(II) DOES NOT ENGAGE IN ANY OTHER BUSINESS REGULATED UNDER THIS SUBTITLE”.**

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 – 137 Negative – 0 (See Roll Call No. 1058)

**AMENDED IN THE SENATE****House Bill 1207 – Delegate Simmons**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Youth Apprenticeship  
Advisory Committee**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1207/277974/1**

BY: Finance Committee

**AMENDMENT TO HOUSE BILL 1207**

(Third Reading File Bill)

On page 1, in line 2, strike “Department of Labor, Licensing, and Regulation” and substitute “Division of Labor and Industry”.

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 – 136    Negative – 0    (See Roll Call No. 1059)

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0171**

**SPONSOR:** The Pres (Admin)

**SUBJECT:** Creatn of a St Dbt – Md Consoldtd Capital Bond Ln of 2014

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 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 ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0171**  
**SPONSOR: The Pres (Admin)**  
**SUBJECT: Creatn of a St Dbt – Md Consoldtd Capital Bond Ln of 2014**

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 DeGrange, Chair  
Senator Kasemeyer  
Senator Peters  
Senator King  
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

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, Proctor, James and Zucker.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

## MESSAGE FROM THE SENATE

### FIRST READING OF SENATE BILLS

**Senate Bill 924 – Senators Raskin, Shank, Currie, Feldman, Forehand, Kittleman, Klausmeier, Madaleno, Middleton, and Ramirez**

AN ACT concerning

#### **Courts – Electronic Communications – Privacy**

FOR the purpose of ~~altering provisions of law governing the manner in which an investigative or law enforcement officer may require a wire or electronic communication service to disclose the contents of certain wire or electronic communications; requiring a certain probable cause for the issuance of a certain warrant under certain circumstances; requiring a court that issues a certain warrant to indicate a certain deadline to a certain service provider; authorizing service of the warrant on a certain service provider; requiring a certain service provider to produce certain information; authorizing a certain service provider to request a certain extension; authorizing the court to grant an extension under certain circumstances; authorizing a service provider to provide certain information on the request of an agent of this State or a political subdivision of this State in response to a certain request under certain circumstances; requiring a certain subscriber to be provided a certain notice; authorizing a certain subscriber to seek judicial review of a certain warrant, court order, or subpoena; requiring a certain agent to provide a certain notice under certain circumstances in a certain manner; authorizing a court to grant a certain application to direct a certain service provider not to make a certain notification under certain circumstances; authorizing a court to grant a certain application under certain circumstances; providing for the admissibility of certain communications content; requiring a certain court to annually submit a certain report to the Administrative Office of the Courts on a certain date; requiring the Administrative Office of the Courts to annually submit a certain report to the General Assembly on a certain date; providing for a certain cause of action;~~

~~defining certain terms; expanding the application of a provision of law that requires an investigative or law enforcement officer to obtain a certain search warrant in order to require a provider of wire or electronic communication service to disclose the contents of wire or electronic communication that is in electronic storage in a wire or electronic communications system for 180 days or less to a wire or electronic communication that is in electronic storage for any amount of time; making certain stylistic and conforming changes; and generally relating to the privacy of electronic communications.~~

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10-4A-04 ~~and 10-4A-06~~  
Annotated Code of Maryland  
(2013 Replacement Volume and 2013 Supplement)

~~BY adding to  
Article – Courts and Judicial Proceedings  
Section 10-4A-09 and 10-4A-10  
Annotated Code of Maryland  
(2013 Replacement Volume and 2013 Supplement)~~

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

### **Senate Bill 964 – Senator Kelley**

AN ACT concerning

#### **Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets**

FOR the purpose of authorizing the Attorney General to take certain actions relating to investigations of alleged violations of laws relating to charitable organizations and charitable representatives; repealing the authority of a designee of the Secretary of State to investigate certain violations; repealing certain authority for the legal counsel for the Office of the Secretary of State to administer oaths and examine an individual under oath; providing that a failure of the Attorney General to enforce a certain violation does not constitute a waiver of certain provisions or rights; altering the permissible circuit courts in which the Attorney General may sue for a certain order; adding the issuance of a cease and desist order by the Attorney General to the circumstances in which a person may request a certain hearing; authorizing the Attorney General to make reciprocal agreements with other states for certain purposes; establishing the Charitable Enforcement Fund as a special, nonlapsing fund in the Office of the Secretary of State; specifying the purpose of the Fund; requiring the Secretary of State to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents

of the Fund; specifying the purpose for which the Fund may be used; providing for ~~the investment of money in and~~ expenditures from the Fund; ~~providing that a certain provision of law does not apply to the Fund~~; repealing requirements for certain written consent; altering certain fees; requiring certain amounts of certain fees to be distributed to the Fund for a certain use; expanding the types of advertising the broadcaster, publisher, or printer of which is not liable for a certain violation, except under certain circumstances; prohibiting a person from taking certain actions against an individual because the individual provided certain information to certain persons; requiring the Attorney General to represent the public interest in the protection of charitable assets; authorizing the Attorney General to take certain actions relating to charitable assets; authorizing the Secretary of State ~~or~~ and the Attorney General to enter into a settlement agreement under certain circumstances; authorizing the Attorney General to sue in a circuit court for a certain order; providing that certain remedies are in addition to and do not limit certain powers and duties of the Secretary of State and the Attorney General; providing that a certain enforcement action or other remedy is subject to certain immunity or limitation on liability; requiring that an action to enforce certain provisions of this Act be brought within a certain period of time; requiring the Secretary of State and the Attorney General, on or before a certain date, to convene a certain workgroup, composed of certain representatives, and to submit certain reports to the Governor and the General Assembly; requiring the Secretary of State and the Attorney General to review, make recommendations, and submit certain reports, on or before certain dates, on charitable organizations that fail to pay a certain fee or file a certain report; declaring the intent of the General Assembly that certain fee increases be used for certain purposes; providing for the effective dates of this Act; defining certain terms; making stylistic and conforming changes; clarifying language; and generally relating to the powers and duties of the Secretary of State and the Attorney General for charitable enforcement and protection of charitable assets.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 6–205 and 6–206 to be under the amended subtitle “Subtitle 2. Powers and Duties of the Secretary of State and the Attorney General”; 6–302, 6–402(b), 6–407(b), 6–5A–02, and 6–621

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Business Regulation

Section 6–2A–01 to be under the new subtitle “Subtitle 2A. Charitable Enforcement Fund”; 6–407(d), 6–622; and 6.5–101 through ~~6.5–103~~ 6.5–105 to be under the new title “Title 6.5. Protection of Charitable Assets”

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,  
 Article – Business Regulation  
 Section 6–402(a) and 6–407(a)  
 Annotated Code of Maryland  
 (2010 Replacement Volume and 2013 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 2013 Supplement)~~

~~BY repealing and reenacting, with amendments,  
 Article – State Finance and Procurement  
 Section 6–226(a)(2)(ii) 76, and 77.  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2013 Supplement)~~

~~BY adding to  
 Article – State Finance and Procurement  
 Section 6–226(a)(2)(ii) 78.  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2013 Supplement)~~

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

### Senate Bill 1001 – Senator Mathias

AN ACT concerning

#### **Vehicle Laws – Divided Highways – ~~Speed Limits and~~ Crosswalks**

FOR the purpose of ~~requiring~~ providing that, on a divided highway that has traffic lights located in certain areas, each intersection that has a traffic light ~~shall~~ may also have a crosswalk through the divided highway; ~~altering the maximum speed limits on certain divided highways in certain areas;~~ and generally relating to ~~speed limits and~~ crosswalks for divided highways.

BY repealing and reenacting, with amendments,  
 Article – Transportation  
 The part designation “Part VI. Sidewalks and Crosswalks” immediately preceding Section 8–629  
 Annotated Code of Maryland  
 (2008 Replacement Volume and 2013 Supplement)

BY adding to

Article – Transportation  
Section 8–631  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Transportation  
Section 21–801.1(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)~~

~~BY repealing and reenacting, with amendments,~~

~~Article – Transportation  
Section 21–801.1(b)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)~~

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

**Senate Bill 1056 – Senators Raskin ~~and Jones Rodwell~~, Jones Rodwell, Shank, and Muse**

AN ACT concerning

### **Maryland Second Chance Act of 2014**

FOR the purpose of authorizing a person to petition the court to shield certain court records and police records relating to certain convictions at a certain time; providing that, if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; providing that a certain person is not ~~entitled to~~ eligible for shielding if the person is a defendant in a pending criminal proceeding; providing that, if a person is not ~~entitled to~~ eligible for shielding of one conviction in a certain unit, the person is not ~~entitled to~~ eligible for shielding of any other conviction in the unit; providing that a certain conviction is eligible for shielding at a certain time; requiring the court to have a copy of a certain petition served on the State’s Attorney; authorizing the court to order the shielding of certain records after taking certain objections or information into consideration; requiring the court to hold a hearing ~~and order the shielding of certain records~~ under certain circumstances; ~~requiring~~ authorizing the court to deny a certain petition under certain circumstances for good cause; authorizing a court to grant only one shielding petition to a person over the lifetime of the person; requiring the court to send a certain written notice to certain victims; prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance

with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; prohibiting a person authorized to access a shielded record under this Act from disclosing any information from a shielded record to a person who is not authorized to access shielded records under this Act; prohibiting an employer from requiring a person who applies for employment to disclose certain shielded information at a certain time or discharging or refusing to hire a person solely because the person refused to disclose certain information, with a certain exception; prohibiting an educational institution from requiring a person who applies for admission to the institution to disclose certain shielded information at a certain time or expelling or refusing to admit a person solely because the person refused to disclose certain information; prohibiting a unit, an official, or an employee of the State or a political subdivision of the State from requiring a person who applies for a license, certificate, permit, registration, or government service to disclose certain shielded information at a certain time or denying a person's application for a license, certificate, permit, registration, or government service solely because the person refused to disclose certain information, with a certain exception; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act; providing that this Act does not apply to a certain conviction; providing that a shielded record shall remain fully accessible by certain persons; establishing penalties for a violation of a certain provision of this Act; defining certain terms; and generally relating to the shielding of court records and police records.

BY adding to

Article – Criminal Procedure

Section 10–301 through 10–306 to be under the new subtitle “Subtitle 3. Shielding”

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

~~BY adding to~~

~~Article – State Government~~

~~Section 10–616(w)~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2013 Supplement)~~

BY adding to

Article – General Provisions

Section 4–326

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (H.B. 270) of the Acts of the General Assembly of 2014)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1060)

**ADJOURNMENT**

At 12:42 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day March 28, 2014, Calendar Day Friday, April 4, 2014.



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**Annapolis, Maryland**  
**Legislative Day: March 28, 2014**  
**Calendar Day: Friday, April 4, 2014**

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The House met at 11:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sam Arora of Montgomery County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 1061)

The Journal of March 27, 2014 was read and approved.

**EXCUSES:**

Del. Bobo – left early – personal  
Del. Cane – medical  
Del. Harper – medical  
Del. Hucker – late – traffic  
Del. A. Kelly – late – personal  
Del. Waldstreicher – late – personal

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT**  
**#21**

**CONSENT CALENDAR #17**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**Senate Bill 254 – Senator Glassman (Chair, Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies) and Senators Astle, Brinkley, Colburn, Dyson, Edwards, Feldman, Getty, Hershey, Jacobs, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Public Safety – Fire, Rescue, and Ambulance Funds – Distribution**

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 266 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Income Tax Refund – Baltimore City – Warrants**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 290 – Senators Brochin, Getty, ~~and Jennings~~ Jennings, and Zirkin**

AN ACT concerning

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

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

**Senate Bill 382 – Senator Conway**

AN ACT concerning

**Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 469 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Maryland Income Tax Refund – Washington County – Warrants**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 699 – Senators Shank, Raskin, Hershey, Jacobs, Muse, Ramirez, Reilly, Simonaire, Stone, ~~and Young~~ Young, and Forehand**

AN ACT concerning

**~~Automatic Motor Vehicle Registration License Plate Readers and Captured Plate Data – Authorized Uses~~**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

**Senate Bill 795 – ~~Senator Madaleno~~ Senators Madaleno, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Joint Committee on Ending Homelessness**

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 805 – Senators Raskin, Forehand, Jones-Rodwell, Kelley, Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Maryland Uniform Collaborative Law Act**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 1049 – ~~Senator Getty~~ Senators Getty, Conway, Dyson, Jennings, Montgomery, Reilly, Simonaire, and Young**

**EMERGENCY BILL**

AN ACT concerning

**Education – Required Number of School Days – Exception**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 1066 – ~~Senator Raskin~~ Senators Raskin, Feldman, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Fairness in Negotiations Act and the Public School Labor Relations Board –  
Sunset Repeal and Reporting Requirements**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

**Senate Bill 1098 – ~~Senator Conway~~ Senators Conway, Benson, Montgomery, Simonaire, and Young**

AN ACT concerning

**Public Institutions of Higher Education – Sale of Textbooks – Audits**

The Bill was re-referred to the Committee on Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

**Senate Bill 1103 – ~~Senator Jones-Rodwell~~**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class C Licenses**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

**Senate Bill 1113 – Senators Pugh and Conway**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Transfer of License**

The Bill was re-referred to the Committee on Economic Matters.

**THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #18**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**House Bill 412 – Delegates McMillan and Gilchrist**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Disclosures to Purchasers on Resale of Unit or Lot – Limitation on Fees**

**HB0412/410016/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 412

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates McMillan and Gilchrist” and substitute “Delegate McMillan”; in lines 5 and 6, strike “limiting the amount of the fee that” and substitute “requiring”; in lines 6 and 7, strike “may charge a lot owner for providing” and substitute “to provide”; and in line 7, after “information” insert “within a certain number of days after a certain request by a lot owner and receipt of a certain fee”.

AMENDMENT NO. 2

On page 4 in line 3, and on page 6 in line 34, in each instance, strike “**\$50**” and substitute “**\$250**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 73 – Senator Colburn**

AN ACT concerning

**Talbot County – Chesapeake Bay Critical Area – Prosecution or Civil Suit for Certain Violations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 83 – Senators Colburn and Hershey**

AN ACT concerning

**Caroline County and Talbot County – Annual Financial ~~Report~~ Reports – Filing Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 229 – Senator Frosh**

AN ACT concerning

**Real Property – Condominiums ~~and Homeowners Associations~~ – Disclosures to Purchasers on Resale of Unit ~~or Lot~~ – Limitation on Fees**

**SB0229/320414/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 229  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Condominiums” insert “and Homeowners Associations”; in line 3, after “Unit” insert “or Lot”; in line 7, before “and” insert “requiring a homeowners association or certain other persons to provide certain information within a certain number of days after a certain request by a lot owner and receipt of a certain fee;”; in line 8, after “unit” insert “or a lot located in a certain development”; and in line 16, after “11-135(c)” insert “and 11B-106”.

AMENDMENT NO. 2

On page 4, in line 7, strike “\$100” and substitute “\$250”.

AMENDMENT NO. 3

On page 7, after line 27, insert:

“11B-106.

(a) A contract for the resale of a lot within a development, or for the initial sale of a lot within a development containing 12 or fewer lots, to a member of the public who intends to occupy or rent the lot for residential purposes, is not enforceable by the vendor unless:

(1) The purchaser is given, on or before entering into the contract for the sale of such lot, or within 20 calendar days of entering into the contract, the disclosures set forth in subsection (b) of this section;

(2) The purchaser is given any changes in mandatory fees and payments exceeding 10 percent of the amount previously stated to exist and any other substantial and material amendment to the disclosures after they become known to the vendor; and

(3) The contract of sale contains a notice in conspicuous type, which shall include bold and underscored type, in a form substantially the same as the following:

“This sale is subject to the requirements of the Maryland Homeowners Association Act (the “Act”). The Act requires that the seller disclose to you at or before

the time the contract is entered into, or within 20 calendar days of entering into the contract, certain information concerning the development in which the lot you are purchasing is located. The content of the information to be disclosed is set forth in § 11B–106(b) of the Act (the “MHAA information”) as follows:

(The notice shall include at this point the text of § 11B–106(b) in its entirety).

If you have not received all of the MHAA information 5 calendar days or more before entering into the contract, you have 5 calendar days to cancel this contract after receiving all of the MHAA information. You must cancel the contract in writing, but you do not have to state a reason. The seller must also provide you with notice of any changes in mandatory fees exceeding 10% of the amount previously stated to exist and copies of any other substantial and material amendment to the information provided to you. You have 3 calendar days to cancel this contract after receiving notice of any changes in mandatory fees, or copies of any other substantial and material amendment to the MHAA information which adversely affects you. If you do cancel the contract you will be entitled to a refund of any deposit you made on account of the contract. However, unless you return the MHAA information to the seller when you cancel the contract, the seller may keep out of your deposit the cost of reproducing the MHAA information, or \$100, whichever amount is less.

By purchasing a lot within this development, you will automatically be subject to various rights, responsibilities, and obligations, including the obligation to pay certain assessments to the homeowners association within the development. The lot you are purchasing may have restrictions on:

- (1) Architectural changes, design, color, landscaping, or appearance;
- (2) Occupancy density;
- (3) Kind, number, or use of vehicles;
- (4) Renting, leasing, mortgaging, or conveying property;
- (5) Commercial activity; or
- (6) Other matters.



You should review the MHAA information carefully to ascertain your rights, responsibilities, and obligations within the development.”

(b) The vendor shall provide the purchaser the following information in writing:

(1) A statement as to whether the lot is located within a development;

(2) (i) The current monthly fees or assessments imposed by the homeowners association upon the lot;

(ii) The total amount of fees, assessments, and other charges imposed by the homeowners association upon the lot during the prior fiscal year of the homeowners association; and

(iii) A statement of whether any of the fees, assessments, or other charges against the lot are delinquent;

(3) The name, address, and telephone number of the management agent of the homeowners association, or other officer or agent authorized by the homeowners association to provide to members of the public, information regarding the homeowners association and the development, or a statement that no agent or officer is presently so authorized by the homeowners association;

(4) A statement as to whether the owner has actual knowledge of:

(i) The existence of any unsatisfied judgments or pending lawsuits against the homeowners association; and

(ii) Any pending claims, covenant violations actions, or notices of default against the lot; and

(5) A copy of:

(i) The articles of incorporation, the declaration, and all recorded covenants and restrictions of the primary development, and of other related developments to the extent reasonably available, to which the purchaser shall become obligated on becoming an owner of the lot, including a statement that these obligations are enforceable against an owner’s tenants, if applicable; and

(ii) The bylaws and rules of the primary development, and of other related developments to the extent reasonably available, to which the purchaser shall become obligated on becoming an owner of the lot, including a statement that these obligations are enforceable against an owner and the owner's tenants, if applicable.

**(C) THE HOMEOWNERS ASSOCIATION, THE MANAGEMENT AGENT OF THE HOMEOWNERS ASSOCIATION, OR ANY OTHER AUTHORIZED OFFICER OR AGENT OF THE HOMEOWNERS ASSOCIATION, WITHIN 20 DAYS AFTER A WRITTEN REQUEST BY A LOT OWNER AND RECEIPT OF A REASONABLE FEE, NOT EXCEEDING THE LESSER OF \$250 OR THE ACTUAL COST OF PROVIDING THE INFORMATION, SHALL PROVIDE ANY INFORMATION NECESSARY TO ENABLE THE LOT OWNER TO COMPLY WITH SUBSECTION (B) OF THIS SECTION.**

**[(c)] (D) (1) Within 30 calendar days of any resale transfer of a lot within a development, the transferor shall notify the homeowners association for the primary development of the transfer.**

(2) The notification shall include, to the extent reasonably available, the name and address of the transferee, the name and forwarding address of the transferor, the date of transfer, the name and address of any mortgagee, and the proportionate amount of any outstanding homeowners association fee or assessment assumed by each of the parties to the transaction.

**[(d)] (E) The requirements of subsection (b) of this section shall be deemed to have been fulfilled if the information required to be disclosed is provided to the purchaser in writing in a clear and concise manner. The disclosures may be summarized or produced in any collection of documents, including plats, the declaration, or the organizational documents of the homeowners association, provided those documents effectively convey the required information to the purchaser.**

**[(e)] (F) In satisfying the requirements of subsection (b) of this section, the vendor shall be entitled to rely upon the disclosures contained in the depository after June 30, 1989.**

[(f)] (G) The provisions of subsections (a), (b), [(d), and] (e), AND (F) of this section do not apply to the sale of a lot in an action to foreclose a mortgage or deed of trust.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 309 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Archery Hunting – Safety Zone**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 345 – ~~Senator Muse~~ Senators Muse and Young**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 472 – Senators Edwards, Shank, and Young**

AN ACT concerning

**Allegany County, Garrett County, and Washington County – Sunday Hunting**

**SB0472/100011/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 472

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “wild waterfowl” and substitute “migratory game birds and wetland game birds”.

AMENDMENT NO. 2

On page 3, in line 31, strike “WILD WATERFOWL” and substitute “MIGRATORY GAME BIRDS AND WETLAND GAME BIRDS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 473 – Senators Edwards, Shank, and Young**

AN ACT concerning

**Allegany County, Frederick County, Garrett County, and Washington County  
– Deer Hunting – Sundays**

**SB0473/160915/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 473

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 5, in each instance, strike “Allegany County,”; in line 2, strike “, Garrett County, and Washington County”; and in line 6, strike “Garrett County, and Washington County”.

AMENDMENT NO. 2

On page 3, in lines 28 and 29, strike “ALLEGANY COUNTY,”; and in lines 29 and 30, strike “, GARRETT COUNTY, AND WASHINGTON COUNTY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 612 – Calvert County Senators**

AN ACT concerning

**Calvert County – Salaries of County Officials and County Commissioner  
Retirement Plan Participation**

Favorable report adopted.

Delegate O’Donnell moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 687 – ~~Senator Raskin~~ Senators Raskin, Forehand, and Gladden**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, Factory Branches, and Affiliates  
– Relationship With Dealers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 908 – Senators Manno, Ramirez, Feldman, King, Madaleno, and  
Peters**

AN ACT concerning

**Electric Vehicles and Recharging Equipment – Rebates and Tax Credits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 993 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Transition to Charter Government – Corrections to  
References in the Annotated Code of Maryland**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 1095 – Senator Frosh****EMERGENCY BILL**

AN ACT concerning

**Real Property – Ground Rents**

**SB1095/110012/5**

BY: Environmental Matters Committee

**AMENDMENTS TO SENATE BILL 1095**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 6, after “property;” insert “reorganizing and recodifying certain provisions of law relating to ground leases on certain residential property; authorizing a holder of a secured interest in certain property to apply to redeem a reversion under a ground lease under certain circumstances; altering the contents of a certain affidavit made by a certain director in the Baltimore City Department of”

Housing and Community Development concerning abandoned or distressed property under certain circumstances; authorizing a ground lease holder to bring an action to reenter for nonpayment of ground rent only under certain circumstances; authorizing a holder of a secured interest in certain property to cure a default for nonpayment of ground rent under certain circumstances; requiring a ground lease holder to send certain notices to a leasehold tenant in a certain manner no less than a certain number of days before filing an action to reenter; authorizing a ground lease holder to be reimbursed for certain late fees, interest, and collection costs under certain circumstances; requiring a ground lease holder to send a copy of a certain notice to any holder of a secured interest in certain property under certain circumstances; requiring an action filed under certain provisions of this Act to be accompanied by certain documents; specifying the manner in which service of process must be made for an action filed under certain provisions of this Act; requiring a holder of a secured interest in certain property to be made a party to an action filed under certain provisions of this Act under certain circumstances; prohibiting a ground lease holder or a plaintiff from receiving a writ of possession or reimbursement for certain costs or expenses unless certain notice requirements are met; prohibiting a ground lease holder from receiving reimbursement for certain costs or expenses under certain circumstances;; and strike beginning with “prohibiting” in line 7 down through “property;” in line 24.

On page 2, strike beginning with “altering” in line 2 down through “period;” in line 4 and substitute “repealing certain provisions of law made obsolete by this Act; making stylistic changes; defining certain terms; requiring the State Department of Assessments and Taxation to develop and post a certain notice on the Department’s Web site;”; in line 6, strike “providing for the effective date of a certain provision of this Act;”; in line 15, strike “8-107,” and substitute “8-110, 8-110.1,”; in the same line, strike “8-402.2, 14-108.1” and substitute “8-111.2, 8-707, 14-116”; in the same line, strike “and 14-117(a)” and substitute “14-116.2, 14-117(a), and 14-129”; after line 17, insert:

“BY adding to

Article – Real Property

Section 8-801, 8-802, and 8-807 to be under the new subtitle “Subtitle 8.

Residential Ground Leases”

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)”;

in line 20, strike “8–111.2” and substitute “14–108.1”; and strike in their entirety lines 23 through 27, inclusive.

AMENDMENT NO. 2

On page 3, in line 8, strike “SEMIANNUAL” and substitute “PERIODIC”.

On page 5, after line 21, insert:

“8–707.

If a ground lease is not registered in accordance with this subtitle, the ground lease holder may not:

- (1) Collect any ground rent payments due under the ground lease;
- (2) Bring a civil action against the leasehold tenant to enforce any rights the ground lease holder may have under the ground lease; or
- (3) [Obtain a lien under § 8–402.3 of this title] **BRING AN ACTION AGAINST THE LEASEHOLD TENANT UNDER SUBTITLE 8 OF THIS TITLE.**

**SUBTITLE 8. RESIDENTIAL GROUND LEASES.**

8–801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “GROUND LEASE” MEANS A RESIDENTIAL LEASE OR SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT.

(C) (1) “GROUND LEASE HOLDER” MEANS THE HOLDER OF THE REVERSIONARY INTEREST UNDER A GROUND LEASE.

(2) “GROUND LEASE HOLDER” INCLUDES AN AGENT OF THE GROUND LEASE HOLDER.



**(D) “GROUND RENT” MEANS A RENT ISSUING OUT OF, OR COLLECTIBLE IN CONNECTION WITH, THE REVERSIONARY INTEREST UNDER A GROUND LEASE.**

**(E) “LEASEHOLD INTEREST” MEANS THE TENANCY IN REAL PROPERTY CREATED UNDER A GROUND LEASE.**

**(F) “LEASEHOLD TENANT” MEANS THE HOLDER OF THE LEASEHOLD INTEREST UNDER A GROUND LEASE.**

**8-802.**

**(A) THIS SUBTITLE APPLIES TO RESIDENTIAL PROPERTY THAT WAS OR IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.**

**(B) THIS SUBTITLE DOES NOT APPLY TO PROPERTY:**

**(1) LEASED FOR BUSINESS, COMMERCIAL, MANUFACTURING, MERCANTILE, OR INDUSTRIAL PURPOSES, OR ANY OTHER PURPOSE THAT IS NOT PRIMARILY RESIDENTIAL;**

**(2) IMPROVED OR TO BE IMPROVED BY ANY APARTMENT, CONDOMINIUM, COOPERATIVE, OR OTHER BUILDING FOR MULTIFAMILY USE OF GREATER THAN FOUR DWELLING UNITS; OR**

**(3) LEASED FOR DWELLINGS OR MOBILE HOMES THAT ARE ERECTED OR PLACED IN A MOBILE HOME DEVELOPMENT OR MOBILE HOME PARK.**

**[8-111.2.] 8-803.**

**(a) This section does not apply to property[:**

**(1) Leased for business, commercial, manufacturing, mercantile, or industrial purposes, or any other purpose that is not primarily residential;**

(2) Improved or to be improved by any apartment, condominium, cooperative, or other building for multifamily use of greater than four dwelling units;

(3) Leased for dwellings or mobile homes that are erected or placed in a mobile home development or mobile home park; or

(4) Subject] **THAT IS SUBJECT** to an affordable housing land trust agreement executed under Title 14, Subtitle 5 of this article.

(b) On or after January 22, 2007, the owner of a fee simple or leasehold estate in residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units may not create a reversionary interest in the property under a ground lease or a ground sublease for a term of years renewable forever subject to the payment of a periodic ground rent.

**[8–110.] 8–804.**

(a) (1) [This section does not apply to leases of property leased for business, commercial, manufacturing, mercantile, or industrial purposes or any other purpose which is not primarily residential, where the term of the lease, including all renewals provided for, does not exceed 99 years. A lease of the entire property improved or to be improved by any apartment, condominium, cooperative, or other building for multiple–family use on the property constitutes a business and not a residential purpose. The term “multiple–family use” does not apply to any duplex or single–family structure converted to a multiple–dwelling unit.

(2)] Except as provided in subsection (f) of this section, this section does not apply to irredeemable **GROUND** leases [executed before April 9, 1884] **PRESERVED UNDER § 8–805 OF THIS SUBTITLE.**

[(3) This section does not apply to leases of the ground or site upon which dwellings or mobile homes are erected or placed in a mobile home development or mobile home park.

(4)] (2) This section does not apply to an affordable housing land trust agreement executed under Title 14, Subtitle 5 of this article.

(b) (1) Except for apartment and cooperative leases, any reversion reserved in a GROUND lease for longer than 15 years is redeemable at any time, at the option of the LEASEHOLD tenant, after 30 days' notice to the [landlord] GROUND LEASE HOLDER. Notice shall be given by certified mail, return receipt requested, and by first-class mail to the last known address of the [landlord] GROUND LEASE HOLDER.

(2) The reversion is redeemable:

(i) For a sum equal to the annual GROUND rent reserved multiplied by:

1. 25, which is capitalization at 4 percent, if the GROUND lease was executed from April 8, 1884 to April 5, 1888, both inclusive;

2. 8.33, which is capitalization at 12 percent, if the GROUND lease was or is created after July 1, 1982; or

3. 16.66, which is capitalization at 6 percent, if the GROUND lease was created at any other time;

(ii) For a lesser sum if specified in the GROUND lease; or

(iii) For a sum to which the parties may agree at the time of redemption.

**(3) (I) IF THE LEASEHOLD TENANT IS IN DEFAULT UNDER A SECURITY INSTRUMENT, THE HOLDER OF THE SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO A GROUND LEASE, OR ANY PORTION OF A GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED MAY APPLY TO THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION TO REDEEM THE REVERSION AS PROVIDED UNDER THIS SECTION.**

**(II) IF A HOLDER OF A SECURED INTEREST APPLIES TO REDEEM A REVERSION AS AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE HOLDER ALSO SHALL PAY TO THE GROUND LEASE HOLDER**

THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AS PROVIDED UNDER § 8-807 OF THIS SUBTITLE.

(c) If a LEASEHOLD tenant has power to redeem the reversion from a trustee or other person who does not have a power of sale, the reversion nevertheless may be redeemed in accordance with the procedures prescribed in the Maryland Rules.

(d) Notwithstanding subsection (b) of this section, any regulatory changes made by a federal agency, instrumentality, or subsidiary, including the Department of Housing and Urban Development, the Federal Housing Administration, the Government National Mortgage Association, the Federal National Mortgage Association, and the Veterans' Administration, shall be applicable to redemption of reversions of GROUND leases for longer than 15 years.

(e) (1) Before the entry of a judgment foreclosing [an owner's] A LEASEHOLD TENANT'S right of redemption, a reversion in a ground rent or GROUND lease for 99 years renewable forever held on abandoned property in Baltimore City, as defined in § 14-817 of the Tax – Property Article, may be donated to Baltimore City or, at the option of Baltimore City, to an entity designated by Baltimore City.

(2) Valuation of the donation of a reversionary interest pursuant to this subsection shall be in accordance with subsection (b) of this section.

(f) (1) (i) A LEASEHOLD tenant who has given the [landlord] GROUND LEASE HOLDER notice in accordance with subsection (b) of this section may apply to the State Department of Assessments and Taxation to redeem a ground rent as provided in this subsection.

(ii) When the Mayor and City Council of Baltimore City acquires property that is subject to an irredeemable ground rent, the City shall become the LEASEHOLD tenant of the ground rent and, after giving the [landlord] GROUND LEASE HOLDER notice in accordance with subsection (b) of this section, may apply to the State Department of Assessments and Taxation to extinguish the ground rent as provided in this subsection.

(iii) When the Mayor and City Council of Baltimore City acquires abandoned or distressed property that is subject to a redeemable ground rent,

the City shall become the LEASEHOLD tenant of the ground rent and, after giving the [landlord] GROUND LEASE HOLDER notice in accordance with subsection (b) of this section, may apply to the State Department of Assessments and Taxation to redeem the ground rent as provided in this subsection.

(2) The LEASEHOLD tenant shall provide to the State Department of Assessments and Taxation:

(i) Documentation satisfactory to the Department of the GROUND lease and the notice given to the [landlord] GROUND LEASE HOLDER; and

(ii) Payment of a \$20 fee, and any expediting fee required under § 1–203 of the Corporations and Associations Article.

(3) (i) On receipt of the items stated in paragraph (2) of this subsection, the Department shall post notice on its website that application has been made to redeem or extinguish the ground rent.

(ii) The notice shall remain posted for at least 90 days.

(4) Except as provided in paragraph (5) of this subsection, no earlier than 90 days after the application has been posted as provided in paragraph (3) of this subsection, a LEASEHOLD tenant seeking to redeem a ground rent shall provide to the Department:

(i) Payment of the redemption amount and up to 3 years' back GROUND rent to the extent required under this section and [§ 8–111.1] § 8–806 of this subtitle, in a form satisfactory to the Department; and

(ii) An affidavit made by the LEASEHOLD tenant, in the form adopted by the Department, certifying that:

1. The LEASEHOLD tenant has not received a bill for ground rent due or other communication from the [landlord] GROUND LEASE HOLDER regarding the ground rent during the 3 years immediately before the filing of the documentation required for the issuance of a redemption certificate under this subsection; or

2. The last payment for ground rent was made to the [landlord] GROUND LEASE HOLDER identified in the affidavit and sent to the same address where the notice required under subsection (b) of this section was sent.

(5) No earlier than 90 days after the application has been posted as provided in paragraph (3) of this subsection, a LEASEHOLD tenant seeking to extinguish an irredeemable ground rent or to redeem a redeemable ground rent on abandoned or distressed property that was acquired or is being acquired by the Mayor and City Council of Baltimore shall provide to the Department:

(i) Payment of up to 3 years' back GROUND rent to the extent required under this section and [§ 8-111.1] § 8-806 of this subtitle, in a form satisfactory to the Department; and

(ii) An affidavit made by the Director of the Office of Property Acquisition and Relocation in the Baltimore City Department of Housing and Community Development certifying that:

1. The property is abandoned property, as defined in § 21-17(a)(2) of the Public Local Laws of Baltimore City, or distressed property, as defined in § 21-17(a)(3) of the Public Local Laws of Baltimore City;

2. The property was acquired or is being acquired by the Mayor and City Council of Baltimore City; AND

3. [The landlord of the property has not registered the ground lease with the State Department of Assessments and Taxation under Subtitle 7 of this title; and

4.] The existence of the ground rent is an impediment to redevelopment of the site.

(6) At any time, the LEASEHOLD tenant may submit to the Department notice that the LEASEHOLD tenant is no longer seeking redemption or extinguishment under this subsection.

(7) Upon receipt of the documentation, fees, and, where applicable, the redemption amount and 3 years' back GROUND rent to the extent required under this

section and [§ 8-111.1] § 8-806 of this subtitle, the Department shall issue to the **LEASEHOLD** tenant a ground rent redemption certificate or a ground rent extinguishment certificate, as appropriate.

(8) The redemption or extinguishment of the ground rent is effective to conclusively vest a fee simple title in the **LEASEHOLD** tenant, free and clear of any and all right, title, or interest of the [landlord] **GROUND LEASE HOLDER**, any lien of a creditor of the [landlord] **GROUND LEASE HOLDER**, and any person claiming by, through, or under the [landlord] **GROUND LEASE HOLDER** when the **LEASEHOLD** tenant records the certificate in the land records of the county in which the property is located.

(9) The [landlord] **GROUND LEASE HOLDER**, any creditor of the [landlord] **GROUND LEASE HOLDER**, or any other person claiming by, through, or under the [landlord] **GROUND LEASE HOLDER** may file a claim with the Department in order to collect all, or any portion of, where applicable, the redemption amount and 3 years' back **GROUND** rent to the extent required under this section and [§ 8-111.1] § 8-806 of this subtitle, without interest, by providing to the Department:

(i) Documentation satisfactory to the Department of the claimant's interest; and

(ii) Payment of a \$20 fee, and any expediting fee required under § 1-203 of the Corporations and Associations Article.

(10) (i) A [landlord] **GROUND LEASE HOLDER** whose ground rent has been extinguished may file a claim with the Baltimore City Director of Finance to collect an amount equal to the annual **GROUND** rent reserved multiplied by 16.66, which is capitalization at 6 percent, by providing to the Director:

1. Proof of payment to the [landlord] **GROUND LEASE HOLDER** by the Department of back **GROUND** rent under paragraph (9) of this subsection; and

2. Payment of a \$20 fee.

(ii) A [landlord] **GROUND LEASE HOLDER** of abandoned or distressed property acquired by the Mayor and City Council of Baltimore City whose

ground rent has been redeemed may file a claim with the Baltimore City Director of Finance to collect the redemption amount, by providing to the Director:

1. Proof of payment to the [landlord] GROUND LEASE HOLDER by the Department of back GROUND rent under paragraph (9) of this subsection; and

2. Payment of a \$20 fee.

(11) (i) In the event of a dispute regarding the extinguishment amount as calculated under paragraph (10)(i) of this subsection, the [landlord] GROUND LEASE HOLDER may refuse payment from the Baltimore City Director of Finance and file an appeal regarding the valuation in the Circuit Court of Baltimore City.

(ii) In an appeal, the [landlord] GROUND LEASE HOLDER is entitled to receive the fair market value of the [landlord's] GROUND LEASE HOLDER'S interest in the property at the time of the extinguishment.

(12) In the event of a dispute regarding the payment by the Department to any person of all or any portion of the collected redemption amount and up to 3 years' back GROUND rent to the extent required by this section and [§ 8-111.1] § 8-806 of this subtitle, the Department may:

(i) File an interpleader action in the circuit court of the county where the property is located; or

(ii) Reimburse the [landlord] GROUND LEASE HOLDER from the fund established in § 1-203.3 of the Corporations and Associations Article.

(13) The Department is not liable for any sum received by the Department that exceeds the sum of:

(i) The redemption amount; and

(ii) Up to 3 years' back GROUND rent to the extent required by this section and [§ 8-111.1] § 8-806 of this subtitle.



(14) The Department shall credit all fees and funds collected under this subsection to the fund established under § 1-203.3 of the Corporations and Associations Article. Redemption and extinguishment amounts received shall be held in a ground rent redemption and ground rent extinguishment account in that fund.

(15) The Department shall maintain a list of properties for which ground rents have been redeemed or extinguished under this subsection.

(16) The Department shall adopt regulations to carry out the provisions of this subsection.

(17) Any redemption or extinguishment funds not collected by a [landlord] **GROUND LEASE HOLDER** under this subsection within 20 years after the date of the payment to the Department by the **LEASEHOLD** tenant shall escheat to the State. The Department shall annually transfer any funds that remain uncollected after 20 years to the State General Fund at the end of each fiscal year.

**[8-110.1.] 8-805.**

(a) (1) In this section the following words have the meanings indicated.

(2) [“Ground lease” means a residential lease or sublease for a term of years renewable forever subject to the payment of a periodic ground rent.

(3) (i) “Ground lease holder” means the holder of the reversionary interest under a ground lease.

(ii) “Ground lease holder” includes an agent of the ground lease holder.

(4) “Ground rent” means a rent issuing out of, or collectible in connection with, the reversionary interest under a ground lease.

(5) [“Irredeemable ground rent” means a ground rent created under a ground lease executed before April 9, 1884, that does not contain a provision allowing the leasehold tenant to redeem the ground rent.

[(6) “Leasehold interest” means the tenancy in real property created under a ground lease.

(7) “Leasehold tenant” means the holder of the leasehold interest under a ground lease.

(8) (3) “Redeemable ground rent” means a ground rent that may be redeemed in accordance with this section or redeemed or extinguished in accordance with [§ 8–110(f)] § 8–804(F) of this subtitle.

(b) [(1) This section applies to residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units.

(2) This section does not apply to property:

(i) Leased for business, commercial, manufacturing, mercantile, or industrial purposes, or any other purpose that is not primarily residential;

(ii) Improved or to be improved by any apartment, condominium, cooperative, or other building for multifamily use of greater than four dwelling units; or

(iii) Leased for dwellings or mobile homes that are erected or placed in a mobile home development or mobile home park.

(c) (1) An irredeemable ground rent shall be converted to, and become, a redeemable ground rent, unless within the time specified in subsection [(f)](E) of this section, a notice of intention to preserve irredeemability is recorded.

(2) The conversion of an irredeemable ground rent to a redeemable ground rent occurs on the day following the end of the period in which the notice may be recorded.

(3) A disability or lack of knowledge of any kind does not prevent the conversion of an irredeemable ground rent to a redeemable ground rent if no notice of intention to preserve irredeemability is filed within the time specified in subsection [(f)](E) of this section.

[(d)] (C) (1) Any ground lease holder of an irredeemable ground rent may record a notice of intention to preserve irredeemability among the land records of the county where the land is located.

(2) The notice may be recorded by:

(i) The person claiming to be the ground lease holder; or

(ii) If the ground lease holder is under a disability or otherwise unable to assert a claim on the ground lease holder's own behalf, any other person acting on the ground lease holder's behalf.

**[(e)] (D)** (1) To be effective and to be entitled to be recorded, the notice shall be executed by the ground lease holder, acknowledged before a notary public, and contain substantially the following information:

(i) An accurate description of the leasehold interest affected by the notice, including, if known, the property improvement address;

(ii) The name of every ground lease holder of an irredeemable ground rent;

(iii) The name of every leasehold tenant as of the time the notice is filed according to the land records or the records of the State Department of Assessments and Taxation;

(iv) The recording reference of the ground lease;

(v) The recording reference of every leasehold tenant's leasehold deed, as of the time the notice is filed, according to the land records or the records of the State Department of Assessments and Taxation;

(vi) The recording reference of every irredeemable ground rent ground lease holder's deed; and

(vii) The block number for the leasehold interest if the property is located in Baltimore City.

(2) (i) A notice that substantially meets the requirements of this section shall be accepted for recording among the land records on payment of the same fees as are charged for the recording of deeds.

(ii) The filing of a notice is exempt from the imposition of a State or local excise tax.

(3) The notice shall be indexed as “Notice of Intention to Preserve Irredeemability”:

(i) In the grantee indices of deeds under the name of every ground lease holder of an irredeemable ground rent;

(ii) In the grantor indices of deeds under the name of every leasehold tenant as of the time the notice is filed according to the land records or the records of the State Department of Assessments and Taxation; and

(iii) In the block index in Baltimore City.

**[(f)] (E)** (1) To preserve the irredeemability of an irredeemable ground rent, a notice of intention to preserve shall be recorded on or before December 31, 2010.

(2) If a notice of intention to preserve is not recorded on or before December 31, 2010, the ground rent becomes a redeemable ground rent.

(3) If a notice is recorded on or before December 31, 2010, the ground rent shall remain irredeemable for a period of 10 years from January 1, 2011, to December 31, 2020, both inclusive.

(4) (i) The effectiveness of a filed notice to preserve irredeemability shall lapse on January 1, 2021, and the ground rent shall become a redeemable ground rent, unless a renewal notice containing substantially the same information as the notice of intention to preserve irredeemability is recorded within 6 months before the expiration of the 10–year period set forth in paragraph (3) of this subsection.

(ii) The effectiveness of any subsequently filed renewal notice shall lapse after the expiration of the applicable 10–year period and the ground rent shall become a redeemable ground rent, unless further renewal notices are recorded within 6 months before the expiration of the applicable 10–year period.

**[(g)] (F)** A ground rent made redeemable in accordance with this section:

- (1) Is redeemable at any time following the date of conversion of the irredeemable ground rent to a redeemable ground rent; and
- (2) Shall be redeemable for a sum equal to the annual rent reserved multiplied by 16.66, which is capitalization at 6 percent.”.

### AMENDMENT NO. 3

On page 5, in line 22, strike “8-111.1.” and substitute “**8-806.**”; strike beginning with “This” in line 23 down through “(b)” in line 27; in lines 27 and 28, in each instance, strike “landlord” and substitute “**GROUND LEASE HOLDER**”; in line 28, strike “leased property” and substitute “**PROPERTY SUBJECT TO A GROUND LEASE**”; in lines 28 and 30, in each instance, strike “back” and substitute “**PAST DUE GROUND**”; and in line 29, strike “in leased property”.

On page 6, in line 1, strike “(C)” and substitute “(B)”; strike beginning with “IN” in line 1 down through “LANDLORD” in line 2 and substitute “**A GROUND LEASE HOLDER**”; in line 3, strike “BACK” and substitute “**PAST DUE GROUND**”; in line 4, after “RENT” insert “**PAYABLE UNDER SUBSECTION (A) OF THIS SECTION**”; in the same line, strike “**§§ 8-402.2 AND 8-402.3 OF THIS TITLE**” and substitute “**§ 8-807 OF THIS SUBTITLE**”; in line 5, strike the brackets; in the same line, strike “(D)”; in lines 6 and 7, in each instance, strike “back” and substitute “**PAST DUE GROUND**”; in line 6, strike “landlord or holder of a ground rent” and substitute “**GROUND LEASE HOLDER**”; in line 14, strike “landlord” and substitute “**GROUND LEASE HOLDER**”; and in lines 15 and 17, in each instance, strike “rent” and substitute “**LEASE**”.

On pages 6 through 12, strike in their entirety the lines beginning with line 18 on page 6 through line 7 on page 12, inclusive, and substitute:

### **8-807.**

**(A) FOR PROPERTY SUBJECT TO A GROUND LEASE IN EFFECT ON OR AFTER JULY 1, 2007, A GROUND LEASE HOLDER MAY BRING AN ACTION TO REENTER FOR NONPAYMENT OF GROUND RENT ONLY:**

**(1) IF THE GROUND LEASE HOLDER HAS THE LAWFUL RIGHT TO REENTER FOR NONPAYMENT OF GROUND RENT;**

(2) IF THE GROUND LEASE IS REGISTERED WITH THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION UNDER SUBTITLE 7 OF THIS TITLE;

(3) IF THE PAYMENT OF GROUND RENT IS AT LEAST 6 MONTHS IN ARREARS; AND

(4) AS PROVIDED UNDER THIS SECTION.

(B) A HOLDER OF A SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO THE GROUND LEASE, OR ANY PORTION OF THE GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED MAY CURE THE DEFAULT BY PAYING THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS SUBJECT TO THE SAME PROVISIONS THAT ARE APPLICABLE TO A LEASEHOLD TENANT WHO CURES A DEFAULT AFTER RECEIVING NOTICE UNDER SUBSECTION (D) OF THIS SECTION OR RECEIVING PERSONAL SERVICE OF PROCESS IN AN ACTION FILED UNDER SUBSECTION (F) OF THIS SECTION.

(C) (1) NO LESS THAN 60 DAYS BEFORE FILING AN ACTION TO REENTER, THE GROUND LEASE HOLDER SHALL SEND A NOTICE, IN THE FORM REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, TO THE LEASEHOLD TENANT'S LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, OR OTHER PLACE OF BUSINESS OR RESIDENCE IF KNOWN, BY:

(I) FIRST-CLASS MAIL; AND

(II) CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN SUBSTANTIALLY THE SAME FORM AS THE NOTICE CONTAINED ON THE WEB SITE OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION.

(3) A GROUND LEASE HOLDER MAY BE REIMBURSED FOR REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS NOT EXCEEDING \$100, PROVIDED THE OUTSTANDING AMOUNT DUE IS PAID IN RESPONSE TO THE NOTICE SENT UNDER PARAGRAPH (1) OF THIS SUBSECTION AND BEFORE A NOTICE IS SENT UNDER SUBSECTION (D) OF THIS SECTION.

(D) (1) AFTER NOTICE HAS BEEN SENT UNDER SUBSECTION (C) OF THIS SECTION AND NO LESS THAN 30 DAYS BEFORE FILING AN ACTION TO REENTER, THE GROUND LEASE HOLDER SHALL SEND A NOTICE, IN THE FORM REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, TO THE LEASEHOLD TENANT'S LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION, OR OTHER PLACE OF BUSINESS OR RESIDENCE IF KNOWN, BY:

(I) FIRST-CLASS MAIL; AND

(II) CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE IN 14 POINT, BOLD FONT AND INCLUDE:

(I) AN ITEMIZED BILL FOR THE PAYMENT DUE;

(II) THE AMOUNT NECESSARY TO CURE THE DEFAULT, INCLUDING LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(III) THE NAME AND ADDRESS OF THE PERSON TO WHOM TO SEND THE PAYMENT DUE;

(IV) THE NAME AND CONTACT INFORMATION OF THE PERSON TO CONTACT FOR QUESTIONS ABOUT THE NOTICE; AND

(V) A STATEMENT THAT UNLESS THE DEFAULT IS CURED IN 30 DAYS:

1. THE GROUND LEASE HOLDER INTENDS TO FILE AN ACTION TO REENTER; AND

2. THE LEASEHOLD TENANT MAY BE LIABLE FOR REIMBURSING THE GROUND LEASE HOLDER FOR EXPENSES AND COSTS INCURRED IN CONNECTION WITH THE COLLECTION OF PAST DUE GROUND RENT AND THE FILING OF THE ACTION TO REENTER.

(3) A GROUND LEASE HOLDER MAY BE REIMBURSED FOR REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS NOT EXCEEDING \$650, INCLUDING:

(I) TITLE ABSTRACT AND EXAMINATION FEES;

(II) JUDGMENT REPORT COSTS;

(III) PHOTOCOPYING AND POSTAGE FEES; AND

(IV) ATTORNEY'S FEES.

(E) (1) THE GROUND LEASE HOLDER SHALL SEND A COPY OF THE NOTICE REQUIRED UNDER SUBSECTION (D) OF THIS SECTION TO ANY HOLDER OF A SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO THE GROUND LEASE, OR ANY PORTION OF THE GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED, TO THE ADDRESS SHOWN IN THE LAND RECORDS OR ANOTHER ADDRESS IF KNOWN, BY:

(I) FIRST-CLASS MAIL; AND

(II) CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ACCOMPANIED BY A STATEMENT THAT THE HOLDER OF A SECURED INTEREST MAY:



(I) CURE THE DEFAULT BY PAYING THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER SUBSECTION (D)(3) OF THIS SECTION;  
OR

(II) 1. REDEEM THE PROPERTY IN ACCORDANCE WITH § 8-804 OF THIS SUBTITLE; AND

2. CURE THE DEFAULT BY PAYING THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER SUBSECTION (D)(3) OF THIS SECTION.

(3) IF NOTICE IS NOT SENT TO A HOLDER OF A SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO THE GROUND LEASE, OR ANY PORTION OF THE GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED, A JUDGMENT IN FAVOR OF THE GROUND LEASE HOLDER DOES NOT IMPAIR THE RIGHT OF THE HOLDER OF THE SECURED INTEREST TO ENFORCE THE SECURED INTEREST AGAINST THE PROPERTY.

(F) (1) IF THE DEFAULT IS NOT CURED, THE GROUND LEASE HOLDER MAY FILE IN CIRCUIT COURT AN ACTION TO REENTER NO LESS THAN 30 DAYS AFTER NOTICE IS SENT UNDER SUBSECTION (D) OF THIS SECTION.

(2) AN ACTION FILED UNDER THIS SUBSECTION SHALL BE ACCOMPANIED BY:

(I) AN ITEMIZED BILL FOR THE PAYMENT DUE;

(II) THE AMOUNT NECESSARY TO CURE THE DEFAULT, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(III) THE NAME AND ADDRESS OF THE PERSON TO WHOM TO SEND THE PAYMENT DUE;

(IV) AN AFFIDAVIT AFFIRMING COMPLIANCE WITH THE NOTICE REQUIREMENTS UNDER SUBSECTIONS (B), (C), AND (D) OF THIS SECTION, INCLUDING COPIES OF THE PROOFS OF MAILING FROM THE UNITED STATES POSTAL SERVICE; AND

(V) A LIST OF EACH HOLDER OF A SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO THE GROUND LEASE, OR ANY PORTION OF THE GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

(3) A GROUND LEASE HOLDER MAY BE REIMBURSED FOR REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS, INCLUDING:

(I) FILING FEES AND COURT COSTS;

(II) EXPENSES INCURRED IN THE SERVICE OF PROCESS OR OTHERWISE PROVIDING NOTICE;

(III) REASONABLE ATTORNEY'S FEES NOT EXCEEDING \$500;

AND

(IV) TAXES, INCLUDING INTEREST AND PENALTIES, THAT HAVE BEEN PAID BY THE GROUND LEASE HOLDER OR PLAINTIFF.

(G) (1) PERSONAL SERVICE OF PROCESS IN AN ACTION FILED UNDER SUBSECTION (F) OF THIS SECTION SHALL BE MADE IN ACCORDANCE WITH THE MARYLAND RULES.

(2) THE INDIVIDUAL MAKING SERVICE OF PROCESS UNDER THIS SUBSECTION SHALL FILE PROOF OF SERVICE WITH THE COURT IN ACCORDANCE WITH THE MARYLAND RULES.

(H) (1) A HOLDER OF A SECURED INTEREST IN THE PROPERTY THAT IS SUBJECT TO THE GROUND LEASE, OR ANY PORTION OF THE GROUND LEASE, THAT IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE

PROPERTY IS LOCATED, SHALL BE MADE A PARTY, AS PROVIDED UNDER THE MARYLAND RULES, TO AN ACTION FILED UNDER SUBSECTION (F) OF THIS SECTION.

(2) THE GROUND LEASE HOLDER SHALL SEND TO EACH HOLDER OF A SECURED INTEREST THAT IS MADE A PARTY TO THE ACTION UNDER PARAGRAPH (1) OF THIS SUBSECTION A STATEMENT THAT THE HOLDER OF A SECURED INTEREST MAY:

(i) CURE THE DEFAULT BY PAYING THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER SUBSECTION (F)(3) OF THIS SECTION;  
OR

(ii) 1. REDEEM THE PROPERTY IN ACCORDANCE WITH § 8-804 OF THIS SUBTITLE; AND

2. CURE THE DEFAULT BY PAYING THE OUTSTANDING AMOUNT DUE, INCLUDING REASONABLE LATE FEES, INTEREST, AND COLLECTION COSTS AUTHORIZED UNDER SUBSECTION (F)(3) OF THIS SECTION.

(3) IF A HOLDER OF A SECURED INTEREST IS NOT MADE A PARTY TO THE ACTION AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A JUDGMENT IN FAVOR OF THE GROUND LEASE HOLDER DOES NOT IMPAIR THE RIGHT OF THE HOLDER OF THE SECURED INTEREST TO ENFORCE THE SECURED INTEREST AGAINST THE PROPERTY.

(i) (1) EXCEPT AS PROVIDED IN THIS SECTION, A GROUND LEASE HOLDER OR PLAINTIFF IS NOT ENTITLED TO REIMBURSEMENT FOR ANY COSTS OR EXPENSES RELATED TO THE COLLECTION OF GROUND RENT.

(2) A GROUND LEASE HOLDER OR PLAINTIFF MAY NOT RECEIVE A WRIT OF POSSESSION OR REIMBURSEMENT FOR ANY COSTS OR EXPENSES RELATED TO THE COLLECTION OF GROUND RENT UNLESS ALL THE NOTICE REQUIREMENTS OF THIS SECTION ARE MET.

**(J) IF A GROUND LEASE HOLDER RECEIVES AND EXECUTES A WRIT OF POSSESSION, THE GROUND LEASE HOLDER MAY NOT RECEIVE REIMBURSEMENT FOR ANY COSTS OR EXPENSES RELATED TO THE COLLECTION OF GROUND RENT, INCLUDING ANY LATE FEES, INTEREST, OR COLLECTION COSTS SPECIFIED IN SUBSECTION (C)(3), (D)(3), OR (F)(3) OF THIS SECTION.**

**(K) THIS SECTION DOES NOT PRECLUDE A GROUND LEASE HOLDER FROM USING OTHER LEGAL MEANS TO ENFORCE A GROUND LEASE.”.**

On page 17, before line 9, insert:

“14–108.1.

(a) This section does not apply to:

(1) A grantee action under § 14–109 of this subtitle;

(2) A landlord–tenant action that is within the exclusive original jurisdiction of the District Court;

(3) An action for nonpayment of ground rent under a ground lease on residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units; or

(4) An action for wrongful detainer under § 14–132 of this article.

(b) (1) A person who is not in possession of property and claims title and right to possession may bring an action for possession against the person in possession of the property.

(2) Encumbrance of property by a mortgage or deed of trust to secure a debt does not prevent an action under this section by the owner of the property.

(c) When personal jurisdiction is not obtained over the defendant, the plaintiff may obtain a default judgment under the Maryland Rules only on proof of title and right to possession. The judgment shall be in rem for possession of the

property. Entry and enforcement of the judgment does not bar further pursuit, in the same or another action, of the plaintiff's claim for mesne profits and damages."

AMENDMENT NO. 4

On page 12, after line 7, insert:

"[14-116.] 8-808.

(a) [(1) In this section the following words have the meanings indicated.

(2) "Ground lease" means a residential lease or sublease for a term of years renewable forever subject to the payment of a periodic ground rent.

(3) (i) "Ground lease holder" means the holder of the reversionary interest under a ground lease.

(ii) "Ground lease holder" includes an agent of the ground lease holder.

(4) "Ground rent" means a rent issuing out of, or collectible in connection with, the reversionary interest under a ground lease.

(5) "Leasehold interest" means the tenancy in real property created under a ground lease.

(6) "Leasehold tenant" means the holder of the leasehold interest under a ground lease.

(b) (1) This section applies to residential property that was or is used, intended to be used, or authorized to be used for four or fewer dwelling units.

(2) This section does not apply to property:

(i) Leased for business, commercial, manufacturing, mercantile, or industrial purposes, or any other purpose that is not primarily residential;

(ii) Improved or to be improved by any apartment, condominium, cooperative, or other building for multifamily use of greater than four dwelling units; or

(iii) Leased for dwellings or mobile homes that are erected or placed in a mobile home development or mobile home park.

(c) Within 30 days of any change of address of a leasehold tenant, the leasehold tenant shall notify the ground lease holder of the change, including the new address and the date of the change.

[(d)] (B) Within 30 days of any transfer of [improvements located] A LEASEHOLD INTEREST on property subject to a ground [rent] LEASE, the leasehold tenant shall notify the ground lease holder of the transfer. The notification shall include the name and address of the transferee, and date of transfer.

[(e)] (C) A leasehold tenant shall send notice under this section to the last known address of the ground lease holder.”;

in line 8, strike “14–116.1.” and substitute “8–809.”; strike beginning with “(1)” in line 9 down through “park.” in line 31.

On page 13, in line 1, strike “(c)”; and in line 8, strike “(d)” and substitute “(B)”.

On page 14, strike beginning with “The” in line 8 down through “THE” in line 23 and substitute “UNLESS YOU AND THE GROUND LEASE HOLDER AGREE TO A LESSER AMOUNT, THE”; and after line 28, insert:

“[14–116.2.] 8–810.

(a) [(1) In this section the following words have the meanings indicated.

(2) “Ground lease” means a residential lease or sublease for a term of years renewable forever subject to the payment of a periodic ground rent.

(3) (i) “Ground lease holder” means the holder of the reversionary interest under a ground lease.

(ii) “Ground lease holder” includes an agent of the ground lease holder.

(4) “Ground rent” means a rent issuing out of, or collectible in connection with, the reversionary interest under a ground lease.

(5) “Leasehold tenant” means the holder of the leasehold interest under a ground lease.

(6) “Redeemable ground rent” means a ground rent that may be redeemed in accordance with § 8–110 of this article.

(b) (1) This section applies to residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units.

(2) This section does not apply to property:

(i) Leased for business, commercial, manufacturing, mercantile, or industrial purposes, or any other purpose that is not primarily residential;

(ii) Improved or to be improved by any apartment, condominium, cooperative, or other building for multifamily use of greater than four dwelling units; or

(iii) Leased for dwellings or mobile homes that are erected or placed in a mobile home development or mobile home park.

(c) Within 30 days after any transfer of a ground lease, the transferee shall notify the leasehold tenant of the transfer.

**[(d)] (B)** (1) The notification shall include the name and address of the new ground lease holder and the date of the transfer.

(2) If the property is subject to a redeemable ground rent, the notification shall also include the following notice:

“As the owner of the property subject to this ground lease, you are entitled to redeem, or purchase, the ground lease from the ground lease holder and obtain absolute ownership of the property. The redemption amount is fixed by law but may also be negotiated with the ground lease holder for a different amount. For information on redeeming the ground lease, contact the ground lease holder.”

[(e)] (C) A ground lease holder shall send notice under this section to the last known address of the leasehold tenant.”.

On pages 14 and 15, strike beginning with “(a)” in line 30 on page 14 down through “park.” in line 21 on page 15.

On page 15, after line 21, insert “8-811.”; and in line 22, strike “(3)”.

On page 17, after line 8, insert:

“[14-129.] 8-812.

(a) This section does not apply to a:

(1) Home equity line of credit;

(2) Loan secured by an indemnity deed of trust; or

(3) Commercial loan.

(b) Before the settlement of a loan secured by a mortgage or deed of trust on residential real property improved by four or fewer single-family units that is subject to a redeemable ground rent, the settlement agent shall notify the borrower that:

(1) The borrower has the right to redeem the ground rent under [§ 8-110] § 8-804 of this [article] SUBTITLE;

(2) The redemption amount is fixed by law but may also be negotiated with the ground lease holder for a different amount;

(3) It may be possible to include the amount of the redemption in this loan;

(4) For information on redeeming the ground rent, the borrower should contact the ground lease holder; and

(5) For information on including the amount of the redemption in this loan, the borrower should contact the lender or credit grantor making this loan.”.



AMENDMENT NO. 5

On page 17, strike in their entirety lines 9 through 25, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That the State Department of Assessments and Taxation shall develop and post on the Department’s Web site a sample notice for use in complying with the provisions of § 8–807(c) of the Real Property Article, as enacted by Section 2 of this Act, that is in at least 14 point, bold font, and provides for the inclusion of:

- (1) an itemized bill for the amount of payment due;
- (2) the amount necessary to cure the default, including late fees, interest, and collection costs as authorized under § 8–807(c)(3) of the Real Property Article, as enacted by Section 2 of this Act;
- (3) the name and address of the person to whom to send the payment due;
- (4) the name and contact information of the person to contact for questions about the notice;
- (5) a statement that unless the default is cured in 60 days:
  - (i) the ground lease holder intends to file an action to reenter;  
and
  - (ii) the leasehold tenant may be liable for reimbursing the ground lease holder for reasonable late fees, interest, and collection costs incurred in connection with the collection of past due ground rent and the filing of an action to reenter; and
- (6) information about the Ground Rent Redemption Loan Program in the Department of Housing and Community Development.”;

strike beginning with “AND” in line 29 down through “6.” in line 31; and in lines 31 and 32, strike “, except as provided in Section 5 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 HEALTH AND GOVERNMENT OPERATIONS  
REPORT #15**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1276 – Delegates A. Washington, Frush, Nathan–Pulliam, and V. Turner**

AN ACT concerning

**Child Care Centers – Healthy Eating and Physical Activity Act**

**HB1276/696886/2**

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1276

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “require” in line 4 down through “provisions” in line 10 and substitute “promote proper nutrition and developmentally appropriate practices by establishing certain training and policies promoting breast–feeding, requiring compliance with certain standards for beverages served to children, and setting limits on screen time”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

**“(5) PROMOTE PROPER NUTRITION AND DEVELOPMENTALLY APPROPRIATE PRACTICES BY:**

**(I) ESTABLISHING TRAINING AND POLICIES PROMOTING BREAST–FEEDING;**

**(II) 1. REQUIRING COMPLIANCE WITH THE UNITED STATES FOOD AND DRUG ADMINISTRATION CHILD AND ADULT CARE FOOD**

**PROGRAM STANDARDS FOR BEVERAGES SERVED TO CHILDREN, EXCEPT THAT MILK THAT IS NOT NONFAT OR LOW FAT MAY BE ORDERED BY A HEALTH CARE PRACTITIONER OR REQUESTED BY A PARENT OR GUARDIAN; AND**

**2. PROHIBITING BEVERAGES OTHER THAN INFANT FORMULA THAT CONTAIN ADDED SWEETENER OR CAFFEINE; AND**

**(III) SETTING LIMITS ON SCREEN TIME;”;**

and in lines 13, 15, and 18, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively.

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 11 on page 3, inclusive.

On page 4, in line 10, strike the brackets; and in line 12, strike the semicolon and substitute a period.

On pages 4 and 5, strike in their entirety the lines beginning with line 13 on page 4 through line 6 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 716 – Senators Ferguson, King, Montgomery, ~~and Pinsky~~ Pinsky, Conway, Benson, Jennings, and Rosapepe**

AN ACT concerning

**Child Care Centers – Healthy Eating and Physical Activity Act**

**SB0716/106688/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 716

(Third Reading File Bill)

On page 2, in line 23, after “**(II)**” insert “**1.**”; in line 25, after “**CHILDREN,**” insert “**EXCEPT THAT MILK THAT IS NOT NONFAT OR LOW FAT MAY BE ORDERED BY A HEALTH CARE PRACTITIONER OR REQUESTED BY A PARENT OR GUARDIAN; AND**

**2.**”;

and in the same line, strike “**INCLUDING**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 718 – ~~Senator Ferguson~~ Senators Ferguson and Conway**

AN ACT concerning

**Governor’s Office of Crime Control and Prevention – ~~State Corrections~~  
Juvenile Charged as Adult Population Forecast and ~~Juvenile Population~~  
Statistics**

**SB0718/266286/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 718

(Third Reading File Bill)

On page 3, strike in its entirety line 2; and in lines 3, 4, 5, 6, 8, 10, 11, 12, and 13, strike “**(viii)**”, “**(ix)**”, “**(x)**”, “**(xi)**”, “**(xii)**”, “**(xiii)**”, “**(xiv)**”, “**(xv)**”, and “**(xvi)**”, respectively, and substitute “**(vii)**”, “**(viii)**”, “**(ix)**”, “**(x)**”, “**(xi)**”, “**(xii)**”, “**(xiii)**”, “**(xiv)**”, and “**(xv)**”, respectively.

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 JUDICIARY REPORT #13**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 272 – Senators Jacobs, Brinkley, Colburn, Forehand, Getty, Glassman, Hershey, Jennings, King, Kittleman, Muse, Peters, Raskin, Shank, Stone, and Zirkin**

AN ACT concerning

**Sentencing Procedures – Statement by Victim or Victim’s Representative  
(Alex’s Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 660 – ~~Senator Gladden~~ Senators Gladden and Brochin**

AN ACT concerning

**Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties**

**SB0660/172816/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 660

(Third Reading File Bill)

On page 2, in line 16, strike the first “AN” and substitute “A PHYSICAL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 685 – Senator Zirkin**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Provision of Information to Health  
Care ~~Provider~~ Practitioners**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 698 – Senators Shank, Raskin, Forehand, Hershey, Jacobs, Kelley,  
Klausmeier, Muse, Ramirez, Reilly, Simonaire, Stone, and Young**

AN ACT concerning

**Criminal Procedure – Electronic Device Location Information – ~~Warrant~~  
Order**

**SB0698/822910/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 698

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 13 down through “report;” in line 14 and substitute “providing that a person may not be held civilly liable for complying with this Act by providing location information;”.

AMENDMENT NO. 2

On page 4, in line 20, strike “OR THE INDIVIDUAL ABOUT WHOM” and substitute “OR THE IDENTIFYING NUMBER OF THE ELECTRONIC DEVICE ABOUT WHICH”.

On page 5, in line 2, after “SOUGHT” insert “FOR THE DURATION OF THE ORDER”; in line 8, after “DISCLOSE” insert “TO THE EXECUTING LAW”.

ENFORCEMENT OFFICER THE"; and in line 22, strike "THE APPLICANT WITHIN 10" and substitute "THE EXECUTING LAW ENFORCEMENT OFFICER WITHIN 10 CALENDAR".

On page 6, in line 30, strike "OF THE TELEPHONE" and substitute "THE IDENTIFYING".

On page 7, in line 1, strike "OF"; and in line 17, strike "SEARCH" and substitute "AFFIDAVIT".

On page 8, in line 15, strike "PRESENT".

AMENDMENT NO. 3

On page 9, strike in their entirety lines 3 through 27, inclusive, and substitute:

"(G) A PERSON MAY NOT BE HELD CIVILLY LIABLE FOR COMPLYING WITH THIS SECTION BY PROVIDING LOCATION INFORMATION."

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 860 – Senators Gladden, Jones–Rodwell, ~~and Kelley~~ Kelley, and Forehand**

AN ACT concerning

**Public Safety – ~~Photo and Lineup~~ Eyewitness Identification – Procedures**

**SB0860/212316/1**

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 860

(Third Reading File Bill)

On page 2, in lines 3 and 12, in each instance, strike “2015” and substitute “2016”.

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 JUDICIARY REPORT #14

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1186 – Delegates Anderson, Carter, Cluster, Dumais, McDermott, Smigiel, Swain, and Vallario**

AN ACT concerning

#### **Criminal Procedure – Pretrial Release – Setting of Bond – Personal Recognizance**

**HB1186/672315/4**

BY: House Judiciary Committee

#### AMENDMENTS TO HOUSE BILL 1186

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Cluster,”; strike beginning with “Setting” in line 2 down through “Recognizance” in line 3 and substitute “Charge by Summons”; in line 4, after the first “of” insert “providing that a court or clerk’s office that is in session or open on a weekend or holiday for a certain purpose is not in session or open for any other purpose or function;”; in line 5, after the second “bond” insert “or release them on personal recognizance if circumstances warrant”; strike beginning with “requiring” in line 8 down through “arrest;” in line 14 and substitute “requiring a police officer to submit a statement of charges to a District Court commissioner, serve on the defendant a statement of charges and summons, and release the defendant under certain circumstances; prohibiting a District Court commissioner from issuing a summons for a defendant under certain circumstances; providing that a defendant may not be charged by summons if a law enforcement officer makes a certain”



certification; requiring a certain law enforcement officer to file a certain affidavit with the court; requiring the clerk of the court to send a copy of a certain affidavit along with a certain statement of charges to the Maryland Statistical Analysis Center; requiring the Maryland Statistical Analysis Center to analyze certain documents and provide a certain annual report to the Governor and General Assembly on or before a certain date; providing that a certain defendant may be charged by citation under certain circumstances; requiring a District Court commissioner to give certain advisements to a certain defendant at a certain time; requiring a District Court commissioner to require a certain defendant to sign a certain written acknowledgment; repealing certain provisions of law requiring a District Court commissioner to consider including certain victim protections as a condition of pretrial release for a certain defendant; providing that certain forms shall provide that an applicant for a statement of charges may request no contact with the alleged victim or the alleged victim's residence or place of employment; requiring a commissioner to include certain conditions of no contact as part of a certain statement of charges and summons under certain circumstances; providing that if a certain defendant objects to certain no contact conditions, the court must schedule a hearing to make a certain determination; repealing certain provisions of law prohibiting a District Court commissioner from authorizing the pretrial release of certain defendants under certain circumstances and authorizing a judge to release certain defendants under certain circumstances; providing that a person who is arrested and not released pursuant to a citation or summons shall be detained, with a certain exception, and taken before a judge of the District Court or the circuit court without unnecessary delay, and in no event later than a certain amount of time after arrest; requiring the District Court to operate in session a certain number of days a week for the purpose of making release determinations for arrested persons; providing for the termination of this Act.”; in line 14, after “release” insert “and charge by summons”; after line 14, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 1–206

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)”;

after line 19, insert:

“BY adding to

Article – Criminal Procedure

Section 4–101.2, 4–101.3, and 5–202

Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)”;

in line 22, strike “5–101” and substitute “5–201”; and in line 25, strike “and reenacting, without amendments.”.

On page 2, strike in their entirety lines 3 through 7, inclusive.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“1–206.

A COURT OR CLERK’S OFFICE THAT IS IN SESSION OR OPEN ON A WEEKEND OR HOLIDAY FOR THE PURPOSE OF CONDUCTING AN INITIAL APPEARANCE FOR AN ARRESTED PERSON IS NOT IN SESSION OR OPEN FOR ANY OTHER PURPOSE OR FUNCTION.”;

in line 29, strike the comma; and strike beginning with “release” in line 29 down through “warrant,” in line 30.

AMENDMENT NO. 3

On page 4, after line 5, insert:

“4–101.2.

(A) EXCEPT AS PROVIDED IN § 4–101 OF THIS SUBTITLE AND SUBSECTIONS (B) AND (C) OF THIS SECTION, A POLICE OFFICER SHALL SUBMIT A STATEMENT OF CHARGES TO A DISTRICT COURT COMMISSIONER IN ACCORDANCE WITH THE MARYLAND RULES, SERVE ON THE DEFENDANT A STATEMENT OF CHARGES AND SUMMONS IF THE COMMISSIONER DETERMINES THAT THE CHARGE OR CHARGES ARE SUPPORTED BY PROBABLE CAUSE, AND RELEASE THE DEFENDANT, IF THE MOST SERIOUS CHARGE WITH WHICH THE DEFENDANT IS CHARGED IS:

- (1) PUNISHABLE BY IMPRISONMENT FOR 18 MONTHS OR LESS;
- (2) OBSTRUCTING AND HINDERING;

(3) TELEPHONE MISUSE UNDER § 3-804 OF THE CRIMINAL LAW ARTICLE;

(4) INDECENT EXPOSURE UNDER § 11-107 OF THE CRIMINAL LAW ARTICLE;

(5) MALICIOUS DESTRUCTION OF PROPERTY WITH A VALUE OF AT LEAST \$1,000 UNDER § 6-301 OF THE CRIMINAL LAW ARTICLE;

(6) POSSESSING OR ADMINISTERING A CONTROLLED DANGEROUS SUBSTANCE UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE; OR

(7) ASSAULT IN THE SECOND DEGREE UNDER § 3-203 OF THE CRIMINAL LAW ARTICLE, PROVIDED THAT A CONDITION OF NO UNLAWFUL CONTACT WITH THE ALLEGED VICTIM IS INCLUDED IN THE SUMMONS.

(B) A DISTRICT COURT COMMISSIONER MAY NOT ISSUE A SUMMONS FOR A DEFENDANT:

(1) WHO IS CHARGED WITH:

(I) FOURTH DEGREE SEXUAL OFFENSE UNDER § 3-308 OF THE CRIMINAL LAW ARTICLE;

(II) VIOLATION OF A CONDITION OF PLACEMENT IN A HOME DETENTION PROGRAM UNDER § 3-409(A) OF THE CORRECTIONAL SERVICES ARTICLE;

(III) FAILURE TO SURRENDER AFTER FORFEITURE OF BAIL OR RECOGNIZANCE UNDER § 5-211 OF THE CRIMINAL PROCEDURE ARTICLE;

(IV) HARBORING A FUGITIVE UNDER § 9-402 OF THE CRIMINAL LAW ARTICLE;

(V) HARBORING AN ESCAPED INMATE UNDER § 9-403 OF THE CRIMINAL LAW ARTICLE;

(VI) COMMISSION OF A CRIME OF VIOLENCE OR SEXUAL OFFENSE AFTER ADMINISTERING A DRUG TO THE VICTIM UNDER § 5-624 OF THE CRIMINAL LAW ARTICLE;

(VII) WILLFULLY EXPOSING OTHERS TO INFECTIOUS DISEASE UNDER § 18-601 OF THE HEALTH – GENERAL ARTICLE;

(VIII) ABDUCTION OF A CHILD YOUNGER THAN 16 YEARS OLD BY A RELATIVE OUTSIDE THE STATE FOR 30 DAYS OR LESS UNDER § 9-305 OF THE FAMILY LAW ARTICLE; OR

(IX) MALICIOUS BURNING OF PERSONAL PROPERTY IN THE SECOND DEGREE UNDER § 6-105 OF THE CRIMINAL LAW ARTICLE;

(2) WHO IS ON PAROLE OR SUPERVISED PROBATION FOR A CRIMINAL OFFENSE;

(3) WHO IS THE SUBJECT OF AN OUTSTANDING ARREST WARRANT;

(4) WHO WAS ARRESTED ON ANOTHER OCCASION WITHIN THE 72 HOURS PRECEDING THE APPEARANCE BEFORE THE COMMISSIONER;

(5) WHO HAS FAILED TO APPEAR AS ORDERED BY A COURT IN A CRIMINAL, NONTRAFFIC CASE WITHIN THE 2 YEARS PRECEDING THE APPEARANCE BEFORE THE COMMISSIONER;

(6) WHO IS CHARGED WITH VIOLATING:

(I) THE PROVISIONS OF A TEMPORARY PROTECTIVE ORDER DESCRIBED IN § 4-505(A)(2)(I) OF THE FAMILY LAW ARTICLE OR THE PROVISIONS OF A PROTECTIVE ORDER DESCRIBED IN § 4-506(D)(1) OF THE FAMILY LAW ARTICLE THAT ORDER THE DEFENDANT TO REFRAIN FROM ABUSING OR THREATENING TO ABUSE A PERSON ELIGIBLE FOR RELIEF;

(II) THE PROVISIONS OF AN ORDER FOR PROTECTION, AS DEFINED IN § 4-508.1 OF THE FAMILY LAW ARTICLE, ISSUED BY A COURT OF ANOTHER STATE OR OF A NATIVE AMERICAN TRIBE THAT ORDER THE DEFENDANT TO REFRAIN FROM ABUSING OR THREATENING TO ABUSE A PERSON ELIGIBLE FOR RELIEF, IF THE ORDER IS ENFORCEABLE UNDER § 4-508.1 OF THE FAMILY LAW ARTICLE; OR

(III) THE PROVISIONS OF A TEMPORARY PEACE ORDER OR FINAL PEACE ORDER ISSUED UNDER TITLE 3, SUBTITLE 15 OF THE COURTS ARTICLE; OR

(7) WHO IS REGISTERED AS A SEX OFFENDER UNDER TITLE 11, SUBTITLE 7 OF THIS ARTICLE.

(C) (1) A DEFENDANT MAY NOT BE CHARGED BY SUMMONS IF A LAW ENFORCEMENT OFFICER CERTIFIES BY AFFIDAVIT AND ARTICULATES UNDER OATH SPECIFIC FACTS TO SUPPORT THE CONTENTION THAT THE DEFENDANT:

(I) IS A FLIGHT RISK;

(II) POSES A CREDIBLE PUBLIC SAFETY RISK; OR

(III) IS A THREAT TO SELF OR TO OTHERS.

(2) A LAW ENFORCEMENT OFFICER WHO PROCEEDS BY AFFIDAVIT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL FILE THE AFFIDAVIT WITH THE COURT.

(3) THE CLERK OF THE COURT SHALL SEND A COPY OF EACH AFFIDAVIT FILED UNDER THIS SUBSECTION ALONG WITH THE CORRESPONDING STATEMENT OF CHARGES TO THE MARYLAND STATISTICAL ANALYSIS CENTER.

(4) ON OR BEFORE MARCH 1 OF EACH YEAR BEGINNING IN 2015, THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL ANALYZE THE AFFIDAVITS AND STATEMENTS OF CHARGES SUBMITTED UNDER THIS

SUBSECTION DURING THE PRIOR CALENDAR YEAR AND PROVIDE A SUMMARY REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY INDICATING THE NUMBER OF INSTANCES IN WHICH AFFIDAVITS WERE SUBMITTED DURING THE PERIOD CATEGORIZED BY:

- (I) JURISDICTION;
- (II) TYPE OF CHARGE;
- (III) RACE OF THE DEFENDANT; AND
- (IV) GENDER OF THE DEFENDANT.

(D) A DEFENDANT WHO MAY BE CHARGED BY SUMMONS UNDER THIS SECTION MAY BE CHARGED INSTEAD BY CITATION UNDER § 4-101 OF THIS SUBTITLE, IF A DETAILED STATEMENT OF PROBABLE CAUSE IS INCLUDED WITH THE CITATION.

4-101.3.

(A) BEFORE A DEFENDANT WHO IS CHARGED BY SUMMONS UNDER § 4-101.2 OF THIS SUBTITLE IS RELEASED FROM CUSTODY, A DISTRICT COURT COMMISSIONER SHALL:

- (1) EXPLAIN THE CHARGES AGAINST THE DEFENDANT TO THE DEFENDANT;
- (2) ADVISE THE DEFENDANT OF THE DEFENDANT'S RIGHT TO COUNSEL AND THE IMPORTANCE OF OBTAINING COUNSEL;
- (3) ADVISE THE DEFENDANT OF THE REQUIREMENT TO APPEAR FOR TRIAL AS NOTIFIED; AND
- (4) EXPLAIN THAT A BENCH WARRANT WILL BE ISSUED FOR THE DEFENDANT IF THE DEFENDANT DOES NOT APPEAR FOR TRIAL.

**(B) THE COMMISSIONER SHALL REQUIRE THE DEFENDANT TO SIGN A WRITTEN ACKNOWLEDGMENT OF THE ADVICE GIVEN UNDER SUBSECTION (A) OF THIS SECTION.**

AMENDMENT NO. 4

On pages 4 and 5, strike in their entirety the lines beginning with line 6 on page 4 through line 9 on page 5, inclusive, and substitute:

“5-201.

(a) (1) The court [or a District Court commissioner] shall consider including, as a condition of pretrial release for a defendant, reasonable protections for the safety of the alleged victim.

(2) If a victim has requested reasonable protections for safety, the court [or a District Court commissioner] shall consider including, as a condition of pretrial release, provisions regarding no contact with the alleged victim or the alleged victim’s premises or place of employment.

(b) (1) In accordance with eligibility criteria, conditions, and procedures required under the Maryland Rules, the court may require, as a condition of a defendant’s pretrial release, that the defendant be monitored by a private home detention monitoring agency licensed under Title 20 of the Business Occupations and Professions Article.

(2) A defendant placed in private home detention under paragraph (1) of this subsection shall pay directly to the private home detention monitoring agency the agency’s monitoring fee.

**(C) THE FORMS FOR AN APPLICATION FOR A STATEMENT OF CHARGES AND A CONFIDENTIAL SUPPLEMENT TO AN APPLICATION FOR STATEMENT OF CHARGES SHALL PROVIDE THAT AN APPLICANT FOR A STATEMENT OF CHARGES MAY REQUEST NO CONTACT WITH THE ALLEGED VICTIM OR THE ALLEGED VICTIM’S RESIDENCE OR PLACE OF EMPLOYMENT.**

**(D) WHEN A DISTRICT COURT COMMISSIONER IS REQUIRED TO CHARGE A DEFENDANT BY SUMMONS UNDER § 4-101.2 OF THIS ARTICLE AND A**

NO CONTACT REQUEST IS MADE, THE COMMISSIONER SHALL INCLUDE EXPRESS CONDITIONS OF NO CONTACT WITH THE ALLEGED VICTIM AND THE ALLEGED VICTIM’S RESIDENCE AND PLACE OF EMPLOYMENT AS PART OF THE STATEMENT OF CHARGES AND SUMMONS.

(E) IF A DEFENDANT OBJECTS TO CONDITIONS OF NO CONTACT IMPOSED BY A DISTRICT COURT COMMISSIONER UNDER SUBSECTION (D) OF THIS SECTION, THE COURT SHALL SCHEDULE A HEARING TO DETERMINE IF THE CONDITIONS OF THE STATEMENT OF CHARGES AND SUMMONS SHALL BE CONTINUED, MODIFIED, OR ELIMINATED.”.

On page 5, in line 10, before “5–202.” insert an opening bracket.

On page 9, in line 25, after “community.” insert a closing bracket.

On page 9, in line 26, strike “5–202.1.” and substitute “5–202.”; in line 27, before “A” insert “(A)”; strike beginning with “SHALL” in line 27 down through “COMMISSIONER” in line 29 and substitute “AND NOT RELEASED PURSUANT TO A CITATION OR SUMMONS”; in line 29, after “BE” insert “:

(1) DETAINED, UNLESS A DISTRICT COURT COMMISSIONER HAS DETERMINED THAT PROBABLE CAUSE IS LACKING; AND

(2)”;

in line 30, strike “JUDICIAL OFFICER” and substitute “JUDGE”; after line 31, insert:

“(B) THE DISTRICT COURT SHALL OPERATE IN SESSION 6 DAYS A WEEK FOR THE PURPOSE OF MAKING RELEASE DETERMINATIONS FOR ARRESTED PERSONS.”;

in line 33, strike “October” and substitute “June”; and in the same line, after “2014.” insert “It shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2017, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.



Favorable report, as amended, adopted.

Delegate Szeliga moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1232 – Delegates Dumais, Pena–Melnyk, Clippinger, Guzzone, Braveboy, Carter, and Oaks**

AN ACT concerning

**Criminal Procedure – Pretrial Confinement and Release**

**HB1232/192511/3**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1232

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Pretrial Confinement and Release” and substitute “Task Force on Pretrial Risk Assessment – Detainee Electronic Information Sharing System”; and strike beginning with “altering” in line 3 down through “manner;” in line 16.

On pages 1 and 2, strike beginning with “repealing” in line 19 on page 1 down through “terms;” in line 11 on page 2 and substitute “establishing the Task Force on Pretrial Risk Assessment; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; authorizing the Task Force to seek and obtain funding from certain sources and to hire or consult certain experts or other individuals or organizations as necessary to carry out its duties; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; requiring the Office of Legislative Audits to conduct a certain performance audit on or before a certain date; providing that the scope and objectives of a certain performance audit may be modified with the approval of a certain committee; requiring the Secretary of Public Safety and Correctional Services, in

conjunction with the Task Force, to establish a certain Pretrial Risk Assessment Tool Pilot Program in certain jurisdictions.”.

On page 2, in line 13, strike “pretrial confinement and release” and substitute “the Task Force on Pretrial Risk Assessment and detainee electronic information sharing system”; strike in their entirety lines 14 through 18, inclusive; and strike beginning with “5-303” in line 21 down through “and” in line 22.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 13 on page 3, inclusive.

#### AMENDMENT NO. 2

On pages 3 through 6, strike in their entirety the lines beginning with line 17 on page 3 through line 30 on page 6, inclusive.

On page 7, in line 1, strike “INMATE” and substitute “**DETAINEE**”; and strike beginning with “the” in line 12 down through “follows” in line 13.

#### AMENDMENT NO. 3

On pages 7 through 22, strike in their entirety the lines beginning with line 14 on page 7 through line 26 on page 22, inclusive, and substitute:

“(a) There is a Task Force on Pretrial Risk Assessment.

(b) The Task Force consists of the following members:

(1) a member of the Senate Judicial Proceedings Committee, appointed by the President of the Senate;

(2) a member of the House Judiciary Committee, appointed by the Speaker of the House;

(3) the Secretary of Public Safety and Correctional Services or the Secretary’s designee;

(4) the Attorney General or the Attorney General’s designee;

(5) the Public Defender or the Public Defender’s designee; and

(6) the following individuals, appointed by the Governor:

(i) a representative of the Maryland State's Attorneys' Association;

(ii) a representative of the Maryland Chiefs of Police Association, Inc.;

(iii) a representative of the Maryland Sheriffs' Association;

(iv) a representative of the Maryland Correctional Administrators Association;

(v) four representatives of local jail and pretrial services programs;

(vi) a representative of an organization with the primary purpose of advancing appropriate pretrial justice practices and policies;

(vii) a representative of an organization with the primary purpose of advocating in the area of criminal defense;

(viii) a representative of an organization with the primary purpose of advancing civil liberties;

(ix) a representative of an organization with the primary purpose of advocating on behalf of or assisting individuals with mental illness;

(x) a representative of an organization representing the bail bond industry;

(xi) a representative of an organization representing the property bond industry;

(xii) a representative of the Job Opportunities Task Force;

(xiii) a representative of an organization that provides alcohol and drug abuse treatment;

(xiv) a representative of the National Association for the Advancement of Colored People;

(xv) a representative of an organization with the primary purpose of advocating on behalf of or assisting crime victims;

(xvi) a representative of the National Bar Association;

(xvii) a representative of the Maryland Hispanic Bar Association;

(xviii) a representative of the Asian Pacific American Bar Association of Maryland;

(xix) two retired judges; and

(xx) a representative of the court interpreter's office.

(c) To the extent practicable, in making appointments under this section, the Governor shall ensure geographic diversity among the membership of the Task Force.

(d) The Task Force shall elect a chair of the Task Force from among its members.

(e) The Department of Public Safety and Correctional Services shall provide staff for the Task Force.

(f) 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.

(g) The Task Force shall:

(1) study the feasibility and appropriateness of adopting a pretrial risk assessment tool for use by judicial officers in an advisory capacity only;

(2) consult and coordinate with other states and national organizations to provide guidance regarding nationally established standards relating to pretrial risk assessment tools;

(3) review the methodologies and procedures necessary to use an objective and research-based pretrial risk assessment tool in order to make recommendations for implementation of an initial statistical study and possible subsequent use of such a tool in other jurisdictions as authorized by the Task Force;

(4) consult and coordinate with other units of the State and local jurisdictions concerning pretrial risk assessment tools;

(5) recommend a validated pretrial risk assessment tool that:

(i) can be proven through research to predict risk of failure to appear and danger to the community pending trial;

(ii) can equitably classify defendants regardless of their race, ethnicity, gender, or financial status; and

(iii) can be adapted to Maryland criminal statutes;

(6) conduct a statistical study of the validated pretrial risk assessment tool on a dataset collected from a sample of defendants arrested over a specified period of time in Baltimore City and a rural county for the purpose of providing a comparison of the assessments made by the jurisdictions' existing system and the selected pretrial risk assessment tool;

(7) study the feasibility and appropriateness of revising current pretrial release programs, including:

(i) expanding categories of offenses for which either a citation or summons may be issued in lieu of arrest;

(ii) implementing procedures for a validated pretrial risk assessment tool for use in making uniform pretrial release decisions with respect to persons arrested; and

(iii) determining whether such a tool has been proven sufficient to inform release decisions by judicial officers and, if not, what additional investigation or information may be appropriate to consider;

(8) advise on the appropriate use and administration of the pretrial risk assessment tool;

(9) advise on any constitutional concerns regarding the use and administration of the pretrial risk assessment tool; and

(10) advise on which branch or branches of government are most appropriate to administer the pretrial risk assessment tool.

(h) (1) The Task Force may seek and obtain funding from any governmental or nongovernmental source to carry out its duties under this Act.

(2) The Task Force may hire or consult experts or other individuals or organizations as necessary to assist the Task Force in carrying out its duties under this Act.

(i) (1) On or before December 31, 2014, the Task Force shall submit an initial report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(2) On or before December 31, 2015, the Task Force shall submit an interim report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

(3) On or before December 31, 2016, the Task Force shall submit a final report of its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

**SECTION 3. AND BE IT FURTHER ENACTED, That:**

(a) On or before December 31, 2015, the Office of Legislative Audits shall conduct a performance audit, in accordance with § 2–1221(b) of the State Government Article, to evaluate the results of the validated pretrial risk assessment tool statistical study or subsequent implementation in other jurisdictions.

(b) The specific objectives of the required audit shall be:

(1) to assess whether the methodology and related policies and procedures implemented in conjunction with the statistical study were appropriate and consistent with guidance obtained by the Task Force on Pretrial Risk Assessment from national organizations, other states, and other units of the State and local jurisdictions concerning pretrial risk assessment tools;

(2) to assess the processes and controls in place during the study, including the reliability of the data collected and used; and

(3) to evaluate the reasonableness of the study's conclusions, including a comparison of the assessment results from the existing systems to those of the tool during the pilot period.

SECTION 4. AND BE IT FURTHER ENACTED, That the scope and objectives of the audit required under Section 3 of this Act may be modified with the approval of the Joint Audit Committee.

SECTION 5. AND BE IT FURTHER ENACTED, That on or before July 1, 2016, the Secretary of Public Safety and Correctional Services, in conjunction with the Task Force on Pretrial Risk Assessment, shall establish a Pretrial Risk Assessment Tool Pilot Program in Baltimore City and one rural county that requires judicial officers in those jurisdictions to utilize the validated risk assessment tool recommended by the Task Force in determining eligibility for the pretrial release of arrested individuals brought before a judicial officer.”.

On page 22, in line 27, strike “5.” and substitute “6.”; in the same line, strike “2” and substitute “1”; in line 29, strike “6.” and substitute “7.”; in line 30, strike “5” and substitute “6”; in the same line, strike “Section 3” and substitute “Sections 2 and 5”; in line 31, strike “1 year” and substitute “3 years”; in the same line, strike “2015” and substitute “2017”; and in line 32, strike “Section 3” and substitute “Sections 2 and 5”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Wilson moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1284 – Delegates Lee, Conaway, Dumais, Haynes, McComas, and Valentino-Smith**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Provision of Information to Health Care Provider**

**HB1284/802712/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1284

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Provider” and substitute “Practitioners”; strike beginning with “notify” in line 5 down through “to” in line 7; in line 7, strike “the physician or provider” and substitute “to a health care practitioner”; in line 8, strike “physician or provider” and substitute “health care practitioner or a certain agency, institution, or program under certain circumstances; requiring the Department to work with relevant stakeholders and report the outcome of the work to certain committees of the General Assembly on or before a certain date”; in line 9, strike “a certain physician or”; and in line 10, strike “provider of a child” and substitute “practitioners”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 25 on page 2, inclusive, and substitute:

**“(A) IN THIS SECTION, “HEALTH CARE PRACTITIONER” HAS THE MEANING STATED IN § 1-301 OF THE HEALTH OCCUPATIONS ARTICLE.**

**“(B) IF REQUESTED BY A HEALTH CARE PRACTITIONER OR ANOTHER AGENCY, INSTITUTION, OR PROGRAM PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF A REPORT OF CHILD ABUSE OR NEGLECT FOR A**



PURPOSE RELEVANT TO THE TREATMENT OR CARE BEING PROVIDED, THE DEPARTMENT OR LOCAL DEPARTMENT SHALL PROVIDE TO THE REQUESTOR:

(1) INFORMATION REGARDING THE CONDITION AND WELL-BEING OF THE CHILD;

(2) INFORMATION REGARDING THE MEDICAL, MENTAL HEALTH, AND DEVELOPMENTAL NEEDS OF THE CHILD;

(3) THE NAME OF ANY OTHER HEALTH CARE PRACTITIONER IDENTIFIED IN THE RECORD AS PROVIDING CARE OR TREATMENT TO THE CHILD; AND

(4) ANY OTHER RELEVANT INFORMATION IN THE RECORD OR REPORT.

(C) IN PROVIDING INFORMATION UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT OR LOCAL DEPARTMENT MAY NOT RELEASE INFORMATION RELATED TO THE IDENTITY OF THE PERSON WHO REPORTED THE CHILD ABUSE OR NEGLECT.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Human Resources shall:

(a) work with relevant stakeholders to:

(1) identify additional policies, procedures, and systems that can be implemented to improve communication between the Department, local departments, and health care practitioners regarding the health care needs of children who are the subject of a report of child abuse or neglect; and

(2) consider the issues relevant to the adoption by the Department of requirements for affirmative communication with health care practitioners; and

(b) on or before December 1, 2014, report the outcome of the work conducted under subsection (a) of this section to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2-1246 of the State Government Article.”;

and in line 26, strike “2.” and substitute “3.”.

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 WAYS AND MEANS REPORT #15**

Delegate Hixson, Chair, for the Committee on Ways and Means and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 741 – Delegates Bohanan, Barnes, Barve, Beidle, Branch, Braveboy, Bromwell, Busch, Cane, Carter, Clagett, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Hubbard, James, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Murphy, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, B. Robinson, Rudolph, Stein, Tarrant, F. Turner, V. Turner, Vallario, Waldstreicher, Walker, Weir, Wilson, Wood, and Zucker**

AN ACT concerning

#### **Business and Economic Development – Maryland E–Nnovation Initiative Program**

**HB0741/725362/1**

BY: Committee on Ways and Means

#### AMENDMENTS TO HOUSE BILL 741

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, after “Rudolph,” insert “Sophocleus.”; and in the same line, after “Walker,” insert “A. Washington, M. Washington.”.

#### AMENDMENT NO. 2

On page 1, in line 8, after “purposes,” insert “requiring the Governor to include in the annual budget bill certain appropriations to the Fund for certain fiscal years;”;

strike beginning with “allowing” in line 10 down through “education;” in line 12; and strike beginning with “requiring” in line 13 down through “circumstances;” in line 24.

On page 2, in line 14, strike “by a certain date” and substitute “within a certain time period”; strike beginning with “requiring” in line 15 down through “Act;” in line 19; in line 24, after “information;” insert “altering the distribution of certain revenue from a certain tax in a certain manner;”; in line 25, strike “tax credits, higher education,” and substitute “higher education”; in line 29, strike “6-631” and substitute “6-623”; and strike in their entirety lines 33 through 37, inclusive.

On page 3, after line 9, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2-202(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)”.

### AMENDMENT NO. 3

On page 4, in lines 7, 11, 15, 17, and 19, strike “(D)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively.

On page 5, in lines 13, 20, and 22, strike “(L)”, “(M)”, and “(N)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively.

On page 6, in lines 11, 14, and 16, strike “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(J)”, “(K)”, and “(L)”, respectively.

### AMENDMENT NO. 4

On page 4, strike in their entirety lines 3 through 6, inclusive; and strike lines 9 and 10.

On pages 4 and 5, strike beginning with line 25 on page 4 through line 12 on page 5, inclusive.

On pages 5 and 6, strike beginning with line 24 on page 5 through line 10 on page 6, inclusive.

On page 6, strike in their entirety lines 19 through 21, inclusive.

AMENDMENT NO. 5

On page 4 in line 14, and on page 6 in line 18, strike “§ 6-618” and substitute “§ 6-612”.

On page 6, in line 13, strike “§ 6-619” and substitute “§ 6-613”.

On page 14, in line 10, strike “IV.” and substitute “III.”; in line 11, strike “6-618.” and substitute “6-612.”; and in line 16, strike “§ 6-624” and substitute “§ 6-618”.

On page 15, in line 7, strike “6-619.” and substitute “6-613.”; and in line 12, strike “6-620” and substitute “6-614”.

On page 16, in line 11, strike “6-620.” and substitute “6-614.”.

On page 17, in line 27, strike “6-621.” and substitute “6-615.”.

On page 18, in lines 5, 6, 7, 9, 10, and 26, strike “6-622.”, “6-623.”, “V.”, “6-624.”, “§ 6-625”, and “§ 6-620”, respectively, and substitute “6-616.”, “6-617.”, “IV.”, “6-618.”, “§ 6-619”, and “§ 6-614”, respectively.

On page 19, in line 12, strike “6-625.” and substitute “6-619.”; in line 19, strike “§ 6-624” and substitute “§ 6-618”; and in line 35, strike “6-626.” and substitute “6-620.”.

On page 20, in lines 1 and 2, strike “6-627.” and “VI.”, respectively, and substitute “6-621.” and “V.”, respectively.

On page 21, in lines 4 and 7, strike “6-630.” and “6-631.”, respectively, and substitute “6-622.” and “6-623.”, respectively.

AMENDMENT NO. 6

On page 5, in line 14, after “EDUCATION” insert “LOCATED IN THE STATE, THAT RECEIVES STATE FUNDS IN THE ANNUAL OPERATING BUDGET AND”.

AMENDMENT NO. 7

On page 7, in line 6, strike “DESIGNATED CAPITAL” and substitute “REVENUE”; strike line 7 in its entirety and substitute “2-202(A)(1) OF THE TAX – GENERAL ARTICLE;”; after line 11, insert:

“(E) FOR EACH OF FISCAL YEARS 2016 THROUGH 2021, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE FUND IN AN AMOUNT THAT WHEN COMBINED WITH THE AMOUNT ESTIMATED TO BE DISTRIBUTED TO THE FUND UNDER SUBSECTION (D)(1) OF THIS SECTION EQUALS AT LEAST \$8,500,000.”;

and in lines 12, 18, and 22, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively.

AMENDMENT NO. 8

On page 8, strike in their entirety lines 1 through 3, inclusive, and substitute:

“THE AUTHORITY CONSISTS OF:

(1) THE EXECUTIVE DIRECTOR OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(2) THE EXECUTIVE VICE PRESIDENT OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, OR THE EXECUTIVE VICE PRESIDENT’S DESIGNEE;

(3) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT, OR THE SECRETARY’S DESIGNEE;

(4) THE MANAGING DIRECTOR OF THE MARYLAND VENTURE FUND, OR THE MANAGING DIRECTOR’S DESIGNEE;

(5) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND, OR THE CHANCELLOR’S DESIGNEE; AND

(6) TWO INDIVIDUALS FROM THE PRIVATE SECTOR NOT AFFILIATED WITH HIGHER EDUCATION APPOINTED BY THE PRESIDENT OF THE

**SENATE AND THE SPEAKER OF THE HOUSE TO THE MARYLAND INNOVATION INITIATIVE UNDER § 10–455 OF THIS ARTICLE.**;

in line 5, strike “**MARYLAND VENTURE FUND**”; in line 6, strike “**SERVE AS THE CHAIR**” and substitute “**BE CHOSEN BY THE MEMBERS**”; and in line 10, strike “**FIVE**” and substitute “**FOUR**”.

**AMENDMENT NO. 9**

On pages 8 through 14, strike beginning with line 26 on page 8 through line 9 on page 14, inclusive.

On pages 20 and 21, strike beginning with line 3 on page 20 through line 3 on page 21, inclusive.

On page 21, strike beginning with the colon in line 17 down through “**(2)**” in line 28 and substitute a comma.

On page 22, in lines 1, 2, 5, 7, and 8, strike “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively; and strike in their entirety lines 10 through 13, inclusive.

**AMENDMENT NO. 10**

On page 14, strike beginning with “**IF**” in line 27 down through “**EXPENDED**” in line 28; and in line 28, strike “**DESIGNATED**” and substitute “**UNDER § 6–614 OF THIS SUBTITLE**”.

**AMENDMENT NO. 11**

On page 16, in line 14, strike “**AREAS**” and substitute “**AND TECHNICAL FIELDS OF STUDY**”.

On pages 16 and 17, strike beginning with line 18 on page 16 through line 2 on page 17, inclusive, and substitute:

“**(1) PHYSICAL SCIENCES;**

**(2) LIFE AND NEURO SCIENCES;**

**(3) ENGINEERING;**

- (4) MATHEMATICAL AND COMPUTATIONAL SCIENCES;
- (5) REGULATORY SCIENCE;
- (6) AUTONOMOUS SYSTEMS;
- (7) AERONAUTICAL AND SPACE SCIENCE;
- (8) ENVIRONMENTAL SCIENCES;
- (9) BEHAVIORAL AND LANGUAGE SCIENCE;
- (10) HEALTH SCIENCES;
- (11) AGRICULTURE; OR
- (12) CYBERSECURITY.”.

AMENDMENT NO. 12

On page 17, in line 20, strike “OR”; and in line 22, after “STATE” insert “; OR”

(3) WORK AT LEAST ONE DAY EACH WEEK IN SUPPORT OF ENTREPRENEURIAL ACTIVITIES WITH A COMPANY ENGAGED IN ONE OR MORE OF THE RESEARCH AREAS IDENTIFIED IN SUBSECTION (A) OF THIS SECTION”.

AMENDMENT NO. 13

On page 18, in line 11, after “OF” insert “CUMULATIVE PROGRAM”; and in the same line, strike “IN” and substitute “FROM”.

On page 19, in line 29, strike “DERIVED FROM THE PURCHASES OF TAX CREDITS ALLOCATED”; and in line 32, strike “THE FUNDS IN THE FUND” and substitute “CUMULATIVE PROGRAM FUNDS FROM THE FUND”.

AMENDMENT NO. 14

On page 19, in line 13, strike “EACH” and substitute “WITHIN 90 DAYS AFTER APPROVAL BY THE AUTHORITY OF A REQUEST FOR MATCHING FUNDS UNDER §”

6-618 OF THIS SUBTITLE, EACH"; strike beginning with "BY" in line 14 down through "2016" in line 16; strike beginning with "BY" in line 22 down through "2016" in line 24 and substitute "AS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION"; and strike beginning with "FOR" in line 30 down through "RESPECTIVELY," in line 31.

AMENDMENT NO. 15

On page 22, after line 28, insert:

"Article – Tax – General

2-202.

(a) After making the distribution required under § 2-201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) except as provided in subsection (b) of this section, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4-102(e) of this article:

(i) 1. FOR FISCAL YEARS 2016 THROUGH 2021, the revenue attributable to a tax rate of 20% to the [General Fund of the State] MARYLAND E-NOVATION INITIATIVE FUND UNDER § 6-604 OF THE ECONOMIC DEVELOPMENT ARTICLE;

2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 20% TO THE GENERAL FUND OF THE STATE; and

(ii) the revenue attributable to a tax rate of 5% to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4-801 of the Economic Development Article; and"

The preceding 15 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.



Delegate Hixson, Chair, for the Committee on Ways and Means and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 601 – Senators Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin**

AN ACT concerning

**Business and Economic Development – Maryland E–Nnovation Initiative  
Program**

**SB0601/675263/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 601

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “purposes,” insert “requiring the Governor to include in the annual budget bill certain appropriations to the Fund for certain fiscal years;”; and strike beginning with “allowing” in line 10 down through “education,” in line 12.

On pages 1 and 2, strike beginning with “requiring” in line 13 on page 1 down through “circumstances;” in line 4 on page 2.

On page 2, in line 18, strike “by a certain date” and substitute “within a certain time period”; strike beginning with “requiring” in line 19 down through “Act;” in line 23; in line 28, after “information;” insert “altering the distribution of certain revenue from a certain tax in a certain manner;”; in line 29, strike “tax credits, higher education,” and substitute “higher education”; in line 33, strike “6–631” and substitute “6–623”; and strike in their entirety lines 37 through 41, inclusive.

On page 3, after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202(a)(1)

Annotated Code of Maryland  
(2010 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 4, in lines 9, 13, 17, 19, and 21, strike “(D)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(B)”, “(C)”, “(D)”, “(E)”, and “(F)”, respectively.

On page 5, in lines 16, 24, and 26, strike “(L)”, “(M)”, and “(N)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively; and in line 18, after “BUDGET” insert “AND”.

On page 6, in lines 14, 17, and 19, strike “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(J)”, “(K)”, and “(L)”, respectively.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 5 through 8, inclusive; and strike in their entirety lines 11 and 12.

On pages 4 and 5, strike in their entirety the lines beginning with line 27 on page 4 through line 15 on page 5, inclusive.

On pages 5 and 6, strike in their entirety the lines beginning with line 28 on page 5 through line 13 on page 6, inclusive.

On page 6, strike in their entirety lines 22 through 24, inclusive.

AMENDMENT NO. 4

On page 4 in line 16, and on page 6 in line 21, in each instance, strike “§ 6-618” and substitute “§ 6-612”.

On page 6, in line 16, strike “§ 6-619” and substitute “§ 6-613”.

On page 14, in line 21, strike “IV.” and substitute “III.”; in line 22, strike “6-618.” and substitute “6-612.”; and in line 27, strike “§ 6-624” and substitute “§ 6-618”.

On page 15, in line 7, strike “§ 6-620” and substitute “§ 6-614”; in line 18, strike “6-619.” and substitute “6-613.”; and in lines 22 and 23, strike “§ 6-620” and substitute “§ 6-614”.

On page 16, in line 20, strike “6-620.” and substitute “6-614.”.

On page 18, in lines 5, 15, 16, 17, and 19, strike “6-621.”, “6-622.”, “6-623.”, “V.”, and “6-624.”, respectively, and substitute “6-615.”, “6-616.”, “6-617.”, “IV.”, and “6-618.”, respectively; and in line 20, strike “§ 6-625” and substitute “§ 6-619”.

On page 19, in line 7, strike “§ 6-620” and substitute “§ 6-614”; in line 22, strike “6-625.” and substitute “6-619.”; and in line 29, strike “§ 6-624” and substitute “§ 6-618”.

On page 20, in lines 11, 12, and 13, strike “6-626.”, “6-627.”, and “VI.”, respectively, and substitute “6-620.”, “6-621.”, and “V.”, respectively.

On page 21, in lines 15 and 18, strike “6-630.” and “6-631.”, respectively, and substitute “6-622.” and “6-623.”, respectively.

#### AMENDMENT NO. 5

On page 7, in line 9, strike “DESIGNATED CAPITAL” and substitute “REVENUE”; strike line 10 in its entirety and substitute “2-202(A)(1) OF THE TAX – GENERAL ARTICLE”; after line 14, insert:

**“(E) FOR EACH OF FISCAL YEARS 2016 THROUGH 2021, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE FUND IN AN AMOUNT THAT WHEN COMBINED WITH THE AMOUNT ESTIMATED TO BE DISTRIBUTED TO THE FUND UNDER SUBSECTION (D)(1) OF THIS SECTION EQUALS AT LEAST \$8,500,000.”;**

and in lines 15, 21, and 25, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively.

#### AMENDMENT NO. 6

On page 8, strike in their entirety lines 2 through 4, inclusive, and substitute:

“THE AUTHORITY CONSISTS OF:

(1) THE EXECUTIVE DIRECTOR OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(2) THE EXECUTIVE VICE PRESIDENT OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, OR THE EXECUTIVE VICE PRESIDENT’S DESIGNEE;

(3) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT, OR THE SECRETARY’S DESIGNEE;

(4) THE MANAGING DIRECTOR OF THE MARYLAND VENTURE FUND, OR THE MANAGING DIRECTOR’S DESIGNEE;

(5) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND, OR THE CHANCELLOR’S DESIGNEE; AND

(6) TWO INDIVIDUALS FROM THE PRIVATE SECTOR NOT AFFILIATED WITH HIGHER EDUCATION APPOINTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO THE MARYLAND INNOVATION INITIATIVE UNDER § 10-455 OF THIS ARTICLE.”;

in line 6, strike “MARYLAND VENTURE FUND”; in line 7, strike “SERVE AS THE CHAIR” and substitute “BE CHOSEN BY THE MEMBERS”; and in line 11, strike “FIVE” and substitute “FOUR”.

AMENDMENT NO. 7

On pages 8 through 14, strike in their entirety the lines beginning with line 27 on page 8 through line 20 on page 14, inclusive.

On pages 20 and 21, strike in their entirety the lines beginning with line 14 on page 20 through line 14 on page 21, inclusive.

On pages 21 and 22, strike beginning with the colon in line 28 on page 21 down through “(2)” in line 8 on page 22 and substitute a comma.

On page 22, in lines 10, 11, 14, 16, and 17, strike “(I)”, “(II)”, “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively; and strike in their entirety lines 19 through 22, inclusive.

AMENDMENT NO. 8

On pages 16 and 17, strike in their entirety the lines beginning with line 27 on page 16 down through line 10 on page 17, inclusive, and substitute:

- “(1) PHYSICAL SCIENCES;
- “(2) LIFE AND NEURO SCIENCES;
- “(3) ENGINEERING;
- “(4) MATHEMATICAL AND COMPUTATIONAL SCIENCES;
- “(5) REGULATORY SCIENCE;
- “(6) AUTONOMOUS SYSTEMS;
- “(7) AERONAUTICAL AND SPACE SCIENCE;
- “(8) ENVIRONMENTAL SCIENCES;
- “(9) BEHAVIORAL AND LANGUAGE SCIENCE;
- “(10) HEALTH SCIENCES;
- “(11) AGRICULTURE; OR
- “(12) CYBERSECURITY.”.

AMENDMENT NO. 9

On page 17, in line 28, strike “OR”; and in line 30, after “STATE” insert “;OR”

**(3) WORK AT LEAST ONE DAY EACH WEEK IN SUPPORT OF ENTREPRENEURIAL ACTIVITIES WITH A COMPANY ENGAGED IN ONE OR MORE OF THE RESEARCH AREAS IDENTIFIED IN SUBSECTION (A) OF THIS SECTION**”.

AMENDMENT NO. 10

On page 18, in line 21, after “OF” insert “**CUMULATIVE PROGRAM**”; and in the same line, strike “IN” and substitute “**FROM**”.

On page 20, in line 5, strike “**DERIVED FROM THE PURCHASES OF TAX CREDITS ALLOCATED**”; and in line 8, strike “**THE FUNDS IN THE FUND**” and substitute “**CUMULATIVE PROGRAM FUNDS FROM THE FUND**”.

AMENDMENT NO. 11

On page 19, in line 23, strike “**EACH**” and substitute “**WITHIN 90 DAYS AFTER APPROVAL BY THE AUTHORITY OF A REQUEST FOR MATCHING FUNDS UNDER § 6-618 OF THIS SUBTITLE, EACH**”; in line 24, strike “**BY JULY 1, 2018,**”; in line 32, strike “**BY**”; in line 34, strike “**THE**”; and in line 35, strike “**DATE**” and substitute “**AS**”.

AMENDMENT NO. 12

On page 23, after line 7, insert:

“Article – Tax – General

2-202.

(a) After making the distribution required under § 2-201 of this subtitle, within 20 days after the end of each quarter, the Comptroller shall distribute:

(1) except as provided in subsection (b) of this section, from the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars under § 4-102(e) of this article:

(i) 1. FOR FISCAL YEARS 2016 THROUGH 2021, the revenue attributable to a tax rate of 20% to the [General Fund of the State] MARYLAND E-NOVATION INITIATIVE FUND UNDER § 6-604 OF THE ECONOMIC DEVELOPMENT ARTICLE;

**2. IN FISCAL YEAR 2022 AND IN EACH FISCAL YEAR THEREAFTER, THE REVENUE ATTRIBUTABLE TO A TAX RATE OF 20% TO THE GENERAL FUND OF THE STATE; and**

(ii) the revenue attributable to a tax rate of 5% to the Special Fund for Preservation of Cultural Arts in Maryland, as provided in § 4–801 of the Economic Development Article; and”.

The preceding 12 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON WAYS AND MEANS REPORT #16**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 554 – Delegates Dumais, Serafini, Barkley, Beitzel, Carr, Cullison, Fraser–Hidalgo, Frick, Gutierrez, Hixson, Kaiser, A. Kelly, Kramer, Luedtke, McComas, A. Miller, Myers, O’Donnell, Reznik, S. Robinson, Simmons, F. Turner, Valentino–Smith, Waldstreicher, and Zucker**

AN ACT concerning

**Commission on Tax Policy, Reform, and Fairness**

**HB0554/225567/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 554

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, and A. Washington”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“(7) a representative of the Maryland Municipal League;

(8) a representative of the State Department of Assessments and Taxation, designated by the Director of Assessments and Taxation;

(9) a representative of the Montgomery County Chamber of Commerce;”;

and in lines 5, 6, 8, and 10, strike “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(10)”, “(11)”, “(12)”, and “(13)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 742 – Delegates Walker, Barnes, Barve, Beidle, Bohanan, Branch, Braveboy, Bromwell, Busch, Cane, Cardin, Carter, Clagett, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Frush, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, James, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Morhaim, Niemann, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, B. Robinson, Rudolph, Stein, F. Turner, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, A. Washington, Weir, Wilson, and Zucker**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program**

**HB0742/735969/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 742

(First Reading File Bill)

AMENDMENT NO. 1



On page 1, in line 6, strike “public schools or”; in line 9, after “institution;” insert “requiring the Secretary to approve or reject an application for designation as a qualified institution within a certain number of days after the application is submitted;”; strike beginning with “authorizing” in line 9 down through “zone;” in line 11, inclusive, and substitute “authorizing a qualified institution to make a joint application with a county, a municipal corporation, or a certain entity of a county or a municipal corporation to the Secretary to have a certain area in the State designated as a Regional Institution Strategic Enterprise (RISE) zone; prohibiting certain counties and municipalities from authorizing certain property tax credits;”; in lines 12, 15, 17, 18, and 21, in each instance, before “zone” insert “RISE”; in line 12, after “application” insert “and define the boundaries of a RISE zone”; and in lines 14 and 15, strike “an application” and substitute “certain applications; authorizing certain entities to provide certain advice to the Secretary; providing that the Secretary may not approve more than a certain number of RISE zones in a county or municipal corporation; providing that a qualified institution may not be required to be in the immediate vicinity of a proposed RISE zone in a rural part of the State; providing that the designation of a RISE zone is for a certain number of years; providing that a RISE zone may be renewed for a certain number of years under certain circumstances; prohibiting the Secretary from designating a RISE zone in certain areas”; in line 18, after “assistance” insert “if the entity or its location receives a certain certification; requiring the Department and the Comptroller, each year, to jointly make certain assessments and submit certain reports; authorizing certain political subdivisions to identify certain zones and pledge certain property taxes in certain zones; authorizing certain political subdivisions to use the proceeds from certain bond issues for certain purposes; authorizing the governing body of certain political subdivisions to create a special fund for certain purposes; authorizing the governing body of certain political subdivisions to pledge certain tax revenue generated within certain zones; requiring that a political subdivision that leases as a lessor certain property within a certain zone be assessed and taxed in a certain manner”.

On page 2, in line 1, after “areas;” insert “authorizing the governing body of a county or municipal corporation to alter the amount of the credit;”; strike beginning with “allowing” in line 4 down through “service;” in line 7; in line 9, after “areas;” insert “authorizing the Mayor and City Council of Baltimore City to use certain authority granted under State law to a political subdivision for tax increment financing in a certain zone; requiring the Comptroller to prepare a certain report; requiring the Department of Business and Economic Development to convene a certain group to provide certain advice; altering, subject to certain approval, the taxable year in which certain property initially becomes qualified property for certain enterprise”.

zone property tax credits;”; in line 10, after “regulations;” insert “providing for the application of certain provisions of this Act; declaring the intent of the General Assembly;”; in line 15, after “(10)” insert “, 12–203(a) and (c), 12–207(a), 12–208(a), 12–209, 12–210, and 12–211”; in line 20, strike “and”; in the same line, strike “5–1406” and substitute “5–1407”; in line 21, after “Program” insert “; 12–201(n–1) and 12–207(e)”; after line 23, insert:

“BY repealing and reenacting, without amendments,

Article – Economic Development

Section 12–201(a)

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–103(e)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

and strike in their entirety lines 29 through 38, inclusive.

On page 3, after line 2, insert:

“BY adding to

The Charter of Baltimore City

Article II

Section (62)(L) and (62A)(U)

(2007 Replacement Volume, as amended)”.

## AMENDMENT NO. 2

On page 3, strike in their entirety lines 26 and 27, inclusive; and in line 28, strike “(E)” and substitute “(D)”;

On page 4, strike beginning with “A” in line 1 down through “SCHOOL” in line 3 and substitute “A REGIONAL HIGHER EDUCATION CENTER AS DEFINED UNDER § 10–101 OF THE EDUCATION ARTICLE”; in lines 4 and 6, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; in line 8, strike “(F)” and substitute “(E)”;

in the same line, strike “AN” and substitute “A GEOGRAPHIC”; in the same line, after “AREA” insert “IN IMMEDIATE PROXIMITY TO A QUALIFIED”

INSTITUTION THAT IS TARGETED FOR INCREASED ECONOMIC AND COMMUNITY DEVELOPMENT"; in line 9, strike "**RISE**" and substitute "REGIONAL INSTITUTION STRATEGIC ENTERPRISE".

AMENDMENT NO. 3

On page 5, in line 9, after "**ORGANIZATION**" insert "THAT IS NOT AN INSTITUTION OF HIGHER EDUCATION"; in line 10, strike "**AND ESTABLISH**"; in the same line, strike the colon; in line 11, strike "**(1)**"; strike beginning with the semicolon in line 11 down through "**SCHOOL**" in line 13, inclusive; after line 24, insert:

"(F) (1) WITHIN 90 DAYS AFTER SUBMISSION OF AN APPLICATION UNDER THIS SECTION, THE SECRETARY SHALL APPROVE OR REJECT THE APPLICATION OF AN INSTITUTION TO BE DESIGNATED AS A QUALIFIED INSTITUTION.

(2) AT LEAST 30 DAYS BEFORE APPROVAL OR REJECTION OF AN APPLICATION UNDER THIS SECTION, THE SECRETARY SHALL NOTIFY THE LEGISLATIVE POLICY COMMITTEE.

(3) THE LEGISLATIVE POLICY COMMITTEE MAY PROVIDE ADVICE TO THE SECRETARY REGARDING THE APPROVAL OR REJECTION OF AN INSTITUTION AS A QUALIFIED INSTITUTION."

in line 26, strike "**MAY**" and substitute "SHALL"; and in line 27, strike "**RISE**" and substitute "REGIONAL INSTITUTION STRATEGIC ENTERPRISE".

AMENDMENT NO. 4

On page 5, in line 26, after "**APPLY**" insert "JOINTLY WITH A COUNTY, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION".

AMENDMENT NO. 5

On page 6, in line 2, strike "**AND**"; after line 2, insert:

"(3) DESCRIBE THE NEXUS OF THE RISE ZONE WITH THE QUALIFIED INSTITUTION; AND"

in line 3, strike “(3)” and substitute “(4)”; and in line 4, strike “FOR” and substitute “AND ANTICIPATED ECONOMIC IMPACTS OF”.

AMENDMENT NO. 6

On page 6, after line 7, insert:

**“(D) (1) UNLESS A COUNTY IN WHICH A MUNICIPAL CORPORATION IS LOCATED AGREES TO DESIGNATION OF A RISE ZONE IN THE MUNICIPAL CORPORATION, QUALIFIED PROPERTY IN THE MUNICIPAL CORPORATION MAY NOT RECEIVE A TAX CREDIT AGAINST COUNTY PROPERTY TAX.**

**(2) UNLESS A MUNICIPAL CORPORATION LOCATED WITHIN A COUNTY AGREES TO DESIGNATION OF A RISE ZONE WITHIN ITS BOUNDARIES, QUALIFIED PROPERTY IN THE COUNTY MAY NOT RECEIVE A TAX CREDIT AGAINST THE MUNICIPAL PROPERTY TAX.”;**

and in line 8, strike “(D)” and substitute “(E)”.

AMENDMENT NO. 7

On page 6, in line 8, strike “90” and substitute “120”; in line 11, strike “60” and substitute “45”; in line 12, strike the colon; in line 13, strike “(I)”; strike beginning with the semicolon in line 13 down through “LOCATED” in line 15; and strike beginning with “OR” in line 16 down through “LOCATED” in line 18.

AMENDMENT NO. 8

On page 6, in line 9, after “SHALL” insert “:

**(I)**;

in line 10, after “ZONE” insert “, INCLUDING APPROVAL OR MODIFICATION OF THE PROPOSED BOUNDARIES OF THE RISE ZONE; AND

**(II) DEFINE THE BOUNDARIES OF THE APPROVED RISE ZONE**”;

in line 18, after “REGARDING” insert “:

(I)”;

in line 19, after “ZONE” insert “; OR

(II) THE BOUNDARIES OF THE RISE ZONE PROPOSED BY THE SECRETARY”;

after line 19, insert:

“(F) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DESIGNATION OF AN AREA AS A RISE ZONE IS EFFECTIVE FOR 5 YEARS.

(II) UPON A JOINT APPLICATION OF A QUALIFIED INSTITUTION, A COUNTY AND, IF APPLICABLE, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION, THE SECRETARY MAY RENEW A RISE ZONE FOR AN ADDITIONAL 5 YEARS.

(2) THE SECRETARY MAY NOT APPROVE MORE THAN THREE RISE ZONES IN A SINGLE COUNTY OR MUNICIPAL CORPORATION.

(G) (1) A RISE ZONE MAY NOT BE REQUIRED TO BE IN THE IMMEDIATE GEOGRAPHIC PROXIMITY OF A QUALIFIED INSTITUTION IF AN APPROPRIATE NEXUS FOR THE INCREASED ECONOMIC AND COMMUNITY DEVELOPMENT IS ESTABLISHED WITH THE QUALIFIED ORGANIZATION.

(2) IF THE PROPOSED RISE ZONE IS IN A RURAL PART OF THE STATE, A QUALIFIED INSTITUTION MAY NOT BE REQUIRED TO BE IN THE IMMEDIATE AREA OF THE RISE ZONE.

(H) THE SECRETARY MAY NOT DESIGNATE A RISE ZONE IN:

(1) A DEVELOPMENT DISTRICT ESTABLISHED UNDER TITLE 12, SUBTITLE 2 OF THIS ARTICLE; OR

**(2) A SPECIAL TAXING DISTRICT ESTABLISHED UNDER TITLE 21 OF THE LOCAL GOVERNMENT ARTICLE OR SECTION 62A OF THE BALTIMORE CITY CHARTER.**

**(I) THE DESIGNATION OF AN AREA AS A RISE ZONE MAY NOT BE CONSTRUED TO LIMIT OR SUPERSEDE A PROVISION OF A COMPREHENSIVE PLAN, ZONING ORDINANCE, OR OTHER LAND USE POLICY ADOPTED BY A COUNTY, MUNICIPAL CORPORATION, OR BICOUNTY AGENCY WITH LAND USE AUTHORITY OVER THE AREA DESIGNATED AS A RISE ZONE.**”;

in lines 21 and 23, in each instance, after “BUSINESS” insert “AND COMMUNITY”; and in line 28, after “DEVELOPMENT,” insert “THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION, THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION,”.

**AMENDMENT NO. 9**

On page 7, in line 9, after “ARTICLE;” insert “AND”; strike in their entirety lines 10 and 11; and in line 12, strike “(IV)” and substitute “(III) PRIORITY”.

**AMENDMENT NO. 10**

On page 7, in line 20, after “(C)” insert “A BUSINESS ENTITY MAY NOT QUALIFY FOR THE INCENTIVES UNDER SUBSECTION (A) OF THIS SECTION UNLESS THE DEPARTMENT, IN CONSULTATION WITH THE COUNTY OR MUNICIPAL CORPORATION IN WHICH A RISE ZONE IS LOCATED, CERTIFIES THE BUSINESS ENTITY AND ITS LOCATION AS CONSISTENT WITH THE TARGET STRATEGY OF THE RISE ZONE.

**(D)**”;

and after line 28, insert:

**“5-1407.**

**(A) THE DEPARTMENT AND THE COMPTROLLER JOINTLY SHALL ASSESS EACH YEAR THE EFFECTIVENESS OF THE TAX INCENTIVES PROVIDED TO BUSINESS ENTITIES IN RISE ZONES, INCLUDING:**

(1) THE NUMBER AND AMOUNTS OF TAX INCENTIVES GRANTED EACH YEAR; AND

(2) THE SUCCESS OF THE TAX INCENTIVES IN ATTRACTING AND RETAINING BUSINESS ENTITIES IN RISE ZONES.

(B) ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE DEPARTMENT AND THE COMPTROLLER SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE COMMITTEE ON WAYS AND MEANS, AND THE TAX CREDIT EVALUATION COMMITTEE A REPORT OUTLINING THE FINDINGS OF THE DEPARTMENT AND THE COMPTROLLER AND ANY OTHER INFORMATION OF VALUE IN DETERMINING THE EFFECTIVENESS OF THE TAX INCENTIVES AUTHORIZED UNDER THIS SUBTITLE.

12-201.

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

(N-1) “RISE ZONE” MEANS AN AREA DESIGNATED AS A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE UNDER § 5-1404 OF THIS ARTICLE.

12-203.

(a) Before issuing bonds, the governing body of the political subdivision shall:

(1) by resolution:

(i) designate a contiguous area within its jurisdiction as a development district; [or]

(ii) identify an area that has been designated a sustainable community; OR

(III) IDENTIFY AN AREA THAT HAS BEEN DESIGNATED A RISE ZONE;

(2) receive from the Supervisor of Assessments a certification of the amount of the original base, or if applicable, the adjusted assessable base; and

(3) pledge that until the bonds are fully paid, or a longer period, the real property taxes in the development district, A **RISE ZONE**, or a sustainable community shall be divided as follows:

(i) the portion of the taxes that would be produced at the current tax rate on the original taxable value base shall be paid to the respective taxing authorities in the same manner as taxes on other property are paid; and

(ii) the portion of the taxes on the tax increment that normally would be paid into the general fund of the political subdivision shall be paid into the special fund established under § 12–208 of this subtitle and applied in accordance with § 12–209 of this subtitle.

(c) The establishment or identification by a county of a development district, A **RISE ZONE**, or a sustainable community that is wholly or partly in a municipal corporation shall also require a resolution approving the development district, **RISE ZONE**, or sustainable community by the governing body of the municipal corporation.

12–207.

(a) Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (E)** of this section, bond proceeds may be used only:

(1) to buy, lease, condemn, or otherwise acquire property, or an interest in property:

(i) in the development district, A **RISE ZONE**, or a sustainable community; or

(ii) needed for a right-of-way or other easement to or from the development district, A **RISE ZONE**, or a sustainable community;

(2) for site removal;

(3) for surveys and studies;



- (4) to relocate businesses or residents;
- (5) to install utilities, construct parks and playgrounds, and for other needed improvements including:
  - (i) roads to, from, or in the development district;
  - (ii) parking; and
  - (iii) lighting;
- (6) to construct or rehabilitate buildings for a governmental purpose or use;
- (7) for reserves or capitalized interest;
- (8) for necessary costs to issue bonds; and
- (9) to pay the principal of and interest on loans, advances, or indebtedness that a political subdivision incurs for a purpose specified in this section.

**(E) (1) THIS SUBSECTION APPLIES TO A RISE ZONE IDENTIFIED UNDER § 12-203 OF THIS SUBTITLE.**

**(2) IN ADDITION TO THE PURPOSES UNDER SUBSECTION (A) OF THIS SECTION AND WITHOUT LIMITING THE PURPOSES IN SUBSECTION (A) OF THIS SECTION, BOND PROCEEDS MAY BE USED IN A RISE ZONE FOR:**

- (I) HISTORIC PRESERVATION OR REHABILITATION;**
- (II) ENVIRONMENTAL REMEDIATION, DEMOLITION, AND SITE PREPARATION;**
- (III) PARKING LOTS, FACILITIES, OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE;**
- (IV) SCHOOLS;**

(V) AFFORDABLE OR MIXED INCOME HOUSING;

(VI) STORMWATER MANAGEMENT AND STORM DRAIN FACILITIES;

(VII) INNOVATION CENTERS AND LABORATORY FACILITIES, OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE, INCLUDING MAINTENANCE AND INSTALLATION OF IMPROVEMENTS IN THE STRUCTURES AND SERVICES THAT SUPPORT THE PURPOSES OF THE RISE ZONE PROGRAM; AND

(VIII) ANY OTHER FACILITIES OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE THAT SUPPORT THE PURPOSES OF THE RISE ZONE PROGRAM.

12-208.

(a) The governing body of a political subdivision may adopt a resolution creating a special fund for a development district, A RISE ZONE, or a sustainable community even though no bonds:

(1) have been issued for the development district, THE RISE ZONE, or the sustainable community; or

(2) are outstanding at the time of adoption.

12-209.

(a) Subject to subsection (c) of this section, the special fund for the development district, THE RISE ZONE, or the sustainable community may be used for any of the following purposes as determined by the governing body of the political subdivision:

(1) a purpose specified in § 12-207 of this subtitle;

(2) accumulated to pay debt service on bonds to be issued later;

(3) payment or reimbursement of debt service, or payments under an agreement described in subsection (b) of this section, that the political subdivision is obliged under a general or limited obligation to pay, or has paid, on or relating to bonds issued by the State, a political subdivision, or the revenue authority of Prince George's County if the proceeds were used for a purpose specified in § 12-207 of this subtitle; or

(4) payment to the political subdivision for any other legal purpose.

(b) (1) Subject to paragraph (2) of this subsection, the political subdivision that has created a special fund for a development district, A **RISE ZONE**, or a sustainable community may pledge under an agreement that amounts deposited to the special fund shall be paid over to secure payment on MEDCO obligations.

(2) The agreement shall:

(i) be in writing;

(ii) be executed by the political subdivision making the pledge, the Maryland Economic Development Corporation, and the other persons that the governing body of the political subdivision determines; and

(iii) run to the benefit of and be enforceable on behalf of the holders of the MEDCO obligations secured by the agreement.

(c) If bonds are outstanding with respect to a development district, A **RISE ZONE**, or a sustainable community, the special fund may be used as described in subsection (a) of this section in any fiscal year only if:

(1) the balance of the special fund exceeds the unpaid debt service payable on the bonds in the fiscal year; and

(2) the special fund is not restricted so as to prohibit the use.

(d) The issuance of bonds pledging the full faith and credit of the political subdivision shall comply with appropriate county or municipal charter requirements.

(a) (1) Subject to paragraph (2) of this subsection, the governing body of a political subdivision that is not the issuer may pledge under an agreement that its property taxes levied on the tax increment shall be paid into the special fund for the development district, A **RISE ZONE**, or a sustainable community.

(2) The agreement shall:

(i) be in writing;

(ii) be executed by the governing bodies of the issuer and the political subdivision making the pledge; and

(iii) run to the benefit of and be enforceable on behalf of any bondholder.

(b) The governing body of Prince George's County may also pledge hotel rental tax revenues to the special fund.

(c) The governing body of a political subdivision, including the issuer, may pledge by or under a resolution, including by an agreement with the issuer, as applicable, that alternative local tax revenues generated within, or that are otherwise determined to be attributable to, a development district that is a transit-oriented development, A **RISE ZONE**, a sustainable community, or a State hospital redevelopment be paid, as provided in the resolution, into the special fund to:

(1) secure the payment of debt service on bonds or MEDCO obligations; or

(2) be applied to the other purposes stated in § 12-209 of this subtitle.

12-211.

(a) The principal amount of bonds, interest payable on bonds, the transfer of bonds, and income from bonds, including profit made in the sale or transfer of bonds, are exempt from State and local taxes.

(b) If a political subdivision leases as a lessor its property within a development district, A **RISE ZONE**, or a sustainable community:

(1) the property shall be assessed and taxed in the same manner as privately owned property; and

(2) the lease shall require the lessee to pay taxes or payments in lieu of taxes on the assessed value of the entire property and not only on the assessed value of the leasehold interest.”.

#### AMENDMENT NO. 11

On page 9, in line 11, strike “**THE**” and substitute “**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE**”; in line 15, strike “**80% IN**” and substitute “**AT LEAST 50%**”; in the same line, strike “**EACH OF**” and substitute “**IN**”; in the same line, strike “**5**”; in the same line, strike “**YEARS**” and substitute “**YEAR**”; in line 17, after “**PROPERTY;**” insert “**AND**”; in line 18, strike “**70% IN THE SIXTH TAXABLE YEAR;**” and substitute “**AT LEAST 10% IN THE SECOND THROUGH FIFTH TAXABLE YEARS.**”; and strike in their entirety lines 19 through 22, inclusive.

On page 10, in lines 6, 14, and 17, strike “**10**” and substitute “**5**”.

#### AMENDMENT NO. 12

On page 10, after line 15, insert:

**(III) 1. IF A BUSINESS ENTITY IS CERTIFIED AS CONSISTENT WITH THE TARGET STRATEGY OF THE RISE ZONE AND THE QUALIFIED PROPERTY IS LOCATED IN AN ENTERPRISE ZONE OR FOCUS AREA, THE AMOUNT OF THE REQUIRED REIMBURSEMENT UNDER § 9-103(H) OF THIS SUBTITLE MAY ONLY BE FOR THE AMOUNT REQUIRED FOR THE REQUIRED PROPERTY TAX CREDITS UNDER § 9-103 OF THIS SUBTITLE.**

**2. THE PROPERTY TAX CREDITS REQUIRED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH DO NOT ALTER THE AMOUNT OF FUNDS REQUIRED TO BE REIMBURSED UNDER § 9-103(H) OF THIS SUBTITLE.**

**(5) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY INCREASE, BY LOCAL LAW, THE PERCENTAGE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(6) (I) IF A RISE ZONE IS RENEWED AS PROVIDED UNDER § 5-1404 OF THE ECONOMIC DEVELOPMENT ARTICLE, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION SHALL CALCULATE THE AMOUNT OF THE TAX CREDIT UNDER THIS SECTION EQUAL TO AT LEAST 10% OF THE AMOUNT OF PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF THE QUALIFIED PROPERTY FOR THE SIXTH THROUGH TENTH TAXABLE YEARS.**

**(II) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY INCREASE, BY LOCAL LAW, THE PERCENTAGE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;**

and in line 16, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C)(6) OF THIS SECTION, A**”.

**AMENDMENT NO. 13**

On page 11, strike in their entirety lines 10 through 27, inclusive.

**AMENDMENT NO. 14**

On page 16, after line 28, insert:

**“The Charter of Baltimore City**

**Article II – General Powers**

**The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:**

**(62)**

**(L) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE AS PROVIDED FOR IN TITLE 12,**

SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(62A)

(U) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

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

Article – Tax – Property

9–103.

(e) (1) A tax credit under this section is available to a qualified property for no more than 10 consecutive years beginning with:

(I) the taxable year following the calendar year in which the real property initially becomes a qualified property; OR

(II) THE TAXABLE YEAR IN WHICH THE REAL PROPERTY INITIALLY BECOMES A QUALIFIED PROPERTY, SUBJECT TO THE APPROVAL OF THE APPROPRIATE LOCAL GOVERNING BODY AND THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT.

SECTION 3. AND BE IT FURTHER ENACTED, That, before adopting regulations to implement the provisions of Section 1 of this Act, the Department of Business and Economic Development shall organize a group of interested parties, stakeholders, and experts in community development to provide advice on the regulations, standards, and guidelines needed to implement Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Comptroller shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on:

(1) the estimated cost and impact of the income tax credit provided to businesses in RISE zones under § 10–702 of the Tax – General Article; and

(2) the potential cost and impact of providing an income tax depreciation incentive for businesses within RISE zones.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in the RISE zone application and designation processes, a county and municipal corporation shall confer in order to reach agreement on the desired RISE zone location and boundaries and the amount of property tax credits offered.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after June 30, 2013.”;

in line 29, strike “2.” and substitute “7.”; in the same line, after “That” insert “, subject to Section 6 of this Act,”; and in line 30, strike “October” and substitute “June”.

The preceding 14 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means and Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

### **House Bill 814 – Delegates Beitzel, Arentz, Jacobs, and Smigiel**

AN ACT concerning

#### **Education – State Grant to Counties With Small and Declining Student Enrollment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:



**House Bill 1063 – Delegates Hixson, Barkley, Barve, Carr, Cullison, Dumais, Fraser-Hidalgo, Gutierrez, Huckler, Kaiser, A. Kelly, Lee, Reznik, S. Robinson, and Simmons**

AN ACT concerning

**Libraries – Regional Resource Centers and County Public Libraries – Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1198 – Delegates Braveboy, Bates, Carr, Frush, Hixson, Ivey, Kach, A. Kelly, McMillan, A. Miller, W. Miller, Mizeur, B. Robinson, Schulz, Valderrama, Vaughn, and A. Washington**

AN ACT concerning

**Education – Due Process Hearings for Children With Disabilities – Burden of Proof**

**HB1198/305367/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Due Process Hearings for”; in lines 2 and 3, strike “Burden of Proof” and substitute “Due Process Hearings”; strike beginning with “requiring” in line 4 down through “hearings” in line 10 and substitute “stating the intent of the General Assembly that a certain parent of a child with a disability and certain public agencies mediate certain issues before filing a certain due process complaint with the Office of Administrative Hearings; requiring certain public agencies to provide a parent of a child with a disability with certain information relating to requesting certain documents under certain circumstances; altering the duties of the Commission on Special Education Access and Equity; requiring the Commission to report certain findings and recommendations to the Governor and the”

General Assembly on or before a certain date; extending the termination date of the Commission; requiring the State Department of Education to make a certain report to the General Assembly on or before a certain date; and generally relating to due process hearings for children with disabilities”;

and after line 15, insert:

“BY repealing and reenacting, with amendments,

Chapter 671 of the Acts of the General Assembly of 2013

Section 1(f) and (g) and 2

BY adding to

Chapter 671 of the Acts of the General Assembly of 2013

Section 1(g)”.

#### AMENDMENT NO. 2

On page 2, after line 27, insert:

**“(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT A PARENT OR A PUBLIC AGENCY REQUEST MEDIATION BEFORE FILING A DUE PROCESS COMPLAINT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.”.**

On page 2 in lines 28 and 32 and on page 3 in lines 1, 3, and 5, strike “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively.

#### AMENDMENT NO. 3

On page 4, strike beginning with “(I)” in line 9 down through “EDUCATION” in line 15 and substitute “**WITHIN 2 DAYS AFTER FILING A DUE PROCESS COMPLAINT OR RECEIVING NOTICE THAT A PARENT HAS FILED A DUE PROCESS COMPLAINT, A PUBLIC AGENCY SHALL PROVIDE TO THE PARENT A WRITTEN DOCUMENT THAT:**

**(I) INFORMS THE PARENT OF THE PARENT’S RIGHT TO REQUEST ALL DOCUMENTS RELATING TO THE SUBJECT MATTER OF THE COMPLAINT IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS; AND**

**(II) DESCRIBES HOW THE PARENT CAN REQUEST THE DOCUMENTS SPECIFIED UNDER ITEM (I) OF THIS PARAGRAPH**".

AMENDMENT NO. 4

On page 6, after line 27, insert:

"Chapter 671 of the Acts of 2013

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

(f) The Commission shall study:

(1) the extent to which parents and guardians of students with disabilities are made aware of their rights under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) and State law and regulations relating to children with disabilities and potential ways to improve the awareness of these rights;

(2) disparities and potential methods for eliminating any disparities based on race, national origin, and limited English proficiency in the following areas:

(i) knowledge of and access to special education services;

(ii) rights under the Individuals with Disabilities Education Act;

(iii) access to and participation in Individualized Education Program mediation and appeals; and

(iv) access to participation in free and reduced price meals;

(3) effects of workload, caseload, and paperwork requirements related to the special education process on the ability of educators to provide a free and appropriate public education as guaranteed under federal law, and potential methods for mitigating these factors;

(4) concerns about equity between the parties in special education due process hearings, and potential methods for improving the process, INCLUDING ARGUMENTS FOR AND AGAINST SHIFTING THE BURDEN OF PROOF IN A DUE

PROCESS HEARING BROUGHT UNDER § 8-413 OF THE EDUCATION ARTICLE FROM A PARTY SEEKING RELIEF TO A PUBLIC AGENCY;

(5) THE IMPLICATIONS OF SHIFTING THE BURDEN OF PROOF IN A DUE PROCESS HEARING FROM A PARTY SEEKING RELIEF TO A PUBLIC AGENCY ON A PUBLIC AGENCY'S WORKLOAD, RESOURCES, STAFF, AND ABILITY TO DELIVER APPROPRIATE SERVICES TO ALL STUDENTS;

(6) THE BEST PRACTICES OF NEW YORK, NEW JERSEY, AND CONNECTICUT REGARDING METHODS OF SHIFTING THE BURDEN OF PROOF IN A DUE PROCESS HEARING RELATING TO SPECIAL EDUCATION SERVICES FOR CHILDREN WITH DISABILITIES FROM A PARTY SEEKING RELIEF TO A PUBLIC AGENCY;

[(5)] (7) the State and local costs of all proposals considered or recommended by the Commission; and

[(6)] (8) any other issues related to access and equity in the provision of special education services under federal and State law identified by the Commission.

(G) THE COMMISSION SHALL HOLD AT LEAST:

(1) TWO COMMISSION MEETINGS DEVOTED TO DISCUSSING THE STUDY ITEMS SPECIFIED IN SUBSECTION (F)(4) THROUGH (6) OF THIS SECTION; AND

(2) ONE PUBLIC HEARING ON ISSUES RELATING TO THE BURDEN OF PROOF IN A DUE PROCESS HEARING BROUGHT UNDER § 8-413 OF THE EDUCATION ARTICLE.

[(g)] (H) (1) On or before June 30, 2014, the Commission shall report its findings and recommendations on these issues relating to [access and equity in the provision of special education services under federal and State law] SUBSECTION (F)(1), (2), (3), (7), AND (8) to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee.

(2) ON OR BEFORE OCTOBER 31, 2014, THE COMMISSION SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS ON SUBSECTION (F)(4) THROUGH (6) AND (8) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE.

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] 6 MONTHS and, at the end of [June] NOVEMBER 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2016, the State Department of Education shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee, in accordance with § 2-1246 of the State Government Article, on:

(1) The per pupil cost of educating a special education student as opposed to a general education student for each county in the State;

(2) The adequacy of State funding for special education to meet the differential per pupil cost needs of special education students as opposed to general education students; and

(3) The average workload, caseload, and paperwork requirements related to the special education process of educators in providing a free and appropriate public education as guaranteed under federal law; and

(4) The best practices of other jurisdictions in assisting special education teachers to meet the needs of their caseload while having adequate time for planning, teaching, and grading.”;

in line 28, strike “2.” and substitute “3.”; and in line 29, strike “July” and substitute “June”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Braveboy moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1228 – Delegates Luedtke, Cardin, Carr, Conway, DeBoy, Eckardt, Fraser–Hidalgo, Glass, Haddaway–Riccio, Ivey, A. Kelly, Kipke, Love, Malone, Olszewski, Pena–Melnik, Reznik, Rudolph, Serafini, Szeliga, Vitale, A. Washington, and Wood**

AN ACT concerning

**Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and  
Emergency Medical Services Members**

**HB1228/695965/1**

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1228

(First Reading File Bill)

On page 3, in lines 19, 21, 23, 25, and 27, strike “\$4,000”, “\$4,500”, “\$5,000”, “\$6,000”, and “\$7,000”, respectively, and substitute “\$3,750”, “\$4,000”, “\$4,250”, “\$4,500”, and “\$4,750”, respectively; in line 26, strike “AND”; and in line 28, after “2017” insert “, BUT BEFORE JANUARY 1, 2019; AND

(VI) \$5,000 FOR A TAXABLE YEAR BEGINNING AFTER  
DECEMBER 31, 2018”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1242 – Delegates Hixson, Anderson, Barkley, Barve, Boteler, Braveboy, Clippinger, Cluster, Cullison, DeBoy, Dumais, Eckardt,**

Elliott, Frank, Fraser-Hidalgo, Gaines, George, Gilchrist, Harper, Healey, Hough, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lee, Love, Luedtke, Malone, McMillan, A. Miller, Murphy, Nathan-Pulliam, O'Donnell, Pena-Melnyk, Reznik, S. Robinson, Rosenberg, Sophocleus, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Waldstreicher, Walker, A. Washington, M. Washington, Weir, Wilson, and Zucker

AN ACT concerning

**Libraries – Maryland Library for the Blind and Physically Handicapped – Funding**

**HB1242/985163/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1242

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “year” insert “beginning in a certain fiscal year”.

AMENDMENT NO. 2

On page 3, in line 13, strike “**EACH**” and substitute “**BEGINNING IN FISCAL YEAR 2016 AND IN EACH**”; and in the same line, after “**YEAR**” insert “**THEREAFTER,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1432 – Delegate A. Washington**

AN ACT concerning

**Teaching Fellows for Maryland Scholarship Program**

**HB1432/275164/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1432

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “program;” insert “requiring certain institutions of higher education to provide certain matching funds to participate in a certain program;”; in line 7, after “schools” insert “and certain public prekindergarten programs;”; in line 11, after “budget” insert “for the Maryland Higher Education Commission;”; strike beginning with “requiring” in line 12 down through “years;” in line 13 and substitute “requiring the Office of Student Financial Assistance to award certain scholarships in a manner that reflects ethnic, gender, racial, and geographic diversity;”; and in line 14, after “school” insert “and public prekindergarten”.

AMENDMENT NO. 2

On page 2, in line 8, strike “public” and substitute “:

**(1) PUBLIC SENIOR HIGHER EDUCATION;**

strike beginning with “of” in line 8 down through “education” in line 9; in line 10, strike “Maryland Higher Education”; in the same line, after “A” insert “DEPARTMENT,”; in the same line, after “SCHOOL” insert “, OR COLLEGE”; in the same line, after “EDUCATION” insert “; OR

**(2) PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT POSSESSES A CERTIFICATE OF APPROVAL FROM THE COMMISSION, HAS A DEPARTMENT, SCHOOL, OR COLLEGE OF EDUCATION, AND AGREES TO PROVIDE A MATCHING GRANT TO AN UNDERGRADUATE OR GRADUATE STUDENT, AS APPROPRIATE, WHO RECEIVES A TEACHING FELLOWS FOR MARYLAND SCHOLARSHIP IN THE LESSER OF:**

**(I) 100% OF THE ANNUAL COST OF TUITION AND MANDATORY FEES AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK; OR**

**(II) 50% OF THE COST OF TUITION AND MANDATORY FEES AT THE PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION;**



in line 14, strike “elementary or secondary”; in the same line, after “school” insert “OR A PUBLIC PREKINDERGARTEN PROGRAM”; in line 22, strike “elementary and secondary”; and in the same line, after “school” insert “OR PUBLIC PREKINDERGARTEN”.

#### AMENDMENT NO. 3

On page 3, in line 14, after “LEAST” insert “:

1.”;

after line 16, insert:

“2. A COMPOSITE ACT SCORE OF 25; OR

3. 50% ON THE GRE;”;

in line 25, strike “elementary or secondary”; and in line 26, after “school” insert “OR PUBLIC PREKINDERGARTEN PROGRAM”.

On page 4, in line 21, after “obligation” insert “TO TEACH IN A PUBLIC SCHOOL OR A PUBLIC PREKINDERGARTEN PROGRAM THAT HAS AT LEAST 50% OF ITS STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE MEALS (FRPM)”; in line 28, after “A” insert “PUBLIC”; in the same line, after “SCHOOL” insert “OR PUBLIC PREKINDERGARTEN PROGRAM”; and in line 30, after “SCHOOL” insert “OR PUBLIC PREKINDERGARTEN PROGRAM”.

#### AMENDMENT NO. 4

On page 5, in line 7, before “The” insert “(A)”; in the same line, after “be” insert a colon; in line 13, after the closing bracket, insert “(1) AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN THE STATE THAT HAS A DEPARTMENT, SCHOOL, OR COLLEGE OF EDUCATION,”; and strike beginning with “A” in line 15 down through the second “EDUCATION” in line 16 and substitute “THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION; OR

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AT A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT HAS A DEPARTMENT, SCHOOL, OR COLLEGE OF EDUCATION, AN AMOUNT EQUAL TO:

**(I) THE LESSER OF:**

**1. 100% OF THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT OR GRADUATE STUDENT, AS APPROPRIATE, AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK; OR**

**2. 50% OF THE EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE OR GRADUATE STUDENT, AS APPROPRIATE, AT THE ELIGIBLE PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION; AND**

**(II) 100% OF THE ROOM AND BOARD OF A RESIDENT UNDERGRADUATE STUDENT OR GRADUATE STUDENT, AS APPROPRIATE, AT THE ELIGIBLE PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE.**

**(B) A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE A MATCHING SCHOLARSHIP AWARD IN AN AMOUNT EQUAL TO THE AWARD CALCULATED IN SUBSECTION (A)(2)(I) OF THIS SECTION”.**

**AMENDMENT NO. 5**

On page 6, strike beginning with “(1)” in line 1 down through “(2)” in line 6; in line 12, strike “and” and substitute a comma; in the same line, after “fees” insert “**, AND ROOM AND BOARD**”; in line 25, after “AWARD” insert “**SCHOLARSHIPS**”; and in the same line, strike the colon and substitute a period.

On pages 6 and 7, strike in their entirety the lines beginning with line 26 on page 6 through line 2 on page 7, inclusive.

**AMENDMENT NO. 6**

On page 7, in line 4, strike “publicize” and substitute “:

**(1) PUBLICIZE”;**

and in line 6, after “SCHOLARSHIPS” insert “**; AND**

**(2) TO THE EXTENT PRACTICABLE, AWARD SCHOLARSHIPS UNDER THIS SUBTITLE IN A MANNER THAT REFLECTS ETHNIC, GENDER, RACIAL, AND GEOGRAPHIC DIVERSITY”.**

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1479 – Delegates Frank, Aumann, Boteler, Cluster, Impallaria, Kach, McDonough, and Szeliga**

AN ACT concerning

**Election Law – Baltimore City Republican Party Central Committee – Filling of Vacancies**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 141 – Senator Conway**

AN ACT concerning

**Baltimore City – Tax Sales – ~~Environmental Violations – Liens on Real Property~~ Nonpayment of Environmental Citations**

**SB0141/595466/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 141  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “appeal;” insert “requiring Baltimore City to submit a certain report on the implementation of this Act to certain committees of the General

Assembly; prohibiting Baltimore City from offering real property at a tax sale solely for nonpayment of environmental citations until after the report is submitted;”.

AMENDMENT NO. 2

On page 7, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Baltimore City shall submit a report to the Senate Budget and Taxation Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on its plans for implementing this Act, including the types of unpaid environmental citations that would be subject to collection through a tax sale.

(b) Baltimore City may not offer real property at a tax sale solely for nonpayment of environmental citations until after the report required under subsection (a) of this section is submitted.”;

and in lines 26 and 30, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 354 – ~~Senator Muse~~ Senators Muse, Currie, and ~~Peters~~ Peters, Benson, Ramirez, and Rosapepe**

AN ACT concerning

**Maryland Renters Tax Credit Program – Marketing Campaign**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 383 – Senator Edwards**

AN ACT concerning

**Allegany County and Garrett County – Boards of Education – Removal of Ex Officio Member**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 419 – Senators Manno, Astle, Feldman, Forehand, Frosh, King, Montgomery, Ramirez, Raskin, Robey, Shank, ~~and Stone~~ Stone, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, Kasemeyer, Madaleno, and Peters**

AN ACT concerning

**Libraries – Maryland Library for the Blind and Physically Handicapped – Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 430 – Senators King ~~and Miller~~, Miller, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, Kasemeyer, Madaleno, Manno, Peters, and Robey**

AN ACT concerning

**Libraries – Regional Resource Centers and County Public Libraries – Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 486 – Senators Manno and Middleton**

AN ACT concerning

**Income Tax Credit – Endow Maryland**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 600 – Senators Pugh, Astle, Benson, Brinkley, Colburn, Currie, DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Peters, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program**

**SB0600/405666/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 600

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “public schools or”; strike beginning with “authorizing” in line 11 down through “zone;” in line 13; in line 16, strike “RISE” and substitute “Regional Institution Strategic Enterprise (RISE)”; in line 16, after “zone;” insert “prohibiting certain counties and municipalities from authorizing certain property tax credits;”; in line 20, strike “an application” and substitute “certain applications”; and in line 21, after “providing” insert “that”.

On page 2, in line 1, after “county” insert “or municipal corporation”; strike beginning with “for” in line 1 down through “application” in line 2; strike beginning with “authorizing” in line 4 down through “credit;” in line 6 and substitute “providing that the designation of a RISE zone is for a certain number of years; providing that a RISE zone may be renewed for a certain number of years under certain circumstances; prohibiting the Secretary from designating a RISE zone in certain areas;”; in lines 26 and 27, strike “, under certain circumstances,” and substitute “or municipal corporation”; in line 27, strike “calculation of a certain” and substitute “amount of the”; strike beginning with “providing” in line 27 down through “credit;” in line 31; strike

beginning with “allowing” in line 35 down through “service;” in line 38; in line 43, after “report;” insert “requiring the Department of Business and Economic Development to convene a certain group to provide certain advice; altering, subject to certain approval, the taxable year in which certain property initially becomes qualified property for certain enterprise zone property tax credits;”; and in line 44, after “regulations;” insert “providing for the application of certain provisions of this Act; declaring the intent of the General Assembly;”.

On page 3, after line 17, insert:

“BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–103(e)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement);

and strike in their entirety lines 23 through 32, inclusive.

#### AMENDMENT NO. 2

On page 4, strike in their entirety lines 26 and 27; and in line 28, strike “(E)” and substitute “(D)”.

On page 5, strike beginning with “A” in line 2 down through “SCHOOL” in line 3 and substitute “A REGIONAL HIGHER EDUCATION CENTER AS DEFINED UNDER § 10–101 OF THE EDUCATION ARTICLE”; in line 8, strike “(F)” and substitute “(E)”; in the same line, strike “AN” and substitute “A GEOGRAPHIC”; in the same line, after “AREA” insert “IN IMMEDIATE PROXIMITY TO A QUALIFIED INSTITUTION THAT IS TARGETED FOR INCREASED ECONOMIC AND COMMUNITY DEVELOPMENT”.

On page 6, in line 9, after “ORGANIZATION” insert “THAT IS NOT AN INSTITUTION OF HIGHER EDUCATION”; in line 10, strike “AND ESTABLISH”; in the same line, strike the colon; in line 11, strike “(1)”; strike beginning with the semicolon in line 11 down through “SCHOOL” in line 13.

#### AMENDMENT NO. 3

On page 6, in line 25, after “(F)” insert “(1)”; and after line 27, insert:

“(2) AT LEAST 30 DAYS BEFORE APPROVAL OR REJECTION OF AN APPLICATION UNDER THIS SECTION, THE SECRETARY SHALL NOTIFY THE LEGISLATIVE POLICY COMMITTEE.

“(3) THE LEGISLATIVE POLICY COMMITTEE MAY PROVIDE ADVICE TO THE SECRETARY REGARDING THE APPROVAL OR REJECTION OF AN INSTITUTION AS A QUALIFIED INSTITUTION.”;

and in line 29, strike “MAY” and substitute “SHALL”.

AMENDMENT NO. 4

On page 6, in line 29, strike “(1)”; and in line 30, after “APPLY” insert “JOINTLY WITH A COUNTY, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION”.

On page 7, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 5

On page 7, in line 8, strike “AND”; after line 8, insert:

“(3) DESCRIBE THE NEXUS OF THE RISE ZONE WITH THE QUALIFIED INSTITUTION; AND”;

in line 9, strike “(3)” and substitute “(4)”; in line 10, strike “FOR” and substitute “AND ANTICIPATED ECONOMIC IMPACTS OF”; after line 13, insert:

“(D) (1) UNLESS A COUNTY IN WHICH A MUNICIPAL CORPORATION IS LOCATED AGREES TO DESIGNATION OF A RISE ZONE IN THE MUNICIPAL CORPORATION, QUALIFIED PROPERTY IN THE MUNICIPAL CORPORATION MAY NOT RECEIVE A TAX CREDIT AGAINST COUNTY PROPERTY TAX.

“(2) UNLESS A MUNICIPAL CORPORATION LOCATED WITHIN A COUNTY AGREES TO DESIGNATION OF A RISE ZONE WITHIN ITS BOUNDARIES, QUALIFIED PROPERTY IN THE COUNTY MAY NOT RECEIVE A TAX CREDIT AGAINST THE MUNICIPAL PROPERTY TAX.”;



in line 14, strike “(D)” and substitute “(E)”; in line 17, after “ZONE” insert “, INCLUDING APPROVAL OR MODIFICATION OF THE PROPOSED BOUNDARIES OF THE RISE ZONE”; in line 29, strike “PROPOSED”; and in the same line, after “ZONE” insert “PROPOSED BY THE SECRETARY”.

#### AMENDMENT NO. 6

On page 7, in line 14, strike “90” and substitute “120”; in line 20, strike “60” and substitute “45”; in line 21, strike the colon; in line 22, strike “(I)”; strike beginning with the semicolon in line 22 down through “LOCATED” in line 24; and strike beginning with “OR” in line 25 down through “LOCATED” in line 27.

#### AMENDMENT NO. 7

On page 8, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(F) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DESIGNATION OF AN AREA AS A RISE ZONE IS EFFECTIVE FOR 5 YEARS.

“(II) UPON A JOINT APPLICATION OF A QUALIFIED INSTITUTION, A COUNTY AND, IF APPLICABLE, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION, THE SECRETARY MAY RENEW A RISE ZONE FOR AN ADDITIONAL 5 YEARS.

“(2) THE SECRETARY MAY NOT APPROVE MORE THAN THREE RISE ZONES IN A SINGLE COUNTY OR MUNICIPAL CORPORATION.”;

in line 4, strike “(E)” and substitute “(G) (1) A RISE ZONE MAY NOT BE REQUIRED TO BE IN THE IMMEDIATE GEOGRAPHIC PROXIMITY OF A QUALIFIED INSTITUTION IF AN APPROPRIATE NEXUS FOR THE INCREASED ECONOMIC AND COMMUNITY DEVELOPMENT IS ESTABLISHED WITH THE QUALIFIED ORGANIZATION.

(2)”;

and strike in their entirety lines 7 through 14, inclusive.

#### AMENDMENT NO. 8

On page 8, after line 14, insert:

**“(H) THE SECRETARY MAY NOT DESIGNATE A RISE ZONE IN:**

**(1) A DEVELOPMENT DISTRICT ESTABLISHED UNDER TITLE 12, SUBTITLE 2 OF THIS ARTICLE; OR**

**(2) A SPECIAL TAXING DISTRICT ESTABLISHED UNDER TITLE 21 OF THE LOCAL GOVERNMENT ARTICLE OR SECTION 62A OF THE BALTIMORE CITY CHARTER.**

**(I) THE DESIGNATION OF AN AREA AS A RISE ZONE MAY NOT BE CONSTRUED TO LIMIT OR SUPERSEDE A PROVISION OF A COMPREHENSIVE PLAN, ZONING ORDINANCE, OR OTHER LAND USE POLICY ADOPTED BY A COUNTY, MUNICIPAL CORPORATION, OR BICOUNTY AGENCY WITH LAND USE AUTHORITY OVER THE AREA DESIGNATED AS A RISE ZONE.”;**

and in line 25, after **“REGULATION,”** insert **“THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION,”**.

#### AMENDMENT NO. 9

On page 9, in line 2, after **“ARTICLE;”** insert **“AND”**; strike in their entirety lines 3 and 4; and in line 5, strike **“(IV)”** and substitute **“(III) PRIORITY”**.

#### AMENDMENT NO. 10

On page 9, in line 30, after **“ZONES”** insert **“, INCLUDING”**.

On page 10, in line 6, strike **“GENERAL ASSEMBLY”** and substitute **“SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE COMMITTEE ON WAYS AND MEANS, AND THE TAX CREDIT EVALUATION COMMITTEE”**.

#### AMENDMENT NO. 11

On page 10, in line 12, strike the second **“RISE”** and substitute **“REGIONAL INSTITUTION STRATEGIC ENTERPRISE”**.

#### AMENDMENT NO. 12

On page 16, in line 14, after “AS” insert “OTHERWISE”; strike “PARAGRAPHS (4) AND (5) OF”; in line 19, strike “80% IN” and substitute “AT LEAST 50%”; in the same line, strike “EACH OF” and substitute “IN”; in the same line, strike “5”; in the same line, strike “YEARS” and substitute “YEAR”; in line 21, after “PROPERTY;” insert “AND”; in line 22, strike “70% IN THE SIXTH TAXABLE YEAR;” and substitute “AT LEAST 10% IN THE SECOND THROUGH FIFTH TAXABLE YEARS.”; and strike in their entirety lines 23 through 26, inclusive.

On page 17 in lines 10 and 18, and on page 18 in line 19, strike “10” and substitute “5”.

#### AMENDMENT NO. 13

On pages 17 and 18, strike beginning with line 29 on page 17 through line 2 on page 18, inclusive.

On page 18, in line 3, strike “(III)” and substitute “(5)”; in the same line, after “COUNTY” insert “OR MUNICIPAL CORPORATION”; in line 4, strike “SUBPARAGRAPH (II)” and substitute “PARAGRAPH (1)”; in line 5, strike “PARAGRAPH” and substitute “SUBSECTION”; after line 5, insert:

**“(6) (I) IF A RISE ZONE IS RENEWED AS PROVIDED UNDER § 5-1404 OF THE ECONOMIC DEVELOPMENT ARTICLE, THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION SHALL CALCULATE THE AMOUNT OF THE TAX CREDIT UNDER THIS SECTION EQUAL TO AT LEAST 10% OF THE AMOUNT OF PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF THE QUALIFIED PROPERTY FOR THE SIXTH THROUGH TENTH TAXABLE YEARS.**

**“(II) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY INCREASE, BY LOCAL LAW, THE PERCENTAGE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;**

strike in their entirety lines 6 through 17, inclusive; and in line 18, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C)(6) OF THIS SECTION, A”.

#### AMENDMENT NO. 14

On page 19, strike in their entirety lines 10 through 27, inclusive.

AMENDMENT NO. 15

On page 25, after line 17, insert:

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

Article – Tax – Property

9–103.

(e) (1) A tax credit under this section is available to a qualified property for no more than 10 consecutive years beginning with:

(I) the taxable year following the calendar year in which the real property initially becomes a qualified property; OR

(II) THE TAXABLE YEAR IN WHICH THE REAL PROPERTY INITIALLY BECOMES A QUALIFIED PROPERTY, SUBJECT TO THE APPROVAL OF THE APPROPRIATE LOCAL GOVERNING BODY AND THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT.”.

AMENDMENT NO. 16

On page 25, in line 21, after “regulations” insert “, standards, and guidelines needed to implement Section 1 of this Act”; in line 22, strike “3.” and substitute “4.”; strike beginning with the second “the” in line 24 down through “Article” in line 25 and substitute “:

(1) the estimated cost and impact of the income tax credit provided to businesses in RISE zones under § 10–702 of the Tax – General Article; and

(2) the potential cost and impact of providing an income tax depreciation incentive for businesses within RISE zones.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that in the RISE zone application and designation processes, a county and municipal corporation shall confer in order to reach agreement on the desired RISE zone location and boundaries and the amount of property tax credits offered.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after June 30, 2013”.

AMENDMENT NO. 17

On page 25, in line 18, strike “2.” and substitute “3.”; and in line 19, after the first “of” insert “Section 1 of”.

AMENDMENT NO. 18

On page 25, in line 26, strike “4.” and substitute “7.”; in the same line, after “That” insert “, subject to Section 6 of this Act.”; and in line 27, strike “October” and substitute “June”.

The preceding 18 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 605 – Senator Edwards**

AN ACT concerning

**Property Tax Credit – ~~Upper Stories of~~ Commercial Structures – Rehabilitation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 666 – Senators Pinsky, Benson, Conway, Ferguson, Frosh, Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Teaching Fellows for Maryland Scholarship Program**

**SB0666/735066/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 666  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike “in certain years” and substitute “under this Act”.

AMENDMENT NO. 2

On page 8, in line 6, after “AWARD” insert “SCHOLARSHIPS”; and strike beginning with the colon in line 6 down through “APPLICANTS” in line 15.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 785 – Senators Currie, Benson, Colburn, Conway, DeGrange, Dyson, Edwards, Ferguson, Forehand, Getty, Jones–Rodwell, King, Klausmeier, Madaleno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Robey, Rosapepe, Stone, ~~and Young~~ Young, Pinsky, and Simonaire**

AN ACT concerning

**Higher Education – 2+2 Transfer Scholarship**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 909 – Senators Madaleno ~~and~~, Montgomery, Kasemeyer, McFadden, Colburn, Currie, DeGrange, Edwards, Getty, Jones–Rodwell, King, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax Checkoff – Developmental Disabilities Services and Support Fund – Designation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 988 – Senator Pugh**

AN ACT concerning

**State Department of Education – Assessment Report for Broadband Capabilities in Public Schools**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS  
REPORT #A01**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**GOVERNOR MARTIN O’MALLEY – 2013 RECESS APPOINTMENT  
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES**

(See Exhibit B of Appendix II)

The favorable report of the Committee was adopted by yeas and nays as follows:

Affirmative – 136    Negative – 1    (See Roll Call No. 1062)

The preceding appointments were confirmed by the House.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 548 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine  
and Liquor ~~License~~ Permit**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 1063)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (HOUSE BILLS) #68

House Bill 607 – Delegates Kaiser, ~~Afzali~~, Barkley, Barnes, Bates, Carr, Clagett, ~~Elliott~~, Fraser-Hidalgo, ~~George~~, Glenn, Guzzone, Healey, ~~Hogan~~, ~~Krebs~~, Lafferty, Luedtke, ~~McDermott~~, ~~McDonough~~, McIntosh, Pendergrass, ~~Schulz~~, ~~Serafini~~, ~~Smigiel~~, ~~Stocksdale~~, Valentino-Smith, ~~Vitale~~, ~~and Zucker~~ Zucker, Ivey, Stukes, F. Turner, Walker, and A. Washington

AN ACT concerning

**Education – Student Data Privacy and Cloud Computing Act of 2014**

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

Affirmative – 132    Negative – 5    (See Roll Call No. 1064)

The Bill was then sent to the Senate.

House Bill 708 – Delegates Serafini, Beitzel, Clagett, Donoghue, K. Kelly, Myers, and Parrott

AN ACT concerning

**Correctional Officers' Retirement System – Membership**



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

Affirmative – 137    Negative – 0    (See Roll Call No. 1065)

The Bill was then sent to the Senate.

**House Bill 1036 – Delegates M. Washington, Rudolph, Arora, Dumais, Eckardt, Glenn, Griffith, Kaiser, Mitchell, Nathan–Pulliam, Summers, Vaughn, Wilson, and Zucker**

AN ACT concerning

**Human Services – Interagency Council on Homelessness**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1066)

The Bill was then sent to the Senate.

**House Bill 1309 – Delegates Smigiel, Jacobs, and Otto**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Check – Exemptions**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1067)

The Bill was then sent to the Senate.

**House Bill 1323 – Delegates Kaiser, Olszewski, Ivey, Arora, Aumann, Barkley, Barnes, Barve, Boteler, Braveboy, Bromwell, Burns, Cardin, Carr, Cluster, Cullison, Davis, DeBoy, Frank, Fraser–Hidalgo, Frick, Frush, Gilchrist, Gutierrez, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Impallaria, Kach, A. Kelly, Kramer, Lee, Luedtke, McDonough, A. Miller, Minnick, Mizeur, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnik, Proctor, Reznik, S. Robinson, Simmons, Stein, Summers, Swain, Szeliga, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, Weir, ~~and Zucker~~ Zucker, Jones, Griffith, Eckardt, Sophocleus, Conway, Gaines, Haynes, James, and Guzzone**

AN ACT concerning

~~Supplemental Public School Construction Matching Fund Program –~~  
Creative Financing Study

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1068)

The Bill was then sent to the Senate.

**House Bill 1483 – Delegates Hucker and Costa**

AN ACT concerning

**State Reformed Contributory Employees' and Teachers' Pension Systems –  
Prior Eligibility Service**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1069)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #31**

**Senate Bill 7 – Senator Colburn**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Talbot County – Oxford  
Community Center**

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

Affirmative – 130    Negative – 5    (See Roll Call No. 1070)

The Bill was then returned to the Senate.

**Senate Bill 74 – Senators Klausmeier and Ferguson**

AN ACT concerning

**Institutions of Higher Education – Student Notification – Financial  
Information**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1071)

The Bill was then returned to the Senate.

**Senate Bill 88 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Department of Transportation – Special Bonds and Borrowing –  
Revenue-Backed Bonds**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1072)

The Bill was then returned to the Senate.

**Senate Bill 168 – Calvert County Senators**

AN ACT concerning

**Calvert County – Public Facilities Bonds**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1073)

The Bill was then returned to the Senate.

**Senate Bill 205 – Senator DeGrange (Chair, Special Joint Commission on  
Public Safety and Security in State and Local Correctional Facilities)**

AN ACT concerning

**Correctional Services – Correctional Facilities – Officers and Inspection  
Standards**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1074)

The Bill was then returned to the Senate.

**Senate Bill 256 – Senator Colburn**

## EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Talbot County – Easton Head Start Center**Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 2 (See Roll Call No. 1075)

The Bill was then returned to the Senate.**Senate Bill 446 – Senators Conway, Benson, Dyson, Ferguson, Forehand, Frosh, Jennings, Jones–Rodwell, King, Klausmeier, Montgomery, Pinsky, Pugh, Raskin, Reilly, Rosapepe, Shank, Simonaire, Stone, and Young**

AN ACT concerning

**~~Commission on~~ Department of Disabilities – Study of Accessibility Concepts in Computer Science, Information Systems, and Information Technology Programs in Higher Education**Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1076)

The Bill was then returned to the Senate.**Senate Bill 455 – ~~Senator Reilly~~ Senators Reilly, Conway, Dyson, Ferguson, Montgomery, and Rosapepe**

AN ACT concerning

**Higher Education – Unaccompanied Homeless Youth – Tuition Exemption**Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1077)

The Bill was then returned to the Senate.**Senate Bill 555 – Carroll County Senators**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1078)

The Bill was then returned to the Senate.

**Senate Bill 575 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Code Simplification and Clarification**

Delegate Griffith moved to make the Bill a Special Order for Saturday.

The motion was adopted.

**THIRD READING CALENDAR (SENATE BILLS) #32**

**Senate Bill 576 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Penalty for Failure to Submit Certification**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1079)

The Bill was then returned to the Senate.

**Senate Bill 610 – ~~Senator Jennings~~ Senators Jennings, Benson, Conway, Dyson, Ferguson, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young**

AN ACT concerning

**National Guard – Tuition Assistance – Members of Disbanded Units**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1080)

The Bill was then returned to the Senate.

**Senate Bill 665 – Senators Edwards, Shank, ~~and Madaleno~~ Madaleno, Colburn, Jones-Rodwell, and McFadden**

AN ACT concerning

**Correctional Officers’ Retirement System – Membership**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1081)

The Bill was then returned to the Senate.

**Senate Bill 686 – Senator Zirkin**

AN ACT concerning

**Law Enforcement Officers’ Bill of Rights – Prosecutorial Disclosures – Punitive Action**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1082)

The Bill was then returned to the Senate.

**Senate Bill 763 – Senator Colburn**

AN ACT concerning

**Talbot County – Child Support Enforcement ~~Administration~~ – Transfer of Personnel**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1083)

The Bill was then returned to the Senate.

**Senate Bill 794 – Senator Reilly**

AN ACT concerning

~~Department of Planning~~ – **Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project**

Delegate James moved to reconsider the vote by which **Senate Bill 794** was ordered passed for Third Reading.

The motion was adopted.

Delegate James moved to reconsider the vote by which the Committee Amendments were passed.

The motion was adopted.

Delegate James moved to withdraw Committee Amendments #124468/1.

The motion was adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 796 – ~~Senator Madaleno~~ Senators Madaleno, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Human Services – Interagency Council on Homelessness**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1084)

The Bill was then returned to the Senate.

**Senate Bill 879 – Senator Kelley**

AN ACT concerning

**State Personnel – Disciplinary Appeal and Grievance Procedure Documents – Electronic Transmission**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1085)

The Bill was then returned to the Senate.

**Senate Bill 939 – Senator Shank**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Leave of Absence –  
Extension of Purchase Period**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1086)

The Bill was then returned to the Senate.

**Senate Bill 1082 – ~~Senator Madaleno~~ Senators Madaleno, Jones-Rodwell,  
Manno, and Raskin**

AN ACT concerning

**State Reformed Contributory Employees' and Teachers' Pension Systems –  
Prior Eligibility Service**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1087)

The Bill was then returned to the Senate.

**Senate Bill 1104 – ~~Senators Middleton and Ramirez~~, Ramirez, Astle, Feldman,  
Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**University of Maryland Medical System Corporation – Governance – Medical  
Center Employees**

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

Affirmative – 97    Negative – 41    (See Roll Call No. 1088)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #33****Senate Bill 495 – Calvert County Senators**



AN ACT concerning

**Calvert County – Alcoholic Beverages – Premises Inspections and Penalties**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1089)

The Bill was then returned to the Senate.

**Senate Bill 977 – Senator Feldman**

AN ACT concerning

**Property and Casualty Insurance – Notices – Use of First-Class Mail  
Tracking Methods**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1090)

The Bill was then returned to the Senate.

**Senate Bill 999 – Senator Pugh**

AN ACT concerning

**Insurance – Reinsurance – Certification of Reinsurers**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1091)

The Bill was then returned to the Senate.

**Senate Bill 1091 – ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Astle,  
Feldman, Glassman, Kelley, Kittleman, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Financial Institutions – ~~Transitional~~ Registered Mortgage Loan Originator  
Originators – Expedited Licenses**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1092)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #34**

**Senate Bill 6 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Preventive Maintenance Program – Preventive Maintenance  
Technician**

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

Affirmative – 114    Negative – 24    (See Roll Call No. 1093)

The Bill was then returned to the Senate.

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

AN ACT concerning

**Motor Vehicles – Weight and Axle Load Limits**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1094)

The Bill was then returned to the Senate.

**Senate Bill 76 – Senator Colburn**

AN ACT concerning

**Dorchester County Sanitary Commission – Enforcement of Liens – Tax Sale  
Authorization**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1095)

The Bill was then returned to the Senate.

**Senate Bill 77 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Commercial and Farm Vehicles – Safety Inspections and Utility Emergencies**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1096)

The Bill was then returned to the Senate.

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

**EMERGENCY BILL**

AN ACT concerning

**Vehicle Laws – Size, Weight, and Axle Load Limits**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1097)

The Bill was then returned to the Senate.

**Senate Bill 378 – Senator Conway**

AN ACT concerning

**Vehicle Laws – Electric Bicycle – Definition**

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

Affirmative – 139    Negative – 0    (See Roll Call No. 1098)

The Bill was then returned to the Senate.

**Senate Bill 471 – Senator Edwards**

AN ACT concerning

**Sideling Hill and Sideling Hill Wildlife Management Area Washington County – Off-Road and Off-Highway Recreational Vehicles Vehicle Trails – Prohibition of Establishment on Sideling Hill**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1099)

The Bill was then returned to the Senate.

### **THE COMMITTEE ON ECONOMIC MATTERS REPORT #24**

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

#### **Senate Bill 341 – Calvert County Senators**

AN ACT concerning

#### **Calvert County and St. Mary’s County – Alcoholic Beverages – Refillable Container Permit**

**SB0341/873992/1**

BY: Economic Matters Committee

#### AMENDMENT TO SENATE BILL 341

(Third Reading File Bill)

On page 1, in lines 2, 4, and 16 and 17, in each instance, strike “and St. Mary’s County”; strike beginning with “boards” in line 5 down through “counties” in line 6 and substitute “Board of License Commissioners”; in lines 7 and 15, in each instance, strike “boards” and substitute “Board”; and in line 20, strike “and 8–219.1”.

On pages 3 through 5, strike in their entirety the lines beginning with line 30 on page 3 through line 24 on page 5, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

#### **Senate Bill 382 – Senator Conway**

AN ACT concerning

**Business Regulation – Automated Purchasing Machines – Licensing of  
Buyers and Required Records**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 521 – Senators Pinsky, Hershey, Mathias, ~~and Middleton~~  
Middleton, Montgomery, ~~and Simonaire~~ Simonaire, and Colburn**

AN ACT concerning

~~Agriculture – Poultry Litter –~~ Poultry Litter ~~Energy–Generating Cooperative~~  
**Program**

**SB0521/803098/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 521

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike lines 2 and 3 in their entirety and substitute “Energy–Generating Cooperative Advisory Committee”.

On pages 1 and 2, strike beginning with “establishing” in line 4 on page 1 down through “Assembly;” in line 31 on page 2 and substitute “establishing the Energy–Generating Cooperative Advisory Committee; providing for the membership, staffing, duties, meetings, and structure of the Committee; prohibiting members of the Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses; specifying the duties of the Committee; requiring the Committee to make a certain report to the General Assembly on or before a certain date; providing for the construction of this Act; providing for the termination of this Act;”; and in line 31, strike “poultry litter”.

On page 2, strike in their entirety lines 39 through 43, inclusive.

On page 3, strike in their entirety lines 5 through 20, inclusive.

AMENDMENT NO. 2

On page 3, in line 22, strike “the Laws of Maryland read as follows”; and after line 22, insert:

- “(a) There is an Energy–Generating Cooperative Advisory Committee.
- (b) The Committee 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 Secretary of Agriculture, or the Secretary’s designee;
  - (4) The Director of the Maryland Energy Administration, or the Director’s designee;
  - (5) The Chair of the Public Service Commission, or the Chair’s designee;
  - (6) The Executive Director of the Maryland Clean Energy Center, or the Executive Director’s designee; and
  - (7) The following members appointed by the Governor:
    - (i) One representative of the electric utility industry;
    - (ii) One representative of the electric cooperative industry;
    - (iii) One representative of the poultry industry;
    - (iv) One poultry farmer; and
    - (v) One representative of the environmental community.

(c) The Secretary of Agriculture, or the Secretary's designee, and the Director of the Maryland Energy Administration, or the Director's designee, shall cochair the Committee.

(d) The State units represented on the Committee shall provide staff for the Committee.

(e) A member of the Committee:

(1) May not receive compensation as a member of the Committee; but

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

(f) The Committee shall evaluate:

(1) The most efficient, cost-effective, and environmentally sound methods for utilizing poultry litter;

(2) Whether anaerobic decomposition of poultry litter is an appropriate method to reduce the State's nutrient load to the Chesapeake Bay;

(3) The potential for reduced air emissions from anaerobic decomposition of poultry litter;

(4) Funding sources for poultry litter energy-generating cooperatives, including the Strategic Energy Investment Fund, manure transport programs, and other available funding;

(5) A tariff structure that is appropriate for poultry litter energy-generating cooperatives, that will avoid costs to and subsidies from customers of an electric company, and that will ensure that an electric company receives full and timely recovery of prudently incurred costs, while encouraging poultry litter energy-generating cooperatives, by considering:

(i) Ancillary services and volt-ampere reactive support;

(ii) Reduced land costs;

(iii) Demand charge management;

(iv) Electric service reliability;

(v) The value of renewable energy credits associated with energy generation from poultry litter and the relationship between that value and any subsidization, regional electricity pricing mechanisms, and other aspects of the tariff structure; and

(vi) The relationship of various aspects of the tariff structure and the energy-generating cooperative structure to the costs of distribution and generation to the energy-generating cooperative, other generators, transmission companies, distribution utilities, and electric rate payers;

(6) A tariff structure and related regulatory structure designed to operate the energy-generating cooperative at least cost;

(7) Whether an energy-generating cooperative and its cooperative members should be compensated or assessed costs;

(8) The size and number of energy-generating cooperatives that the State can support; and

(9) Any other issue that the Committee determines is necessary.

(g) On or before December 31, 2015, the Committee shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(1) A tariff structure that encourages poultry litter energy-generating cooperatives and allows an electric company to recover prudently incurred costs;

(2) An appropriate regulatory structure that provides necessary oversight while allowing the energy-generating cooperative to be operated at least cost;

(3) Whether an energy-generating cooperative and its cooperative members should be compensated or assessed costs;



(4) The size and number of energy-generating cooperatives that the State can support;

(5) The most efficient, cost-effective, and environmentally sound methods for utilizing poultry litter; and

(6) Other matters the Committee considers necessary or advisable to bring to the attention of the General Assembly.”.

On pages 3 through 16, strike in their entirety the lines beginning with line 23 on page 3 through line 2 on page 16, inclusive.

AMENDMENT NO. 3

On page 16, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to apply to, to interfere with, or to affect in any way any project or application that may involve the use of poultry litter for energy generation that may be undertaken under Maryland law in effect as of the effective date of this Act.”;

and in line 4, after “June 1, 2014.” insert “It shall remain effective for a period of 2 years and, at the end of May 31, 2016, 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 889 – Senators Jennings and Glassman**

AN ACT concerning

**Northeastern Maryland Additive Manufacturing Innovation Authority**

**SB0889/523891/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 889  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “Authority;” insert “specifying a certain legislative intent;”.

AMENDMENT NO. 2

On page 12, in line 1, strike “SUBJECT TO” and substitute “IN ACCORDANCE WITH”; in line 5, after “(II)” insert “1.”; in the same line, strike “THE STATE ALLOCATION” and substitute “ANY APPROPRIATION IN A FISCAL YEAR”; in line 6, strike “IS” and substitute “SHALL BE”; in line 7, after “AUTHORITY” insert “DURING THE SAME FISCAL YEAR.”

2. IN DETERMINING THE AMOUNT OF AN APPROPRIATION IN A FISCAL YEAR, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE APPROPRIATION”;

in the same line, strike “AND”; in line 8, after “AMOUNT” insert “COMMITTED TO BE”; in the same line, strike the second “THE” and substitute “CECIL AND HARFORD”; and in line 9, after “COUNTIES” insert “IN THE SAME FISCAL YEAR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 985 – Senator Frosh**

AN ACT concerning

**Maryland Clean Energy Center – Green Banks and Clean Bank Financing  
~~and Risk Management Program – Study~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 1079 – Senator Mathias**

AN ACT concerning

**Worcester County – Alcoholic Beverages Licenses – ~~Town of Berlin~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1100)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #35**

**Senate Bill 520 – Senator Robey**

AN ACT concerning

**Vehicle Laws – Bicycles and Motor Scooters – Operation on Roadways**

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

Affirmative – 135    Negative – 2    (See Roll Call No. 1101)

The Bill was then returned to the Senate.

**Senate Bill 617 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Sheriff – Salary**

Delegate Gutierrez moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

**Senate Bill 678 – Senator Conway**

AN ACT concerning

**Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and  
Oil Contaminated Site Environmental Cleanup Fund**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1102)

The Bill was then returned to the Senate.

**Senate Bill 781 – Senators Montgomery, Feldman, Jones-Rodwell, Madaleno,  
Pugh, Stone, and Young**

AN ACT concerning

**Environment – Recycling – ~~Public and Commercial Buildings,~~ Special Events,  
~~and Single Family Residences~~**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1103)

The Bill was then returned to the Senate.

**Senate Bill 813 – Senators Raskin, Forehand, Montgomery, Stone, Young, and  
Zirkin**

AN ACT concerning

**Motor Vehicle Administration – Drivers' Licenses and Identification Cards –  
Organ Donor Designation**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1104)

The Bill was then returned to the Senate.

**Senate Bill 901 – Senator Hershey**

AN ACT concerning

**Kent County and Queen Anne’s County – School Buses – Length of Operation**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1105)

The Bill was then returned to the Senate.

**Senate Bill 936 – Cecil County Senators**

AN ACT concerning

**Cecil County – ~~Salary of the Sheriff~~ and Orphans’ Court Judges – Salary**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1106)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #36**

**Senate Bill 314 – Senators Pugh, Gladden, Kelley, Madaleno, Middleton, Montgomery, and Young**

AN ACT concerning

**Health Occupations – State Board of Physicians – Naturopathic ~~Medicine~~  
Doctors**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1107)

The Bill was then returned to the Senate.

**Senate Bill 449 – Senators ~~Young and Mathias~~, Mathias, and Simonaire**

AN ACT concerning

**State Government – Administrative Procedure Act – Effective Date of  
Adopted Regulations**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1108)

The Bill was then returned to the Senate.

**Senate Bill 586 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments –  
Unannounced Inspections**

FLOOR AMENDMENT

**SB0586/536988/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 586, AS AMENDED

On page 1 of the Health and Government Operations Committee Amendments (SB0586/496783/1), in line 6 of Amendment No. 2, after “ESTABLISHMENT” insert “ONLY IF THE BOARD HAS PROVIDED A COPY OF THE COMPLAINT TO THE LICENSED FUNERAL ESTABLISHMENT”.

The preceding amendment was read and adopted.

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

Affirmative – 106 Negative – 31 (See Roll Call No. 1109)

The Bill was then returned to the Senate.

**Senate Bill 592 – ~~Senator Jones-Rodwell~~ Senators Jones-Rodwell, Conway, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

~~Department of Health and Mental Hygiene – Community Health Workers –  
Certification and Reimbursement~~  
**Workgroup on Workforce Development for Community Health Workers**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1110)

The Bill was then returned to the Senate.

**Senate Bill 694 – Senators Klausmeier, Colburn, Currie, Feldman, King, Kittleman, Mathias, Middleton, Robey, and Young**

AN ACT concerning

**Health Occupations – Maryland Behavior Analysts Act**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1111)

The Bill was then returned to the Senate.

**Senate Bill 790 – ~~Senator Kelley~~ Senators Kelley, Astle, Feldman, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – Communications Between Carriers and Enrollees –  
Conformity With the Health Insurance Portability and Accountability Act  
(HIPAA)**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1112)

The Bill was then returned to the Senate.

**Senate Bill 874 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Feldman, Glassman, Kelley, Kittleman, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Health Insurance – Specialty Drugs**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1113)

The Bill was then returned to the Senate.

**Senate Bill 884 – Senators Pugh, Feldman, Klausmeier, and Mathias**

AN ACT concerning

**Health Insurance – Incentives for Health Care Practitioners**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1114)

The Bill was then returned to the Senate.

**Senate Bill 891 – ~~Senator Middleton~~ Senators Middleton, Kittleman, and Pugh**

AN ACT concerning

**Maryland Health Care Commission – Authority of Acute Care Hospitals to Provide Cardiac Surgery Services – Voluntary Relinquishment – Regulations**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1115)

The Bill was then returned to the Senate.

**Senate Bill 952 – Senator Astle**

AN ACT concerning

**Pharmacy Benefits Managers – Pharmacy Contracts – ~~Payments~~ Maximum Allowable Cost Pricing**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1116)

The Bill was then returned to the Senate.

**Senate Bill 1040 – Senator Middleton**

AN ACT concerning

**Maryland Community Health Resources Commission – Sunset Extension**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1117)



The Bill was then returned to the Senate.

**Senate Bill 1108 – Senators Conway and Dyson**

AN ACT concerning

**Sterile Compounding Permits – Exemptions – Definition of “Compounding”  
and Exemption for Sterile Compounding Facilities That Compound Only for  
Immediate Use**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1118)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #37**

**Senate Bill 282 – Senator Hershey**

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Program – Kent County**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1119)

The Bill was then returned to the Senate.

**Senate Bill 299 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Maryland Tort Claims Act – Human Services Torts**

Delegate McDonough moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

**Senate Bill 364 – Senators Zirkin and Kittleman**

AN ACT concerning

**Criminal Law – Possession of Marijuana – Civil Offense**

## FLOOR AMENDMENT

**SB0364/463225/1**

BY: Delegates Mitchell and Oaks

AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

Strike in their entirety the House Judiciary Committee Amendments (SB0364/692914/1).

AMENDMENT NO. 2

On page 2 of the bill, in line 3, after “changes;” insert “providing for a delayed effective date;”.

On page 11 of the bill, in line 5, strike “October 1, 2014” and substitute “January 1, 2015”.

The preceding 2 amendments were read only.

Delegate Vallario moved to make the Bill and Amendments a Special Order for Saturday.

The motion was adopted.

**Senate Bill 803 – Senator Raskin**

AN ACT concerning

**Courts and Judicial Proceedings – Communications Between Patient or Client and Health Care Professional – Exceptions to Privilege**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1120)

The Bill was then returned to the Senate.

**Senate Bill 818 – ~~Senator Forehand~~ Senators Forehand, Jacobs, and Muse  
Muse, and Kittleman**

AN ACT concerning

**State Government – Human Trafficking Address Confidentiality Program**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1121)

The Bill was then returned to the Senate.

**Senate Bill 830 – Senator Forehand**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse  
Victims**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1122)

The Bill was then returned to the Senate.

**Senate Bill 922 – Senator Stone**

AN ACT concerning

**Crime Victim and Crime Victim’s Representative – Electronic Notification**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1123)

The Bill was then returned to the Senate.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#23**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**Senate Bill 259 – Senator Middleton**

AN ACT concerning

**Agriculture – Easements – Renewable Energy Generation Facilities**

The Bill was re-referred to the Committee on Environmental Matters.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**House Bill 1186 – Delegates Anderson, Carter, Cluster, Dumais, McDermott, Smigiel, Swain, and Vallario**

AN ACT concerning

**Criminal Procedure – Pretrial Release – Setting of Bond – Personal Recognizance**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1186/803320/1**

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 1186, AS AMENDED

On page 4 of the House Judiciary Committee Amendments (HB1186/672315/4), in line 6 of Amendment No. 3, after “**ARTICLE;**” insert “**OR**”; and strike beginning with “**OR**” in line 8 down through “**SUMMONS**” in line 11.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 53    Negative – 81    (See Roll Call No. 1124)

FLOOR AMENDMENT

**HB1186/803322/1**

BY: Delegate Schulz

AMENDMENT TO HOUSE BILL 1186, AS AMENDED

On page 4 of the House Judiciary Committee Amendments (HB1186/672315/4), in line 8 of Amendment No. 3, after “SUBSTANCE” insert “, EXCEPT FOR POSSESSING OR ADMINISTERING COCAINE OR HEROIN”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 59    Negative – 76    (See Roll Call No. 1125)

Read the second time and ordered prepared for Third Reading.

**House Bill 1198 – Delegates Braveboy, Bates, Carr, Frush, Hixson, Ivey, Kach, A. Kelly, McMillan, A. Miller, W. Miller, Mizeur, B. Robinson, Schulz, Valderrama, Vaughn, and A. Washington**

AN ACT concerning

**Education – Due Process Hearings for Children With Disabilities – Burden of Proof**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1198/243423/1**

BY: Delegate Braveboy

AMENDMENTS TO HOUSE BILL 1198, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB1198/305367/1), in line 4 of Amendment No. 1, strike “intent” and substitute “goal”.

AMENDMENT NO. 2

On page 2 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 2, strike “INTENT” and substitute “GOAL”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 548 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine  
and Liquor ~~License~~ Permit**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**SB0548/713594/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 548, AS AMENDED

In the Economic Matters Committee Amendments (SB0548/543492/1), in line 3 of Amendment No. 2, strike “**\$1,000**” and substitute “**\$100**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**SB0548/223022/1**

BY: Delegate O'Donnell

AMENDMENT TO SENATE BILL 548, AS AMENDED

In the Economic Matters Committee Amendments (SB0548/543492/1), in line 1 of Amendment No. 2, strike “**1,000**” and substitute “**750**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 617 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Sheriff – Salary**

STATUS OF BILL: BILL ON THIRD READING.

FLOOR AMENDMENT

**SB0617/703227/1**

BY: Delegate Gutierrez

AMENDMENTS TO SENATE BILL 617

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “changes;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “2014” and substitute “2015”.

The preceding 2 amendments were read and rejected.

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

Affirmative – 119    Negative – 12    (See Roll Call No. 1126)

The Bill was then returned to the Senate.

**Senate Bill 299 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Maryland Tort Claims Act – Human Services Torts**

STATUS OF BILL: BILL ON THIRD READING.

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

Affirmative – 128    Negative – 2    (See Roll Call No. 1127)

The Bill was then returned to the Senate.

**THE COMMITTEE ON ECONOMIC MATTERS REPORT #25**

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1076 – Delegates Conway, Arentz, Cane, Eckardt,  
Haddaway–Riccio, Otto, Proctor, Rudolph, and Smigiel

AN ACT concerning

**Agriculture – Poultry Litter – Energy–Generating Cooperative Program**

**HB1076/313890/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1076

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Energy–Generating Cooperative Advisory Committee”.

On page 1, strike beginning with “establishing” in line 3 down through “Act;” in line 14; strike beginning with “requiring” in line 18 down through “subcommittee;” in line 21 and substitute “specifying the duties of the Committee;”; strike beginning with the first “Department” in line 22 down through “the” in line 27; and in line 27, after “Assembly” insert “on or before a certain date; providing for the construction of this Act; providing for the termination of this Act”.

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 through line 31 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 33, strike “the Laws of Maryland read as follows”; and after line 33, insert:

“(a) There is an Energy–Generating Cooperative Advisory Committee.

(b) The Committee 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 Secretary of Agriculture, or the Secretary's designee;
  - (4) The Director of the Maryland Energy Administration, or the Director's designee;
  - (5) The Chair of the Public Service Commission, or the Chair's designee;
  - (6) The Executive Director of the Maryland Clean Energy Center, or the Executive Director's designee; and
  - (7) The following members appointed by the Governor:
    - (i) One representative of the electric utility industry;
    - (ii) One representative of the electric cooperative industry;
    - (iii) One representative of the poultry industry;
    - (iv) One poultry farmer; and
    - (v) One representative of the environmental community.
- (c) The Secretary of Agriculture, or the Secretary's designee, and the Director of the Maryland Energy Administration, or the Director's designee, shall cochair the Committee.
- (d) The State units represented on the Committee shall provide staff for the Committee.
- (e) A member of the Committee:
- (1) May not receive compensation as a member of the Committee; but
  - (2) Is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (f) The Committee shall evaluate:

(1) The most efficient, cost-effective, and environmentally sound methods for utilizing poultry litter;

(2) Whether anaerobic decomposition of poultry litter is an appropriate method to reduce the State's nutrient load to the Chesapeake Bay;

(3) The potential for reduced air emissions from anaerobic decomposition of poultry litter;

(4) Funding sources for poultry litter energy-generating cooperatives, including the Strategic Energy Investment Fund, manure transport programs, and other available funding;

(5) A tariff structure that is appropriate for poultry litter energy-generating cooperatives, that will avoid costs to and subsidies from customers of an electric company, and that will ensure that an electric company receives full and timely recovery of prudently incurred costs, while encouraging poultry litter energy-generating cooperatives, by considering:

(i) Ancillary services and volt-ampere reactive support;

(ii) Reduced land costs;

(iii) Demand charge management;

(iv) Electric service reliability;

(v) The value of renewable energy credits associated with energy generation from poultry litter and the relationship between that value and any subsidization, regional electricity pricing mechanisms, and other aspects of the tariff structure; and

(vi) The relationship of various aspects of the tariff structure and the energy-generating cooperative structure to the costs of distribution and generation to the energy-generating cooperative, other generators, transmission companies, distribution utilities, and electric rate payers;

(6) A tariff structure and related regulatory structure designed to operate the energy-generating cooperative at least cost;

(7) Whether an energy-generating cooperative and its cooperative members should be compensated or assessed costs;

(8) The size and number of energy-generating cooperatives that the State can support; and

(9) Any other issue that the Committee determines is necessary.

(g) On or before December 31, 2015, the Committee shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(1) A tariff structure that encourages poultry litter energy-generating cooperatives and allows an electric company to recover prudently incurred costs;

(2) An appropriate regulatory structure that provides necessary oversight while allowing the energy-generating cooperative to be operated at least cost;

(3) Whether an energy-generating cooperative and its cooperative members should be compensated or assessed costs;

(4) The size and number of energy-generating cooperatives that the State can support;

(5) The most efficient, cost-effective, and environmentally sound methods for utilizing poultry litter; and

(6) Other matters the Committee considers necessary or advisable to bring to the attention of the General Assembly.”.

On pages 2 through 9, strike in their entirety the lines beginning with line 34 on page 2 through line 18 on page 9, inclusive.

### AMENDMENT NO. 3

On page 9, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to apply to, to interfere with, or to affect in any way any project or application that may involve the use of poultry litter for energy generation that may be undertaken under Maryland law in effect as of the effective date of this Act.”;

in line 19, strike “2.” and substitute “3.”; and in line 20, after “2014.” insert “It shall remain effective for a period of 2 years and, at the end of May 31, 2016, 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.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0101**

**SPONSOR: Del Kipke**

**SUBJECT: Dental Hygienists – Nitrous Oxide – Repeal of Termination Date**

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 Kipke, Chair

Delegate Oaks

Delegate Pendergrass

The Senate appoints:

Senator Montgomery, Chairman

Senator Dyson

Senator Reilly.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0947**  
SPONSOR: Del Stein  
SUBJECT: Public Safety – Building Codes – Balcony Railing Inspections (Jonathan’s Law)

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 Stein, Chair  
Delegate Holmes  
Delegate Fraser–Hidalgo

The Senate appoints:  
Senator Young, Chairman  
Senator Benson  
Senator Ferguson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**AMENDED IN THE SENATE**

**House Bill 1164 – Delegates Luedtke, Barkley, Barnes, Cullison, Fraser–Hidalgo, Harper, Haynes, Hixson, Kaiser, Lafferty, Lee, Morhaim, Oaks, Olszewski, S. Robinson, ~~and Zucker~~ Zucker, A. Miller, Walker, and A. Washington**

EMERGENCY BILL

AN ACT concerning

~~Common Core State~~ **Maryland College and Career-Ready Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup**

Delegate Hixson moved that the House not concur in the Senate amendments.

**HB1164/774133/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1164  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, after line 31, insert:

“(x) one representative of charter schools;”.

On page 3, in lines 1, 3, and 5, strike “(x)”, “(xi)”, and “(xii)”, respectively, and substitute “(xi)”, “(xii)”, and “(xiii)”, respectively.

AMENDMENT NO. 3

On page 5, in line 32, strike “shall take effect June 1, 2014” and substitute “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 3 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 1164**

**SPONSOR:** Del Luedtke, et al

**SUBJECT:** Md College and Career-Ready Stds and Partnshp for Asmt of Rd for Colege and Cars (PARCC) Impl Rev Wk

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 A. Washington, Chairman  
Delegate Serafini, and  
Delegate Kaiser.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0390**

**SPONSOR:** Balt City Sens (BCA)

**SUBJECT:** Criminal Law – Illegal Dumping and Litter Control Law – Driver’s License – Points

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 Muse  
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0390**

**SPONSOR:** Balt City Sens (BCA)

**SUBJECT:** Criminal Law – Illegal Dumping and Litter Control Law – Driver's License – Points

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 Muse

Senator Shank

The House appoints:

Delegate Carter, Chairman

Delegate Clippinger, and

Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.

### CONCURRENCE CALENDAR #7

### AMENDED IN THE SENATE

**House Bill 150 – Delegate Reznik**

AN ACT concerning



**Health Occupations – Maryland Behavior Analysts Act**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0150/254836/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 150

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 in lines 5, 6, 7, 12, 17, 18, 20, and 23, and on page 2 in line 15, in each instance, strike “Committee” and substitute “Board”.

AMENDMENT NO. 2

On page 3 in lines 19 and 22, on page 4 in lines 21 and 27, on page 8 in line 22, on page 9 in lines 12, 14, 15, 22, 23, 24, and 25, on page 10 in lines 1, 3, 4, 9, 13, 14, and 23, on page 11 in lines 11, 15, 20, 26, 27, and 28, on page 12 in lines 2, 5, 6, 9, 12, 13, 15, 17, 18, 25, 26, and 29, on page 13 in lines 3, 5, 7, 15, and 20, and on page 14 in lines 14 and 29, in each instance, strike “COMMITTEE” and substitute “BOARD”.

On page 5, in line 18, strike “SEPTEMBER 30” and substitute “DECEMBER 31”; and in line 24, strike “OCTOBER 1, 2014” and substitute “JANUARY 1, 2015”.

On page 7, strike beginning with “, FOR” in line 27 down through “BOARD,” in line 28.

On page 8, strike beginning with “, FOR” in line 1 down through “BOARD,” in line 2; strike beginning with “, FOR” in line 4 down through “BOARD,” in line 5; and in line 21, strike “ON OR BEFORE”.

On page 9, in line 18, strike “30” and substitute “31”.

On page 19, in line 28, strike “BOARD” and substitute “COMMITTEE”.

On page 21, in line 16, strike “(1)”; and strike in their entirety lines 20 through 22, 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 – 126    Negative – 0    (See Roll Call No. 1128)

**AMENDED IN THE SENATE**

**House Bill 589 – Delegates Pena–Melnyk, Costa, Cullison, Hubbard, Morhaim, Nathan–Pulliam, and V. Turner**

AN ACT concerning

**Governor’s Office of Crime Control and Prevention – ~~State Corrections~~  
Juvenile Charged as Adult Population Forecast and Juvenile Population  
Statistics**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0589/664532/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 589

(Third Reading File Bill)

On page 3, strike in its entirety line 2; and in lines 3, 4, 5, 6, 8, 10, 11, 12, and 13, strike “(viii)”, “(ix)”, “(x)”, “(xi)”, “(xii)”, “(xiii)”, “(xiv)”, “(xv)”, and “(xvi)”, respectively, and substitute “(vii)”, “(viii)”, “(ix)”, “(x)”, “(xi)”, “(xii)”, “(xiii)”, “(xiv)”, and “(xv)”, respectively.

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 – 129    Negative – 0    (See Roll Call No. 1129)

**AMENDED IN THE SENATE**

**House Bill 593 – Delegates Krebs, Costa, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**Morticians and Funeral Directors – Pre-Need Contracts**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0593/824338/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 593  
(Third Reading File Bill)

On page 5, in line 2, strike “ITEMS” and substitute “PARAGRAPH”.

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 – 131    Negative – 0    (See Roll Call No. 1130)

**AMENDED IN THE SENATE**

**House Bill 1031 – Delegates Anderson, Cullison, and Pena–Melnyk**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments –  
Unannounced Inspections**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1031/204433/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1031  
(Third Reading File Bill)

On page 2, in line 29, after “ESTABLISHMENT” insert “ONLY IF THE BOARD HAS PROVIDED A COPY OF THE COMPLAINT TO THE LICENSED FUNERAL ESTABLISHMENT”.

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 – 105    Negative – 27    (See Roll Call No. 1131)

### AMENDED IN THE SENATE

**House Bill 1042 – Delegates Anderson, Cullison, and Pena–Melnyk**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments  
Owned by a Single Owner – Pre–Need Trustee Licenses and Public  
Notification of Death**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1042/794937/1**

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 1042 (Third Reading File Bill)

On page 3, in line 10, strike “and”.

On page 6, in line 1, strike “HAVE” and substitute “HAS”.

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 – 135    Negative – 0    (See Roll Call No. 1132)

AMENDED IN THE SENATE

House Bill 1456 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Board of Review – Jurisdiction

Delegate Hammen moved that the House concur in the Senate amendments.

HB1456/397876/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1456

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “date;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 15, after line 22, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to decisions of the Secretary of Health and Mental Hygiene issued on or after the effective date of this Act.”;

and in line 23, strike “3.” and substitute “4.”.

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 – 134    Negative – 0    (See Roll Call No. 1133)

AMENDED IN THE SENATE

House Bill 883 – Delegates A. Miller, Arora, Barkley, Barve, Bobo, Boteler, Carr, Cullison, Dumais, Fraser-Hidalgo, Frick, George, Gutierrez,

Guzzone, Hucker, A. Kelly, McMillan, Pena–Melnyk, S. Robinson,  
F. Turner, ~~and A. Washington~~ A. Washington, and Cardin

AN ACT concerning

~~Task Force to~~ Department of Health and Mental Hygiene – Study of Safe and  
Healthy School Hours for Maryland Public Schools

Delegate Hixson moved that the House concur in the Senate amendments.

**HB0883/584337/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 883

(Third Reading File Bill)

On page 3, in line 26, strike “boards of education” and substitute “Association of  
Boards of Education”;

(iii) the Public School Superintendents Association of Maryland”;

in lines 27, 28, and 29, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(iv)”,  
“(v)”, and “(vi)”, respectively.

On page 4, after line 2, insert:

“(viii) the School Psychologists Association”;

and in lines 1, 3, 4, 6, 8, 9, 10, 11, 12, 13, and 15, strike “(vi)”, “(vii)”, “(viii)”, “(ix)”,  
“(x)”, “(xi)”, “(xii)”, “(xiii)”, “(xiv)”, “(xv)”, and “(xvi)”, respectively, and substitute “(vii)”,  
“(ix)”, “(x)”, “(xi)”, “(xii)”, “(xiii)”, “(xiv)”, “(xv)”, “(xvi)”, “(xvii)”, and “(xviii)”,  
respectively.

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 – 136    Negative – 0    (See Roll Call No. 1134)

## AMENDED IN THE SENATE

**House Bill 1215 – Delegates Bohanan, Barve, Healey, Hixson, Jameson,  
Kaiser, Murphy, and Wilson**

AN ACT concerning

**Higher Education – 2+2 Transfer Scholarship**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1215/254436/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1215

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike the comma; and in line 14, after “10–101(c)” insert “and (m)”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(m) “Public senior higher education institution” means:

(1) The constituent institutions of the University System of Maryland and the University of Maryland Center for Environmental Science;

(2) Morgan State University; and

(3) St. Mary’s College of Maryland.”

On page 3, in lines 28 and 29, strike “4–year public or private nonprofit institution of higher education” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”.

On page 4, in lines 10 and 11, strike “4–year public or private nonprofit institution of higher education” and substitute “PUBLIC SENIOR HIGHER”.

EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”; in lines 13 and 14, strike “4–year public or private nonprofit institution of higher education” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”; and in line 17, strike “that 4–year institution” and substitute “A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE”.

On page 5, in line 6, strike “4–YEAR PUBLIC” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION”; in the same line, after “OR” insert “A”; in lines 17 and 18, strike “4–year public or private nonprofit institution of higher education” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”; and in lines 20 and 21, strike “4–year public or private nonprofit institution of higher education” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”.

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 – 136    Negative – 0    (See Roll Call No. 1135)

### AMENDED IN THE SENATE

**House Bill 1366 – Delegates Cardin, Howard, Gutierrez, Aumann, and Frush**

AN ACT concerning

**Public Schools – Cardiopulmonary Resuscitation ~~and Automated External~~  
~~Defibrillator~~ Instruction – ~~Graduation~~ Requirement  
 (Breanna’s Law)**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1366/404437/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1366



(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Resuscitation” insert “and Automated External Defibrillator”; strike line 3 in its entirety and substitute “Instruction”; in line 5, after “of” insert “requiring a public school student to complete, as part of certain curricula, instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator beginning with students entering a certain grade in a certain year.”; in line 9, after “provide” insert “, as part of certain curricula.”; in the same line, after “resuscitation” insert “that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator”; strike beginning with “providing” in line 13 down through “certification” in line 14 and substitute “requiring, if the instruction is offered for certification, a certain individual to conduct the instruction”; in line 15, before “a” insert “, if the instruction is not offered for certification.”; in line 18, after “resuscitation” insert “and the use of an automated external defibrillator”; and in line 20, strike “for certain public school students”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

**“(B) BEGINNING WITH STUDENTS ENTERING GRADE 9 IN THE 2015–2016 SCHOOL YEAR, A STUDENT SHALL COMPLETE, AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM, INSTRUCTION IN CARDIOPULMONARY RESUSCITATION THAT INCLUDES HANDS-ONLY CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.”**;

in line 17, strike “**(B)**” and substitute “**(C)**”; in line 18, after “**PROVIDE**” insert “**, AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM,**”; in the same line, after “**RESUSCITATION**” insert “**THAT INCLUDES HANDS-ONLY CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR**”; in line 20, strike “**7**” and substitute “**9**”; in line 22, strike “**(C)**” and substitute “**(D)**”; in line 23, strike “**SUBSECTION (B)**” and substitute “**SUBSECTIONS (B) AND (C)**”; and in line 30, after “**RESUSCITATION**” insert “**AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR**”.

AMENDMENT NO. 3

On page 3, in line 2, after “RESUSCITATION” insert “AND TO USE AN AUTOMATED EXTERNAL DEFIBRILLATOR”; after line 3, insert:

“(E) (1) IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION IS OFFERED FOR CERTIFICATION, THE COURSE MUST BE CONDUCTED BY AN INDIVIDUAL WHO IS CERTIFIED BY THE AMERICAN HEART ASSOCIATION, THE AMERICAN RED CROSS, OR A SIMILAR NATIONALLY RECOGNIZED ENTITY AS AN INSTRUCTOR OF CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.”;

strike in their entirety lines 10 and 11; in line 12, strike “A” and substitute “IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION IS NOT OFFERED FOR CERTIFICATION, A”; in line 13, strike “LICENSED”; in line 15, after “RESUSCITATION” insert “AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR”; and in line 17, strike “(E)” and substitute “(F)”.

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 – 136    Negative – 0    (See Roll Call No. 1136)

### AMENDED IN THE SENATE

**House Bill 1388 – ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk, Cardin, Howard, Ivey, Kaiser, A. Miller, Stukes, Summers, and F. Turner**

AN ACT concerning

### State Department of Education – Assessment Report for Broadband Capabilities in Public Schools

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1388/564939/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1388

(Third Reading File Bill)

On page 1, in line 16, strike “speed” and substitute “throughput”; and in the same line, strike “gigabyte” and substitute “gigabit”.

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 – 135    Negative – 0    (See Roll Call No. 1137)

**AMENDED IN THE SENATE**

**House Bill 1415 – ~~Montgomery County Delegation~~ Delegates Kaiser, Carr, Cullison, Fraser-Hidalgo, Frick, Luedtke, Ivey, Cardin, and Mizeur**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Chief Executive Officer or County Executive – Special Election to Fill a  
Vacancy in Office  
~~MC 23-14~~**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1415/204630/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO HOUSE BILL 1415**

(Third Reading File Bill)

On page 3, in line 6, after “Council” insert “**OR IN THE CHIEF EXECUTIVE OFFICER**”.

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 – 129    Negative – 6    (See Roll Call No. 1138)

## AMENDED IN THE SENATE

House Bill 1453 – ~~Delegates Jones, Burns, DeBoy, and Nathan Pulliam~~  
Baltimore County Delegation and Delegate Cardin

AN ACT concerning

~~Education – Baltimore County School Board Nominating Commission~~  
Baltimore County – Board of Education – Selection of Members

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1453/604232/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1453

(Third Reading File Bill)

On page 8, in lines 26 and 27, strike “**BALTIMORE COUNTY PARENT TEACHER ASSOCIATION COUNCIL**” and substitute “**PTA COUNCIL OF BALTIMORE COUNTY, INC.**”.

On page 14, after line 22, insert:

“(a) The Baltimore County Board consists of 12 members who shall be appointed as follows:

(1) Four from the county at large;

(2) One from each of the seven councilmanic districts in Baltimore County; and

(3) One student member from the county at large.

(b) (1) The student member shall:

(i) Be an eleventh or twelfth grade student in the Baltimore County public school system;

(ii) Serve for 1 year; and

(iii) Advise the board on the thoughts and feelings of students.

(2) Unless invited to attend by an affirmative vote of a majority of the county board, the student member may not attend an executive session that relates to:

(i) Hearings on appeals of special education placements;

(ii) Hearings held under § 6–202(a) of this article; or

(iii) Collective bargaining.

(3) As provided in paragraph (4) of this subsection, the student member may vote on all matters except those relating to:

(i) § 6–202(a) of this article;

(ii) Collective bargaining;

(iii) Capital and operating budgets; and

(iv) School closings, reopenings, and boundaries.

(4) On a majority vote of the nonstudent members, the board may determine, on a case-by-case basis, whether a matter under consideration is covered by the exclusionary provisions listed in paragraph (3) of this subsection.

(c) A board member who does not maintain his residential qualification shall be replaced as a member.

(d) If the boundary line of a councilmanic district is changed, the term of an incumbent member of the county board who no longer resides in the councilmanic district because of the change is not affected during this term.].”

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 – 136    Negative – 0    (See Roll Call No. 1139)

**CONCURRENCE CALENDAR #8****AMENDED IN THE SENATE****House Bill 430 – Delegate Cardin**

AN ACT concerning

**Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0430/627272/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 430

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “circumstances;” insert “providing for the application of this Act;”; and in line 16, strike “11–1604” and substitute “11–1605”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

**“THIS SUBTITLE DOES NOT APPLY TO AN ASSERTION OF PATENT INFRINGEMENT THAT INCLUDES A CLAIM FOR RELIEF ARISING UNDER 35 U.S.C. § 271(E)(2) OR 42 U.S.C. § 262.**

**11–1603.**”.

On page 5, in line 3, strike “**11–1603.**” and substitute “**11–1604.**”; and in line 8, strike “**11–1604.**” and substitute “**11–1605.**”.

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 – 136    Negative – 0    (See Roll Call No. 1140)

AMENDED IN THE SENATE

House Bill 918 – ~~Delegate Costa~~ Delegates Costa, Clippinger, and M. Washington

AN ACT concerning

**Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0918/617379/2**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 918

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, strike “have” and substitute “use”; in line 10, strike “transactions” and substitute “transaction under certain circumstances”; and in line 22, after “circumstances” insert “authorizing a county or municipality to license automated purchasing machines and operators of automated purchasing machines”.

AMENDMENT NO. 2

On page 4, in line 30, after “TO” insert “:

**(I) LICENSE AUTOMATED PURCHASING MACHINES AND OPERATORS OF AUTOMATED PURCHASING MACHINES; OR**

**(II)**”.

On page 15, in line 28, strike “PARAGRAPH” and substitute “SUBPARAGRAPH”; and in the same line, strike “SUBSECTION” and substitute “PARAGRAPH”.

On page 16, in line 10, strike “14” and substitute “17”.

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 – 136    Negative – 0    (See Roll Call No. 1141)

**AMENDED IN THE SENATE**

**House Bill 1060 – Delegates James and Rudolph**

AN ACT concerning

**Northeastern Maryland Additive Manufacturing Innovation Authority**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1060/467577/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1060

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “Authority;” insert “specifying a certain legislative intent;”.

AMENDMENT NO. 2

On page 12, in line 1, strike “SUBJECT TO” and substitute “IN ACCORDANCE WITH”; in line 5, after “(II)” insert “1.”; in the same line, strike “THE STATE ALLOCATION” and substitute “ANY APPROPRIATION IN A FISCAL YEAR”; in line 6, strike “IS” and substitute “SHALL BE”; in line 7, after “AUTHORITY” insert “DURING THE SAME FISCAL YEAR.”

2. IN DETERMINING THE AMOUNT OF AN APPROPRIATION IN A FISCAL YEAR, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE APPROPRIATION;

in the same line, strike “AND”; in line 8, after “AMOUNT” insert “COMMITTED TO BE”; in the same line, strike the second “THE” and substitute “CECIL AND HARFORD”; and in line 9, after “COUNTIES” insert “IN THE SAME FISCAL YEAR”.



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 – 135    Negative – 0    (See Roll Call No. 1142)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1143)

### **ADJOURNMENT**

At 2:20 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 29, 2014, Calendar Day Saturday, April 5, 2014.

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**Annapolis, Maryland**  
**Legislative Day: March 29, 2014**  
**Calendar Day: Saturday, April 5, 2014**

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The House met at 10:45 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Barbara Robinson of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 1144)

The Journal of March 28, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical  
Del. Dwyer – weekend incarceration  
Del. Harper – medical  
Del. Morhaim – late – business  
Del. Myers – personal  
Del. Stifler – personal  
Del. Walker – business

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 304	Del. Reznik	St Acnctr Bd & St Bd of Dttc Prc – Actn & Pnlts fr Viols of Prt Acts & Sprvsry Auth of Acpntrs

Read and ordered journalized.

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
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HB 73	Del. Simmons	Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption
HB 138	Montgomery Co. Del.	Montgomery County – Archery Hunting – Safety Zone MC 5–14
HB 156	Carroll County Del.	Carroll County – Alcoholic Beverages – License Fee Increases
HB 222	Del. Dumais	Education – Reportable Offenses – First Degree Burglary and Animal Cruelty
HB 242	Del. Jacobs	Juvenile Law – Truancy Reduction Pilot Program – Kent County
HB 248	Charles County Del.	Charles County – Alcoholic Beverages – Beer, Wine and Liquor Licenses
HB 250	Del. McMillan	Vehicle Laws – Definition of “Bicycle” – Mopeds
HB 294	Del. Carter	Law Enforc Offers – Entrance–Level and In–Serv Training Reqmts (Christopher’s Law)
HB 300	Charles County Del.	Charles County – Alcoholic Beverages – Licenses
HB 385	Del. Rosenberg	Privileged Communications – Dissemination of News or Information by Certain Persons
HB 406	Del. Beitzel	Allegany County, Garrett County, and Washington County – Sunday Hunting
HB 416	Del. Cardin	Criminal Procedure – Limited Immunity – Alcohol– or Drug–Related Medical Emergencies
HB 419	Charles County Del.	Charles Co – Off–Sale Alc Bevs Licenses – Population Quota in Sixth Election District
HB 436	Del. Rudolph	Vehicle Laws – Operation of Vehicle When Approaching a Tow Truck
HB 552	Del. Schuh	Public Safety – Anne Arundel Community College Police Force
HB 582	Del. Beidle	Licensed Tree Experts –

		Notification
HB 621	Del. Lafferty	Registration of Pesticides – Fee Increase – Disposition of Fees
HB 665	Del. Kramer	Crimes Relating to Animals – Surgery on Dogs – Penalties
HB 667	Del. Kramer	Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties
HB 690	Garrett County Del.	Garrett County – Alcoholic Beverages – Sunday Sales for Off–Premises Consumption
HB 836	Garrett County Del.	Garrett County – Alcoholic Beverages – Class A2 Light Wine Licenses – Repeal
HB 914	Charles County Del.	Charles County – Orphans’ Court Judges – Salary
HB 916	Del. Kramer	Corporations and Real Estate Investment Trusts – Miscellaneous Provisions
HB 937	Del. Elliott	Wastewater Treatment Facilities – Distribution of Financial Assistance
HB 955	Del. Dumais	Crimes – Use of Personal Identifying Information or the Identity of Another – Sexual Crimes
HB 959	Del. A. Kelly	State Board of Physicians – Qualifications for Licensure and Definitions
HB 1004	Del. Waldstreicher	Estates and Trusts – Modified Administration – Objection
HB 1034	Queen Anne’s Co. Del.	Kent County and Queen Anne’s County – School Buses – Length of Operation
HB 1045	Del. Arora	Real Property – Lien Priority of Refinance Mortgages – Escrow Costs
HB 1091	Howard County Del.	Howard County – Alcoholic Beverages – Beer Festivals Ho. Co. 09–14
HB 1109	Del. Swain	Criminal Procedure – Search Warrants – Procedures
HB 1112	Frederick County Del.	Frederick County – Orphans’ Court Judges – Salary
HB 1124	Del. Luedtke	Criminal Law – Possession of

HB 1141	Del. Swain	Dangerous or Wild Animals Correctional Services – Revocation of Parole – Repeal of Sunset
HB 1148	Del. Jacobs	Recreational Striped Bass Fishery – Study on Harvest Data
HB 1174	Del. Dumais	Recreational Hunting or Fishing Licenses – Denial, Suspension, and Required Disclosure
HB 1243	Del. Hucker	Corpns and Assns – Md Securities Act – Registration and Filing Exempts
HB 1244	Del. Waldstreicher	Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse Victims
HB 1245	Del. Valentino–Smith	Crime Victim and Crime Victim’s Representative – Electronic Notification
HB 1275	Del. Frush	Veh Laws – Manufacturers, Distributors, Factory Branches, and Affiliates – Rltshp With Dealers
HB 1351	Del. Anderson	Baltimore City – Special Police Officers and School Police Officers
HB 1381	Anne Arundel Co. Del.	Anne Arundel County – Sheriff – Salary Increases
HB 1399	Washington County Del.	Washington County – Sheriff and County Commissioners – Salaries
HB 1403	Del. Norman	Homestead Exemption – Bankruptcy – Interest in Manufactured Home
HB 1457	Ch., Appropriations	State Correctional Officers’ Bill of Rights – Definition of Correctional Officer
HB 1493	Allegany County Del.	Allegany County – Deputy Sheriffs – Meals on Duty
HB 1552	Wicomico County Del.	Wicomico County – Orphans’ Court Judges – Salaries

Read and ordered journalized.

**MESSAGE FROM THE SENATE**  
**FIRST READING OF SENATE BILLS**

**Senate Bill 301 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Beauty Salon License**

FOR the purpose of establishing in Montgomery County a beauty salon beer and wine license; requiring that a recipient of the license be a holder of a beauty salon permit; authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain cosmetology service is provided or a certain fundraising event is held; prohibiting the license from being transferred to another location; specifying the hours that the license privilege may be exercised; specifying an annual license fee; providing that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; and generally relating to alcoholic beverages licenses in Montgomery County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–216.5  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions  
Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501  
Annotated Code of Maryland  
(2010 Replacement Volume and 2013 Supplement)

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

**Senate Bill 709 – ~~Senator Dyson~~ Senators Dyson, Colburn, and Getty**

AN ACT concerning

**Income Tax Credit – Preservation and Conservation Easements**

FOR the purpose of altering certain provisions of law concerning a credit against the State income tax for certain preservation and conservation easements to allow an individual or a ~~corporation that receives a certain tax credit certificate~~ pass-through entity to claim the credit for an easement conveyed to the Maryland Environmental Trust, the Maryland Agricultural Land Preservation

Foundation, ~~or the Department of Natural Resources, or a certain land trust~~ under certain circumstances; providing that a grantor of an easement may transfer a certain tax credit by obtaining a certain certificate; requiring the ~~Department~~ Maryland Environmental Trust to issue a certain tax credit certificate under certain circumstances; specifying the contents of the certificate; setting a limit on the total amount of approved tax ~~credits~~ credit certificates; requiring the ~~Department~~ Maryland Environmental Trust to approve applications in a certain manner; altering the amount of credit allowed under certain provisions of law; authorizing a taxpayer to claim a certain credit against the Maryland estate tax under certain circumstances; authorizing a taxpayer or grantor of the easement to transfer the credit under certain circumstances; authorizing the Comptroller to assess and distribute a certain fee on the transfer of the credit; requiring the Comptroller ~~and the Department jointly,~~ in consultation with the Maryland Environmental Trust, to adopt certain regulations; declaring the intent of the General Assembly that the issuance of tax credit certificates in accordance with this Act may not adversely impact the annual budgets of certain State agencies or programs; requiring the Maryland Environmental Trust to direct outreach to obtain donated easements in a certain manner; requiring the Maryland Environmental Trust to report to the General Assembly on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain preservation and conservation easements.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–723

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

### **Senate Bill 814 – Senators Raskin and DeGrange**

AN ACT concerning

#### **State Highway Administration – Compost and Compost-Based Products – Specification**

FOR the purpose of establishing that the use of compost and compost-based products in State highway construction projects is a best management practice for certain pollution mitigation strategies; requiring the State Highway Administration to establish a specification for the acquisition and use of compost and compost-based products for certain pollution mitigation strategies on or before a certain date; requiring the Administration to update the specification as necessary; requiring the Administration to post the specification on its Web site; requiring the Administration to report annually to the General

Assembly on or before a certain date; requiring the Administration to ~~review certain specifications and~~ consult with other state highway and transportation agencies on the acquisition and use of compost and compost-based products for highway construction projects; requiring the Administration to assess how certain compost and compost-based products can be adapted and replicated by the Administration; requiring the Administration to review the Administration's existing specifications and identify compost-based product equivalents to add to the existing specifications; requiring the Administration to develop certain recommendations; requiring the Administration to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the use of compost and compost-based products by the State Highway Administration.

BY adding to

Article – Transportation  
Section 8–609.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

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

### **Senate Bill 710 – Senator Forehand**

AN ACT concerning

#### **Impaired Driving – Repeat Offenders – Penalties**

FOR the purpose of altering the penalties for a third or subsequent violation of certain prohibitions against driving while impaired by alcohol or drugs; ~~altering the application of certain mandatory sanctions and minimum penalties for repeat offenders to apply to a broader range of drug and alcohol related driving offenses;~~ making certain conforming changes; and generally relating to penalties for impaired driving.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–902  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 27–101(f), ~~(j)~~, and (q)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)



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

**THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #19**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**House Bill 1328 – Delegates Swain and Vaughn**

AN ACT concerning

**Maryland Cooperative Housing Act – Transparency Requirements and Member Rights**

**HB1328/900214/2**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1328

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “, Vaughn, and Tarrant”; strike beginning with “requiring” in line 10 down through “corporation;” in line 12; in line 24, after “body;” insert “requiring the governing body of a cooperative housing corporation to keep books and records in a certain manner; requiring the governing body of a cooperative housing corporation to cause an audit of the books and records under certain circumstances;”; and strike beginning with “requiring” in line 24 down through “depository;” in line 31.

On page 2, strike beginning with “authorizing” in line 1 down through “circumstances;” in line 9; in line 25, after “action” insert “in court”; in line 32, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”; and in line 43, strike “5-6B-32” and substitute “5-6B-31”.

On page 3, in line 6, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 4 through 7, inclusive; and in lines 8, 19, 25, 27, 30, and 32, strike “(K)”, “(L)”, “(M)”, “(N)”, “(O)”, and “(P)”, respectively, and substitute “(J)”, “(K)”, “(L)”, “(M)”, “(N)”, and “(O)”, respectively.

On page 5, in lines 1, 6, 14, and 24, strike “(Q)”, “(R)”, “(S)”, and “(T)”, respectively, and substitute “(P)”, “(Q)”, “(R)”, and “(S)”, respectively.

On page 6, in lines 1 and 3, strike “(U)” and “(V)”, respectively, and substitute “(T)” and “(U)”, respectively.

On page 9, after line 5, insert:

**“(A) THE GOVERNING BODY SHALL KEEP BOOKS AND RECORDS IN ACCORDANCE WITH GOOD ACCOUNTING PRACTICES.**

**(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON THE REQUEST OF THE MEMBERS OF AT LEAST 5 PERCENT OF THE UNITS, THE GOVERNING BODY SHALL CAUSE AN AUDIT OF THE BOOKS AND RECORDS TO BE MADE BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT.**

**(II) AN AUDIT MAY NOT BE MADE MORE THAN ONCE IN ANY CONSECUTIVE 12-MONTH PERIOD.**

**(2) THE COST OF THE AUDIT SHALL BE A COMMON EXPENSE.”;**

and strike in their entirety lines 6 through 30, inclusive.

On pages 10 and 11, strike in their entirety the lines beginning with line 1 on page 10 through line 3 on page 11, inclusive, and substitute “**5-6B-29.**”.

On page 11, in line 13, strike “**5-6B-31.**” and substitute “**5-6B-30.**”.

### **AMENDMENT NO. 3**

On page 8, in line 32, strike “**THE AREA THAT THE GOVERNING BODY**” and substitute “**ANY AREA THAT IS GENERALLY OPEN TO ALL MEMBERS**”; and in line 33, strike “**USES FOR SCHEDULED MEETINGS**”.

On page 11, in line 20, after “ACTION” insert “IN COURT”.

On page 13, in line 16, strike “COUNSEL” and substitute “REASONABLE ATTORNEY’S”; in line 22, strike “5-6B-32.” and substitute “5-6B-31.”; in line 28, after “ACTION” insert “IN COURT”; and in line 32, strike “6” and substitute “3”.

On page 14, in line 3, strike “§ 5-6B-31” and substitute “§ 5-6B-30”; and in line 7, strike “2.” and substitute “3.”.

#### AMENDMENT NO. 4

On page 6, strike in their entirety lines 30 through 32, inclusive.

On page 11, in line 12, strike “15” and substitute “10”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 708 – Senators Raskin, Benson, Currie, Jones–Rodwell, Madaleno, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Rosapepe, and Stone**

AN ACT concerning

**Civil Actions – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments**

**SB0708/280818/3**

BY: Environmental Matters Committee

#### AMENDMENTS TO SENATE BILL 708

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “Civil Actions” and substitute “Residential Property”; strike beginning with the comma in line 5 down through the comma in line 6; in line 6,

after the semicolon insert “requiring a certain motion for a deficiency judgment to be filed within a certain time period;”; in line 7, in each instance, strike “the” and substitute “a certain”; in line 10, after “of” insert “certain provisions of”; in the same line, after “Act;” insert “providing that any cause of action to collect the unpaid balance due on a certain deed of trust, mortgage, or promissory note that arises before a certain date must be filed within a certain time period under certain circumstances; providing that any motion for a deficiency judgment on a certain deed of trust, mortgage, or promissory note for which an auditor’s report has final ratification must be filed within a certain time period under certain circumstances; defining certain terms;”; and in line 11, after “judgments” insert “with regard to residential property”.

#### AMENDMENT NO. 2

On page 3, after line 2, insert:

**“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “OWNER–OCCUPIED RESIDENTIAL PROPERTY” HAS THE MEANING STATED IN § 7–105.1 OF THIS SUBTITLE.**

**(3) “RESIDENTIAL PROPERTY” HAS THE MEANING STATED IN § 7–105.1 OF THIS SUBTITLE.**

**(B) THIS SECTION APPLIES TO RESIDENTIAL PROPERTY THAT WAS OWNER–OCCUPIED RESIDENTIAL PROPERTY AT THE TIME AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE WAS FILED.”;**

in line 3, strike “(A)” and substitute “(C)”; in line 4, strike “7–105” and substitute “7–105.1”; in line 10, strike “(B)” and substitute “(D)”; in line 13, strike “(C)” and substitute “(E)”; in line 15, strike “(D)” and substitute “(F)”; and strike beginning with “, AS” in line 20 down through “SUBTITLE” in line 21.

#### AMENDMENT NO. 3

On page 2, after line 30, insert:

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

On page 3, strike in their entirety lines 22 through 25, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, Section 1 of this Act shall be construed to apply prospectively to any cause of action that arises on or after the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That any cause of action to collect the unpaid balance due on a deed of trust, mortgage, or promissory note that has been signed under seal and secures or is secured by residential property that was owner-occupied residential property at the time the property was transferred with the unpaid balance that arises before July 1, 2014, and would not be barred under § 5-102 of the Courts and Judicial Proceedings Article before July 1, 2014, must be filed within 12 years after the date the cause of action accrues or before July 1, 2017, whichever occurs first.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, Section 2 of this Act shall be construed to apply prospectively to any motion for a deficiency judgment that is filed on or after the effective date of this Act on a deed of trust, mortgage, or promissory note that secures or is secured by residential property that was owner-occupied residential property at the time the order to docket or complaint to foreclose was filed.

SECTION 6. AND BE IT FURTHER ENACTED, That any motion for a deficiency judgment on a deed of trust, mortgage, or promissory note that secures or is secured by residential property that was owner-occupied residential property at the time the order to docket or complaint to foreclose was filed for which an auditor’s report has final ratification before July 1, 2014, and would not be barred under Maryland Rule 14-216 before July 1, 2014, must be filed within 3 years after the date of final ratification or before July 1, 2017, whichever occurs first.”;

and in line 26, strike “3.” and substitute “7.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**Senate Bill 850 – Senator Conway**

AN ACT concerning

**Real Property – Prohibition on Acquiring Mortgages or Deeds of Trust by  
Condemnation**

Favorable report adopted.

Delegate Braveboy moved to make the Bill a Special Order for Monday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 865 – Senator Benson**

AN ACT concerning

**Maryland Cooperative Housing Act – Transparency Requirements and  
Member Rights**

**SB0865/650514/2**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 865

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “corporation;” in line 12; in line 24, after “body;” insert “requiring the governing body of a cooperative housing corporation to keep books and records in a certain manner; requiring the governing body of a cooperative housing corporation to cause an audit of the books and records under certain circumstances;”; and strike beginning with “requiring” in line 24 down through “date” in line 25.

On page 2, strike beginning with “or” in line 1 down through “circumstances;” in line 15; in line 31, after “action” insert “in court”; and in line 38, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”.

On page 3, in line 4, strike “5-6B-32” and substitute “5-6B-31”; and in line 11, strike “5-6B-33 and 5-6B-34” and substitute “5-6B-32 and 5-6B-33”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 7 through 10, inclusive; and in lines 11, 22, 28, and 30, strike “(K)”, “(L)”, “(M)”, and “(N)”, respectively, and substitute “(J)”, “(K)”, “(L)”, and “(M)”, respectively.

On page 5, in lines 1, 3, 4, 9, 17, and 27, strike “(O)”, “(P)”, “(Q)”, “(R)”, “(S)”, and “(T)”, respectively, and substitute “(N)”, “(O)”, “(P)”, “(Q)”, “(R)”, and “(S)”, respectively.

On page 6, in lines 5 and 7, strike “(U)” and “(V)”, respectively, and substitute “(T)” and “(U)”, respectively.

On page 9, after line 10, insert:

**“(A) THE GOVERNING BODY SHALL KEEP BOOKS AND RECORDS IN ACCORDANCE WITH GOOD ACCOUNTING PRACTICES.**

**(B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON THE REQUEST OF THE MEMBERS OF AT LEAST 5 PERCENT OF THE UNITS, THE GOVERNING BODY SHALL CAUSE AN AUDIT OF THE BOOKS AND RECORDS TO BE MADE BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT.**

**(II) AN AUDIT MAY NOT BE MADE MORE THAN ONCE IN ANY CONSECUTIVE 12-MONTH PERIOD.**

**(2) THE COST OF THE AUDIT SHALL BE A COMMON EXPENSE.”;**

and strike in their entirety lines 11 through 32, inclusive.

On pages 10 and 11, strike in their entirety the lines beginning with line 1 on page 10 through line 7 on page 11, inclusive, and substitute “5-6B-29.”.

On page 11, in line 17, strike “5-6B-31.” and substitute “5-6B-30.”.

AMENDMENT NO. 3

On page 9, in line 4, strike “**THE AREA THAT THE GOVERNING BODY**” and substitute “**ANY AREA THAT IS GENERALLY OPEN TO ALL MEMBERS**”; and in line 5, strike “**USES FOR SCHEDULED MEETINGS**”.

On page 11, in line 24, after “**ACTION**” insert “**IN COURT**”.

On page 13, in line 22, strike “**COUNSEL**” and substitute “**REASONABLE ATTORNEY’S**”; and in line 28, strike “**5-6B-32.**” and substitute “**5-6B-31.**”.

On page 14, in line 1, after “**ACTION**” insert “**IN COURT**”; in line 8, strike “**§ 5-6B-31**” and substitute “**§ 5-6B-30**”; and in line 5, strike “**6**” and substitute “**3**”.

#### AMENDMENT NO. 4

On page 7, strike in their entirety lines 1 through 3, inclusive.

On page 11, in line 16, strike “**15**” and substitute “**10**”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #20**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

#### **Senate Bill 259 – Senator Middleton**

AN ACT concerning

#### **Agriculture – Easements – Renewable Energy Generation Facilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #16**



Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 254 – Senator Glassman (Chair, Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies) and Senators Astle, Brinkley, Colburn, Dyson, Edwards, Feldman, Getty, Hershey, Jacobs, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Public Safety – Fire, Rescue, and Ambulance Funds – Distribution**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 795 – ~~Senator Madaleno~~ Senators Madaleno, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Joint Committee on Ending Homelessness**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON APPROPRIATIONS REPORT #14**

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 110 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Institutions of Higher Education – Fully Online Distance Education –  
Registration and Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 218 – The President (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.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

**Senate Bill 998 – Chair, Budget and Taxation 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.

**THE COMMITTEE ON WAYS AND MEANS REPORT #17**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**House Bill 1135 – Delegates Jacobs, Arentz, and Smigiel**

AN ACT concerning

**Kent County – Gaming – Permits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 37 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming****SB0037/175466/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 37  
(Third Reading File Bill)AMENDMENT NO. 1

On page 1, in line 2, strike “Carroll County” and substitute “Baltimore City, Carroll County, and Howard County”; and in the same line, after “Gaming” insert “Events”.

AMENDMENT NO. 2

On page 1, in line 3, strike “Carroll County” and substitute “Baltimore City, Carroll County, and Howard County”; in line 5, after “a” insert “certain”; in lines 5 and 6, strike “from the Board of License Commissioners”; in line 22, after “a” insert “certain”; and in the same line, strike “to the Sheriff’s Office”.

On page 1, in lines 4, 7, 8, 11, 13, 15, 17, and 19, in each instance, strike “night” and substitute “event”; in line 17, strike the second “a” and substitute “certain”; in line 18, strike “holder under this Act” and substitute “holders”; and in line 23, strike “Board of County Commissioners to adopt” and substitute “adoption of”.

On page 2, in line 2, strike “Carroll County” and substitute “Baltimore City, Carroll County, and Howard County”.

AMENDMENT NO. 3

On page 2, after line 2, insert:

“BY repealing and reenacting, without amendments,Article – Criminal LawSection 13–501(a) and (b) and 13–502Annotated Code of Maryland(2012 Replacement Volume and 2013 Supplement)”;

in line 5, after “13–906” insert “, 13–1601, 13–1603, and 13–1604”; in line 10, after “Section” insert “13–505.1.”; and in the same line, after “13–906.1” insert “and 13–1602.1”.

AMENDMENT NO. 4

On page 2, after line 15, insert:

“13–501.

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

(b) “Commissioner” means the Baltimore City Police Commissioner.

13–502.

This subtitle applies only in Baltimore City.

**13–505.1.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “CHARITABLE GAMING EVENT” MEANS AN EVENT THAT INCLUDES A CARD GAME, A DICE GAME, AND ROULETTE.**

**(3) “NONPROFIT ORGANIZATION” MEANS AN ORGANIZATION IN BALTIMORE CITY THAT IS:**

**(I) A RELIGIOUS ORGANIZATION;**

**(II) A FRATERNAL ORGANIZATION;**

**(III) A CIVIC ORGANIZATION;**

**(IV) A VETERANS’ HOSPITAL;**

(V) AN AMATEUR ATHLETIC ORGANIZATION IN WHICH ALL PLAYING MEMBERS ARE UNDER THE AGE OF 18 YEARS; OR

(VI) A CHARITABLE ORGANIZATION.

(B) (1) (I) A NONPROFIT ORGANIZATION SHALL BE ISSUED A PERMIT BY THE COMMISSIONER BEFORE THE NONPROFIT ORGANIZATION MAY CONDUCT A CHARITABLE GAMING EVENT.

(II) A PERSON WHO WORKS AS AN OPERATOR OF THE CHARITABLE GAMING EVENT SHALL BE NAMED ON THE PERMIT WITH THE NONPROFIT ORGANIZATION.

(2) BEFORE THE COMMISSIONER MAY ISSUE A PERMIT FOR A CHARITABLE GAMING EVENT, THE COMMISSIONER SHALL REVIEW THE CHARACTER OF THE NONPROFIT ORGANIZATION APPLYING FOR THE PERMIT TO ASCERTAIN THAT THE ORGANIZATION MEETS THE REQUIREMENTS OF THIS SUBTITLE.

(3) THE COMMISSIONER SHALL MAKE ANY APPLICATION FOR A PERMIT AND THE ACTION TAKEN BY THE COMMISSIONER ON THAT APPLICATION A MATTER OF PUBLIC RECORD.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A NONPROFIT ORGANIZATION CONDUCTING A CHARITABLE GAMING EVENT MAY NOT ALLOW AN INDIVIDUAL OR A GROUP OF INDIVIDUALS TO:

(I) BENEFIT FINANCIALLY FROM THE CHARITABLE GAMING EVENT; OR

(II) RECEIVE ANY OF THE PROCEEDS OF THE CHARITABLE GAMING EVENT FOR PERSONAL USE OR BENEFIT.

(2) TO PARTICIPATE AS A PLAYER IN A CHARITABLE GAMING EVENT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS OLD.

(3) A NONPROFIT ORGANIZATION MAY PAY THE COST OF GOODS AND OTHER SERVICES ESSENTIAL TO THE OPERATION OF THE CHARITABLE GAMING EVENT.

(4) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CHARITABLE GAMING EVENT MAY NOT RECEIVE COMPENSATION.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A NONPROFIT ORGANIZATION MAY NOT CONDUCT MORE THAN THREE CHARITABLE GAMING EVENTS IN A CALENDAR YEAR.

(2) WITHIN 60 DAYS AFTER HOLDING A CHARITABLE GAMING EVENT, THE NONPROFIT ORGANIZATION SHALL SUBMIT TO THE COMMISSIONER, THE STATE LOTTERY AND GAMING CONTROL AGENCY, AND THE STATE COMPTROLLER A REPORT THAT LISTS THE RECEIPTS AND EXPENSES FOR THE CHARITABLE GAMING EVENT TO DETERMINE THE AMOUNT OF THE ADMISSIONS AND AMUSEMENT TAX THAT IS DUE.

(E) (1) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY CHARGE ONLY A PRESET ENTRANCE FEE FOR A CHARITABLE GAMING EVENT.

(2) PARTICIPANTS IN A CHARITABLE GAMING EVENT SHALL RECEIVE TOKENS FOR WAGERING IN EXCHANGE FOR THE ENTRANCE FEE.

(3) A PARTICIPANT MAY PURCHASE ADDITIONAL TOKENS, AT A TOTAL COST NOT EXCEEDING 100% OF THE ENTRANCE FEE, DURING A CHARITABLE GAMING EVENT.

(4) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT ALLOW CASH TO BE USED FOR WAGERING.

(F) AN ORGANIZATION THAT IS THE PERMIT HOLDER MAY NOT:

(1) EXCHANGE TOKENS USED FOR WAGERING FOR AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN \$5,000; OR

**(2) EXCHANGE TOKENS USED FOR WAGERING FOR MONEY OR AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT FROM THE FAIR MARKET RETAIL VALUE OF THE ITEM OF MERCHANDISE THAT WAS RECEIVED FOR THE TOKENS.**

**(G) THE COMMISSIONER SHALL ADOPT REGULATIONS FOR:**

**(1) THE ISSUANCE OF A PERMIT FOR A CHARITABLE GAMING EVENT; AND**

**(2) THE CONDUCT AND MANAGEMENT OF A CHARITABLE GAMING EVENT TO PREVENT FRAUD AND TO PROTECT THE PUBLIC.**

**(H) A PERSON WHO KNOWINGLY CONDUCTS OR ATTEMPTS TO CONDUCT A CHARITABLE GAMING EVENT IN VIOLATION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.”.**

**AMENDMENT NO. 5**

On page 4, in line 25, after “NOT” insert “**EXCHANGE TOKENS USED FOR WAGERING FOR**”; in lines 26 and 28, in each instance, strike “**EXCHANGE TOKENS USED FOR WAGERING FOR**”; in line 27, strike “**\$10,000; OR**” and substitute “**\$5,000;**”; in line 28, after “**MONEY**” insert a semicolon; and in the same line, after “**OR**” insert:

**“(3)”.**

**AMENDMENT NO. 6**

On page 3, in line 25, strike “**TO PARTICIPATE IN OR HELP OPERATE**” and substitute:

**“(I) AN OPERATOR OF A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT MAY NOT RECEIVE COMPENSATION.**

**(II) TO VOLUNTEER AS AN OPERATOR OF”;**

and after line 27, insert:

**“(III) TO PARTICIPATE AS A PLAYER IN A CARD GAME, CARD TOURNAMENT, OR CASINO NIGHT, AN INDIVIDUAL SHALL BE AT LEAST 21 YEARS OLD.”**

**AMENDMENT NO. 7**

On page 5, in line 3, after “(K)” insert “(1)”; after line 7, insert:

**“(2) THE CARROLL COUNTY SHERIFF’S OFFICE SHALL FORWARD THE FINANCIAL REPORTS TO THE STATE LOTTERY AND GAMING CONTROL AGENCY.”**

**AMENDMENT NO. 8**

On page 5, after line 19, insert:

**“13-1601.**

**(a) This subtitle applies only in Howard County.**

**(b) (1) Except as provided in paragraph (2) of this subsection, Subtitle 2 of this title applies in Howard County.**

**(2) Subtitle 2 of this title does not apply to bingo regulated under § 13-1602 of this subtitle OR A CASINO EVENT REGULATED UNDER § 13-1602.1 OF THIS SUBTITLE.**

**13-1602.1.**

**(A) IN THIS SECTION, “DEPARTMENT” MEANS THE HOWARD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES, AND PERMITS.**

**(B) (1) BEFORE AN ORGANIZATION LISTED IN SUBSECTION (D) OF THIS SECTION MAY OPERATE A CASINO EVENT, THE ORGANIZATION SHALL OBTAIN A PERMIT FROM THE DEPARTMENT.**



(2) (I) ON THE RECOMMENDATION OF THE DEPARTMENT, THE COUNTY EXECUTIVE SHALL FORWARD TO THE COUNTY COUNCIL A RECOMMENDATION FOR THE FEE TO BE CHARGED FOR A PERMIT UNDER THIS SECTION.

(II) THE COUNTY COUNCIL SHALL ADOPT BY RESOLUTION THE AMOUNT OF THE PERMIT FEE.

(C) SUBJECT TO SUBSECTIONS (D) AND (E) OF THIS SECTION, AN ORGANIZATION MAY CONDUCT:

(1) ONE CASINO EVENT THAT INCLUDES A CARD GAME DURING EACH CALENDAR MONTH; AND

(2) ONE CASINO EVENT THAT INCLUDES ROULETTE DURING EACH CALENDAR YEAR.

(D) TO CONDUCT A CASINO EVENT UNDER SUBSECTION (C) OF THIS SECTION, AN ORGANIZATION SHALL BE A BONA FIDE:

(1) VOLUNTEER FIRE COMPANY; OR

(2) WAR VETERANS' ORGANIZATION.

(E) (1) A PERMIT HOLDER FOR A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE SHALL ENSURE THAT:

(I) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT BENEFIT FINANCIALLY FROM THE HOLDING OF THE CASINO EVENT;

(II) AN INDIVIDUAL OR GROUP OF INDIVIDUALS DOES NOT RECEIVE ANY OF THE PROCEEDS OF THE CASINO EVENT FOR PERSONAL USE OR BENEFIT;

(III) THE CASINO EVENT IS MANAGED PERSONALLY AND WITHOUT COMPENSATION BY THE MEMBERS OF THE PERMIT HOLDER;

(IV) A PARENT, A SUBSIDIARY, OR AN AFFILIATE OF THE ORGANIZATION SPONSORING THE EVENT HAS NOT SPONSORED A CASINO EVENT WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS APPROPRIATE;

(V) THE CASINO EVENT IS CONDUCTED BETWEEN 4 P.M. AND 1 A.M.; AND

(VI) A PLAYER IN A CASINO EVENT SHALL BE AT LEAST 21 YEARS OLD.

(2) A PERSON THAT HOLDS A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE MAY NOT:

(I) OFFER OR AWARD CUMULATIVE PRIZES THAT HAVE A FAIR MARKET VALUE IN EXCESS OF \$5,000 AT THE EVENT;

(II) ALLOW A PLAYER TO BET MORE THAN \$10 IN TOKENS IN ANY ONE GAME WITHIN THE CALENDAR MONTH OR CALENDAR YEAR, AS APPROPRIATE;

(III) EXCHANGE TOKENS USED IN WAGERING FOR AN ITEM OF MERCHANDISE THAT IS WORTH MORE THAN \$1,000; OR

(IV) EXCHANGE MERCHANDISE THAT WAS RECEIVED FOR TOKENS THAT WERE USED IN WAGERING FOR AN ITEM OF MERCHANDISE HAVING A VALUE THAT IS DIFFERENT FROM THE FAIR RETAIL MARKET VALUE OF THE ITEM OF MERCHANDISE THAT WAS RECEIVED FOR THE TOKENS.

(3) (I) WITHIN 60 DAYS AFTER HOLDING A CASINO EVENT THAT INCLUDES A CARD GAME OR ROULETTE, THE HOLDER OF THE PERMIT FOR THE EVENT SHALL SUBMIT TO THE DEPARTMENT AND THE STATE LOTTERY AND GAMING CONTROL AGENCY A FINANCIAL REPORT THAT LISTS THE RECEIPTS AND EXPENDITURES FOR THE CASINO EVENT.

**(II) BEFORE THE PERMIT HOLDER SUBMITS THE REPORT TO THE DEPARTMENT, THE PERMIT HOLDER SHALL SUBMIT THE REPORT TO THE COUNTY POLICE DEPARTMENT FOR REVIEW.**

**(F) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO GOVERN:**

**(I) THE ISSUANCE OF A PERMIT TO CONDUCT A CASINO EVENT; AND**

**(II) THE CONDUCT AND MANAGEMENT OF A CASINO EVENT IN A MANNER DESIGNED TO PREVENT FRAUD AND PROTECT THE PUBLIC.**

**(2) THE REGULATIONS SHALL REQUIRE THAT A SEPARATE PERMIT BE ISSUED FOR EACH CASINO EVENT TO BE CONDUCTED.**

13-1603.

A qualified organization under Subtitle 2 of this title may award prizes in money or merchandise using:

(1) a paddle wheel;

(2) a wheel of fortune;

(3) a chance book;

(4) bingo; or

(5) any other gaming device [except] OTHER THAN:

**(i) a card game OR ROULETTE, EXCEPT AS PROVIDED IN § 13-1602.1 OF THIS SUBTITLE; OR**

(ii) a dice game[; or

(iii) roulette].

13-1604.

Notwithstanding Subtitle 2 of this title AND EXCEPT AS PROVIDED IN § 13-1602.1 OF THIS SUBTITLE, a person may not conduct a casino night or operate any of the following gaming devices:

- (1) a card game;
- (2) a dice game; or
- (3) roulette.”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 266 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Income Tax Refund – Baltimore City – Warrants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 290 – Senators Brochin, Getty, ~~and Jennings~~ Jennings, and Zirkin**

AN ACT concerning

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

**SB0290/625260/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 290

(Third Reading File Bill)

On page 1, in line 17, after “member;” insert “providing for the compensation of the members of the county board;”; and in line 20, strike “providing for the compensation of the members of the county board;”.

On page 6, in lines 11 and 12, strike “BALTIMORE COUNTY PARENT TEACHER ASSOCIATION COUNCIL” and substitute “PTA COUNCIL OF BALTIMORE COUNTY, INC.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 469 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Maryland Income Tax Refund – Washington County – Warrants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means and Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**Senate Bill 534 – Senators ~~Edwards and Hershey~~, Hershey, Brinkley, Getty, and Kittleman**

AN ACT concerning

**Education – State Grant to Counties With ~~Small and Declining Student Enrollment~~ Declining State Aid**

**SB0534/305268/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 534

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Declining State Aid” and substitute “Small and Declining Student Enrollment”; in line 4, after “of” insert “establishing eligibility for a county board of education to receive a certain State grant;”; in line 5, strike “certain” and substitute “eligible”; and in line 6, strike “under certain circumstances”.

AMENDMENT NO. 2

On page 1, in line 22, strike “now, therefore,” and substitute “and”

WHEREAS, Small school districts in which enrollment is declining are in a unique situation that is not addressed in the current State education funding calculations; and

WHEREAS, Although the adequacy study provides an opportunity to study the effect on State education funding resulting from declining enrollments in small school districts, the study will not be completed until December 1, 2016, and any changes to the State education funding calculations resulting from the study will not be effective until fiscal year 2018; now, therefore,”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 23 through 27, inclusive, and substitute:

**“(5) (I) FOR FISCAL YEARS 2015 THROUGH 2017, A COUNTY BOARD IS ELIGIBLE FOR A STATE GRANT UNDER THIS PARAGRAPH IF A COUNTY BOARD’S:**

**1. FULL-TIME EQUIVALENT ENROLLMENT IS LESS THAN 5,000;**

**2. FULL-TIME EQUIVALENT ENROLLMENT IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR; AND**

**3. TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 1%.**

**(II) THE STATE SHALL PROVIDE A GRANT TO A COUNTY BOARD THAT IS ELIGIBLE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

(III) THE GRANT SHALL BE EQUAL TO 50% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 596 – Senators Peters, Kasemeyer, King, Klausmeier, Raskin, and Robey**

AN ACT concerning

**Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 1066 – ~~Senator Raskin~~ Senators Raskin, Feldman, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Fairness in Negotiations Act and the Public School Labor Relations Board – Sunset Repeal and Reporting Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON JUDICIARY REPORT #15**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 289 – Delegates Carr, Rosenberg, Smigiel, and Waldstreicher**

AN ACT concerning

**Automatic Motor Vehicle Registration Plate Readers and Captured Plate  
Data – Authorized Uses**

**HB0289/292216/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 289

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Motor Vehicle Registration” and substitute “License”; strike beginning with “prohibiting” in line 4 down through “exceptions;” in line 20 and substitute “prohibiting a law enforcement agency from using captured plate data unless the agency has a legitimate law enforcement purpose; establishing certain penalties for a certain violation; requiring the Department of State Police and certain law enforcement agencies to adopt certain procedures; establishing that information gathered by an automatic license plate reader system is not subject to disclosure under the Maryland Public Information Act; requiring the Department, in conjunction with the Maryland Coordination and Analysis Center and certain law enforcement agencies, to report certain information to certain committees on or before a certain date each year; requiring the Center, in cooperation with certain entities, to develop a certain model audit policy; establishing the policy of the State;”; and in line 21, strike “motor vehicle registration” and substitute “license”.

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 18 on page 2, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – General Provisions

Section 4–304

Annotated Code of Maryland

(As enacted by Chapter (H.B. 270) of the Acts of the General Assembly of  
2014)

BY adding to

Article – General Provisions

Section 4–326



Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (H.B. 270) of the Acts of the General Assembly of 2014)”.

AMENDMENT NO. 2

On page 2, after line 24, insert:

**“(2) (I) “ACTIVE DATA” MEANS:**

**1. DATA UPLOADED TO INDIVIDUAL AUTOMATIC LICENSE PLATE READER SYSTEM UNITS BEFORE OPERATION; AND**

**2. DATA GATHERED DURING THE OPERATION OF AN AUTOMATIC LICENSE PLATE READER SYSTEM.**

**(II) “ACTIVE DATA” DOES NOT INCLUDE HISTORICAL DATA.”;**

in line 25, strike “(2)” and substitute “(3)”; in the same line, strike “REGISTRATION” and substitute “LICENSE”; in line 26, strike “AUTOMATED”; in line 29, strike “(3)” and substitute “(4) (I)”; in line 32, strike “REGISTRATION” and substitute “LICENSE”; and after line 32, insert:

**“(II) “CAPTURED PLATE DATA” INCLUDES ACTIVE DATA AND HISTORICAL DATA.**

**(5) “CENTER” MEANS THE MARYLAND COORDINATION AND ANALYSIS CENTER.**

**(6) “HISTORICAL DATA” MEANS ANY DATA COLLECTED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM AND STORED IN AN AUTOMATIC LICENSE PLATE READER DATABASE OPERATED BY THE MARYLAND COORDINATION AND ANALYSIS CENTER OR BY A LAW ENFORCEMENT AGENCY.**

**(7) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201(D) OF THIS TITLE.**

(8) “LEGITIMATE LAW ENFORCEMENT PURPOSE” MEANS THE INVESTIGATION, DETECTION, OR ANALYSIS OF A CRIME OR A VIOLATION OF THE MARYLAND VEHICLE LAWS OR THE OPERATION OF TERRORIST OR MISSING OR ENDANGERED PERSON SEARCHES OR ALERTS.

(B) (1) A LAW ENFORCEMENT AGENCY MAY NOT USE CAPTURED PLATE DATA UNLESS THE AGENCY HAS A LEGITIMATE LAW ENFORCEMENT PURPOSE.

(2) AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY WHO VIOLATES THIS SUBSECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR AND A FINE NOT EXCEEDING \$10,000 OR BOTH.

(C) (1) THE DEPARTMENT OF STATE POLICE AND ANY LAW ENFORCEMENT AGENCY USING AN AUTOMATIC LICENSE PLATE READER SYSTEM SHALL ADOPT PROCEDURES RELATING TO THE OPERATION AND USE OF THE SYSTEM.

(2) THE PROCEDURES SHALL INCLUDE:

(I) WHICH PERSONNEL IN THE CENTER OR A LAW ENFORCEMENT AGENCY ARE AUTHORIZED TO QUERY CAPTURED PLATE DATA GATHERED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM;

(II) AN AUDIT PROCESS TO ENSURE THAT INFORMATION OBTAINED THROUGH THE USE OF AN AUTOMATIC LICENSE PLATE READER SYSTEM IS USED ONLY FOR LEGITIMATE LAW ENFORCEMENT PURPOSES, INCLUDING AUDITS OF REQUESTS MADE BY INDIVIDUAL LAW ENFORCEMENT AGENCIES OR AN INDIVIDUAL LAW ENFORCEMENT OFFICER; AND

(III) PROCEDURES AND SAFEGUARDS TO ENSURE THAT CENTER STAFF WITH ACCESS TO THE AUTOMATIC LICENSE PLATE READER DATABASE ARE ADEQUATELY SCREENED AND TRAINED.

(D) INFORMATION GATHERED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM IS NOT SUBJECT TO DISCLOSURE UNDER THE MARYLAND PUBLIC INFORMATION ACT.

(E) ON OR BEFORE MARCH 1 OF EACH YEAR BEGINNING IN 2016, THE DEPARTMENT OF STATE POLICE, IN CONJUNCTION WITH THE CENTER AND LAW ENFORCEMENT AGENCIES THAT MAINTAIN AN AUTOMATIC LICENSE PLATE READER DATABASE, SHALL REPORT TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE HOUSE JUDICIARY COMMITTEE, AND THE LEGISLATIVE POLICY COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FOLLOWING INFORMATION BASED ON DATA FROM THE PREVIOUS CALENDAR YEAR:

(1) THE TOTAL NUMBER OF AUTOMATIC LICENSE PLATE READER UNITS BEING OPERATED IN THE STATE BY LAW ENFORCEMENT AGENCIES AND THE NUMBER OF UNITS SUBMITTING DATA TO THE CENTER;

(2) THE NUMBER OF AUTOMATIC LICENSE PLATE READER READINGS MADE BY A LAW ENFORCEMENT AGENCY THAT MAINTAINS AN AUTOMATIC LICENSE PLATE READER DATABASE AND THE NUMBER OF READINGS SUBMITTED TO THE CENTER;

(3) THE NUMBER OF AUTOMATIC LICENSE PLATE READER READINGS BEING RETAINED ON THE AUTOMATIC LICENSE PLATE READER DATABASE;

(4) THE NUMBER OF REQUESTS MADE TO THE CENTER AND EACH LAW ENFORCEMENT AGENCY THAT MAINTAINS AN AUTOMATIC LICENSE PLATE READER DATABASE FOR AUTOMATIC LICENSE PLATE READER DATA, INCLUDING SPECIFIC NUMBERS FOR:

(I) THE NUMBER OF REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION;

(II) THE NUMBER OF OUT-OF-STATE REQUESTS;

**(III) THE NUMBER OF FEDERAL REQUESTS;**

**(IV) THE NUMBER OF OUT-OF-STATE REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION; AND**

**(V) THE NUMBER OF FEDERAL REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION;**

**(5) ANY DATA BREACHES OR UNAUTHORIZED USES OF THE AUTOMATIC LICENSE PLATE READER DATABASE; AND**

**(6) A LIST OF AUDITS THAT WERE COMPLETED BY THE CENTER OR A LAW ENFORCEMENT AGENCY.”**

On pages 2 through 4, strike in their entirety the lines beginning with line 33 on page 2 through line 23 on page 4, inclusive.

On page 4, in line 24, strike “State Government” and substitute “General Provisions”; in line 25, strike “10–616.” and substitute “4–304.”; in line 26, strike “(a)”; in line 27, strike “section” and substitute “part”; after line 27, insert “4–326.”; in line 28, strike “(w)” and substitute “(A)”; in the same line, strike “(I)”; in the same line, strike “SUBSECTION” and substitute “SECTION”; in line 30, strike “(II)” and substitute “(2)”; and in the same line, strike “REGISTRATION” and substitute “LICENSE”.

On page 5, in line 1, strike “(III)” and substitute “(3)”; in line 3, strike “(2)” and substitute “(B)”; in the same line, strike “PARAGRAPH (3)” and substitute “SUBSECTIONS (C) AND (D)”; in line 4, strike “SUBSECTION” and substitute “SECTION”; in line 5, strike “REGISTRATION” and substitute “LICENSE”; in line 7, strike “(3)” and substitute “(C)”; after line 9, insert:

**“(D) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO AN ELECTRONIC TOLL COLLECTION SYSTEM OR ASSOCIATED TRANSACTION SYSTEM OPERATED BY OR IN CONJUNCTION WITH THE MARYLAND TRANSPORTATION AUTHORITY.**

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the Maryland Coordination and Analysis Center, in cooperation with the Maryland Chiefs of Police Association and the Maryland Sheriffs Association, shall develop a model audit policy for access to and use of automatic license plate reader data.”;

and in line 10, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**House Bill 1052 – Delegates Waldstreicher, Dumais, and Luedtke**

AN ACT concerning

**Maryland Uniform Collaborative Law Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary and Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Maryland Register – Publication of Court Documents – Exception**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 558 – Carroll County Senators**

AN ACT concerning

**Carroll County – Local Government Tort Claims Act – Industrial  
Development Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 699 – Senators Shank, Raskin, Hershey, Jacobs, Muse, Ramirez,  
Reilly, Simonaire, Stone, ~~and Young~~ Young, and Forehand**

AN ACT concerning

**~~Automatic Motor Vehicle Registration~~ License Plate Readers and Captured  
Plate Data – Authorized Uses**

**SB0699/232118/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 699  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 4, strike beginning with “MEANS” in line 3 down through “3-101(E)” in line 4 and substitute “HAS THE MEANING STATED IN § 3-201(D)”.

AMENDMENT NO. 2

On page 5, in line 1, after “YEAR” insert “BEGINNING IN 2016”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 805 – Senators Raskin, Forehand, Jones–Rodwell, Kelley,  
Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Maryland Uniform Collaborative Law Act**

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 1232 – Delegates Dumais, Pena–Melnik, Clippinger, Guzzone, Braveboy, Carter, and Oaks**

AN ACT concerning

**Criminal Procedure – Pretrial Confinement and Release**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

**HB1232/123729/1**

BY: Delegate Cardin

AMENDMENTS TO HOUSE BILL 1232, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, after “Procedure” insert “– Representation at Initial Appearances”; in line 18, after “system;” insert “requiring certain representation to be provided to an indigent defendant at an initial appearance before a District Court commissioner; providing that for purposes of a certain initial appearance representation may be provided by certain persons; requiring the Office of the Public Defender to coordinate the assignment of certain persons who provide certain representation; establishing the intent of the General Assembly that the Pro Bono Resource Center of Maryland include certain representation among the services provided by the Center; establishing that, unless otherwise provided for in the State budget, certain costs of paying panel attorneys for certain purposes be divided equally between the State and certain counties;”.

On page 2 of the bill, in line 13, after “to” insert “representation at initial appearances.”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 16–204

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 7 of the bill, after line 11, insert:

“Article – Criminal Procedure

16–204.

(a) **(1) [Representation] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, REPRESENTATION of an indigent individual may be provided in accordance with this title by the Public Defender or, subject to the supervision of the Public Defender, by the deputy public defender, district public defenders, assistant public defenders, or panel attorneys.**

**(2) (I) FOR PURPOSES OF AN INITIAL APPEARANCE BEFORE A DISTRICT COURT COMMISSIONER, REPRESENTATION MAY BE PROVIDED, SUBJECT TO THE SUPERVISION OF THE PUBLIC DEFENDER, BY:**

- 1. PANEL ATTORNEYS;**
- 2. PRO BONO ATTORNEYS; OR**
- 3. THIRD YEAR LAW STUDENTS ACTING UNDER RULE 16 OF THE RULES GOVERNING ADMISSION TO THE BAR OF MARYLAND.**

**(II) IF THE INDIVIDUALS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH ARE NOT AVAILABLE TO REPRESENT A DEFENDANT AT AN INITIAL APPEARANCE BEFORE A DISTRICT COURT COMMISSIONER, REPRESENTATION MAY BE PROVIDED BY AN ATTORNEY IN THE OFFICE.**



**(3) THE OFFICE SHALL COORDINATE THE ASSIGNMENT OF PERSONS TO REPRESENT INDIGENT DEFENDANTS UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

(b) (1) Indigent defendants or parties shall be provided representation under this title in:

(i) a criminal or juvenile proceeding in which a defendant or party is alleged to have committed a serious offense;

(ii) a criminal or juvenile proceeding in which an attorney is constitutionally required to be present prior to presentment being made before a commissioner or judge;

(iii) a postconviction proceeding for which the defendant has a right to an attorney under Title 7 of this article;

(iv) any other proceeding in which confinement under a judicial commitment of an individual in a public or private institution may result;

(v) a proceeding involving children in need of assistance under § 3-813 of the Courts Article; or

(vi) a family law proceeding under Title 5, Subtitle 3, Part II or Part III of the Family Law Article, including:

1. for a parent, a hearing in connection with guardianship or adoption;

2. a hearing under § 5-326 of the Family Law Article for which the parent has not waived the right to notice; and

3. an appeal.

(2) [(i) Except as provided in subparagraph (ii) of this paragraph, representation] REPRESENTATION shall be provided to an indigent individual in all stages of a proceeding listed in paragraph (1) of this subsection, including, in criminal proceedings, custody, interrogation, INITIAL APPEARANCE BEFORE A DISTRICT

COURT COMMISSIONER, bail hearing before a District Court or circuit court judge, preliminary hearing, arraignment, trial, and appeal.

[(ii) Representation is not required to be provided to an indigent individual at an initial appearance before a District Court commissioner.]”.

AMENDMENT NO. 3

On page 22 of the bill, before line 27, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Pro Bono Resource Center of Maryland shall include the representation of indigent defendants at an initial appearance before a District Court commissioner among the services that are provided by the Center.

SECTION 7. AND BE IT FURTHER ENACTED, That, unless provided for in a different manner in the State budget, the costs of paying panel attorneys to provide representation to indigent defendants at an initial appearance before a District Court commissioner as required by Section 1 of this Act shall be divided equally between the State and the county in which the panel attorney provides the representation.”.

AMENDMENT NO. 4

On page 8 of the House Judiciary Committee Amendments (HB1232/192511/3), in Amendment No. 3, in lines 18, 19, and 20, strike “6.”, “7.”, and “6”, respectively, and substitute “8.”, “9.”, and “8”, respectively.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39    Negative – 91    (See Roll Call No. 1145)

Read the second time and ordered prepared for Third Reading.

**AMENDED IN THE SENATE**

**House Bill 386 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Clippinger, Conaway, Glenn, Hammen, Harper, Mitchell, Oaks, Rosenberg, Stukes, Tarrant, and M. Washington**

AN ACT concerning

**Criminal Law – Illegal Dumping and Litter Control Law – Driver’s License –  
Penalty and Points**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB0386/948674/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 386  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Penalty and”; strike beginning with “increasing” in line 4 down through “Law;” in line 5; and in line 10, strike “certain violations” and substitute “a violation”.

AMENDMENT NO. 2

On page 2, in line 16, strike “3 YEARS” and substitute “1 year”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 through 8, inclusive; in lines 9, 10, 11, 13, 15, 16, 17, 18, 19, 21, 22, 23, and 25, strike “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, “(21)”, “(22)”, “(23)”, “(24)”, and “(25)”, respectively, and substitute “(11)”, “(12)”, “(13)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, “(21)”, “(22)”, “(23)”, and “(24)”, respectively; after line 12, insert:

**“(14) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10–110 OF THE CRIMINAL LAW ARTICLE.....4 POINTS”;**

and strike in their entirety lines 27 through 29, inclusive.

On page 5, in lines 1, 5, 8, 10, 12, 14, 16, 18, 20, 22, 24, 27, 28, and 30, strike “(27)”, “(28)”, “(29)”, “(30)”, “(31)”, “(32)”, “(33)”, “(34)”, “(35)”, “(36)”, “(37)”, “(38)”, “(39)”, and “(40)”, respectively, and substitute “(25)”, “(26)”, “(27)”, “(28)”, “(29)”, “(30)”, “(31)”, “(32)”, “(33)”, “(34)”, “(35)”, “(36)”, “(37)”, and “(38)”, respectively.

On page 6, in line 3, strike “**(41)**”, and substitute “**(39)**”; in line 19, after “article,” insert “**OR § 10-110**”; and in line 25, after “under” insert “**§ 10-110 OR**”.

The preceding 3 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

**BILL: HB 0386**

**SPONSOR:** Del Anderson (BCA), et al

**SUBJECT:** Criminal Law – Illegal Dumping and Litter Control Law – Driver’s License – Penalty and Points

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 Carter, Chairman  
Delegate Clippinger, and  
Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### AMENDED IN THE SENATE

**House Bill 701 – Delegates Lee, Beidle, Bobo, Cardin, Carr, Cullison, DeBoy, Dumais, Dwyer, Frush, Gutierrez, Guzzone, Haddaway-Riccio, Healey, Howard, Jameson, Jones, A. Kelly, Lafferty, McComas, McDonough, A. Miller, Morhaim, Ready, S. Robinson, Rosenberg, Sophocleus, Stocksdale, F. Turner, Valderrama, and A. Washington**

AN ACT concerning

**Criminal Law – Child Kidnapping ~~and Prostitution~~ for the Purpose of  
Committing a Sexual Crime – Penalty**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB0701/898471/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 701

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “for” in line 2 down through “Crime” in line 3 and substitute “and Prostitution”; strike beginning with “altering” in line 7 down through “change;” in line 14 and substitute “reclassifying as a felony a certain offense relating to child kidnapping and prostitution involving a child under a certain age; altering the penalty for a certain provision of law relating to child kidnapping and prostitution involving an individual under a certain age;”; and in line 15, after “kidnapping” insert “and prostitution”.

AMENDMENT NO. 2

On page 2, in line 5, strike “THE PURPOSE OF” and substitute “purposes of prostitution or”; in line 9, strike “AND” and substitute “or”; in line 11, strike “THE” and substitute “an”; in the same line, after “individual” insert “under the age of 16 years”; in line 14, strike “25” and substitute “30”; and after line 15, insert:

“(c) A person who violates this section is subject to § 5–106(b) of the Courts Article.”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 0701**

**SPONSOR: Del Lee, et al**

**SUBJECT: Criminal Law – Child Kidnapping for the Purpose of Committing a Sexual Crime – Penalty**

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 Swain, and  
Delegate Parrott.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

#### AMENDED IN THE SENATE

House Bill 881 – Delegates Glenn, Morhaim, Anderson, Arora, Barve, Bobo, Boteler, Branch, Braveboy, Cane, Cardin, Carr, Carter, Clagett, Cullison, Donoghue, Dumais, Dwyer, Elliott, Frank, Fraser-Hidalgo, Glass, Glenn, Guzzone, Haynes, Hixson, Hogan, Hubbard, Huckler, Ivey, Kach, A. Kelly, Lafferty, McIntosh, McMillan, A. Miller, Minnick, Mizeur, Murphy, Niemann, Oaks, Ready, Reznik, B. Robinson, S. Robinson, Smigiel, Stein, Swain, Tarrant, F. Turner, V. Turner, Valderrama, Waldstreicher, M. Washington, Weir, ~~and Zucker~~ Zucker, Hammen, Pendergrass, Bromwell, Costa, Kipke, Nathan-Pulliam, Pena-Melnyk, Barnes, Beidle, DeBoy, Frush, Gilchrist, Gutierrez, Harper, Howard, Kaiser, Kramer, McConkey, Mitchell, Simmons, Stukes, Summers, Vaughn, A. Washington, and Wilson

AN ACT concerning

#### Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission

Delegate Hammen moved that the House not concur in the Senate amendments.

**HB0881/528178/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 881

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “registration” and substitute “approval”; in line 7, strike “Commission to develop and maintain a certain Web site” and substitute “Department of Health and Mental Hygiene to adopt certain regulations”; in line 12, strike “registered” and substitute “approved”; and in line 14, after “applications;” insert “prohibiting a certifying physician and certain family members of a certifying physician from being employed by, receiving any compensation or gifts from, or having any financial interest in a medical marijuana grower or a medical marijuana treatment center;”.

On page 2, in line 6, strike “licensed grower” and substitute “medical treatment center licensed by the Commission”; strike beginning with “providing” in line 12 down through “actions;” in line 13; in line 16, after “license;” insert “altering the entities to which a licensed medical marijuana grower may provide marijuana;”; in line 16, strike “renewed” and substitute “a renewal”; in line 18, after “grower;” insert “requiring the Commission to set certain standards for licensure; requiring each medical marijuana grower agent to obtain a criminal history records check;”; in line 20, after “to” insert “actively”; in line 21, after “diversity” insert “and to encourage certain applicants”; strike beginning with “prohibiting” in line 25 down through “requirements” in line 26 and substitute “prohibiting a medical marijuana grower agent and certain family members of a medical marijuana grower agent from being employed by, receiving any compensation or gifts from, or having any financial interest in a certifying physician or a medical marijuana treatment center”; strike beginning with the second “to” in line 27 down through “facilities;” in line 29 and substitute “only to certain programs and certain licensed medical marijuana treatment centers;”; in line 31, after “facilities;” insert “requiring a medical marijuana treatment center to be licensed by the Commission; requiring an applicant to be licensed as a medical marijuana treatment center to submit to the Commission a certain application fee and a certain application; authorizing the Commission, during a certain time period, to issue a certain number of licenses; authorizing the Commission, under certain circumstances, to increase the number of licensed medical marijuana treatment centers; prohibiting a medical marijuana treatment center agent and certain family members of a medical marijuana treatment center agent from being employed by, receiving any compensation or gifts from, or having any financial interest in a certifying physician or a medical marijuana grower; prohibiting certain entities and agents from being arrested or penalized for certain actions; requiring that medical marijuana treatment center agents meet certain qualifications; requiring medical marijuana treatment centers to apply to the Commission for registration cards for certain agents by submitting certain”.

information; requiring, under certain circumstances, medical marijuana treatment centers to notify the Commission and return registration cards of certain agents to the Commission within a certain time period; requiring the Commission, on receipt of a certain notice, to immediately revoke certain registrations and, under certain circumstances, notify the Department of State Police that certain registration cards have not been returned; prohibiting the Commission from registering certain persons as medical marijuana treatment center agents; requiring an applicant for certain criminal history records checks to submit to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services certain sets of fingerprints and certain fees; requiring the Central Repository to forward to the Commission and the applicant certain information; authorizing, under certain circumstances, the Commission to accept an alternate method of criminal history records checks as permitted by certain individuals; providing that certain information obtained from the Central Repository is confidential, may not be disseminated, and may be used only for a certain purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain statement;”; and in line 38, after “date” insert “; requiring the Commission to report to certain committees of the General Assembly on or before a certain date each year on incidents of marijuana use by minors; requiring the Commission to study and report its recommendations to the General Assembly on how to provide access to medical marijuana for certain veterans”.

On page 3, in line 3, strike “and 13-3313” and substitute “, 13-3310, 13-3311, 13-3312, and 13-3316”.

#### AMENDMENT NO. 2

On page 3, in line 27, after the semicolon insert “**AND**”; strike beginning with “**ON**” in line 28 down through “**WITH**” in line 30 and substitute “**APPROVED BY**”; and in line 31, after “**USE**” insert “**IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION**”.

On page 4, after line 4, insert:

**“(G) “MEDICAL MARIJUANA GROWER AGENT” MEANS AN OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL MARIJUANA GROWER LICENSED UNDER THIS SUBTITLE.**



**(H) “MEDICAL MARIJUANA TREATMENT CENTER” MEANS AN ENTITY LICENSED UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, PROCESSES, TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES, DISPENSES, OR ADMINISTERS MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, RELATED PRODUCTS INCLUDING FOOD, TINCTURES, AEROSOLS, OILS, OR OINTMENTS, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.**

**(I) “MEDICAL MARIJUANA TREATMENT CENTER AGENT” MEANS AN OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL MARIJUANA TREATMENT CENTER.”;**

in lines 5, 8, and 19, strike “**(G)**”, “**(H)**”, and “**(I)**”, respectively, and substitute “**(J)**”, “**(K)**”, and “**(L)**”, respectively; in line 13, before “**HAS**” insert “**(I)**”; in line 15, after “**RELATIONSHIP;**” insert “**OR**”; in lines 16 and 18, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(II)**” and “**(2)**”, respectively; and in line 17, strike “**OR**” and substitute “**AND**”.

#### AMENDMENT NO. 3

On page 5, in line 18, strike “**REGISTER**” and substitute “**APPROVE**”; strike beginning with the colon in line 23 down through “**DEVELOP**” in line 24 and substitute “**DEVELOP**”; and strike beginning with “**;AND**” in line 25 down through “**GROWERS**” in line 28.

#### AMENDMENT NO. 4

On page 11, in line 25, strike “**REGISTERED**” and substitute “**APPROVED**”.

On page 12, in line 18, strike “**OR CHRONIC**”; in lines 23 and 24, strike “**RESISTANT TO CONVENTIONAL MEDICINE**” and substitute “**FOR WHICH OTHER MEDICAL TREATMENTS HAVE BEEN INEFFECTIVE**”; after line 25, insert:

**“(E) A CERTIFYING PHYSICIAN OR A SPOUSE, PARENT, OR CHILD OF A CERTIFYING PHYSICIAN MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A MEDICAL MARIJUANA GROWER OR A MEDICAL MARIJUANA TREATMENT CENTER.”;**

and in line 26, strike “(E)” and substitute “(F)”.

On page 13, in line 1, strike “THE” and substitute “A”; in line 9, strike “LICENSED GROWER” and substitute “MEDICAL MARIJUANA TREATMENT CENTER LICENSED BY THE COMMISSION”; and in lines 13 and 24, strike “(F)” and “(G)”, respectively, and substitute “(G)” and “(H)”, respectively.

On pages 13 and 14, strike in their entirety the lines beginning with line 29 on page 13 through line 2 on page 14, inclusive.

#### AMENDMENT NO. 5

On page 14, in line 10, after “growers” insert “THAT MEET ALL REQUIREMENTS ESTABLISHED BY THE COMMISSION”; in line 11, strike “programs” and substitute “:

**(I) PROGRAMS**”;

in line 12, after “subtitle” insert “;AND

**(II) MEDICAL MARIJUANA TREATMENT CENTERS LICENSED BY THE COMMISSION UNDER THIS SUBTITLE**”;

in line 13, strike “(I)”; strike beginning with “may” in line 13 down through the second bracket in line 14 and substitute “SHALL ISSUE THE NUMBER OF LICENSES NECESSARY TO MEET THE DEMAND FOR MEDICAL MARIJUANA BY QUALIFYING PATIENTS AND CAREGIVERS ISSUED IDENTIFICATION CARDS UNDER THIS SUBTITLE IN AN AFFORDABLE, ACCESSIBLE, SECURE, AND EFFICIENT MANNER”; after line 14, insert:

**(3) THE COMMISSION SHALL SET STANDARDS FOR LICENSURE AS A MEDICAL MARIJUANA GROWER TO ENSURE PUBLIC SAFETY AND SAFE ACCESS TO MEDICAL MARIJUANA, WHICH MAY INCLUDE A REQUIREMENT FOR THE POSTING OF SECURITY.**

**(4) EACH MEDICAL MARIJUANA GROWER AGENT SHALL OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13-3312 OF THIS SUBTITLE.**”;

in lines 15 and 19, strike “**(II)**” and “**(III)**”, respectively, and substitute “**(5)**” and “**(6)**”, respectively; in lines 15 and 17, strike “**1.**” and “**2.**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 16, strike “**5**” and substitute “**2**”; in line 18, strike “**10**” and substitute “**2**”; in line 21, strike “**(3)**” and substitute “**(7)**”; in line 28, strike “**(III)**” and substitute “**(8)**”; in the same line, strike “**1.**” and substitute “**(I)**”; in the same line, after “**SHALL**” insert “:

**1. ACTIVELY**;

and in line 30, after “**GROWERS**” insert “;**AND**

**2. ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

On page 15, in line 1, strike “**2.**” and substitute “**(II)**”; in line 5, strike “**(IV) 1.**” and substitute “**(9)**”; strike in their entirety lines 8 through 10, inclusive, and substitute:

**“(10) A MEDICAL MARIJUANA GROWER AGENT OR A SPOUSE, PARENT, OR CHILD OF A MEDICAL MARIJUANA GROWER AGENT MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL MARIJUANA TREATMENT CENTER.”**;

strike in their entirety lines 11 through 16, inclusive; in lines 17, 22, 25, 28, and 30, strike “**(C)**”, “**(D)**”, “**(E)**”, “**(F)**”, and “**(G)**”, respectively, and substitute “**(B)**”, “**(C)**”, “**(D)**”, “**(E)**”, and “**(F)**”, respectively; in line 17, strike “**(1)**”; strike beginning with “**DISTRIBUTE**” in line 18 down through “**GROWER**” in line 19 and substitute “**PROVIDE MARIJUANA ONLY TO:**

**(1) PROGRAMS APPROVED FOR OPERATION UNDER THIS SUBTITLE; AND**

**(2) MEDICAL MARIJUANA TREATMENT CENTERS LICENSED BY THE COMMISSION UNDER THIS SUBTITLE**;

and strike in their entirety lines 20 and 21.

AMENDMENT NO. 6

On page 15, after line 31, insert:

“13-3310.

(A) A MEDICAL MARIJUANA TREATMENT CENTER SHALL BE LICENSED BY THE COMMISSION.

(B) TO BE LICENSED AS A MEDICAL MARIJUANA TREATMENT CENTER, AN APPLICANT SHALL SUBMIT TO THE COMMISSION:

(1) AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE DEPARTMENT CONSISTENT WITH THIS SUBTITLE; AND

(2) AN APPLICATION THAT INCLUDES:

(I) THE LEGAL NAME AND PHYSICAL ADDRESS OF THE PROPOSED MEDICAL MARIJUANA TREATMENT CENTER;

(II) THE NAME, ADDRESS, AND DATE OF BIRTH OF EACH PRINCIPAL OFFICER AND EACH DIRECTOR, NONE OF WHOM MAY HAVE SERVED AS A PRINCIPAL OFFICER OR DIRECTOR FOR A MEDICAL MARIJUANA TREATMENT CENTER THAT HAS HAD ITS REGISTRATION CERTIFICATE REVOKED; AND

(III) OPERATING PROCEDURES THAT THE MEDICAL MARIJUANA TREATMENT CENTER WILL USE, CONSISTENT WITH COMMISSION REGULATIONS FOR OVERSIGHT, INCLUDING STORAGE OF MARIJUANA ONLY IN ENCLOSED AND LOCKED FACILITIES.

(C) A MEDICAL MARIJUANA TREATMENT CENTER AGENT OR A SPOUSE, PARENT, OR CHILD OF A MEDICAL MARIJUANA TREATMENT CENTER AGENT MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE

ANY FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL MARIJUANA GROWER.

(D) (1) IN THE FIRST YEAR AFTER DECEMBER 15, 2014, THE COMMISSION MAY ISSUE LICENSES FOR NO MORE THAN TWO MEDICAL MARIJUANA TREATMENT CENTERS PER LEGISLATIVE DISTRICT, EXCEPT THAT THE COMMISSION MAY ISSUE ADDITIONAL LICENSES TO ENSURE THAT THERE IS AT LEAST ONE MEDICAL MARIJUANA TREATMENT CENTER IN EACH COUNTY.

(2) IF THE COMMISSION DETERMINES ON OR AFTER DECEMBER 15, 2016, THAT THE NUMBER OF MEDICAL MARIJUANA TREATMENT CENTERS IS INSUFFICIENT TO MEET THE NEEDS OF QUALIFYING PATIENTS, THE COMMISSION MAY INCREASE THE NUMBER OF LICENSED MEDICAL MARIJUANA TREATMENT CENTERS.

(E) A MEDICAL MARIJUANA TREATMENT CENTER LICENSED UNDER THIS SECTION OR A MEDICAL MARIJUANA TREATMENT CENTER AGENT REGISTERED UNDER § 13-3311 OF THIS SUBTITLE MAY NOT BE PENALIZED OR ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, PROCESSING, TRANSFERRING, TRANSPORTING, SELLING, DISTRIBUTING, OR DISPENSING MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.

13-3311.

(A) A MEDICAL MARIJUANA TREATMENT CENTER AGENT SHALL:

(1) BE AT LEAST 21 YEARS OLD;

(2) BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT MAY VOLUNTEER OR WORK AT A MEDICAL MARIJUANA TREATMENT CENTER; AND

(3) OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13-3312 OF THIS SUBTITLE.

(B) A MEDICAL MARIJUANA TREATMENT CENTER SHALL APPLY TO THE COMMISSION FOR A REGISTRATION CARD FOR EACH MEDICAL MARIJUANA TREATMENT CENTER AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE OF BIRTH OF THE AGENT.

(C) (1) WITHIN 1 BUSINESS DAY AFTER A MEDICAL MARIJUANA TREATMENT CENTER AGENT CEASES TO BE ASSOCIATED WITH A MEDICAL MARIJUANA TREATMENT CENTER, THE MEDICAL MARIJUANA TREATMENT CENTER SHALL:

(I) NOTIFY THE COMMISSION; AND

(II) RETURN THE MEDICAL MARIJUANA TREATMENT CENTER AGENT'S REGISTRATION CARD TO THE COMMISSION.

(2) ON RECEIPT OF A NOTICE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL:

(I) IMMEDIATELY REVOKE THE REGISTRATION CARD OF THE MEDICAL MARIJUANA TREATMENT CENTER AGENT; AND

(II) IF THE REGISTRATION CARD WAS NOT RETURNED TO THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.

(D) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE AS A MEDICAL MARIJUANA TREATMENT CENTER AGENT.

13-3312.

(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(1) TWO COMPLETE SETS OF LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS; AND

(3) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-228 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE COMMISSION AND TO THE APPLICANT THE CRIMINAL HISTORY RECORD INFORMATION OF THE APPLICANT.

(D) IF AN APPLICANT HAS MADE TWO OR MORE UNSUCCESSFUL ATTEMPTS AT SECURING LEGIBLE FINGERPRINTS, THE COMMISSION MAY ACCEPT AN ALTERNATE METHOD OF A CRIMINAL HISTORY RECORDS CHECK AS PERMITTED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION SHALL BE:

(1) CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND

(2) USED ONLY FOR THE REGISTRATION PURPOSE AUTHORIZED BY THIS SUBTITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT

ISSUED BY THE CENTRAL REPOSITORY, AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.”;

and in line 32, strike “~~13-3310.~~” and substitute “13-3313.”.

On page 16, in line 32, strike “~~13-3311.~~” and substitute “13-3314.”.

On page 17, in line 30, strike “~~13-3312.~~” and substitute “13-3315.”.

On page 18, in line 7, strike “~~13-3313.~~” and substitute “13-3316.”.

AMENDMENT NO. 7

On page 16, in line 20, strike “OR”; after line 20, insert:

“(6) A MEDICAL MARIJUANA TREATMENT CENTER LICENSED UNDER § 13-3310 OF THIS SUBTITLE OR A MEDICAL MARIJUANA TREATMENT CENTER AGENT REGISTERED UNDER § 13-3311 OF THIS SUBTITLE; OR”;

in line 21, strike “~~(6)~~” and substitute “~~(7)~~”; and strike beginning with “CERTIFYING” in line 21 down through the second “STAFF” in line 22 and substitute “QUALIFYING PATIENT IS RECEIVING TREATMENT”.

AMENDMENT NO. 8

On page 18, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1 of each year, the Natalie M. LaPrade Medical Marijuana Commission and the Department of Health and Mental Hygiene shall report to the Senate Judicial Proceedings Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Judiciary Committee, and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on incidents of marijuana use by minors in Maryland, including an examination of whether any increase in marijuana use by minors may be attributed to this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Natalie M. LaPrade Medical Marijuana Commission shall study and report its recommendations, in accordance with § 2-1246 of the State Government Article, to the General Assembly on how to provide access to medical marijuana for veterans who are receiving



treatment at a medical facility operating under the auspices of the United States Veterans Health Administration, the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, or any other facility in the State certified by the United States Department of Veterans Affairs Medical Center.”;

and in line 10, strike “2.” and substitute “4.”.

The preceding 8 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 0881**

**SPONSOR:** Del Glenn, et al

**SUBJECT:** Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission

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 Morhaim, Chairman  
Delegate Hammen, and  
Delegate Kach.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 929 – Delegates Malone and ~~McMillan~~, McMillan, Beidle, Cane, Fraser-Hidalgo, Frush, Healey, Holmes, Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, and ~~Wilson~~ Wilson, and Conaway**

AN ACT concerning

~~Motor Vehicles—Speed Monitoring Systems—Local Jurisdictions~~  
Speed Monitoring Systems Reform Act of 2014

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0929/808372/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 929  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “designate” insert “, subject to the approval of a certain governing body.”.

AMENDMENT NO. 2

On page 7, in line 24, after “DESIGNATE” insert “, SUBJECT TO THE APPROVAL OF THE GOVERNING BODY OF THE LOCAL JURISDICTION.”.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 0929**

**SPONSOR:** Del Malone, et al

**SUBJECT:** Speed Monitoring Systems Reform Act of 2014

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 McMillan, and

Delegate Stein.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**AMENDED IN THE SENATE**

**House Bill 1212 – Delegates Clippinger, Waldstreicher, Anderson, Arora, Cluster, Dumais, Hammen, McDermott, McHale, Valderrama, and Valentino-Smith**

AN ACT concerning

**Use of Text Messaging Device or Handheld Telephone While Driving –  
Accidents Resulting in Death or Serious Injury – Penalties**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB1212/878773/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1212

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike beginning with “Use” through “Telephone” and substitute “Texting”; strike beginning with “prohibiting” in line 4 down through “telephone” in line 18 and substitute “altering a certain prohibition against using a text messaging device while operating a motor vehicle to prohibit an individual from using the individual’s hands to use a text messaging device for certain purposes while operating a motor vehicle under certain circumstances; prohibiting a person from committing a violation of a certain prohibition against using a text messaging device while driving that causes an accident that results in the death or serious bodily injury of another; establishing certain criminal penalties for a certain violation of this Act; providing for the assessment of certain points for a violation of a certain provision of this Act; and generally relating to the prohibition on using a text messaging device”; and in line 21, strike “, 21–1124.3,”.

On page 2, in line 1, strike “without” and substitute “with”; and in line 3, strike “and 21-1124.2”.

AMENDMENT NO. 2

On page 2, in line 14, strike “§ 21-1124.3(A)” and substitute “§ 21-1124.1(B)(2)”; and strike in their entirety lines 23 through 25, inclusive, and substitute:

“(b) (1) Subject to subsection (c) of this section, an individual may not use THE INDIVIDUAL’S HANDS TO USE a text messaging device to write, send, or read a text message or an electronic message while operating a motor vehicle in the travel portion of the roadway.

(2) A PERSON MAY NOT COMMIT A VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION THAT CAUSES AN ACCIDENT THAT RESULTS IN THE DEATH OR, AS DEFINED IN § 27-113 OF THIS ARTICLE, SERIOUS BODILY INJURY OF ANOTHER.”.

On pages 3 through 5, strike in their entirety the lines beginning with line 11 on page 3 through line 18 on page 5, inclusive.

On page 5, in line 20, strike “(A)”; in the same line, strike “§ 21-1124.3(A)” and substitute “§ 21-1124.1(B)(2)”; in line 22, strike “1 YEAR” and substitute “3 YEARS”; and strike in their entirety lines 24 through 27, inclusive.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 1212**

**SPONSOR: Del Clippinger, et al**

**SUBJECT: Use of Txt Mesaging Dvc or Hanheld Tel While Drvg – Acidnts Rsltng in Death or Serious Inj – Pnlts**

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 Anderson, Chairman  
Delegate Clippinger, and  
Delegate Cluster.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#22**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably with amendments:

**House Joint Resolution 2 – Delegates Anderson, Carter, and Vallario**

A House Joint Resolution concerning

**Rescission of Maryland’s Ratification of the Corwin Amendment to the  
United States Constitution**

**HJ0002/963523/1**

BY: Rules and Executive Nominations Committee

**AMENDMENT TO HOUSE JOINT RESOLUTION 2**

(First Reading File Joint Resolution)

On page 2, strike beginning with the first “the” in line 7 down through “20520” in line 8 and substitute “the Honorable Joseph R. Biden, Jr., Vice President of the United States, President of the United States Senate, Suite S–212, United States Capitol Building, Washington, D.C. 20510”; and strike beginning with the first “the” in line 12 down through “20405” in line 13 and substitute “the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington D.C. 20408”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**Senate Bill 235 – The President (By Request – Governor’s Salary Commission)**

AN ACT concerning

**Governor – Pension and Health Benefits**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**Senate Bill 236 – The President (By Request – Governor’s Salary Commission)**

AN ACT concerning

**Constitutional Officers – Salaries**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

**Senate Joint Resolution 1 – Senators Frosh, Benson, Conway, Currie, Dyson, Gladden, Jones–Rodwell, Kelley, Madaleno, Manno, McFadden, Middleton, Miller, Muse, Pinsky, Pugh, Raskin, ~~and Rosapepe~~ Rosapepe, Brochin, Forehand, Hershey, Jacobs, Stone, and Zirkin**

A Senate Joint Resolution concerning

**Rescission of Maryland’s Ratification of the Corwin Amendment to the United States Constitution**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONFERENCE COMMITTEE REPORT**

**Senate Bill 170 – The President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2015)**

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 170 – THE BUDGET BILL

(See Exhibit N of Appendix II)

CONFERENCE COMMITTEE SUMMARY DOCUMENT ON SENATE BILL 170 – THE BUDGET BILL  
AND SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit O of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 98    Negative – 37    (See Roll Call No. 1146)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: SB 172      SPONSOR: The President**

**SUBJECT: Budget Reconciliation and Financing Act of  
2014**

**THIRD READING CALENDAR      HOUSE NO. 6      SENATE NO. 52**

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 Appropriation Committee Amendments (SB0172/384062/1) be rejected.
- (2) That the Amendments by Delegate Frick (SB0172/233926/2) be rejected.

(3) That the attached Conference Committee Amendments (SB0172/623328/1) be adopted.

**SB0172/623328/1**

BY: Conference Committee

AMENDMENTS TO SENATE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “appropriations;” insert “requiring a certain maintenance of effort of county support for a community college in order for a community college to receive a certain hold harmless component amount; eliminating a certain requirement that the Secretary of Human Resources notify the Joint Committee on Welfare Reform under certain circumstances;”; in line 15, after “year;” insert “altering the Joint Information Technology and Biotechnology Committee to be the Joint Committee on Cybersecurity, Information Technology, and Biotechnology; consolidating the Joint Advisory Committee on Legislative Data Systems and the Joint Committee on Transparency and Open Government to be the Joint Committee on Legislative Information Technology and Open Government; providing for the duties of the committees; altering a certain reporting requirement; altering certain duties of the Office of Policy Analysis that relate to the formal revision of statutory law;”; in line 17, after “Lottery” insert “and Gaming Control”; in the same line, strike “bonuses and”; and in line 18, after “incentives;” insert “altering the allocation of certain local impact grants from video lottery terminal proceeds for certain fiscal years; requiring certain reports on the distribution of certain funds; requiring Baltimore City to establish a certain schedule for the distribution and expenditure of certain local impact grants from video lottery terminal proceeds; altering a certain reporting requirement for Baltimore City;”.

On page 2, in line 2, strike “repealing” and substitute “extending”; in line 9, after “Commission” insert “and the Department of Health and Mental Hygiene”; strike beginning with “requiring” in line 11 down through “rates;” in line 14; in line 14, after “assessment;” insert “repealing certain provisions of law establishing the Joint Committee on Health Care Delivery and Financing, the Joint Committee on Welfare Reform, and the Joint Committee on Access to Mental Health Services; authorizing the Health Services Cost Review Commission, for certain purposes, to include a certain additional amount in hospital revenue when determining hospital rates for a certain fiscal year; requiring the Health Services Cost Review Commission to establish certain criteria; requiring that certain proposals for funding be developed in”.



accordance with certain guidelines and submitted to certain entities for approval; requiring a certain committee to be established to review certain proposals and to make certain funding recommendations; authorizing the Health Services Cost Review Commission to act on certain proposals; authorizing the Department of State Police to donate a certain helicopter to a certain entity;”; in line 27, after “year;” insert “authorizing the transfer of certain funds to the Department of Business and Economic Development to be used in a certain fiscal year as grants to supplement certain tax credits awarded under a certain film production activity tax credit program;”; in line 33, after “law;” insert “declaring the intent of the General Assembly; requiring the Comptroller to set a certain interest rate for certain taxable years for income tax refunds resulting from a certain judicial decision; requiring, under certain circumstances, a county to pay certain costs beyond a certain amount restricted in the State budget to implement a certain Court of Appeals decision; providing that a certain budgetary authorization represents a one-time allocation and provides no authority for certain actions without certain statutory or budgetary authority; authorizing the Department of the Environment to enter into a certain memorandum of understanding with certain counties to establish a certain alternative source of funding to be deposited in a certain fund; requiring certain counties to enter into the memorandum of understanding on or before a certain date;”; and in line 36, after “the” insert “application and”.

On page 3, in line 20, strike “5-202(d)(1).”; in the same line, after “16-305(c)(1)(i)” insert “and (d)”; and after line 37, insert:

“BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5-316(b)  
Annotated Code of Maryland  
(2007 Volume and 2013 Supplement)”.

On page 4, in line 11, after “Section” insert “2-10A-13, 2-10A-14, 2-1238(7).”; in the same line, strike “, 9-1A-29(d)(1).” and substitute “, 9-1A-31(a).”; and after line 38, insert:

“BY repealing and reenacting, with amendments,  
Article – Education  
Section 5-202(d)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)”.

(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)”.

On page 5, in line 2, after “(k)” insert “and 16-305(c)(7)”; in line 12, after “Section” insert “2-10A-02, 2-10A-04, 2-10A-05, and”; and strike in their entirety lines 20 through 24, inclusive.

#### AMENDMENT NO. 2

On page 8, in line 3, after “OF” insert “:”

(I)”;

in lines 5, 8, 11, and 13, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “1.”, “2.”, “3.”, and “4.”, respectively; and in line 13, after “REPRESENTATIVE” insert “; AND”

(II) THE DIRECTOR OF THE COMMISSION, OR THE DIRECTOR’S DESIGNEE, WHO SHALL SERVE AS A NONVOTING MEMBER OF THE ADVISORY COMMITTEE”.

#### AMENDMENT NO. 3

On page 10, in line 34, strike “19.7%” and substitute “20.0%”.

On page 11, in line 2, strike “19.7%” and substitute “20.5%”; in line 8, strike “20%” and substitute “21.0%”; and in line 13, strike “21%” and substitute “22.0%”.

#### AMENDMENT NO. 4

On page 12, after line 23, insert:

“(7) (i) A board shall be eligible for a hold harmless component beginning in fiscal year 1998 if the sum of the board’s fixed costs, marginal costs, and size factor components for the fiscal year is less than the board’s total State share in the prior fiscal year.

(ii) The hold harmless component amount shall be determined by subtracting the sum of an eligible board’s fixed costs, marginal costs, and size factor components for the fiscal year from the board’s total State share for the prior fiscal year.

(d) In each fiscal year, in order for a board to receive an increase in the State share of support OR A HOLD HARMLESS COMPONENT AMOUNT, the county share, in the aggregate, that supports the community college or colleges shall equal or exceed the aggregate amount of operating fund appropriations made to the board by the county or all of the counties supporting the college in the previous fiscal year.”.

AMENDMENT NO. 5

On page 15, after line 4, insert:

“Article – Human Services

5–316.

(b) If the Secretary determines during the fiscal year that the funds available for the FIP are insufficient to make payments in accordance with the amount of assistance otherwise established by law, the Secretary shall:

(1) provide for a uniform method of adjusting individual payments;

AND

(2) [notify the Joint Committee on Welfare Reform; and

(3)] submit emergency regulations, in accordance with Title 10, Subtitle 1 of the State Government Article, to implement the adjustment.”.

On page 16, after line 32, insert:

“2–10A–13.

(a) There is a Joint COMMITTEE ON CYBERSECURITY, Information Technology, and Biotechnology [Committee].

(b) The Committee consists of the following 12 members:

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

(2) six members of the House of Delegates, appointed by the Speaker of the House.

(c) The members of the Committee serve at the pleasure of the presiding officer who appointed them.

(d) The President and the Speaker shall appoint jointly a Senator and a Delegate to serve as cochairs who shall alternate in serving as the presiding chair of the Committee each year.

(e) [(1)] The Committee shall:

(1) work to broaden the support, knowledge, and awareness of ADVANCES IN CYBERSECURITY, information technology, and biotechnology to benefit the people of Maryland;

(2) EVALUATE STATE CYBERSECURITY SYSTEMS AND THE ADEQUACY OF ECONOMIC DEVELOPMENT AND JOB SKILLS TRAINING PROGRAMS TO ADVANCE CYBERSECURITY IN THE STATE;

(3) MAKE RECOMMENDATIONS REGARDING ACTIONS TO PROMOTE CYBERSECURITY, INFORMATION TECHNOLOGY, AND BIOTECHNOLOGY INDUSTRIES IN THE STATE; AND

[(2)] (4) [The Committee may] examine and evaluate additional CYBERSECURITY-, information technology-, or biotechnology-related issues as designated by the cochairs of the Committee.

(f) The Committee shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of this title, the Legislative Policy Committee, the Senate Finance Committee, and the House Economic Matters Committee on or before December 1 of each year.

2-10A-14.

(a) There is a Joint Committee on [Transparency] LEGISLATIVE INFORMATION TECHNOLOGY and Open Government.

(b) (1) The Committee consists of 12 members.

(2) Of the 12 members:

(i) 6 shall be members of the Senate of Maryland, appointed by the President of the Senate; and

(ii) 6 shall be members of the House of Delegates, appointed by the Speaker of the House.

(c) From among the membership of the Committee, the President of the Senate shall appoint a Senator to serve as the Senate Chair of the Committee, and the Speaker of the House shall appoint a Delegate to serve as the House Chair of the Committee.

(d) The Department of Legislative Services shall provide staff assistance to the Committee.

[(e) The purposes of the Committee are to:

(1) provide continuing legislative oversight regarding transparency and open government; and

(2) make recommendations regarding initiatives that will increase citizen access to government resources, publications, and actions.

(f) The Committee shall hold:

(1) an organizational meeting promptly after the appointment of its members; and

(2) any other meetings that the Committee considers necessary to carry out its duties efficiently.

(g) The Committee may:

(1) hold a hearing on any matter relating to the functions of the Committee; and

(2) consider a vote on a bill or resolution referred to it by the President or the Speaker.]

[(h)] (E) The Committee shall:

(1) REVIEW AND EVALUATE LEGISLATIVE INFORMATION TECHNOLOGY SYSTEMS AND GOALS FOR THE GENERAL ASSEMBLY AND ITS STAFF AGENCIES;

[(1)] (2) identify areas in which the State can improve its technology, [and] Web sites, PROGRAMS, AND SERVICES to increase transparency, [and] citizen engagement, AND PUBLIC AWARENESS OF AND ACCESS TO GOVERNMENT RESOURCES, PUBLICATIONS, AND ACTIONS;

[(2) make recommendations regarding State transparency goals and policies;

(3) consult with State entities that foster transparency, including the Governor's StateStat office;

(i) when developing State transparency goals and policies; and

(ii) to identify methods of coordinating transparency policies across State government;

(4) review State laws, programs, services, and policies and make recommendations to align them with State transparency policies and goals;

(5) determine whether there are interdepartmental gaps, inconsistencies, and inefficiencies in the implementation or attainment of State transparency policies and goals;]

[(6)] (3) EVALUATE THE EFFECTS OF TRANSPARENCY AND OPEN GOVERNMENT POLICIES AND ACTIONS ON THE SECURITY OF STATE INFORMATION TECHNOLOGY SYSTEMS AND INFORMATION HELD BY STATE UNITS;

(4) MAKE RECOMMENDATIONS REGARDING;

(I) LEGISLATIVE INFORMATION TECHNOLOGY SYSTEMS AND GOALS FOR THE GENERAL ASSEMBLY AND ITS STAFF AGENCIES;

(II) POLICIES OR ACTIONS TO ENHANCE THE SECURITY OF STATE INFORMATION TECHNOLOGY SYSTEMS AND INFORMATION HELD BY STATE UNITS; AND

(III) [identify] laws, programs, services, or budgetary priorities [that need to be adopted] NECESSARY to ensure and promote transparency and open government in the State; AND

[(7) survey transparency initiatives in other states that have proven effective at saving public funds and resources and assess whether those policies should be modified and adopted for use by the State;

(8) serve as an informational resource and liaison for advocates and citizens with ideas and suggestions for tools and practical implementation of initiatives that will increase transparency;

(9) review and make recommendations regarding actions suggested by advocates and citizens to increase citizen access to government resources, publications, and actions;

(10) recommend methods of increasing public awareness of government resources, publications, and Web sites; and]

[(11)] (5) perform any other activity [that is required to fulfill the purposes] RELATED TO LEGISLATIVE INFORMATION TECHNOLOGY SYSTEMS OR OPEN GOVERNMENT AS DESIGNATED BY THE COCHAIRS of the Committee.

[(i)] (F) (1) Subject to § 2-1246 of this title, the Committee shall submit a report to the [General Assembly] LEGISLATIVE POLICY COMMITTEE on or before December 1 each year.

(2) The report shall include:

(i) a description of the work of the Committee; and

(ii) any recommendations of the Committee.

2-1238.

In addition to any duties set forth elsewhere, the Office shall:

(7) [carry on continuous full time] COMPLETE THE formal revision of statutory law for the General Assembly by preparing and submitting to the General Assembly recommendations for the repeal or modification of statutes that are obsolete, inconsistent with another statute, unconstitutional, or otherwise in need of formal revision:”.

On page 29, after line 3, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 2-10A-02, 2-10A-04, and 2-10A-05 of Article – State Government of the Annotated Code of Maryland be repealed.”.

On page 33, in line 28, after “properties.” insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that any provision enacted by this Act or any other Act of the General Assembly of 2014 that relates to:

(a) The Joint Advisory Committee on Legislative Data Systems or the Joint Committee on Transparency and Open Government shall be considered to apply to the Joint Committee on Legislative Information Technology and Open Government established under Section 1 of this Act; and

(b) The Joint Information Technology and Biotechnology Committee shall be considered to apply to the Joint Committee on Cybersecurity, Information Technology, and Biotechnology established under Section 1 of this Act.”.

#### AMENDMENT NO. 6

On page 16, in line 28, before “60%” insert “AT LEAST”; and in line 29, before “80%” insert “AT LEAST”.

#### AMENDMENT NO. 7



On page 17, in line 14, strike the bracket; in lines 14 and 15 and 17 and 18, in each instance, strike “or incentives”; in line 16, strike “and incentives”; in lines 18 and 19, in each instance, strike the bracket.

AMENDMENT NO. 8

On page 20, in line 1, strike “**\$6,249,199**” and substitute “**\$9,249,199**”.

AMENDMENT NO. 9

On page 17, after line 20, insert:

“9-1A-31.

(a) (1) Except as provided in paragraph (4) of this subsection, the local impact grants provided under § 9-1A-27 of this subtitle shall be distributed in the following manner:

(i) 82% to the local jurisdictions with video lottery facilities, based on each jurisdiction’s percentage of overall gross revenues from video lottery terminals; and

(ii) except as provided in paragraph (2) of this subsection, for operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal year 2032, 18% to Baltimore City with the Pimlico Community Development Authority acting as the local development council in accordance with subsection (d) of this section, to be distributed primarily for capital projects benefiting economic and community development in the following manner:

1. at least 75% in a manner that is consistent with the Park Heights Master Plan; and

2. the remainder dedicated to the needs of:

A. any census blockgroup that Baltimore City identifies as being located partly or entirely within 1 mile of Pimlico Race Course but not within the boundaries of the Park Heights Master Plan in a manner that is consistent with adopted neighborhood priorities;

B. any neighborhood included in the Northwest Community Planning Forum Strategic Neighborhood Action Plan in a manner that is

consistent with the adopted Northwest Community Planning Forum Strategic Neighborhood Action Plan priorities; and

C. beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, any neighborhood within an area bounded by Liberty Heights Avenue, Northern Parkway, Druid Park Drive, and Wabash Avenue in a manner that is consistent with adopted neighborhood priorities.

(2) (i) Of the amount specified under paragraph (1)(ii) of this subsection[.]:

1. \$1,000,000 shall be provided annually to Prince George's County to be used for public safety projects in the community within 5 miles surrounding Rosecroft Raceway; AND

2. FOR FISCAL YEARS 2015 THROUGH 2019, \$500,000 SHALL BE PROVIDED ANNUALLY FOR IMPACT AID TO BE DISTRIBUTED AS PROVIDED UNDER § 11-404(D) OF THE BUSINESS REGULATION ARTICLE TO HELP PAY FOR FACILITIES AND SERVICES IN COMMUNITIES WITHIN 3 MILES OF THE LAUREL RACE COURSE.

(ii) The Legislative Policy Committee shall report its findings and recommendations concerning the advisability of the continuation of the distribution of funds after fiscal year 2032 to the Comptroller and, in accordance with § 2-1246 of this article, the General Assembly, on or before November 1, 2030.

(3) [Baltimore City and] ANNE ARUNDEL COUNTY, HOWARD COUNTY, Prince George's County, AND THE CITY OF LAUREL shall report to the Legislative Policy Committee by December 31 of each year as to the distribution of the funds provided under this section.

(4) BALTIMORE CITY SHALL:

(i) ESTABLISH A SCHEDULE FOR THE DISTRIBUTION AND EXPENDITURE OF FUNDS PROVIDED UNDER THIS SECTION; AND

**(II) PROVIDE A QUARTERLY REPORT TO THE LEGISLATIVE POLICY COMMITTEE ON THE DISTRIBUTION OF THE FUNDS PROVIDED UNDER THIS SECTION.**

**[(4)] (5)** Beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, 100% of the local impact grants provided under § 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in Allegany, Cecil, and Worcester counties shall be distributed to the local jurisdictions in which those video lottery facilities are located.”.

On page 24, strike in their entirety lines 15 through 25, inclusive.

**AMENDMENT NO. 10**

On page 27, in line 3, in each instance, strike the bracket; in the same line, strike “2014” and substitute “2016”; and in the same line, strike “**THE**”.

**AMENDMENT NO. 11**

On page 27, in line 39, after “**COMMISSION**” insert “**AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE**”.

On page 28, in line 1, after “**COMMISSION**” insert “**AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE**”; strike beginning with “**THE**” in line 1 down through the second “**AND**” in line 2; and in line 3, after “**COMMISSION**” insert “**AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE**”.

**AMENDMENT NO. 12**

On page 29, in line 1, strike “**0.5%**” and substitute “**0.3%**”.

On page 30, strike in their entirety lines 24 through 29, inclusive, and substitute:

“**SECTION 5. AND BE IT FURTHER ENACTED, That:**

(a) In fiscal year 2015 only, subject to the approval of the federal Center for Medicare and Medicaid Innovation, the Health Services Cost Review Commission may include an additional \$15,000,000 in hospital revenue when determining hospital rates that are effective in fiscal year 2015 for the purpose of:

(1) Assisting hospitals in covering costs associated with the implementation of Maryland’s all-payer model contract; or

(2) Funding of statewide or regional proposals that support the implementation of Maryland’s all-payer model contract.

(b) The Commission shall establish criteria that hospitals must meet to receive funding through hospital rates for the purpose specified in subsection (a)(1) of this section.

(c) (1) Statewide or regional proposals for funding shall be:

(i) Developed in accordance with guidelines established by the Health Care Delivery Reform Subcommittee of the Health Care Reform Coordinating Council; and

(ii) Submitted to the Commission and the Department of Health and Mental Hygiene for approval.

(2) (i) The Department and the Commission shall establish a committee to review statewide or regional proposals and make recommendations to the Department and the Commission for funding.

(ii) The committee shall include:

1. Representatives from the Department and the Commission; and

2. Subject matter experts, including individuals with expertise in areas such as public health, community-based health care services and supports, primary care, long-term care, end-of-life care, behavioral health, and health information technology.

(3) The Commission may take action on a statewide or regional proposal that has been:

(i) Reviewed by the committee established under paragraph (2) of this subsection; and

(ii) Approved by the Commission and the Department.”.

On page 34, in line 5, strike “Section 2” and substitute “Sections 2 and 5”.

AMENDMENT NO. 13

On page 30, in line 31, after “law” insert “:

(1) Subject to item (2) of this section”;

and in line 32, after “Fund” insert “; and

(2) The Department of State Police may donate one Dauphin 365N helicopter to the Smithsonian Institution at no cost”.

AMENDMENT NO. 14

On page 32, in line 8, strike “\$800,000” and substitute “\$1,800,000”; after line 9, insert:

“\$2,000,000 of the funds in the accounts of Morgan State University;”;

and after line 18, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer to the General Fund \$1,000,000 of the funds in the Maryland Correctional Enterprises Revolving Fund established under § 3–507 of the Correctional Services Article.”.

AMENDMENT NO. 15

On page 32, in line 17, strike “\$30,814,997” and substitute “\$31,000,000”.

AMENDMENT NO. 16

On page 32, strike in their entirety lines 19 through 24, inclusive.

AMENDMENT NO. 17

On page 32, after line 32, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer from the

Special Fund for Preservation of Cultural Arts in Maryland established under § 4–801 of the Economic Development Article:

- (1) \$100,000 as a grant to the Arena Players, Inc.;
- (2) \$150,000 as a grant to the Great Blacks in Wax Museum, Inc.;
- (3) \$200,000 as a grant to the Prince George’s African–American Museum and Cultural Center at North Brentwood, Inc.; and
- (4) \$800,000 as a grant to the Maryland School for the Blind.”.

AMENDMENT NO. 18

On page 32, before line 33, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law and for fiscal years 2014 and 2015 only, the Governor may transfer up to a cumulative total of \$5,000,000 from the Economic Development Opportunities Program Account established under § 7–314 of the State Finance and Procurement Article and up to a cumulative total of \$2,500,000 from the Special Fund for Preservation of Cultural Arts in Maryland to the Department of Business and Economic Development to use as grants to supplement tax credits awarded under the film production activity tax credit program under § 10–730 of the Tax – General Article.”.

AMENDMENT NO. 19

On page 33, after line 28, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Comptroller shall set the annual interest rate for an income tax refund that is a result of the final decision under Maryland State Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) at a percentage, rounded to the nearest whole number, that is the percent that equals the average prime rate of interest quoted by commercial banks to large businesses during fiscal year 2015, based on a determination by the Board of Governors of the Federal Reserve Bank.”.

On page 33, after line 34, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That Section 16 of this Act applies only to income tax refunds attributable to taxable years beginning after December 31, 2005, but before January 1, 2015.”.

AMENDMENT NO. 20

On page 33, before line 29, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That, in implementing the holding of the Court of Appeals in DeWolfe v. Richmond, 434 Md. 403 (2012) and 434 Md. 444 (2013), if attorneys are appointed in a county to provide legal representation at an initial appearance before a District Court commissioner, in fiscal year 2015, the costs of compensating the attorneys beyond the amount restricted for that purpose in the State budget shall be billed by the appointing authority to the county in which the representation is provided and shall be paid by that county. Authorization of State funds in the fiscal year 2015 State budget for this purpose represents a one-time allocation and provides no authority for additional State expenditures or commitment of funds without separate statutory authority or separate authorization in the State budget as passed by the General Assembly.”.

AMENDMENT NO. 21

On page 33, in line 29, strike “SECTION” and substitute:

“SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Maryland Department of the Environment may enter into a memorandum of understanding with Carroll County or Frederick County to establish an alternative source of funding to be deposited into a local watershed protection and restoration fund, including an amount or percent of funds, passed by local ordinance for the purpose of meeting their National Pollutant Discharge Elimination System Phase 1 Municipal Separate Storm Sewer System permit. Carroll County or Frederick County must enter into the memorandum of understanding with the Maryland Department of the Environment on or before December 1, 2014.

SECTION”.

AMENDMENT NO. 22

On page 18, in line 20, before “(I)” insert “(4)”.

On page 30, in line 30, strike “5.” and substitute “6.”.

On page 31, in lines 4, 29, and 34, strike “6.”, “7.”, and “8.”, respectively, and substitute “7.”, “8.”, and “9.”, respectively.

On page 32, in lines 25 and 33, strike “10.” and “11.”, respectively, and substitute “11.” and “14.”, respectively.

On page 33, in lines 29 and 35, strike “12.” and “13.”, respectively, and substitute “19.” and “21.”, respectively; and in line 35, strike “10” and substitute “11”.

On page 34, in line 2, strike “10” and substitute “11”; in lines 4, 6, and 8, strike “14.”, “15.”, and “16.”, respectively, and substitute “22.”, “23.”, and “24.”, respectively; in line 9, strike “13, 14, and 15” and substitute “21, 22, and 23”; and in the same line, after the first “Act” insert “and subject to Section 20 of this Act”.

Senate Members:

House Members:

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Chair, **Edward J. Kasemeyer**

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Chair, **Norman H. Conway**

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**Nathaniel J. McFadden**

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**John L. Bohanan, Jr.**

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**Richard S. Madaleno, Jr.**

---

**Melony G. Griffith**

---

**James E. DeGrange, Sr.**

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**Wendell R. Beitzel**

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**George C. Edwards**

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**Peter A. Hammen**

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Read in the Senate:

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Read in the House of Delegates:

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Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 97    Negative – 38    (See Roll Call No. 1147)

The Bill was then returned to the Senate.



**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 575 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Code Simplification and Clarification**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

**SB0575/653429/1**

BY: Delegate Griffith

AMENDMENTS TO SENATE BILL 575

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, after “limitation;” insert “providing that certain retirees of the Judges’ Retirement System are exempt from a certain reemployment earnings limitation after a certain number of years after retirement;”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 27–406

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)”.

AMENDMENT NO. 2

On page 10, after line 14, insert:

“27–406.

(a) This section does not apply to a retiree who:

(1) is temporarily assigned to sit in a court of this State under the authority of Article IV, § 3A of the Maryland Constitution; or

(2) is employed as a member of the faculty of a public institution of higher education in the State.

(b) Subject to subsection (e) of this section, a retiree may accept employment in which all or part of the compensation for the employment comes from municipal, county, or State funds, if the retiree immediately notifies the Board of Trustees of:

(1) the retiree's intention to accept the employment; and

(2) the compensation that the retiree will receive.

(c) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE Board of Trustees shall reduce the retirement allowance of a retiree who accepts employment as provided under subsection (b) of this section if the retiree's current employer is any unit of State government and the retiree's employer at the time of the retiree's last separation from employment with the State before the retiree commenced receiving a service retirement allowance was also a unit of State government.

(2) The reduction required under paragraph (1) of this subsection shall equal the amount that the sum of the retiree's annual retirement allowance and the retiree's annual compensation exceeds the amount of the compensation on which the retirement allowance is based.

**(3) THE REDUCTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO HAS BEEN RETIRED FOR 5 YEARS, BEGINNING ON JANUARY 1 AFTER THE DATE THE INDIVIDUAL RETIRES.**

(d) (1) Subject to paragraph (2) of this subsection, if a retiree accepts employment as allowed by subsection (a) of this section and is subsequently awarded retirement benefits because of that employment, the Board of Trustees shall reduce the retiree's benefits under this subtitle by the amount of the retirement benefits resulting from the subsequent employment if the retiree's current employer is any unit of State government and the retiree's employer at the time of the retiree's last

separation from employment with the State before the retiree commenced receiving a service retirement allowance was also a unit of State government.

(2) (i) Any reduction taken to a retiree's allowance under this subsection may not exceed an amount that would reduce the retiree's allowance to less than what is required to be deducted for the retiree's monthly State-approved medical insurance premiums.

(ii) If a reduction for a calendar year taken under subparagraph (i) of this paragraph is less than the reduction required under paragraph (1) of this subsection, the Board of Trustees shall recover from the retiree an amount equal to the reduction required under paragraph (1) of this subsection less the reduction taken under subparagraph (i) of this paragraph.

(e) A retiree may not be employed by the State or other participating employer on a permanent, temporary, or contractual basis within 45 days of the date the individual retired.”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1148)

The Bill was then returned to the Senate.

### **Senate Bill 612 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Salaries of County Officials and County Commissioner Retirement Plan Participation**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

### **MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL:    **SB 0348**

SPONSOR: Sen Manno

SUBJECT: Texting While Driving – Accidents Resulting in Death or Serious Injury  
– Penalties

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 Shank

Senator Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

#### MESSAGE TO THE SENATE

BILL: **SB 0348**

SPONSOR: Sen Manno

SUBJECT: Texting While Driving – Accidents Resulting in Death or Serious Injury  
– Penalties

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 Shank

Senator Muse

The House appoints:

Delegate Anderson, Chairman

Delegate Clippinger, and

Delegate Cluster.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0401**  
**SPONSOR: Sen Young**  
**SUBJECT: Public Safety – Building Codes – Balcony Inspections (Jonathan’s Law)**

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 ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0401**  
**SPONSOR: Sen Young**  
**SUBJECT: Public Safety – Building Codes – Balcony Inspections (Jonathan’s Law)**

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Stein, Chairman  
Delegate Holmes, and  
Delegate Fraser–Hidalgo.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0460**  
**SPONSOR:** Sen Raskin, et al  
**SUBJECT:** Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor

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 Zirkin, Chairman  
Senator Brochin  
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0460**

**SPONSOR:** Sen Raskin, et al

**SUBJECT:** Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor

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 Zirkin, Chair  
Senator Brochin  
Senator Shank

The House appoints:  
Delegate Dumais, Chairman  
Delegate Arora, and  
Delegate Hough.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0512**

**SPONSOR:** Sens Gladden and Muse

**SUBJECT:** Criminal Injuries Compensation Board – Membership – Family Member of Homicide Victim

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 Forehand.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0512**

**SPONSOR:** Sens Gladden and Muse

**SUBJECT:** Criminal Injuries Compensation Board – Membership – Family Member of Homicide Victim

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 Forehand

The House appoints:  
Delegate Waldstreicher, Chairman  
Delegate Lee, and  
Delegate Glass.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.



**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1149)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #69**

**House Bill 412 – ~~Delegates McMillan and Gilchrist~~ Delegate McMillan**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Disclosures  
to Purchasers on Resale of Unit or Lot – Limitation on Fees**

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

Affirmative – 125    Negative – 8    (See Roll Call No. 1150)

The Bill was then sent to the Senate.

**House Bill 554 – Delegates Dumais, Serafini, Barkley, Beitzel, Carr, Cullison,  
Fraser-Hidalgo, Frick, Gutierrez, Hixson, Kaiser, A. Kelly, Kramer,  
Luedtke, McComas, A. Miller, Myers, O'Donnell, Reznik, S. Robinson,  
Simmons, F. Turner, Valentino-Smith, Waldstreicher, ~~and Zucker~~  
Zucker, and A. Washington**

AN ACT concerning

**Commission on Tax Policy, Reform, and Fairness**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1151)

The Bill was then sent to the Senate.

**House Bill 814 – Delegates Beitzel, Arentz, Jacobs, and Smigiel**

AN ACT concerning

**Education – State Grant to Counties With Small and Declining Student Enrollment**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1152)

The Bill was then sent to the Senate.

**House Bill 1228 – Delegates Luedtke, Cardin, Carr, Conway, DeBoy, Eckardt, Fraser-Hidalgo, Glass, Haddaway-Riccio, Ivey, A. Kelly, Kipke, Love, Malone, Olszewski, Pena-Melnyk, Reznik, Rudolph, Serafini, Szeliga, Vitale, A. Washington, and Wood**

AN ACT concerning

**Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and Emergency Medical Services Members**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1153)

The Bill was then sent to the Senate.

**House Bill 1242 – Delegates Hixson, Anderson, Barkley, Barve, Boteler, Braveboy, Clippinger, Cluster, Cullison, DeBoy, Dumais, Eckardt, Elliott, Frank, Fraser-Hidalgo, Gaines, George, Gilchrist, Harper, Healey, Hough, Hubbard, Huckler, Ivey, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lee, Love, Luedtke, Malone, McMillan, A. Miller, Murphy, Nathan-Pulliam, O'Donnell, Pena-Melnyk, Reznik, S. Robinson, Rosenberg, Sophocleus, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Waldstreicher, Walker, A. Washington, M. Washington, Weir, Wilson, and Zucker**

AN ACT concerning

**Libraries – Maryland Library for the Blind and Physically Handicapped – Funding**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1154)

The Bill was then sent to the Senate.

**House Bill 1276 – Delegates A. Washington, Frush, Nathan–Pulliam, and V. Turner**

AN ACT concerning

**Child Care Centers – Healthy Eating and Physical Activity Act**

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

Affirmative – 99    Negative – 35    (See Roll Call No. 1155)

The Bill was then sent to the Senate.

**House Bill 1284 – Delegates Lee, Conaway, Dumais, Haynes, McComas, and Valentino–Smith**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Provision of Information to Health Care ~~Provider~~ Practitioners**

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

Affirmative – 127    Negative – 7    (See Roll Call No. 1156)

The Bill was then sent to the Senate.

**House Bill 1432 – Delegate A. Washington**

AN ACT concerning

**Teaching Fellows for Maryland Scholarship Program**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1157)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (HOUSE BILLS) #70**

**House Bill 741 – Delegates Bohanan, Barnes, Barve, Beidle, Branch, Braveboy, Bromwell, Busch, Cane, Carter, Clagett, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Hubbard, James, Jameson,**

**Jones, Kaiser, A. Kelly, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Murphy, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, B. Robinson, Rudolph, Sophocleus, Stein, Tarrant, F. Turner, V. Turner, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, Weir, Wilson, Wood, and Zucker**

AN ACT concerning

**Business and Economic Development – Maryland E–Nnovation Initiative Program**

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

Affirmative – 103    Negative – 31    (See Roll Call No. 1158)

The Bill was then sent to the Senate.

**House Bill 742 – Delegates Walker, Barnes, Barve, Beidle, Bohanan, Branch, Braveboy, Bromwell, Busch, Cane, Cardin, Carter, Clagett, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Frush, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Ivey, James, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Morhaim, Niemann, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, B. Robinson, Rudolph, Stein, F. Turner, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, A. Washington, Weir, Wilson, and Zucker**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1159)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (HOUSE BILLS) #71**

**House Bill 1063 – Delegates Hixson, Barkley, Barve, Carr, Cullison, Dumais, Fraser–Hidalgo, Gutierrez, Hucker, Kaiser, A. Kelly, Lee, Reznik, S. Robinson, and Simmons**

AN ACT concerning

**Libraries – Regional Resource Centers and County Public Libraries – Funding**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1160)

The Bill was then sent to the Senate.

**House Bill 1076 – Delegates Conway, Arentz, Cane, Eckardt, Haddaway–Riccio, Otto, Proctor, Rudolph, and Smigiel**

AN ACT concerning

~~Agriculture – Poultry Litter – Energy-Generating Cooperative Program~~  
Energy-Generating Cooperative Advisory Committee

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1161)

The Bill was then sent to the Senate.

**House Bill 1186 – Delegates Anderson, Carter, ~~Cluster~~, Dumais, McDermott, Smigiel, Swain, and Vallario**

AN ACT concerning

**Criminal Procedure – Pretrial Release – ~~Setting of Bond – Personal Recognizance~~ Charge by Summons**

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

Affirmative – 94    Negative – 40    (See Roll Call No. 1162)

The Bill was then sent to the Senate.

**House Bill 1198 – Delegates Braveboy, Bates, Carr, Frush, Hixson, Ivey, Kach, A. Kelly, McMillan, A. Miller, W. Miller, Mizeur, B. Robinson, Schulz, Valderrama, Vaughn, and A. Washington**

AN ACT concerning

**Education – ~~Due Process Hearings for Children With Disabilities – Burden of Proof~~ Due Process Hearings**

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

Affirmative – 131 Negative – 1 (See Roll Call No. 1163)

The Bill was then sent to the Senate.

**House Bill 1479 – Delegates Frank, Aumann, Boteler, Cluster, Impallaria, Kach, McDonough, and Szeliga**

AN ACT concerning

**Election Law – Baltimore City Republican Party Central Committee – Filling of Vacancies**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1164)

The Bill was then sent to the Senate.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 364 – Senators Zirkin and Kittleman**

AN ACT concerning

**Criminal Law – Possession of Marijuana – Civil Offense**

STATUS OF BILL: BILL ON 3RD READING. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

**SB0364/463225/1**

BY: Delegates Mitchell and Oaks

### AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

#### AMENDMENT NO. 1

Strike in their entirety the House Judiciary Committee Amendments (SB0364/692914/1).

AMENDMENT NO. 2

On page 2 of the bill, in line 3, after “changes;” insert “providing for a delayed effective date;”.

On page 11 of the bill, in line 5, strike “October 1, 2014” and substitute “January 1, 2015”.

The preceding 2 amendments were withdrawn.

## FLOOR AMENDMENT

**SB0364/352611/2**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 364, AS AMENDED  
(Third Reading File Bill)

AMENDMENT NO. 1

Strike the House Judiciary Committee Amendments (SB0364/692914/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in line 7, strike “authorizing” and substitute “requiring”; and in line 8, strike “a person convicted of a violation of this Act for a third or subsequent time” and substitute “certain persons”.

On page 2, in line 2, after “circumstances;” insert “providing for the construction of certain provisions of this Act;”.

AMENDMENT NO. 3

On page 6 of the bill, in line 11, strike “OR SECOND”; after line 14, insert:

**“2. A SECOND VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$250.”**

**3. A THIRD OR SUBSEQUENT VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$500.**;

in line 15, strike “**2.**” and substitute “**4. A. IN ADDITION TO A FINE, A COURT SHALL ORDER A PERSON UNDER THE AGE OF 21 YEARS WHO COMMITS A VIOLATION PUNISHABLE UNDER SUBSUBPARAGRAPH 1, 2, OR 3 OF THIS SUBPARAGRAPH TO ATTEND A DRUG TREATMENT AND EDUCATION PROGRAM APPROVED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.**”

**B.**”;

in the same line, strike “**MAY**” and substitute “**SHALL**”; in line 16, strike “**CONVICTED OF A THIRD OR SUBSEQUENT**” and substitute “**AT LEAST 21 YEARS OLD WHO COMMITS A**”; in line 17, after “**UNDER**” insert “**SUBSUBPARAGRAPH 3 OF**”.

On page 8, after line 32, insert:

**“(D) THE PROVISIONS OF SUBSECTION (C)(2)(II) OF THIS SECTION MAKING THE POSSESSION OF MARIJUANA A CIVIL OFFENSE MAY NOT BE CONSTRUED TO AFFECT THE LAWS RELATING TO:**

**(1) OPERATING A VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE; OR**

**(2) SEIZURE AND FORFEITURE.**”.

On page 9 of the bill, in line 20, after the semicolon insert “**AND**”; and strike beginning with the semicolon in line 25 down through “**ARTICLE**” in line 28.

On page 10 of the bill, in line 1, after “**(2)**” insert “**(I) IF A CITATION FOR A VIOLATION OF § 5-601 OF THIS PART INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA IS ISSUED TO A PERSON UNDER THE AGE OF 21 YEARS, THE COURT SHALL SUMMON THE PERSON FOR TRIAL.**”

**(II)**”;



in the same line, after “PERSON” insert “AT LEAST 21 YEARS OLD”; and strike beginning with the second “FOR” in line 4 down through “SUBTITLE” in line 6.

The preceding 3 amendments were read and adopted.

Delegate Kipke moved to make the Bill a Special Order for next session.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1165)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #38**

**Senate Bill 73 – Senator Colburn**

AN ACT concerning

**Talbot County – Chesapeake Bay Critical Area – Prosecution or Civil Suit for Certain Violations**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1166)

The Bill was then returned to the Senate.

**Senate Bill 83 – Senators Colburn and Hershey**

AN ACT concerning

**Caroline County and Talbot County – Annual Financial ~~Report~~ Reports – Filing Date**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1167)

The Bill was then returned to the Senate.

**Senate Bill 229 – Senator Frosh**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Disclosures  
to Purchasers on Resale of Unit or Lot – Limitation on Fees**

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

Affirmative – 130    Negative – 4    (See Roll Call No. 1168)

The Bill was then returned to the Senate.

**Senate Bill 309 – Montgomery County Senators**

AN ACT concerning

**Montgomery County – Archery Hunting – Safety Zone**

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

Affirmative – 125    Negative – 9    (See Roll Call No. 1169)

The Bill was then returned to the Senate.

**Senate Bill 345 – ~~Senator Muse~~ Senators Muse and Young**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

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

Affirmative – 134    Negative – 1    (See Roll Call No. 1170)

The Bill was then returned to the Senate.

**Senate Bill 472 – Senators Edwards, Shank, and Young**

AN ACT concerning

**Allegany County, Garrett County, and Washington County – Sunday Hunting**

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

Affirmative – 124    Negative – 10    (See Roll Call No. 1171)

The Bill was then returned to the Senate.

**Senate Bill 473 – Senators Edwards, Shank, and Young**

AN ACT concerning

**Allegany County, Frederick County, Garrett County, and Washington County  
– Deer Hunting – Sundays**

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

Affirmative – 119    Negative – 15    (See Roll Call No. 1172)

The Bill was then returned to the Senate.

**Senate Bill 687 – ~~Senator Raskin~~ Senators Raskin, Forehand, and Gladden**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, Factory Branches, and Affiliates  
– Relationship With Dealers**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1173)

The Bill was then returned to the Senate.

**Senate Bill 908 – Senators Manno, Ramirez, Feldman, King, Madaleno, and  
Peters**

AN ACT concerning

**Electric Vehicles and Recharging Equipment – Rebates and Tax Credits**

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

Affirmative – 115    Negative – 19    (See Roll Call No. 1174)

The Bill was then returned to the Senate.

**Senate Bill 993 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Transition to Charter Government – Corrections to  
References in the Annotated Code of Maryland**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1175)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #39**

**Senate Bill 272 – Senators Jacobs, Brinkley, Colburn, Forehand, Getty,  
Glassman, Hershey, Jennings, King, Kittleman, Muse, Peters, Raskin,  
Shank, Stone, and Zirkin**

AN ACT concerning

**Sentencing Procedures – Statement by Victim or Victim’s Representative  
(Alex’s Law)**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1176)

The Bill was then returned to the Senate.

**Senate Bill 660 – ~~Senator Gladden~~ Senators Gladden and Brochin**

AN ACT concerning

**Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or  
Dog – Penalties**

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

Affirmative – 129    Negative – 5    (See Roll Call No. 1177)

The Bill was then returned to the Senate.

**Senate Bill 685 – Senator Zirkin**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Provision of Information to Health  
Care ~~Provider~~ Practitioners**

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

Affirmative – 132    Negative – 1    (See Roll Call No. 1178)

The Bill was then returned to the Senate.

**Senate Bill 698 – Senators Shank, Raskin, Forehand, Hershey, Jacobs, Kelley,  
Klausmeier, Muse, Ramirez, Reilly, Simonaire, Stone, and Young**

AN ACT concerning

**Criminal Procedure – Electronic Device Location Information – ~~Warrant~~  
Order**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1179)

The Bill was then returned to the Senate.

**Senate Bill 716 – Senators Ferguson, King, Montgomery, ~~and Pinsky~~ Pinsky,  
Conway, Benson, Jennings, and Rosapepe**

AN ACT concerning

**Child Care Centers – Healthy Eating and Physical Activity Act**

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

Affirmative – 98    Negative – 35    (See Roll Call No. 1180)

The Bill was then returned to the Senate.

**Senate Bill 718 – ~~Senator Ferguson~~ Senators Ferguson and Conway**

AN ACT concerning

**Governor’s Office of Crime Control and Prevention – ~~State Corrections~~  
Juvenile Charged as Adult Population Forecast and ~~Juvenile Population~~  
Statistics**

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

Affirmative – 126    Negative – 7    (See Roll Call No. 1181)

The Bill was then returned to the Senate.

**Senate Bill 860 – Senators Gladden, Jones–Rodwell, ~~and Kelley~~ Kelley, and Forehand**

AN ACT concerning

**Public Safety – ~~Photo and Lineup~~ Eyewitness Identification – Procedures**

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

Affirmative – 133    Negative – 1    (See Roll Call No. 1182)

The Bill was then returned to the Senate.

**Senate Bill 1095 – Senator Frosh**

EMERGENCY BILL

AN ACT concerning

**Real Property – Ground Rents**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1183)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #40**

**Senate Bill 141 – Senator Conway**

AN ACT concerning

**Baltimore City – Tax Sales – ~~Environmental Violations – Liens on Real Property~~ Nonpayment of Environmental Citations**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 1184)

The Bill was then returned to the Senate.

**Senate Bill 354 – ~~Senator Muse~~ Senators Muse, Currie, and Peters Peters, Benson, Ramirez, and Rosapepe**

AN ACT concerning

**Maryland Renters Tax Credit Program – Marketing Campaign**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1185)

The Bill was then returned to the Senate.

**Senate Bill 383 – Senator Edwards**

AN ACT concerning

**Allegany County and Garrett County – Boards of Education – Removal of Ex Officio Member**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1186)

The Bill was then returned to the Senate.

**Senate Bill 419 – Senators Manno, Astle, Feldman, Forehand, Frosh, King, Montgomery, Ramirez, Raskin, Robey, Shank, ~~and Stone~~ Stone, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, Kasemeyer, Madaleno, and Peters**

AN ACT concerning

**Libraries – Maryland Library for the Blind and Physically Handicapped – Funding**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1187)

The Bill was then returned to the Senate.

**Senate Bill 430 – Senators King ~~and Miller~~, Miller, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, Kasemeyer, Madaleno, Manno, Peters, and Robey**

AN ACT concerning

**Libraries – Regional Resource Centers and County Public Libraries –  
Funding**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1188)

The Bill was then returned to the Senate.

**Senate Bill 486 – Senators Manno and Middleton**

AN ACT concerning

**Income Tax Credit – Endow Maryland**

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

Affirmative – 120    Negative – 13    (See Roll Call No. 1189)

The Bill was then returned to the Senate.

**Senate Bill 605 – Senator Edwards**

AN ACT concerning

**Property Tax Credit – ~~Upper Stories of~~ Commercial Structures –  
Rehabilitation**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 1190)

The Bill was then returned to the Senate.

**Senate Bill 666 – Senators Pinsky, Benson, Conway, Ferguson, Frosh,  
Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Teaching Fellows for Maryland Scholarship Program**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 1191)

The Bill was then returned to the Senate.



**Senate Bill 785 – Senators Currie, Benson, Colburn, Conway, DeGrange, Dyson, Edwards, Ferguson, Forehand, Getty, Jones–Rodwell, King, Klausmeier, Madaleno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Robey, Rosapepe, Stone, ~~and Young~~ Young, Pinsky, and Simonaire**

AN ACT concerning

**Higher Education – 2+2 Transfer Scholarship**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1192)

The Bill was then returned to the Senate.

**Senate Bill 909 – Senators Madaleno ~~and~~, Montgomery, Kasemeyer, McFadden, Colburn, Currie, DeGrange, Edwards, Getty, Jones–Rodwell, King, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax Checkoff – Developmental Disabilities Services and Support Fund – Designation**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1193)

The Bill was then returned to the Senate.

**Senate Bill 988 – Senator Pugh**

AN ACT concerning

**State Department of Education – Assessment Report for Broadband Capabilities in Public Schools**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1194)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #41**

**Senate Bill 600 – Senators Pugh, Astle, Benson, Brinkley, Colburn, Currie, DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Peters, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

**Regional Institution Strategic Enterprise Zone Program**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1195)

The Bill was then returned to the Senate.

**Senate Bill 601 – Senators Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin**

AN ACT concerning

**Business and Economic Development – Maryland E–Nnovation Initiative Program**

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

Affirmative – 98    Negative – 36    (See Roll Call No. 1196)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

**Senate Bill 171 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2014, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, and 2013**

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 171 – THE CAPITAL BUDGET

(See Exhibit P of Appendix II)

Conference Committee Report read only.

Delegate Kipke moved to make the Bill a Special Order for next session.

The motion was adopted.

**THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #21**

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**Senate Bill 800 – Senators Ramirez, Forehand, and Raskin**

AN ACT concerning

**Landlord and Tenant – Retaliatory Actions – ~~Conditions for Relief and~~  
Timing of Prohibited Actions**

**SB0800/440216/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 800

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Timing of Prohibited Actions” and substitute “Conditions for Relief”; strike beginning with “altering” in line 6 down through the semicolon in line 8 and substitute “altering the conditions under which relief may be provided to a tenant for certain retaliatory actions taken by a landlord of residential property under certain circumstances;”.

AMENDMENT NO. 2

On page 3, strike beginning with “upon” in line 5 down through “The” in line 6 and substitute “ON THE”; strike beginning with the semicolon in line 9 down through “unpaid” in line 21; in line 23, strike the brackets; and in the same line, strike “**12**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### YEAS AND NAYS

#### HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 389	Del. Rudolph	Maryland Transportation Authority – All–Electronic Tolling – Study
HB 399	Del. Murphy	Public Health – Medical Records Charges – Medicaid Enrollees
HB 437	Del. Pena–Melnik	HMOs – Payments to Nonparticipating Providers – Repeal of Termin Date
HB 636	Del. Arora	Maryland Transit Administration – Commuter Benefits Program
HB 661	Del. Myers	Health – Statistics and Records – Electronic Filing of Death Certificates
HB 710	Del. Cullison	Lbr and Emplmt – Nursing Homes and Hlth Care Facs – Workplace Saf Assessment and Saf Program
HB 793	Del. Kach	Pharmacy Benefits Managers – Pharmacy Contracts – Maximum Allowable Cost Pricing
HB 802	Del. Lee	Maryland Medical Assistance Program – Telemedicine
HB 805	Del. Haddaway–Ricchio	Talbot County – Child Support Enforcement – Transfer of Personnel
HB 806	Del. Lee	Health Information Exchanges – Protected Health Information – Regulations
HB 874	Del. Pena–Melnik	Co Health Officers – Authority of Co Governing Body and Secretary of Health and Mental Hygiene
HB 963	Del. A. Kelly	Hospitals – Protocol for Sexual Assault Medical

		Forensic Examinations and Planning Committee
HB 988	Ch., Ways and Means	Maryland Horse Racing Act – Sunset Extension and Program Evaluation
HB 1019	Prince George’s Del.	Prince George’s Co – Adlts With Devmtl Dsblts Citizen’s Advry Com – Sunset Rpl PG 421–14
HB 1040	Del. M. Washington	State Pers – Disciplinary Appeal and Grievance Procedure Documents – Electronic Transmission
HB 1127	Del. Tarrant	Health Insurance – Incentives for Health Care Practitioners
HB 1233	Del. Bromwell	Health Insurance – Step Therapy or Fail–First Protocol
HB 1296	Del. Kach	Prscptn Drg Montrg Pgm – Review and Rptg of Possible Misuse or Abus of Monitored Prscptn Drgs

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB 1164**

**SPONSOR:** Del Luedtke, et al

**SUBJECT:** Md College and Career–Ready Stds and Partnshp for Asmt of Rd for  
Colege and Cars (PARCC) Impl Rev Wk

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 A. Washington, Chair

Delegate Serafini

Delegate Kaiser

The Senate appoints:

Senator Pinsky, Chairman

Senator Benson

Senator Jennings.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1197)

### **ADJOURNMENT**

At 12:42 P.M. on motion of Delegate Barve the House adjourned until 3:30 P.M. on Legislative Day March 30, 2014, Calendar Day Saturday, April 5, 2014.

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**Annapolis, Maryland**  
**Legislative Day: March 30, 2014**  
**Calendar Day: Saturday, April 5, 2014**

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The House met at 4:03 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon S. Cardin of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1198)

The Journal of March 29, 2014 was read and approved.

**EXCUSES:**

Del. Afzali – left early – personal  
Del. Cane – medical  
Del. Dwyer – weekend incarceration  
Del. Harper – medical  
Del. McDonough – personal  
Del. Myers – personal  
Del. Simmons – left early – personal  
Del. Stifler – personal  
Del. Stocksdales – left early – personal  
Del. Walker – business

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 127	Ch., Ways and Means	Central Collection Unit – Debt Certification – Withholding of Income Tax Refunds
HB 135	Montgomery Co. Del.	Montgomery County – Town of Kensington – Alcoholic Beverages – Special B–K Licenses MC 15–14

HB 173	Ch., Judiciary Com.	Public Safety – Prohibition of Polygraph Examinations by Employers – Exemption
HB 223	Del. Rosenberg	Property Tax Credit – Urban Agricultural Property – Applicability
HB 318	Garrett County Del.	Garrett County – Salary Study Commission – Member Replacement
HB 446	Del. Stukes	Tax Sales – Reimbursement for Attorney’s Fees
HB 549	Del. Stukes	General Provisions – Commemorative Days – Juneteenth National Freedom Day
HB 591	Anne Arundel Co. Del	Anne Arundel County – Alcoholic Beverages – Tasting Licenses
HB 615	Ch, Envir Matters Co	Coast Smart Council
HB 629	Ch. Hlth & Govt Ops	Environmentally Preferable Procurement – Maryland Green Purchasing Committee
HB 812	Del. Lee	Education – Middle Schools – Automated External Defibrillators
HB 878	Del. Stein	State Highway Administration – Compost and Compost–Based Products – Specification
HB 904	Del. Valentino–Smith	CYFS – Local Mgt Bds and State Spending – Information Collection and Rpt
HB 936	Del. McIntosh	Baltimore City – Homestead Assessment Cap Increase and Property Tax Rate Reduction – Study
HB 1043	Prince George’s Del.	Prince George’s County – Deferred Water and Sewer Charges Homeowner Disclosure Act of 2014 PG 413–14
HB 1047	Prince George’s Del.	Employees’ Pension System – Prince George’s County Officials – Membership PG 418–14
HB 1048	Prince George’s Del.	PG Co – Sch Facs Surcharge Exemp – Capitol College Stdt Hous and Resid Rvltlzn Projs PG 408–14



HB 1075	PG/Montgomery Co. Del.	Washington Suburban Sanitary Commission – System Development Charge – Definitions PG/MC 106–14
HB 1157	Del. Hubbard	Health Occupations – Massage Therapy – Authority to Practice
HB 1259	Del. A. Washington	Income Tax Checkoff – Developmental Disabilities Services and Support Fund – Designation
HB 1312	Del. Beidle	Program Open Space Sites – Public Access
HB 1390	St. Mary’s County Del.	St. Mary’s County – Public Officials – Salaries
HB 1393	St. Mary’s County Del.	St. Mary’s County – John Hanson Briscoe Circuit Courthouse for St. Mary’s County
HB 1506	Del. Conway	Wicomico County – Northeast Maryland Waste Disposal Authority
HB 1530	St. Mary’s County Del.	St. Mary’s County Metropolitan Commission – Unpaid Charges
HB 1531	St. Mary’s County Del.	St. Mary’s Co Metropolitan Comm – Wtr and Sewer Serv Charges – Vol Fire Depts and Resc Sqs – Exemp

Read and ordered journalized.

## MESSAGE FROM THE SENATE

### FIRST READING OF SENATE BILLS

#### Senate Bill 240 – Senator Stone

AN ACT concerning

#### Maryland Trust Act

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a

standard for whether notice to a person under this Act must be accomplished and how notice may be waived; providing for the role of a court in the administration of a trust; providing that a trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of a trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities

and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring a trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring a trustee to respond promptly to a certain request for information; requiring a trustee to provide certain notice to certain beneficiaries; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of a trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; providing for a delayed effective date; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–116 and the subtitle “Subtitle 1. General Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1006 to be under the new title “Title 14.5.  
Maryland Trust Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

**Senate Bill 252 – Senators Muse, Brochin, Jacobs, Raskin, and Shank**

AN ACT concerning

**Task Force Joint Committee on Fair Practices and State Personnel Oversight – Public Hearings on Workplace Bullying in State Agencies**

FOR the purpose of ~~establishing the Task Force on Workplace Bullying in State Agencies; 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 certain standing committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Workplace Bullying in State Agencies~~ requiring the Joint Committee on Fair Practices and State Personnel Oversight to hold a certain minimum number of public hearings on workplace bullying in State agencies before a certain deadline; authorizing the Joint Committee to accept testimony on certain subjects at a public hearing held under this Act; requiring the Joint Committee to give a certain notice to certain State agencies; requiring a State agency to give a certain notice to certain employees in a certain manner; and generally relating to workplace bullying in State agencies.

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

**Senate Bill 639 – ~~Senator Simonaire~~ Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County – State’s Attorney and Deputy, Assistant, and Temporary Assistant State’s Attorneys – Annual Salary and Compensation**

FOR the purpose of ~~altering, beginning on a certain date and under certain circumstances,~~ providing that the annual salary of the State’s Attorney for Anne Arundel County shall be certain amounts for certain calendar years; providing that the State’s Attorney may set certain salaries and compensation subject to the approval of the county council; repealing a certain provision of law that requires a certain increase in the salary of the State’s Attorney for Anne Arundel County each calendar year; providing that the State’s Attorney is to be provided with a vehicle to use for official duties; providing that this Act does not

apply to the salary or compensation of the incumbent State's Attorney during a certain term of office; making a stylistic change; and generally relating to the salary and compensation of the State's Attorney, ~~deputy State's Attorneys, assistant State's Attorneys, and temporary assistant State's Attorneys~~ for Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 15–403(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 15–403(b) ~~and (e)~~  
Annotated Code of Maryland  
(2008 Replacement Volume and 2013 Supplement)

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

**Senate Bill 727 – Senators Madaleno, Currie, Frosh, Jones–Rodwell, Kasemeyer, King, Klausmeier, Montgomery, Raskin, Rosapepe, ~~and Shank~~ Shank, McFadden, Colburn, DeGrange, Edwards, Getty, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax – Earned Income Credit – Refundable Amount**

FOR the purpose of altering, for certain taxable years, the percentage of the federal earned income credit used for determining the amount that an individual may claim as a refund under the Maryland earned income credit under certain circumstances; and generally relating to the earned income credit allowed under the State income tax.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–704(a) and (b)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–704(b)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2013 Supplement)

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

**Senate Bill 742 – Senators Forehand, Shank, and Stone**

AN ACT concerning

**Criminal Law – Burglary in the First Degree – Home Invasion ~~and Armed Home Invasion~~**

FOR the purpose of ~~prohibiting a person from breaking and entering the dwelling of another and committing a crime of violence against a person in the dwelling; prohibiting a person from employing or displaying a dangerous weapon during the commission of a home invasion; establishing a unit of prosecution for a certain violation; establishing certain criminal penalties; authorizing a sentence imposed under this Act to be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the home invasion or armed home invasion; defining certain terms; altering a certain definition; increasing the maximum penalty of imprisonment for breaking and entering the dwelling of another with the intent to commit a crime of violence; designating a certain offense to be the felony of home invasion; and generally relating to the prohibition against home invasion~~ home invasion.

~~BY adding to~~

~~Article – Criminal Law~~

~~Section 3-1001 and 3-1002 to be under the new subtitle “Subtitle 10. Home Invasion”~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2013 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section ~~14-101(a)~~ 6-202

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

**Senate Bill 810 – Senator Raskin**

AN ACT concerning

**Criminal Law – Identity Fraud – Prohibitions**

FOR the purpose of prohibiting a person from maliciously using an interactive computer service to disclose or assist another person to disclose certain personal identifying information of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual; providing penalties for a violation of this Act; defining a certain term; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(a) and (g)(4)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Criminal Law  
Section 8–301(b–1)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

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

### **Senate Bill 940 – Senator Stone**

AN ACT concerning

### **Victims of Crime – Legal Representatives of Minors and Disabled and Elderly Persons**

FOR the purpose of authorizing a certain personal representative to request certain compensation, restitution, or financial property interest for a certain decedent; providing that certain rights, duties, and powers of a certain guardian of the person of a certain minor shall include serving as a victim's representative under certain circumstances; authorizing a court to order a certain guardian of the person of a certain person with a disability to serve as a victim's representative under certain circumstances; authorizing a certain fiduciary to request certain compensation, restitution, or financial property interest of a certain beneficiary; authorizing a certain social services administration to notify a certain court of certain matters under certain circumstances; altering the requirements of a certain adult protective services program to include notification of certain matters to a certain court under certain circumstances; making stylistic changes; and generally relating to legal representation of minors and disabled and elderly persons who are victims of crimes.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 7–401(a), 13–213, 13–708(a), and 15–102(b)

Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 7–401(y), 13–702, and 15–102(p)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 13–708(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–532 and 14–202  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

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

### **Senate Bill 967 – Senator Jones–Rodwell**

AN ACT concerning

#### **Baltimore City – Orphans’ Court Judges – Salary and Pension**

FOR the purpose of altering the salary of each associate judge of the Orphans’ Court of Baltimore City and the annual salary of the Chief Judge of the Orphans’ Court of Baltimore City; altering the pension of certain associate judges of the Orphans’ Court of Baltimore City and the pension of a Chief Judge of the Orphans’ Court of Baltimore City; providing for the application of this Act; and generally relating to the Orphans’ Court of Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(d)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

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

### **Senate Bill 1055 – Senator DeGrange**



AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period**

FOR the purpose of requiring a local department of social services to maintain certain reports of suspected abuse or neglect and all assessments and investigative findings for a certain purpose for certain periods of time; altering the time period after which a local department is required to expunge certain reports and records of suspected child abuse and neglect; and generally relating to reports of child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–707  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

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

**Senate Bill 1112 – Senator Robey**

AN ACT concerning

**Howard County – Alcoholic Beverages – Population Restrictions on Class A Licenses**

FOR the purpose of limiting the number of Class A licenses of any type that the Board of License Commissioners of Howard County may issue based on a certain license-to-population ratio using county population data as determined by the latest federal census; providing a certain exception; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–214(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–214(f)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

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

**THE COMMITTEE ON ECONOMIC MATTERS REPORT #26**

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 340 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Unlicensed Establishments – Prohibitions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 496 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Organizational Licenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**Senate Bill 552 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Liquor Control Board – Alcoholic Beverages Licenses**

**SB0552/323791/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 552

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Glassman, Jacobs, and Jennings” and substitute “Glassman and Jacobs”; in line 2, strike “Liquor Control Board –” and substitute “Class H–CC”; strike beginning with “authorizing” in line 3 down through “regulations;” in line 7; in line 7, after “repealing” insert “in Harford County”; in line 9, after “center” insert “alcoholic beverages”; strike beginning with “authorizing” in line 11 down through “licensees;” in line 18; and in line 18, strike “the Liquor Control Board and” and substitute “Class H–CC”.

On page 2, strike in their entirety lines 6 through 15, inclusive; in line 18, strike “, 8–213.1(e), 10–103(b)(18), and 15–112(n)”; and strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 4 on page 3, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 9 on page 4 through line 19 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 1099 – Senators Manno ~~and Miller~~, Miller, Middleton, Astle, Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Workers’ Compensation – Occupational Disease Presumptions – Paid  
~~Emergency Medical Services Providers~~ Rescue Squad Members and Paid  
Advanced Life Support Unit Members**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 1103 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class C Licenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**CONFERENCE COMMITTEE REPORT****Senate Bill 171 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2014,  
and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008,  
2009, 2010, 2011, 2012, and 2013**

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 171 – THE CAPITAL BUDGET

(See Exhibit P of Appendix II)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99    Negative – 35    (See Roll Call No. 1199)

The Bill was then returned to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1200)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #72**

**House Bill 289 – Delegates Carr, Rosenberg, Smigiel, and Waldstreicher**

AN ACT concerning

**Automatic ~~Motor Vehicle Registration~~ License Plate Readers and Captured  
Plate Data – Authorized Uses**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1201)

The Bill was then sent to the Senate.

**House Bill 1052 – Delegates Waldstreicher, Dumais, and Luedtke**

AN ACT concerning

**Maryland Uniform Collaborative Law Act**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1202)

The Bill was then sent to the Senate.

**House Bill 1135 – Delegates Jacobs, Arentz, and Smigiel**

AN ACT concerning

**Kent County – Gaming – Permits**

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

Affirmative – 130    Negative – 0    (See Roll Call No. 1203)

The Bill was then sent to the Senate.

**House Bill 1232 – Delegates Dumais, Pena-Melnyk, Clippinger, Guzzone,  
Braveboy, Carter, and Oaks**

AN ACT concerning

**Criminal Procedure – ~~Pretrial Confinement and Release~~ Task Force on  
Pretrial Risk Assessment – Detainee Electronic Information Sharing System**

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

Affirmative – 123 Negative – 10 (See Roll Call No. 1204)

The Bill was then sent to the Senate.

**House Bill 1328 – Delegates Swain ~~and Vaughn~~, Vaughn, and Tarrant**

AN ACT concerning

**Maryland Cooperative Housing Act – Transparency Requirements and Member Rights**

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1205)

The Bill was then sent to the Senate.

**House Joint Resolution 2 – Delegates Anderson, Carter, and Vallario**

A House Joint Resolution concerning

**Rescission of Maryland’s Ratification of the Corwin Amendment to the United States Constitution**

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1206)

The Bill was then sent to the Senate.

**THE COMMITTEE ON JUDICIARY REPORT #16**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**House Bill 1389 – Delegate McComas**

AN ACT concerning

**Task Force on the Prevention of Child Abuse and Neglect**

**HB1389/242912/1**

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1389

(First Reading File Bill)

On page 2, strike in their entirety lines 21 and 22, and substitute:

“(x) one representative of the Maryland Clinical Social Work Coalition;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 515 – Senators Gladden, Currie, and Miller**

AN ACT concerning

**Juvenile Law – Transfer of Cases to Juvenile Court**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON WAYS AND MEANS REPORT #19**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 876 – Senators Klausmeier, Colburn, Ferguson, King, Manno, Miller, Muse, Peters, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Education – Summer Career Academy Pilot Program**

**SB0876/225367/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 876

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Program;” insert “providing for the duration of the Program;”; and in line 9, after “Program;” insert “prohibiting a certain school system from participating in the Program more than once;”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

**“(2) THE PROGRAM SHALL BEGIN IN THE SUMMER OF 2015 AND LAST FOR 3 YEARS.”;**

and in line 31, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 3

On page 3, in line 15, after “(1)” insert “(I)”; in line 16, after “SYSTEMS” insert “EACH YEAR”; in lines 16 and 17, strike “FOR A PERIOD OF 3 YEARS”; and after line 17, insert:

**“(II) EACH ELIGIBLE SCHOOL SYSTEM MAY ONLY BE SELECTED TO PARTICIPATE IN THE PROGRAM FOR 1 YEAR.”.**

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 133 Members present.

(See Roll Call No. 1207)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #44**



**Senate Bill 110 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Institutions of Higher Education – Fully Online Distance Education –  
Registration and Fees**

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

Affirmative – 132    Negative – 0    (See Roll Call No. 1208)

The Bill was then returned to the Senate.

**Senate Bill 218 – The President (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 – 127    Negative – 6    (See Roll Call No. 1209)

The Bill was then returned to the Senate.

**Senate Bill 254 – Senator Glassman (Chair, Workgroup to Study the Laws  
and Policies Related to the Distribution of Money to Volunteer and  
Career Companies) and Senators Astle, Brinkley, Colburn, Dyson,  
Edwards, Feldman, Getty, Hershey, Jacobs, Jennings, Kasemeyer,  
Kelley, King, Kittleman, Klausmeier, Manno, Mathias, Middleton,  
Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Reilly, Robey,  
Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Public Safety – Fire, Rescue, and Ambulance Funds – Distribution**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1210)

The Bill was then returned to the Senate.

**Senate Bill 259 – Senator Middleton**

AN ACT concerning

**Agriculture – Easements – Renewable Energy Generation Facilities**

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

Affirmative – 113    Negative – 20    (See Roll Call No. 1211)

The Bill was then returned to the Senate.

**Senate Bill 708 – Senators Raskin, Benson, Currie, Jones–Rodwell, Madaleno, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Rosapepe, and Stone**

AN ACT concerning

**Civil Actions – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments**

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

Affirmative – 100    Negative – 34    (See Roll Call No. 1212)

The Bill was then returned to the Senate.

**Senate Bill 795 – ~~Senator Madaleno~~ Senators Madaleno, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Joint Committee on Ending Homelessness**

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

Affirmative – 132    Negative – 2    (See Roll Call No. 1213)

The Bill was then returned to the Senate.

**Senate Bill 865 – Senator Benson**

AN ACT concerning

**Maryland Cooperative Housing Act – Transparency Requirements and Member Rights**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1214)

The Bill was then returned to the Senate.

**Senate Bill 998 – Chair, Budget and Taxation 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 – 128 Negative – 5 (See Roll Call No. 1215)

The Bill was then returned to the Senate.

**CONCURRENCE CALENDAR #9**

**AMENDED IN THE SENATE**

**House Bill 396 – Delegates F. Turner, Afzali, Anderson, Arora, Barkley, Barnes, Barve, Bohanan, Boteler, Braveboy, Bromwell, Cane, Cardin, Clippinger, Conaway, Cullison, DeBoy, Dumais, Eckardt, Elliott, Fisher, Frank, Fraser–Hidalgo, Frick, Frush, Gaines, George, Gilchrist, Glenn, Guzzone, Harper, Haynes, Healey, Hixson, Hogan, Holmes, Hough, Howard, Hubbard, Hucker, James, Jones, Kaiser, K. Kelly, Krebs, Lee, Love, Luedtke, Malone, McComas, McDermott, McIntosh, McMillan, A. Miller, W. Miller, Mizeur, Murphy, Myers, Nathan–Pulliam, Niemann, O’Donnell, Oaks, Olszewski, Pena–Melynk, Pendergrass, Ready, Reznik, B. Robinson, Rosenberg, Schulz, Serafini, Smigiel, Sophocleus, Stocksdale, Stukes, Summers, Swain, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, Weir, Wilson, and Zucker**

AN ACT concerning

**Commission on Accessibility Concepts in Computer Science, Information Systems, and Information Technology Programs in Higher Education**

Delegate Conway moved that the House concur in the Senate amendments.

**HB0396/254337/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 396

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Commission on” and substitute “Department of Disabilities – Study of”; strike beginning with “establishing” in line 4 down through “Commission” in line 9 and substitute “requiring the Department of Disabilities, in cooperation with the National Federation of the Blind,”; in line 10, strike “certain matters” and substitute “accessibility concepts in computer science, information systems, and information technology programs in higher education”; and in the same line, strike “Commission” and substitute “Department”.

On page 2, strike beginning with “Commission” in line 1 down through “Education” in line 2 and substitute “study of accessibility concepts in computer science, information systems, and information technology programs in higher education”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 17 on page 3, inclusive, and substitute:

“(a) The Department of Disabilities, in cooperation with the National Federation of the Blind, shall study accessibility concepts in computer science, information systems, and information technology programs in higher education.

(b) As part of the study, the Department shall convene a workgroup that consists of:

(1) provosts, Chief Information Officers, and faculty members in computer science, information systems, and information technology programs in higher education from:

(i) the University System of Maryland;

(ii) Morgan State University;

(iii) St. Mary’s College of Maryland;

(iv) private nonprofit institutions of higher education in the State; and

(v) community colleges; and

(2) members who are:

(i) accessibility experts;

(ii) web developers; and

(iii) any other individuals with knowledge that would benefit the Department in its study.”.

On page 3, in line 18 and on page 4, in line 13 strike “(f)” and “(g)”, respectively, and substitute “(c)” and “(d)”, respectively.

On page 3, in line 24 and on page 4, in lines 8, 10, 12, 13, and 18, in each instance, strike “Commission” and substitute “Department”.

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 – 134    Negative – 0    (See Roll Call No. 1216)

**AMENDED IN THE SENATE**

**House Bill 794 – Delegates M. Washington, Branch, Braveboy, Cullison, Davis, Donoghue, Dumais, Glenn, Harper, Haynes, Kaiser, A. Kelly, McIntosh, A. Miller, S. Robinson, Rudolph, and Zucker**

AN ACT concerning

~~Department of Planning~~ **Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project**

Delegate Conway moved that the House concur in the Senate amendments.

**HB0794/764731/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 794

(Third Reading File Bill)

On page 1, in line 19, strike “Unaccompanied”; and in the same line, after “Maryland” insert “Unaccompanied”.

On page 4, in line 20, strike “from” and substitute “through an appropriation in the State budget or through”; and in the same line, after “sources” insert “of funding”.

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 – 133    Negative – 0    (See Roll Call No. 1217)

**AMENDED IN THE SENATE**

**House Bill 1307 – Delegates Wilson, Anderson, Beidle, Bohanan, Braveboy, Burns, Carter, Clippinger, Cluster, Costa, Frush, Gilchrist, Glenn, Guzzone, Haynes, Hough, K. Kelly, Lee, Love, McComas, McMillan, Mizeur, Niemann, Rosenberg, Smigiel, Tarrant, F. Turner, Valderrama, Valentino-Smith, Vitale, Walker, A. Washington, M. Washington, and Zucker**

AN ACT concerning

**Children in Out-of-Home Placement – Annual Notice of Benefits**

Delegate Conway moved that the House concur in the Senate amendments.

**HB1307/598675/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1307

(Third Reading File Bill)

On page 2, in line 16, strike “Finance” and substitute “Judicial Proceedings”.

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 – 134    Negative – 0    (See Roll Call No. 1218)

**AMENDED IN THE SENATE**

**House Bill 27 – Delegates M. Washington, A. Kelly, and B. Robinson**

AN ACT concerning

**Correctional Services – Healthy Births for Incarcerated Women Act**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0027/688778/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 27

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “requiring” and substitute “authorizing”; in lines 17 and 18, strike “and the managing official of each local correctional facility”; in line 18, strike “a”; in the same line, strike “report” and substitute “reports”; and in line 19, after “date” insert “each calendar year for a certain period”.

AMENDMENT NO. 2

On page 5, strike beginning with the comma in line 30 down through “RESTRAINTS” in line 31.

On page 6, in line 32, strike “**SHALL**” and substitute “MAY”.

On page 8, strike beginning with the second “and” in line 19 down through “year” in line 21; and in line 21, after “shall” insert “submit a”.

On pages 8 and 9, strike beginning with “the” in line 24 on page 8 down through “inmates” in line 7 on page 9 and substitute “the number of times physical restraints were used on a pregnant inmate during labor, delivery, and postpartum recovery during the previous calendar year in each State and local correctional facility”.

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 – 134    Negative – 0    (See Roll Call No. 1219)

**AMENDED IN THE SENATE**

**House Bill 697 – Delegates Valderrama, Arora, Clippinger, and Valentino-Smith**

AN ACT concerning

**Crimes – Threat of Mass Violence**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0697/748978/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 697

(Third Reading File Bill)

On page 1, in line 3, strike “causing” and substitute “threatening to cause”.

On page 2, in line 14, after “OR” insert “**THREATEN TO**”.

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 – 134    Negative – 0    (See Roll Call No. 1220)

**AMENDED IN THE SENATE**

**House Bill 1200 – Delegates Pena-Melnyk, Anderson, Barnes, Branch, Braveboy, Carr, Carter, Conaway, Davis, Dumais, Frick, Glenn, Harper, Haynes, Holmes, Nathan-Pulliam, Oaks, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vaughn, Waldstreicher, A. Washington, and Wilson**



AN ACT concerning

**Public Safety – Eyewitness Identification – Procedures**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB1200/768077/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1200

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “a delayed effective date” and substitute “the application of this Act”.

AMENDMENT NO. 2

On page 2, in line 8, strike “**OF 2012**”.

AMENDMENT NO. 3

On page 6, after line 11, 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 criminal case commenced before the effective date of this Act.”;

in line 12, strike “2.” and substitute “3.”; in line 13, strike “January” and substitute “October”; and in the same line, strike “2016” and substitute “2014”.

The preceding 3 amendments were read and concurred in.

**HB1200/433226/1**

BY: Senator Gladden

AMENDMENT TO HOUSE BILL 1200

(Third Reading File Bill)

On page 2, in lines 5 and 14, in each instance, strike “**2015**” and substitute “**2016**”.

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 – 133    Negative – 1    (See Roll Call No. 1221)

### AMENDED IN THE SENATE

**House Bill 1295 – Delegates Carter, Glenn, B. Robinson, and Stukes**

AN ACT concerning

#### **Juvenile Law – Transfer of Cases to Juvenile Court**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB1295/358974/1**

BY:    Judicial Proceedings Committee

#### AMENDMENT TO HOUSE BILL 1295

(Third Reading File Bill)

On page 1, in line 10, strike “, 4–202.1,”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 4–202.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)”.

On page 2, in lines 3, 12, 19, 20, and 28, in each instance, strike the bracket; in line 3, strike “**A**”; strike beginning with “the” in line 14 down through “(2)” in line 16; in line 18, strike “(3)” and substitute “**(2)**”; and in lines 20 and 28, strike “**(C)**” and “**(D)**”, respectively.

On page 3, in lines 1, 3, 6, 11, 20, 23, 24, and 29, in each instance, strike the bracket; and in lines 1, 3, 6, 11, 20, 23, and 24, strike “(E)”, “(F)”, “(G)”, “(H)”, “(I)”, “(D)”, and “(G)”, respectively.

On page 4, in line 32, strike the bracket; and in the same line, strike “4-202(c)(3)” and substitute “4-202(C)(2)”.

On page 5, in lines 1, 13, 14, 15, and 17, in each instance, strike the bracket; in line 14, strike the comma; and in line 16, strike “or (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 – 90    Negative – 44    (See Roll Call No. 1222)

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

#### **Senate Bill 364 – Senators Zirkin and Kittleman**

AN ACT concerning

#### **Criminal Law – Possession of Marijuana – Civil Offense**

STATUS OF BILL: BILL ON 3RD READING. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

**SB0364/422317/1**

BY: House Judiciary Committee

#### AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1 of the bill, in line 9, after “program” insert “, refer the person to a certain assessment, and refer the person to certain treatment, if necessary”.

AMENDMENT NO. 2

On page 2 of the House Judiciary Committee Amendments (SB0364/352611/2), in line 1 of Amendment No. 3, strike “TREATMENT AND”; and in line 2, after “HYGIENE” insert “, REFER THE PERSON TO AN ASSESSMENT FOR SUBSTANCE ABUSE DISORDER, AND REFER THE PERSON TO SUBSTANCE ABUSE TREATMENT, IF NECESSARY”.

On page 6 of the bill, in line 17, strike “TREATMENT AND”; and in line 19, after “HYGIENE” insert “, REFER THE PERSON TO AN ASSESSMENT FOR SUBSTANCE ABUSE DISORDER, AND REFER THE PERSON TO SUBSTANCE ABUSE TREATMENT, IF NECESSARY”.

The preceding 2 amendments were read and adopted.

## FLOOR AMENDMENT

SB0364/543821/1

BY: Delegate Hough

AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “marijuana” insert “, with a certain exception”.

AMENDMENT NO. 2

On page 6 of the bill, in line 11, after “1.” insert “A PERSON WHO COMMITS A VIOLATION OF THIS SECTION BY USING OR POSSESSING MARIJUANA WITHIN A DRUG-FREE SCHOOL ZONE, AS DESCRIBED IN § 4-124 OF THE EDUCATION ARTICLE, MAY NOT BE CHARGED WITH A CIVIL OFFENSE UNDER THIS SUBPARAGRAPH AND SHALL BE CHARGED WITH A MISDEMEANOR UNDER PARAGRAPH (2)(1) OF THIS SUBSECTION.

2.”.

AMENDMENT NO. 3

On page 1 of the House Judiciary Committee Amendments (SB0364/352611/2), in lines 2, 5, and 8 of Amendment No. 3, strike “2.”, “3.”, and “4.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively; and in line 10, strike “1, 2, OR 3” and substitute “2, 3, OR 4”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 58    Negative – 72    (See Roll Call No. 1223)

FLOOR AMENDMENT

**SB0364/323825/1**

BY: Delegate Parrott

AMENDMENTS TO SENATE BILL 364, AS AMENDED  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “marijuana” insert “, except under certain circumstances”.

AMENDMENT NO. 2

On page 6, after line 19, insert:

**“5. IF A PERSON COMMITS A VIOLATION OF THIS SUBSECTION BY USING MARIJUANA IN A PUBLIC PLACE, THE PERSON MAY NOT BE CHARGED WITH A CIVIL OFFENSE UNDER THIS SUBPARAGRAPH AND SHALL BE CHARGED WITH A MISDEMEANOR UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION.”**

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45    Negative – 87    (See Roll Call No. 1224)

FLOOR AMENDMENT

**SB0364/343021/2**

BY: Delegate Afzali

AMENDMENT TO SENATE BILL 364, AS AMENDED  
(Third Reading File Bill)

In the bill, on page 3 in line 3, on page 4 in line 22, on page 9 in lines 2, 4, 6, and 12, and on page 10 in lines 12 and 17, in each instance, strike “**10**” and substitute “**5**”.

On page 6 of the bill, in line 12, strike “10” and substitute “**5**”.

On page 10 of the bill, in line 3, strike “**10**” and substitute “**5**”.

On page 1 of the House Judiciary Committee Amendments (SB0364/352611/2), in Amendment No. 3, in lines 3 and 6, in each instance, strike “**10**” and substitute “**5**”.

On page 2 of the House Judiciary Committee Amendments, in line 19 of Amendment No. 3, strike “**10**” and substitute “**5**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 54    Negative – 78    (See Roll Call No. 1225)

#### FLOOR AMENDMENT

#### **SB0364/713125/1**

BY: Delegate Afzali

#### AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “– Civil Offense”; strike beginning with “making” in line 4 down through “citation;” in line 6 and substitute “establishing that a person who violates certain provisions of this Act shall be issued a certain citation; providing that a certain citation shall be forwarded to the court for a certain purpose, but may not be included in court records;”; strike beginning with “authorizing” in line 9 down through “conviction;” in line 12; in line 14, strike “civil”; and in line 15, strike “civil”.

On page 1 of the House Judiciary Committee Amendments (SB0364/352611/2), in Amendment No. 2, strike beginning with “providing” in line 4 down through “Act;” in line 5.

#### AMENDMENT NO. 2

On page 5 of the bill, in line 5, strike "CIVIL".

On page 6 of the bill, in lines 13 and 14, strike "A CIVIL OFFENSE"; in line 15, strike "A FINE" and substitute "THE PENALTIES SPECIFIED IN THIS SUBPARAGRAPH"; and after line 19, insert:

"5. A. NOTWITHSTANDING § 4-101(C)(2) OF THE CRIMINAL PROCEDURE ARTICLE, A POLICE OFFICER AUTHORIZED TO MAKE ARRESTS SHALL CHARGE A PERSON BY CITATION IF THE POLICE OFFICER HAS PROBABLE CAUSE TO BELIEVE THAT THE PERSON IS COMMITTING A FIRST OR SECOND VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA.

B. A CITATION ISSUED UNDER THIS SUBSUBPARAGRAPH SHALL BE FORWARDED TO THE COURT FOR PURPOSES OF RECEIVING THE PAYMENT OF THE CITATION OR THE DEFENDANT'S REQUEST FOR TRIAL, BUT MAY NOT BE RETAINED IN COURT RECORDS FOR ANY OTHER PURPOSE."

On page 1 of the House Judiciary Committee Amendments, in lines 4 and 7 of Amendment No. 3, strike "A CIVIL OFFENSE"; in line 4, strike "\$250" and substitute "\$500"; in line 7, after "BY" insert "IMPRISONMENT NOT EXCEEDING 1 YEAR OR"; in the same line, strike "\$500" and substitute "\$1,000 OR BOTH"; and in line 8, strike "A FINE" and substitute "THE PENALTIES SPECIFIED IN THIS SUBPARAGRAPH".

On page 2 of the House Judiciary Committee Amendments, in Amendment No. 3, strike beginning with "(D)" in line 8 down through "FORFEITURE." in line 14.

On page 9 of the bill, in line 1, before "VIOLATION" insert "FIRST OR SECOND"; and strike beginning with "(1)" in line 3 down through "(C)" in line 11.

On page 10 of the bill, in lines 7, 9, 11, and 16, strike "(D)", "(E)", "(F)", and "(G)", respectively, and substitute "(C)", "(D)", "(E)", and "(F)", respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 42    Negative – 87    (See Roll Call No. 1226)

## FLOOR AMENDMENT

SB0364/793421/1

BY: Delegate Impallaria

AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the House Judiciary Committee Amendments (SB0364/692914/1), in line 1 of Amendment No. 1, before “Task” insert “Marijuana Laws – Full Disclosure of Legal, Employment, and Health Risks –”; in line 5, after “of” insert “requiring the Office of the Attorney General, at a certain time, to establish a certain system to notify the public of certain risks related to any law that reduces the penalties for or legalizes the use of marijuana;”; in line 12, after “of” insert “certain provisions of”; in the same line, after “to” insert “marijuana laws and”; and in line 13, after “Diversion.” insert:

“BY adding to

Article – State Government

Section 6–111

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2 of the bill, before line 35, insert:

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

Article – State Government

6–111.

(A) AT LEAST 90 DAYS BEFORE THE IMPLEMENTATION OF ANY LAW THAT REDUCES THE PENALTIES FOR OR LEGALIZES THE USE OF MARIJUANA, THE OFFICE OF THE ATTORNEY GENERAL SHALL ESTABLISH A SYSTEM TO NOTIFY THE PUBLIC OF THE RISKS RELATED TO THE CHANGES IN THE LAW.



(B) THE SYSTEM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE THE CREATION OF A WEB SITE AND PUBLIC SERVICE ANNOUNCEMENTS FOR RADIO, TELEVISION, NEWSPAPERS, AND BILLBOARDS, NOTIFYING THE PUBLIC THAT:

(1) REGARDLESS OF THE CHANGE IN MARYLAND LAW, A PERSON IS STILL SUBJECT TO ARREST FOR ACTIVITY RELATING TO MARIJUANA BY THE FEDERAL GOVERNMENT, ESPECIALLY IF THE ACTIVITY OCCURS ON FEDERAL PROPERTY OR IN FEDERAL FACILITIES, SUCH AS MILITARY BASES, FEDERAL OFFICES, FEDERAL PARKS, AIRPORTS, AND MARINE TERMINALS;

(2) TESTING POSITIVE FOR MARIJUANA USE CAN RESULT IN JOB LOSS, ESPECIALLY IF THE JOB REQUIRES STATE LICENSING SUCH AS THOSE IN THE MEDICAL AND TRANSPORTATION INDUSTRIES;

(3) IT WILL STILL BE UNLAWFUL FOR BANKS AND BUSINESSES TO DO BUSINESS WITH SOMEONE WHO IS RECEIVING PROCEEDS RELATED TO MARIJUANA;

(4) FILING A FEDERAL INCOME TAX RETURN INVOLVING THE RECEIPT OF PROCEEDS RELATED TO MARIJUANA CAN LEAD TO PROSECUTION FOR PROFITING FROM A FEDERALLY ILLEGAL BUSINESS, WHILE FAILURE TO FILE AN INCOME TAX RETURN CAN ALSO LEAD TO PROSECUTION; AND

(5) THERE ARE HEALTH RISKS ASSOCIATED WITH SMOKING MARIJUANA.”;

in line 35, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and strike beginning with “BY” in line 35 down through “MARYLAND” in line 36.

#### AMENDMENT NO. 3

On page 11 of the bill, in line 4, strike “2.” and substitute “3.”.

#### AMENDMENT NO. 4

On page 4 of the House Judiciary Committee Amendments, in line 1 of Amendment No. 3, strike “It” and substitute “Section 2 of this Act”; and in line 3, after the comma insert “Section 2 of”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 40    Negative – 89    (See Roll Call No. 1227)

#### FLOOR AMENDMENT

#### **SB0364/603728/1**

BY: Delegate Ready

#### AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “marijuana” insert “under certain circumstances”; in line 5, after “marijuana” insert “by a person at least a certain age”; and in line 9, after “program;” insert “providing for the expungement of a certain criminal record;”.

On page 2 of the bill, in line 7, strike “3–8A–01(dd), 3–8A–19(e)(2),”; and in the same line, strike “3–8A–33(a), and”.

On pages 2 through 4 of the bill, strike in their entirety the lines beginning with line 38 on page 2 through line 27 on page 4, inclusive.

#### AMENDMENT NO. 2

On pages 1 and 2 of the House Judiciary Committee Amendments (SB0364/352611/2), strike Amendment No. 3 in its entirety.

#### AMENDMENT NO. 3

On page 6 of the bill, in line 11, strike “OR SECOND”; in line 13, after “marijuana” insert “BY A PERSON WHO IS AT LEAST 21 YEARS OLD”; after line 14, insert:

**“2. A SECOND VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA**

BY A PERSON WHO IS AT LEAST 21 YEARS OLD IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$250.

3. A THIRD OR SUBSEQUENT VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA BY A PERSON WHO IS AT LEAST 21 YEARS OLD IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$500.”;

in line 15, strike “2.” and substitute “4.”; in the same line, strike “MAY” and substitute “SHALL”; in line 16, strike “CONVICTED OF A THIRD OR SUBSEQUENT” and substitute “AT LEAST 21 YEARS OLD WHO COMMITS A”; in line 17, after “UNDER” insert “SUBSUBPARAGRAPH 3 OF”; and after line 19, insert:

“5. NOTWITHSTANDING TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE ARTICLE, A PERSON CONVICTED UNDER PARAGRAPH (2) OF THIS SUBSECTION FOR A VIOLATION OF THIS PARAGRAPH INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA WHILE THE PERSON WAS UNDER THE AGE OF 21 YEARS SHALL HAVE THE CRIMINAL RECORD FOR THE VIOLATION EXPUNGED AUTOMATICALLY ON REACHING 21 YEARS OF AGE.”.

On page 8 of the bill, after line 32, insert:

“(D) THE PROVISIONS OF SUBSECTION (C)(2)(II) OF THIS SECTION MAKING THE POSSESSION OF MARIJUANA A CIVIL OFFENSE MAY NOT BE CONSTRUED TO AFFECT THE LAWS RELATING TO:

(1) OPERATING A VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE; OR

(2) SEIZURE AND FORFEITURE.”.

On page 9 of the bill, in line 20, after the semicolon insert “AND”; and strike beginning with the semicolon in line 25 down through “ARTICLE” in line 28.

On page 10 of the bill, in line 1, after “PERSON” insert “AT LEAST 21 YEARS OLD”; and strike beginning with the second “FOR” in line 4 down through “SUBTITLE” in line 6.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 38    Negative – 93    (See Roll Call No. 1228)

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 78    Negative – 55    (See Roll Call No. 1229)

The Bill was then returned to the Senate.

## CONCURRENCE CALENDAR #12

### AMENDED IN THE SENATE

**House Bill 295 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Burns, Carter, Clippinger, Cullison, Frick, Gilchrist, Glenn, Hammen, Healey, Hixson, Holmes, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Nathan-Pulliam, Niemann, Olszewski, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Stukes, Swain, F. Turner, Valderrama, Vaughn, Walker, A. Washington, M. Washington, ~~and Zucker~~ Zucker, ~~and Haynes~~ Haynes, Fraser-Hidalgo, Arora, Carr, Dumais, Gutierrez, Mizeur, and Waldstreicher**

AN ACT concerning

### Maryland Minimum Wage Act of 2014

Delegate Davis moved that the House concur in the Senate amendments.

**HB0295/717170/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 295  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “circumstances;” insert “authorizing certain employers to pay certain employees who are under a certain age a certain wage under certain circumstances;”; and in line 12, after the semicolon insert “altering a certain exemption from the Maryland Wage and Hour Law for certain individuals;”.

On page 2, in line 8, strike “authorizing” and substitute “requiring”; in line 12, after the semicolon insert “requiring the Department of Health and Mental Hygiene to increase reimbursement of certain providers under certain circumstances; requiring the Governor, in certain fiscal years, to include in a certain budget proposal certain funding increases; requiring the presentation of certain proposed budgets for certain community service providers in a certain manner; authorizing the allocation of certain funds for certain purposes; repealing certain obsolete provisions relating to certain reimbursements for certain providers; repealing a certain defined term;”; in line 13, strike “providing for a delayed effective date;”; in line 14, after “Law” insert “and payments for community service providers”; in line 17, after “3-419,” insert “3-420(b).”; and after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 7-307

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 20, strike “\$250,000” and substitute “**\$400,000**”.

On page 5, in line 9, strike “**12-MONTH**” and substitute “**6-MONTH**”; in line 10, strike “**\$8.20**” and substitute “**\$8.00**”; in line 12, strike “**JANUARY 1, 2016**” and substitute “**JULY 1, 2015**”; in the same line, strike “**\$9.15**” and substitute “**\$8.25**”; in the same line, strike “**AND**”; in line 13, before “**BEGINNING**” insert “**FOR THE 12-MONTH PERIOD**”; in line 14, strike “**JANUARY 1, 2017**” and substitute “**JULY 1, 2016**”; in the same line, strike “**\$10.10**” and substitute “**\$8.75**”; and in the same line, strike “**HOOR**” and substitute “**HOOR;**”

**(4) FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2017, \$9.25 PER HOUR; AND**

**(5) BEGINNING JULY 1, 2018, \$10.10 PER HOUR**”.

On page 6, in line 10, after “**(1)**” insert:

**“(I) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN EMPLOYER MAY PAY AN EMPLOYEE A WAGE THAT EQUALS A RATE OF 85% OF THE STATE MINIMUM WAGE ESTABLISHED UNDER THIS SECTION IF THE EMPLOYEE IS UNDER THE AGE OF 20 YEARS.**

**(II) AN EMPLOYER MAY PAY TO AN EMPLOYEE THE WAGE PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ONLY FOR THE FIRST 6 MONTHS THAT THE EMPLOYEE IS EMPLOYED.**

**(2) (I)**”;

in line 10, strike “**SUBSECTION**” and substitute “**PARAGRAPH**”; in lines 13 and 15, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 18, strike “**(2)**” and substitute “**(II)**”; and in lines 20 and 22, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively.

**AMENDMENT NO. 3**

On page 8, after line 27, insert:

“**3-420.**

**(b) Notwithstanding [§ 3-415(b)(8)] § 3-415(B)(2) of this subtitle, an employer that is not a not for profit organization and is a concert promoter, legitimate theater, music festival, music pavilion, or theatrical show shall pay overtime for a craft or trade employee as required in subsection (a) of this section.”**

On page 9, in line 31, strike “**MAY**” and substitute “**SHALL**”.

**AMENDMENT NO. 4**

On page 10, after line 4, insert:

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

Article – Health – General

7–307.

(a) (1) In this section the following words have the meanings indicated.

(2) “Community provider” means a community–based agency or program funded by the Administration to serve individuals with developmental disabilities.

(3) “Community direct service worker” means an employee of a community provider that provides treatment or services to developmentally disabled individuals.

(4) [“Disparity amount” means the monetary calculation of the average difference in wages and benefits between community direct service workers and developmental disabilities associates or other comparable employees in State residential centers.

(5) “Rate” means the reimbursement rate paid by the Department to a community provider from the State General Fund, Maryland Medical Assistance Program funds, other State or federal funds, or a combination of funds.

(b) Notwithstanding the provisions of this title **OR ANY OTHER PROVISION OF LAW**, the Department shall reimburse community providers as provided in this section.

(c) [(1) On or before September 1, 2001, the Department shall determine:

(i) The disparity amount; and

(ii) The amount of annual increase in the rate of reimbursement to community providers necessary to reduce and eliminate the disparity amount as required under subsection (d) of this section.

(2) The Department shall determine the disparity amount using data and information from:

(i) The Community Services Rate Reimbursement Commission;  
and

(ii) Reports required to be provided to the General Assembly by the Department.

(d) The] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE Department shall increase the rate of reimbursement for community services providers [by an amount that:

(1) Reduces the disparity amount to 80% on or before July 1, 2002;

(2) Reduces the disparity amount to 62% on or before July 1, 2003;

(3) Reduces the disparity amount to 40% on or before July 1, 2004;

(4) Reduces the disparity amount to 20% on or before July 1, 2005; and

(5) Eliminates the disparity amount on or before July 1, 2006] EACH FISCAL YEAR BY THE AMOUNT OF RATE INCREASE INCLUDED IN THE STATE BUDGET FOR THAT FISCAL YEAR.

[(e)] (D) [The Secretary shall adopt regulations to implement this section.]

(1) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2016 SHALL INCLUDE A 3.5% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2015.

(2) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2017 SHALL INCLUDE A 3.5% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2016.



**(3) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2018 SHALL INCLUDE A 3.5% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2017.**

**(4) THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2019 SHALL INCLUDE A 3.5% RATE INCREASE FOR COMMUNITY SERVICE PROVIDERS OVER THE FUNDING PROVIDED IN THE LEGISLATIVE APPROPRIATION FOR OBJECT 08 CONTRACTUAL SERVICES IN PROGRAM M00M01.02 COMMUNITY SERVICES FOR FISCAL YEAR 2018.**

**[(f)] (E) [All increases in the rate of reimbursement provided for in this section shall be used to increase the compensation of community direct service workers.] THE GOVERNOR'S PROPOSED BUDGET FOR FISCAL YEAR 2016 AND THEREAFTER FOR COMMUNITY SERVICE PROVIDERS SHALL BE PRESENTED IN THE SAME MANNER, INCLUDING OBJECT AND PROGRAM INFORMATION, AS PROVIDED FOR IN THE FISCAL YEAR 2015 BUDGET.**

**[(g)] (F) [Nothing in this section shall be construed to prohibit the Department from eliminating the disparity amount prior to July 1, 2006.] A PORTION OF THE FUNDS IN SUBSECTION (E) OF THIS SECTION MAY BE ALLOCATED TO ADDRESS THE IMPACT OF AN INCREASE IN THE STATE MINIMUM WAGE ON WAGES AND BENEFITS OF DIRECT SUPPORT WORKERS EMPLOYED BY COMMUNITY PROVIDERS LICENSED BY THE DEVELOPMENTAL DISABILITIES ADMINISTRATION.**;

in line 5, strike "2." and substitute "3."; and in line 6, strike "January 1, 2015" and substitute "July 1, 2014".

The preceding 4 amendments were read and concurred in.

**HB0295/573828/2**

BY: Senator Madaleno

AMENDMENT TO HOUSE BILL 295

(Third Reading File Bill)

On page 6, in line 19, strike “A RATE” and substitute “THE GREATER”; strike beginning with “IF” in line 20 down through “HOOR” in line 21 and substitute “85% OF THE STATE MINIMUM WAGE ESTABLISHED UNDER THIS SECTION”; and strike beginning with “IF” in line 22 down through “ACT” in line 23 and substitute “\$7.25”.

The preceding amendment was read and concurred in.

Delegate Davis moved to make the Bill a Special Order for next session.

The motion was adopted.

### CONCURRENCE CALENDAR #11

#### AMENDED IN THE SENATE

#### House Bill 137 – Montgomery County Delegation

AN ACT concerning

**Montgomery County and St. Mary’s County – Alcoholic Beverages – Beauty  
Salon License  
MC 9–14**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0137/994835/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 137

(Third Reading File Bill)

On page 1, in lines 2, 5, and 17, in each instance, strike “and St. Mary’s County”; in line 6, strike “, in Montgomery County,”; strike beginning with “requiring” in line 7 down through “jurisdiction,” in line 9; and in line 20, strike “and 8–219.1”.

On page 3, strike in their entirety lines 1 through 27, 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 – 125    Negative – 2    (See Roll Call No. 1230)

**AMENDED IN THE SENATE**

**House Bill 208 – Delegates Barkley, Schulz, Olszewski, Jameson, Krebs, Aumann, Barnes, Braveboy, Davis, Elliott, Gilchrist, Glenn, Guzzone, Haddaway–Riccio, Hucker, Impallaria, Kramer, Love, McHale, W. Miller, Minnick, Mitchell, Ready, S. Robinson, Rudolph, Stifler, Stocksdale, and Vaughn**

AN ACT concerning

**Alcoholic Beverages – Refillable Containers – Permits and Labels**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0208/824937/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 208

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “standards;” insert “establishing a refillable container permit in Prince George’s County; authorizing the Board of License Commissioners for Prince George’s County to issue the refillable container permit to a holder of a certain class of license; specifying that the refillable container permit in Prince George’s County entitles the holder to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring the Board of License Commissioners for Prince George’s County to adopt certain regulations; establishing a refillable container permit in St. Mary’s County; authorizing the Alcohol Beverage Board for St. Mary’s County to issue the refillable container permit to holders of certain classes of license; specifying that the refillable container permit in St. Mary’s County entitles the holder to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring the Alcohol Beverage Board for St. Mary’s County to adopt certain regulations;”.

On page 2, in line 19, after “8–213.3,” insert “8–217.1, 8–219.1,”.

AMENDMENT NO. 2

On page 8, in line 28, after “TO” insert “DRAFT”.

On page 9, in line 2, strike “AND”; and in line 3, strike the period and substitute “;”

**(V) PRINCE GEORGE’S COUNTY; AND**

**(VI) ST. MARY’S COUNTY.”**

**AMENDMENT NO. 3**

On page 18, after line 9, insert:

**“8-217.1.**

**(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

**(B) IN THIS SECTION, “BOARD” MEANS THE BOARD OF LICENSE COMMISSIONERS.**

**(C) THERE IS A REFILLABLE CONTAINER PERMIT.**

**(D) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF ANY CLASS B BEER, WINE AND LIQUOR LICENSE WITH OFF-SALE PRIVILEGES.**

**(E) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT TO AN APPLICANT, THE APPLICANT SHALL:**

**(1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND**

**(2) PAY AN ANNUAL PERMIT FEE THAT THE BOARD ESTABLISHES.**

**(F) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:**

**(1) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER PERMIT IS ISSUED; AND**

**(2) END AT MIDNIGHT.**

**(G) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

**8-219.1.**

**(A) THIS SECTION APPLIES ONLY IN ST. MARY'S COUNTY.**

**(B) IN THIS SECTION, "BOARD" MEANS THE ALCOHOL BEVERAGE BOARD.**

**(C) THERE IS A REFILLABLE CONTAINER PERMIT.**

**(D) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.**

**(E) (1) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT, THE APPLICANT SHALL COMPLETE THE FORM THAT THE BOARD PROVIDES.**

**(2) THE BOARD MAY CHARGE AN ANNUAL PERMIT FEE OF UP TO:**

**(I) \$500 FOR AN APPLICANT WHO HOLDS AN UNDERLYING ALCOHOLIC BEVERAGES LICENSE WITHOUT AN OFF-SALE PRIVILEGE; OR**

**(II) \$50 FOR AN APPLICANT WHO HOLDS AN UNDERLYING ALCOHOLIC BEVERAGES LICENSE WITH AN OFF-SALE PRIVILEGE.**

**(F) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:**

**(1) BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING ALCOHOLIC BEVERAGES LICENSE; AND**

**(2) END AT MIDNIGHT.**

**(G) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

On page 21, in line 5, 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 – 127    Negative – 0    (See Roll Call No. 1231)

### **AMENDED IN THE SENATE**

**House Bill 359 – Delegate Barkley**

AN ACT concerning

#### **Alcoholic Beverages – Maximum Alcohol Content**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0359/604037/1**

BY: Education, Health, and Environmental Affairs Committee

#### **AMENDMENTS TO HOUSE BILL 359**

(Third Reading File Bill)

##### **AMENDMENT NO. 1**

On page 1, strike beginning with the comma in line 4 down through “exception” in line 5.

##### **AMENDMENT NO. 2**

On page 1, strike beginning with the comma in line 17 down through “ARTICLE” in line 19.

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 – 97    Negative – 32    (See Roll Call No. 1232)

**AMENDED IN THE SENATE**

**House Bill 831 – Delegates Branch, Anderson, Carter, Conaway, Glenn, Hammen, Harper, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington**

**EMERGENCY BILL**

AN ACT concerning

**Baltimore City – Alcoholic Beverages Act of 2014**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0831/184939/2**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 831

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “prohibiting, beginning on a certain date, certain alcoholic beverages licenses from being issued within or transferred into a certain area;”.

On page 2, in line 4, after “secretary” insert “based on certain criteria”; in line 7, before “prohibiting” insert “repealing a requirement that the executive secretary or the deputy executive secretary be a member of the State Bar;”; strike beginning with “requiring” in line 14 down through “online” in line 15 and substitute “requiring that regulations adopted by the Board be posted online”; and in line 29, after “stylistic” insert “and conforming”.

On page 3, in line 3, after “Section” insert “9–204.1(i) and”.

AMENDMENT NO. 2

On page 4, after line 7, insert:

“9–204.1.”

**(I) BEGINNING JULY 1, 2015, A NEW ALCOHOLIC BEVERAGES LICENSE MAY NOT BE ISSUED WITHIN AND AN EXISTING LICENSE MAY NOT BE TRANSFERRED INTO THE AREA BOUNDED BY NORTHERN PARKWAY ON THE NORTH, BELLONA AVENUE ON THE WEST, ORKNEY ROAD ON THE SOUTH, AND EVESHAM AVENUE ON THE EAST.”.**

On page 8, in lines 24 and 29, in each instance, strike the bracket; in line 25, strike “appointed” and substitute “**EMPLOYED**”; strike beginning with “ability” in line 25 down through “hearing” in line 29 and substitute “**EXPERIENCE**”; and strike in their entirety lines 30 and 31.

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 – 127    Negative – 0    (See Roll Call No. 1233)

### **AMENDED IN THE SENATE**

#### **House Bill 1097 – Garrett County Delegation**

AN ACT concerning

#### **Garrett County – Alcoholic Beverages – Sunday Sales for On-Premises Consumption**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1097/714637/1**

BY: Education, Health, and Environmental Affairs Committee

#### **AMENDMENT TO HOUSE BILL 1097**

(Third Reading File Bill)

On page 4, strike beginning with “, subject” in line 28 down through “Act,” in line 30.

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 – 127    Negative – 0    (See Roll Call No. 1234)

**AMENDED IN THE SENATE**

**House Bill 1168 – Southern Maryland Delegation**

AN ACT concerning

**Electricity – Certificate – Wind Turbines – Limitation**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1168/227472/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1168

(Third Reading File Bill)

On page 9, in line 2, after “station” insert “:

(1)”;

in the same line, strike “physical”; and in line 3, after “2014” insert “; and

(2) for which proceeds from a Maryland Water Quality Financing Administration loan have been paid to a manufacturer of wind-powered generating stations to initiate construction of the wind-powered generating station”.

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 – 100    Negative – 24    (See Roll Call No. 1235)

**AMENDED IN THE SENATE**

House Bill 402 – Delegates Oaks, Krebs, Barkley, Carter, Cullison, Donoghue, Eckardt, Frank, Gutierrez, Howard, Hubbard, Ivey, A. Kelly, Kipke, McDonough, McIntosh, Mizeur, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, B. Robinson, Rosenberg, V. Turner, ~~and M. Washington~~ M. Washington, Tarrant, Kach, and Pendergrass

AN ACT concerning

**Health Occupations – State Board of Physicians – Naturopathic ~~Medicine~~  
Doctors**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0402/304635/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 402

(Third Reading File Bill)

On page 1, in line 6, strike “Pharmacy” and substitute “Physicians”.

On page 13, in line 26, strike “YEARS” and substitute “YEARS”.

On page 15, in line 8, strike “(A)”.

On page 18, in line 30, strike “NATUROPATHIC PHYSICIAN LICENSING EXAMINATION” and substitute “NATUROPATHIC PHYSICIAN LICENSING EXAMINATION”.

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 – 128    Negative – 0    (See Roll Call No. 1236)

**AMENDED IN THE SENATE**

House Bill 404 – Delegates Rosenberg, Braveboy, Busch, Reznik, and Schuh

AN ACT concerning

**Department of Health and Mental Hygiene – State Facilities – Cemeteries**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0404/587772/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 404  
(Third Reading File Bill)

On page 3, in line 31, strike “(d)” and substitute “**(E)**”.

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 – 129    Negative – 0    (See Roll Call No. 1237)

**AMENDED IN THE SENATE**

**House Bill 856 – Delegates Nathan–Pulliam, Tarrant, Bohanan, Burns, Cane, Carr, Costa, Cullison, Frush, Griffith, Gutierrez, Hammen, Hubbard, Kach, A. Kelly, Morhaim, Oaks, Pena–Melnik, Reznik, and V. Turner**

AN ACT concerning

~~**Task Force on Community Health Workers**~~  
**Workgroup on Workforce Development for Community Health Workers**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB0856/257971/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 856  
(Third Reading File Bill)

On page 4, in line 8, strike “December 1, 2014” and substitute “June 1, 2015”.

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 – 129    Negative – 0    (See Roll Call No. 1238)

**AMENDED IN THE SENATE**

**House Bill 1088 – ~~Delegate Morhaim~~ Delegates Morhaim, Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**~~Health Occupations – Ophthalmologists Who Store and Administer Drugs – Exclusion From Maryland Pharmacy Act~~ Compound Drugs – Provision to Ophthalmologists for Office Use**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1088/374339/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1088

(Third Reading File Bill)

On page 4, in line 14, strike “PHARMACY” and substitute “STERILE COMPOUNDING FACILITY”.

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 – 129    Negative – 0    (See Roll Call No. 1239)

**AMENDED IN THE SENATE**

**House Bill 1235 – Delegates Bromwell and Hammen**

AN ACT concerning

**Community Integrated Medical Home Program ~~and Patient-Centered~~  
~~Medical Home Program~~**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1235/547179/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1235

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “recommendations;” insert “requiring the advisory body to include certain stakeholders;”.

AMENDMENT NO. 2

On page 7, after line 27, insert:

**“(C) THE ADVISORY BODY SHALL INCLUDE INTERESTED STAKEHOLDERS REPRESENTING HEALTH CARE PROVIDER ORGANIZATIONS, HEALTH OCCUPATION BOARDS, CARRIERS, AND MANAGED CARE ORGANIZATIONS.”;**

and in line 28, strike “(C)” and substitute “(D)”.

The preceding 2 amendments were read and concurred in.

**HB1235/593928/1**

BY: Senator Pugh

AMENDMENT TO HOUSE BILL 1235, AS AMENDED

In the Finance Committee Amendments (HB1235/547179/1), in line 3 of Amendment No. 2, after “ORGANIZATIONS,” insert “CONSUMER ADVOCACY ORGANIZATIONS, HEALTH PROFESSIONAL ASSOCIATIONS,”.

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 – 129    Negative – 0    (See Roll Call No. 1240)

**AMENDED IN THE SENATE**

**House Bill 1267 – Delegates Hubbard, Costa, Cullison, Kach, Nathan–Pulliam,  
and Pena–Melnyk**

AN ACT concerning

**~~Assertive Community Treatment (ACT) – Targeted Outreach, Engagement,  
and Department of Health and Mental Hygiene – Outpatient Services  
Programs Stakeholder Workgroup~~**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1267/607870/2**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1267

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “and” and substitute a comma; and in line 7, after “proposal” insert “, and evaluate a certain standard”.

On page 2, in lines 30 and 31, strike “an outpatient services programs” and substitute “a”; and in line 31, after “workgroup” insert “on the treatment of individuals with mental illness”.

AMENDMENT NO. 2

On page 3, in line 3, strike the second “and”; in line 20, after “program” insert “; and”

(3) evaluate the dangerousness standard for involuntary admissions and emergency evaluations of individuals with mental disorders, including:

(i) how the standard should be clarified in statute or in regulations adopted by the Department; and

(ii) initiatives the Department should adopt and implement to promote the appropriate and consistent application of the standard by health care

professionals, administrative law judges, the Office of the Public Defender, consumers, and other individuals”;

in line 26, strike “that includes” and substitute “of the findings and recommendations of the workgroup, including”; and in line 28, after “section” insert a comma.

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 – 128    Negative – 0    (See Roll Call No. 1241)

### AMENDED IN THE SENATE

**House Bill 1352 – ~~Delegate Morhaim~~ Delegates Morhaim, Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, McDonough, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner**

AN ACT concerning

### **Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1352/208673/1**

BY:    Judicial Proceedings Committee

### AMENDMENTS TO HOUSE BILL 1352

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 2, in line 15, after “liability;” insert “requiring that an action to enforce certain provisions of this Act be brought within a certain period of time;”; and in line 37, strike “6.5–104” and substitute “6.5–105”.

On page 3, strike in their entirety lines 2 through 11, inclusive.

#### AMENDMENT NO. 2

On page 14, after line 19, insert:

**“6.5–105.**

**AN ACTION TO ENFORCE THIS TITLE SHALL BE BROUGHT WITHIN 3 YEARS AFTER THE ALLEGED VIOLATION OCCURRED.”.**

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 – 129    Negative – 0    (See Roll Call No. 1242)

**AMENDED IN THE SENATE****House Bill 355 – Delegate Rosenberg**

AN ACT concerning

**Criminal Procedure – Programs for Survivors of Homicide Victims**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0355/408572/1**

BY:    Judicial Proceedings Committee

**AMENDMENT TO HOUSE BILL 355**

(Third Reading File Bill)

On page 1, in line 6, strike “authorizing” and substitute “requiring”.

On page 2, in line 29, strike “MAY” and substitute “SHALL”.

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 – 128    Negative – 0    (See Roll Call No. 1243)



AMENDED IN THE SENATE

House Bill 461 – Chair, Ways and Means Committee (By Request – Departmental – Education)

AN ACT concerning

State Early Childhood Advisory Council

Delegate Hixson moved that the House concur in the Senate amendments.

HB0461/634139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 461  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with “**TWO**” in line 22 down through “**SERVICES**” in line 24 and substitute “**ONE REPRESENTATIVE OF THE MARYLAND STATE CHILD CARE ASSOCIATION;**”

**(IV) ONE REPRESENTATIVE OF THE MARYLAND STATE FAMILY CHILD CARE ASSOCIATION;**

**(V) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN;**

**(VI) ONE REPRESENTATIVE OF THE MARYLAND SCHOOL AGE CHILD CARE ALLIANCE;**

**(VII) ONE REPRESENTATIVE OF A NONPUBLIC PREKINDERGARTEN PROVIDER”;**

and in lines 25 and 30, strike “**(IV)**” and “**(V)**”, respectively, and substitute “**(VIII)**” and “**(IX)**”, respectively.

On page 4, in lines 1, 3, 5, 7, 9, 12, 14, 16, 18, 20, 22, 24, 26, and 28, strike “**(VI)**”, “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, “**(XI)**”, “**(XII)**”, “**(XIII)**”, “**(XIV)**”, “**(XV)**”, “**(XVI)**”,

“(XVII)”, “(XVIII)”, and “(XIX)”, respectively, and substitute “(X)”, “(XI)”, “(XII)”, “(XIII)”, “(XIV)”, “(XV)”, “(XVI)”, “(XVII)”, “(XVIII)”, “(XIX)”, “(XX)”, “(XXI)”, “(XXII)”, and “(XXIII)”, respectively.

On page 5, in lines 1, 3, 5, 7, 9, 11, 13, and 15, strike “(XX)”, “(XXI)”, “(XXII)”, “(XXIII)”, “(XXIV)”, “(XXV)”, “(XXVI)”, and “(XXVII)”, respectively, and substitute “(XXIV)”, “(XXV)”, “(XXVI)”, “(XXVII)”, “(XXVIII)”, “(XXIX)”, “(XXX)”, and “(XXXI)”, respectively.

#### AMENDMENT NO. 2

On page 7, in line 16, strike “AND”; and in line 18, after “SUCCESS;” insert “AND”

**(III) AN ASSESSMENT OF THE AVAILABILITY OF HIGH QUALITY EARLY CHILDHOOD EDUCATION AND DEVELOPMENT PROGRAMS THAT SERVE CHILDREN WITH AND WITHOUT DISABILITIES TOGETHER;”.**

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 – 127    Negative – 0    (See Roll Call No. 1244)

#### **AMENDED IN THE SENATE**

**House Bill 907 – Delegates Olszewski, Barkley, Bohanan, DeBoy, Elliott, Guzzone, Kach, Kaiser, Krebs, Lafferty, Luedtke, McComas, McMillan, Mitchell, Morhaim, Murphy, Schulz, Simmons, Sophocleus, Stocksdales, ~~and Wilson~~ Wilson, and Cardin**

AN ACT concerning

#### **Video Lottery Facility Payouts – Intercepts for Child Support Payments**

Delegate Hixson moved that the House not concur in the Senate amendments.

**HB0907/469830/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 907

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “the” in line 3 down through “date;” in line 9 and substitute “certain video lottery operation licensees to provide certain notices to certain obligors who win certain prizes and who owe child support; requiring certain video lottery operation licensees to make certain payments, withhold certain amounts, and transfer certain amounts under certain circumstances; authorizing certain obligors to appeal certain proposed transfers; requiring the Child Support Enforcement Administration to notify the video lottery operation licensee on the distribution of certain prizes; prohibiting a video lottery operation licensee from being held liable for certain acts or omissions; requiring certain video lottery operation licensees to comply with a certain provision of law; defining certain terms;”;

after line 10, insert:

“BY repealing and reenacting, with amendments,Article – Family LawSection 10–113.1Annotated Code of Maryland(2012 Replacement Volume and 2013 Supplement)BY repealing and reenacting, without amendments,Article – State GovernmentSection 9–1A–24(a)Annotated Code of Maryland(2009 Replacement Volume and 2013 Supplement)”;and in line 13, strike “9–1A–02.1” and substitute “9–1A–24(h)”.AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Family Law10–113.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

(3) “VIDEO LOTTERY OPERATION LICENSEE” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

[(a)] (B) The Administration may certify to the State Lottery and Gaming Control Agency the name of any obligor who is in arrears in the amount of \$150 or more if:

(1) the Administration has accepted an assignment of support under § 5-312(b)(2) of the Human Services Article; or

(2) the recipient of support payments has filed an application for support enforcement services with the Administration.

[(b)] (C) The certification shall contain:

(1) the full name of the obligor, and any other names known to be used by the obligor;

(2) the Social Security number of the obligor; and

(3) the amount of the arrearage.

[(c)] (D) If an obligor who has been certified as an obligor wins a lottery prize to be paid by check directly by the State Lottery and Gaming Control Agency, the State Lottery and Gaming Control Agency shall send a notice to the obligor that:

(1) the obligor has won a prize to be paid by check directly by the State Lottery and Gaming Control Agency;

(2) the State Lottery and Gaming Control Agency has received certification from the Child Support Enforcement Administration of the obligor’s child support arrearage in the amount specified;

(3) subsection [(d)] (F) of this section requires the State Lottery and Gaming Control Agency to withhold the prize to pay it towards the obligor's support arrearage;

(4) the State Lottery and Gaming Control Agency proposes to transfer the prize, or that part of it which is equal to the support arrearage, to the Administration if no appeal is filed within 15 days;

(5) the obligor may appeal to the Administration if the obligor disputes the existence or the amount of the arrearage;

(6) if the obligor appeals to the Administration, the prize will be distributed as the Administration directs; and

(7) if no appeal is filed within 15 days, the prize, or that part of it equal to the support arrearage, will be transferred to the Administration.

**(E) IF AN OBLIGOR WHO OWES CHILD SUPPORT AND HAS BEEN CERTIFIED AS AN OBLIGOR WINS A PRIZE AT A VIDEO LOTTERY FACILITY REQUIRING THE ISSUANCE OF INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT FORM BY A VIDEO LOTTERY OPERATION LICENSEE, THE VIDEO LOTTERY OPERATION LICENSEE SHALL PROVIDE A NOTICE TO THE OBLIGOR THAT:**

**(1) THE OBLIGOR HAS WON A PRIZE TO BE PAID BY CASH OR CHECK DIRECTLY BY THE VIDEO LOTTERY OPERATION LICENSEE;**

**(2) THE STATE LOTTERY AND GAMING CONTROL AGENCY HAS RECEIVED CERTIFICATION FROM THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION OF THE OBLIGOR'S CHILD SUPPORT ARREARAGE IN THE AMOUNT SPECIFIED;**

**(3) SUBSECTION (F) OF THIS SECTION REQUIRES THE VIDEO LOTTERY OPERATION LICENSEE TO WITHHOLD THE PRIZE TO PAY IT TOWARDS THE OBLIGOR'S CHILD SUPPORT ARREARAGE;**

(4) THE VIDEO LOTTERY OPERATION LICENSEE PROPOSES TO TRANSFER THE PRIZE, OR THAT PART OF IT WHICH IS EQUAL TO THE CHILD SUPPORT ARREARAGE, TO THE ADMINISTRATION IF NO APPEAL IS FILED WITHIN 15 DAYS;

(5) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE OBLIGOR DISPUTES THE EXISTENCE OR THE AMOUNT OF THE CHILD SUPPORT ARREARAGE;

(6) IF THE OBLIGOR APPEALS TO THE ADMINISTRATION, THE PRIZE WILL BE DISTRIBUTED AS THE ADMINISTRATION DIRECTS; AND

(7) IF NO APPEAL IS FILED WITHIN 15 DAYS, THE PRIZE, OR THAT PART OF IT EQUAL TO THE CHILD SUPPORT ARREARAGE, WILL BE TRANSFERRED TO THE ADMINISTRATION.

[(d)] (F) If the prize exceeds the arrearage, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall immediately pay the excess to the obligor. The State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall withhold any part of the prize that does not exceed the arrearage until notified by the Administration to whom the withheld prize money shall be paid.

[(e)] (G) Upon receipt of a notice from the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE any obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer within 15 days of the date of the notice to the Administration.

[(f)] (H) If no appeal is filed within 15 days, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall transfer the amount of the prize withheld to the Administration.

[(g)] (I) The Administration shall notify the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE that upon appeal, the withheld prize shall be:

- (1) paid to the obligor;

(2) transferred to the Administration; or

(3) partly paid to the obligor and partly transferred to the Administration, in the amounts specified.

**[(h)] (I)** The State Lottery and Gaming Control Agency shall honor lottery prize interception requests in the following order:

(1) an interception request under this section;

(2) an interception request under § 11–618 of the Criminal Procedure Article; and

(3) an interception request under § 3–307 of the State Finance and Procurement Article.

**[(i)] (K)** The Secretary of Human Resources and the Director of the State Lottery and Gaming Control Agency may jointly adopt regulations to implement this section.

**(L)** **A VIDEO LOTTERY OPERATION LICENSEE MAY NOT BE HELD LIABLE FOR AN ACT OR OMISSION TAKEN IN GOOD FAITH TO COMPLY SUBSTANTIALLY WITH THE REQUIREMENTS OF THIS SECTION.**”;

and strike in their entirety lines 19 through 22, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 24 on page 4 through line 17 on page 5, inclusive, and substitute:

“9–1A–24.

(a) Except as provided in subsection (b) of this section, the Commission shall ensure that a video lottery operation licensee complies with the requirements of this section as a condition of holding the video lottery operation license.

**(H)** **A VIDEO LOTTERY OPERATION LICENSEE SHALL COMPLY WITH § 10–113.1 OF THE FAMILY LAW ARTICLE.**”.

On page 5, in line 18, strike “3.” and substitute “2.”; and in line 19, strike “June” and substitute “October”.

The preceding 2 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

**BILL: HB 0907**

**SPONSOR:** Del Olszewski, et al

**SUBJECT:** Video Lottery Facility Payouts – Intercepts for Child Support Payments

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 Luedtke, Chairman  
Delegate Myers, and  
Delegate Walker.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 1245)

### ADJOURNMENT

At 7:06 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Legislative Day March 31, 2014, Calendar Day Monday, April 7, 2014.



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**Annapolis, Maryland**  
**Legislative Day: March 31, 2014**  
**Calendar Day: Monday, April 7, 2014**

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The House met at 11:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszweski, Jr. of Baltimore County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 1247)

The Journal of March 30, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical  
Del. DeBoy – late – traffic  
Del. Harper – medical  
Del. Impallaria – late – traffic  
Del. K. Kelly – late – traffic  
Del. S. Robinson – business  
Del. Stocksdale – late – personal  
Del. Tarrant – late – traffic  
Del. Valentino-Smith – funeral

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS**  
**REPORT #17**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 257 – Senators Kelley, Astle, Feldman, Glassman, Kittleman, Mathias, Middleton, Pugh, ~~and Ramirez~~ Ramirez, and Klausmeier**

AN ACT concerning

**Task Force to Study Access to Pharmacy Services in Maryland**

**SB0257/226887/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 257  
(Third Reading File Bill)

On page 3, in line 4, strike “and”; and in line 6, after “State” insert “; and”

(xv) one representative of the Pharmaceutical Research and Manufacturers of America”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 923 – Senators Raskin, Brinkley, Feldman, Forehand, Frosh, Jacobs, Madaleno, Mathias, Montgomery, Muse, Stone, Young, and Zirkin**

AN ACT concerning

**Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission**

**SB0923/146385/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 923  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “cards;” insert “requiring the Commission to develop and maintain a certain Web site; increasing the membership of the Commission;”; in line 15, strike “and certain family members” and substitute “and the spouse”; in line 16, strike beginning with “being” through the first “or” and substitute “receiving”; in line 17, after “in” insert a comma; strike beginning with the second “medical” in line 17 down through “center” in line 18 and substitute “dispensary; authorizing a certifying physician to receive certain compensation if the certifying physician obtains certain”

approval and discloses certain information”; and in line 24, strike “medical treatment center” and substitute “medical marijuana grower or dispensary”.

On page 2, in line 2, after “caregiver;” insert “prohibiting a caregiver from serving more than a certain number of qualifying patients at any time; prohibiting a qualifying patient from having more than a certain number of caregivers;”; in lines 4 and 5, in each instance, strike “a registration” and substitute “an approval”; in line 10, after “license;” insert “requiring the Commission to establish a certain application review process for granting medical marijuana grower licenses; prohibiting the Commission from issuing more than one medical marijuana grower license to an applicant; requiring a medical marijuana grower to pay a certain fee;”; in line 15, after “licensure;” insert “requiring a medical marijuana grower agent to be registered with the Commission; requiring a medical marijuana grower to apply to the Commission for a registration card for each grower agent by submitting certain information to the Commission;”; in line 17, strike “and” and substitute a comma; in line 18, after “administration” insert “, and are located in agricultural zones”; strike beginning with “prohibiting” in line 23 down through “center;” in line 27; in line 29, strike “and” and substitute a comma; strike beginning with “medical” in line 29 down through “centers” in line 30 and substitute “dispensaries, qualified patients, and caregivers; authorizing a medical marijuana grower to distribute marijuana at certain facilities; authorizing a qualifying patient or caregiver to obtain medical marijuana from certain facilities”; in lines 32 and 34, in each instance, strike “medical marijuana treatment center” and substitute “dispensary”; strike beginning with “authorizing” in line 35 down through “grower” in line 42 and substitute “requiring the Commission to establish a certain application review process for granting dispensary licenses and to actively seek to achieve racial, ethnic, and geographic diversity when licensing dispensaries”; strike beginning with “medical” in line 44 down through “centers” in line 45 and substitute “dispensaries”; and in line 47, strike “medical marijuana treatment centers” and substitute “dispensaries”.

On page 3, in line 6, strike “medical marijuana treatment center” and substitute “dispensary”; in line 24, strike “each year” and substitute “in certain years”; in the same line, strike “incidents of” and substitute “any change in”; and in line 27, after the first semicolon insert “requiring the Commission to report to the General Assembly on or before a certain date on the level of competition in the market for medical marijuana; requiring the Commission, in consultation with the Comptroller, to study the taxation of medical marijuana and the impact that medical marijuana laws have had on banking and financial transactions in other states and to report the”

Commission’s findings and recommendations to the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 4, after line 25, insert:

**“(F) “DISPENSARY” MEANS AN ENTITY LICENSED UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, PROCESSES, TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES, DISPENSES, OR ADMINISTERS MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, RELATED PRODUCTS INCLUDING FOOD, TINCTURES, AEROSOLS, OILS, OR OINTMENTS, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR CAREGIVER.**

**“(G) “DISPENSARY AGENT” MEANS AN OWNER, A MEMBER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A DISPENSARY.”;**

and in line 26, strike **“(F)”** and substitute **“(H)”**.

On page 5, in line 1, strike **“(G)”** and substitute **“(I)”**; and strike in their entirety lines 4 through 13, inclusive.

AMENDMENT NO. 3

On page 7, after line 13, insert:

**“(E) THE COMMISSION SHALL DEVELOP AND MAINTAIN A WEB SITE THAT:**

**(1) PROVIDES INFORMATION ON HOW AN INDIVIDUAL CAN OBTAIN MEDICAL MARIJUANA IN THE STATE AND HOW AN INDIVIDUAL CAN FIND A CERTIFYING PHYSICIAN; AND**

**(2) PROVIDES CONTACT INFORMATION FOR LICENSED GROWERS AND LICENSED DISPENSARIES.”;**

in line 15, strike “12” and substitute **“15”**; and in line 18, strike “11” and substitute **“14”**.

AMENDMENT NO. 4

On page 8, in line 3, strike “and”; and in line 5, after “States” insert “;

**(X) AN INDIVIDUAL WITH EXPERIENCE IN HORTICULTURE, RECOMMENDED BY THE DEPARTMENT OF AGRICULTURE;**

**(XI) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND EXTENSION; AND**

**(XII) ONE REPRESENTATIVE OF THE OFFICE OF THE COMPTROLLER”.**

AMENDMENT NO. 5

On page 13, strike in their entirety lines 27 through 31, inclusive, and substitute:

**“(E) (1) A CERTIFYING PHYSICIAN OR THE SPOUSE OF A CERTIFYING PHYSICIAN MAY NOT RECEIVE ANY GIFTS FROM OR HAVE AN OWNERSHIP INTEREST IN A MEDICAL MARIJUANA GROWER OR A DISPENSARY.**

**(2) A CERTIFYING PHYSICIAN MAY RECEIVE COMPENSATION FROM A MEDICAL MARIJUANA GROWER OR DISPENSARY IF:**

**(I) THE CERTIFYING PHYSICIAN OBTAINS THE APPROVAL OF THE COMMISSION BEFORE RECEIVING THE COMPENSATION; AND**

**(II) DISCLOSES THE AMOUNT OF COMPENSATION RECEIVED FROM THE MEDICAL MARIJUANA GROWER OR DISPENSARY TO THE COMMISSION.”.**

On page 14, in line 13, strike “TREATMENT CENTER” and substitute “GROWER”; in line 14, after “COMMISSION” insert “OR A DISPENSARY LICENSED BY THE COMMISSION”; after line 17, insert:

**“(6) (I) A CAREGIVER MAY SERVE NO MORE THAN FIVE QUALIFYING PATIENTS AT ANY TIME.**

**(II) A QUALIFYING PATIENT MAY HAVE NO MORE THAN TWO CAREGIVERS.**;

and strike beginning with “FOR” in line 29 down through “REGISTRATION” in line 30 and substitute “TO THE COMMISSION FOR APPROVAL”.

On page 15, strike beginning with the second “A” in line 1 down through “REGISTRATION” in line 2 and substitute “AN APPLICATION FOR APPROVAL”; in line 18, strike “AND”; in line 20, after “SUBTITLE” insert “;AND”

**(III) QUALIFYING PATIENTS AND CAREGIVERS**;

in line 19, strike “MEDICAL MARIJUANA TREATMENT CENTERS” and substitute “DISPENSARIES”; in line 21, after “(2)” insert “(I)”; in the same line, strike “The” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; in line 22, strike “SHALL” and substitute “MAY LICENSE NO MORE THAN 15 MEDICAL MARIJUANA GROWERS.”

**(II) BEGINNING JUNE 1, 2016, THE COMMISSION MAY**;

after line 25, insert:

**“(III) THE COMMISSION SHALL ESTABLISH AN APPLICATION REVIEW PROCESS FOR GRANTING MEDICAL MARIJUANA GROWER LICENSES IN WHICH APPLICATIONS ARE REVIEWED, EVALUATED, AND RANKED BASED ON CRITERIA ESTABLISHED BY THE COMMISSION.**

**(IV) THE COMMISSION MAY NOT ISSUE MORE THAN ONE MEDICAL MARIJUANA GROWER LICENSE TO EACH APPLICANT.**

**(V) A GROWER SHALL PAY AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION CONSISTENT WITH THIS SUBTITLE.**;

in line 30, after “SHALL” insert “:

**(I) BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT MAY VOLUNTEER OR WORK FOR A LICENSED GROWER; AND**

**(II)**”;

in the same line, strike “OBTAIN” and substitute “OBTAIN”; and after line 32, insert:

**“(5) (I) A LICENSED GROWER SHALL APPLY TO THE COMMISSION FOR A REGISTRATION CARD FOR EACH GROWER AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE OF BIRTH OF THE AGENT.**

**(II) 1. WITHIN 1 BUSINESS DAY AFTER A GROWER AGENT CEASES TO BE ASSOCIATED WITH A GROWER, THE GROWER SHALL:**

**A. NOTIFY THE COMMISSION; AND**

**B. RETURN THE GROWER AGENT’S REGISTRATION CARD TO THE COMMISSION.**

**2. ON RECEIPT OF A NOTICE DESCRIBED IN SUBSUBPARAGRAPH 1A OF THIS SUBPARAGRAPH, THE COMMISSION SHALL:**

**A. IMMEDIATELY REVOKE THE REGISTRATION CARD OF THE GROWER AGENT; AND**

**B. IF THE REGISTRATION CARD WAS NOT RETURNED TO THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.**

**(III) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE AS A GROWER AGENT.”**

On page 16, in lines 1, 5, 7, 14, and 25, strike “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively; after line 13, insert:

**“(III) THE COMMISSION SHALL ENCOURAGE LICENSING MEDICAL MARIJUANA GROWERS LOCATED IN AGRICULTURAL ZONES.”;**

and strike in their entirety lines 27 through 31, inclusive.

On page 17, in line 8, strike **“AND”**; in line 9, strike **“MEDICAL MARIJUANA TREATMENT CENTERS”** and substitute **“DISPENSARIES”**; and in line 10, after **“SUBTITLE”** insert **“;**

**(3) QUALIFIED PATIENTS; AND**

**(4) CAREGIVERS.**

**(C) (1) AN ENTITY LICENSED TO GROW MARIJUANA UNDER THIS SECTION MAY DISTRIBUTE MARIJUANA AT THE GROWER’S FACILITY OR AT A SATELLITE FACILITY OF THE GROWER.**

**(2) A QUALIFYING PATIENT OR CAREGIVER MAY OBTAIN MEDICAL MARIJUANA FROM A GROWER’S FACILITY OR FROM A SATELLITE FACILITY OF THE GROWER”;**

and in lines 11, 14, 17, and 19, strike **“(C)”**, **“(D)”**, **“(E)”**, and **“(F)”**, respectively, and substitute **“(D)”**, **“(E)”**, **“(F)”**, and **“(G)”**, respectively.

#### **AMENDMENT NO. 6**

On page 17, in lines 22, 24, and 30, in each instance, strike **“MEDICAL MARIJUANA TREATMENT CENTER”** and substitute **“DISPENSARY”**; and in line 27, strike **“DEPARTMENT”** and substitute **“COMMISSION”**.

On page 18, strike beginning with **“MEDICAL”** in line 3 down through **“CENTER”** in line 4 and substitute **“DISPENSARY”**; strike beginning with **“MEDICAL”** in line 6 down through **“CENTER”** in line 7 and substitute **“DISPENSARY”**; strike in their entirety lines 10 through 24, inclusive, and substitute:

**“(C) THE COMMISSION SHALL:**



**(1) ESTABLISH AN APPLICATION REVIEW PROCESS FOR GRANTING DISPENSARY LICENSES IN WHICH APPLICATIONS ARE REVIEWED, EVALUATED, AND RANKED BASED ON CRITERIA ESTABLISHED BY THE COMMISSION; AND**

**(2) ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY WHEN LICENSING DISPENSARIES.**”;

in line 25, strike “**(E)**” and substitute “**(D)**”; and in lines 25, 26, and 34, in each instance, strike “**MEDICAL MARIJUANA TREATMENT CENTER**” substitute “**DISPENSARY**”.

On page 19, in lines 2, 6, and 20, in each instance, strike “**MEDICAL MARIJUANA TREATMENT CENTER**” and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 7 down through “**CENTER**” in line 8 and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 10 down through “**CENTER**” in line 11 and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 11 down through “**CENTER**” in line 12 and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 12 down through “**CENTER**” in line 13 and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 15 down through “**CENTER**” in line 16 and substitute “**DISPENSARY**”; and strike beginning with “**MEDICAL**” in line 24 down through “**CENTER**” in line 25 and substitute “**DISPENSARY**”.

On page 21, in line 19, strike “**MEDICAL MARIJUANA TREATMENT CENTER**” and substitute “**DISPENSARY**”; strike beginning with “**MEDICAL**” in line 20 down through “**CENTER**” in line 21 and substitute “**DISPENSARY**”; in line 25, after “subtitle” insert a comma; in the same line, strike “or from”; and in line 26, after “patient” insert “**, A CAREGIVER, A LICENSED GROWER, OR A LICENSED DISPENSARY**”.

On page 22, in line 30, strike “**REGISTRATION**” and substitute “**APPROVAL**”; and in the same line, strike “**WITH**” and substitute “**BY**”.

#### **AMENDMENT NO. 7**

On page 23, in line 13, strike “**each**” and substitute “**any**”; in the same line, after “**year**” insert “**in which the results of the Maryland Youth Behavior Survey are published**”; strike beginning with “**and**” in line 13 down through “**Hygiene**” in line 14;

in line 18, strike “incidents of” and substitute “any change in”; strike beginning with “, including” in line 18 down through “Act” in line 19; after line 27, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2015, the Natalie M. LaPrade Medical Marijuana Commission shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the level of competition in the market for medical marijuana and:

(1) whether the supply of medical marijuana exceeds the demand, and, if so, whether the oversupply has caused the diversion of medical marijuana to persons not authorized by law to possess it; or

(2) whether the demand exceeds the supply, and, if so, whether additional medical marijuana grower licenses are necessary to meet the demand for medical marijuana by qualifying patients and caregivers issued identification cards under Title 13, Subtitle 33 of the Health – General Article in an affordable, accessible, secure, and efficient manner.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Natalie M. LaPrade Medical Marijuana Commission, in consultation with the Comptroller, shall study the taxation of medical marijuana and the impact that medical marijuana laws have had on banking and financial transactions in other states that have implemented medical marijuana laws.

(b) The study required under subsection (a) of this section shall include an examination of federal laws and policies related to the taxation of medical marijuana and banking and financial transactions affected by medical marijuana laws.

(c) On or before December 1, 2014, the Commission shall report its findings and recommendations to the General Assembly, in accordance with § 2–1246 of the State Government Article, regarding taxation of medical marijuana in this State and the impact of medical marijuana laws on banking and financial transactions.”;

and in line 28, strike “4.” and substitute “6.”.

The preceding 7 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 295 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Burns, Carter, Clippinger, Cullison, Frick, Gilchrist, Glenn, Hammen, Healey, Hixson, Holmes, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Nathan-Pulliam, Niemann, Olszewski, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Stukes, Swain, F. Turner, Valderrama, Vaughn, Walker, A. Washington, M. Washington, ~~and Zucker~~ Zucker, ~~and Haynes~~ Haynes, Fraser-Hidalgo, Arora, Carr, Dumais, Gutierrez, Mizeur, and Waldstreicher**

AN ACT concerning

#### Maryland Minimum Wage Act of 2014

STATUS OF BILL: BILL AMENDED IN THE SENATE. AMENDMENTS CONCURRED IN.

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

Affirmative – 87 Negative – 47 (See Roll Call No. 1248)

The Bill was then sent to the Senate.

#### AMENDED IN THE SENATE

**House Bill 873 – Delegates Conway, Arentz, Cane, Eckardt, Otto, Proctor, Rudolph, and Smigiel**

AN ACT concerning

#### Vehicle Laws – Divided Highways – Speed Limits and Crosswalks

Delegate McIntosh moved that the House not concur in the Senate amendments.

**HB0873/278673/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 873  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Speed Limits and”; strike beginning with “altering” in line 5 down through “period;” in line 12; and in line 13, strike “speed limits and”.

On page 2, strike in their entirety lines 3 through 17, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 25 on page 3, inclusive.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 0873**

**SPONSOR:** Del Conway, et al

**SUBJECT:** Vehicle Laws – Divided Highways – Speed Limits and Crosswalks

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 Stein, Chairman  
Delegate O’Donnell, and  
Delegate Frush.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**THE COMMITTEE ON WAYS AND MEANS REPORT #18**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 1051 – ~~Senator Kasemeyer~~ Senators Kasemeyer, McFadden, Colburn, DeGrange, Getty, Jones–Rodwell, King, Manno, Peters, and Robey**

AN ACT concerning

**Business and Economic Development – Film Production Activity Tax Credit Program**

**SB1051/105564/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1051

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “activities” insert “; providing for revocation of a tax credit certificate under certain circumstances; declaring the intent of the General Assembly”; in line 15, after “(ii)” insert “and (g)”; and after line 17, insert:

“BY adding to

Article – Tax – General

Section 10–730(g)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 10, strike “**\$18,500,000**” and substitute “**\$11,000,000**”.

AMENDMENT NO. 3

On page 2, after line 10, insert:

**“(G) (1) THE DEPARTMENT MAY REVOKE A TAX CREDIT CERTIFICATE UNDER THIS SECTION IF THE DEPARTMENT DETERMINES THAT THE QUALIFIED**

FILM PRODUCTION ENTITY HAS MOVED ITS FILM PRODUCTION ACTIVITY TO A JURISDICTION OUTSIDE THE STATE.

(2) THE REVOCATION MAY BE IN FULL OR IN PART AS THE DEPARTMENT MAY DETERMINE AND, SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, SHALL BE COMMUNICATED TO THE QUALIFIED FILM PRODUCTION ENTITY AND THE COMPTROLLER.

(3) THE QUALIFIED FILM PRODUCTION ENTITY SHALL HAVE AN OPPORTUNITY TO APPEAL ANY REVOCATION TO THE DEPARTMENT PRIOR TO NOTIFICATION OF THE COMPTROLLER.

(4) THE COMPTROLLER MAY MAKE AN ASSESSMENT AGAINST THE QUALIFIED FILM PRODUCTION ENTITY TO RECAPTURE ANY AMOUNT OF TAX CREDIT APPROVED IN THE TAX CREDIT CERTIFICATE THAT THE QUALIFIED FILM PRODUCTION ENTITY HAS ALREADY CLAIMED.

[(g)] (H) The Department and the Comptroller jointly shall adopt regulations to carry out the provisions of this section and to specify criteria and procedures for the application for, approval of, and monitoring of continuing eligibility for the tax credit under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly, that, where appropriate and feasible, the Secretary of Business and Economic Development shall enter into multi-year agreements to retain television production activities spanning multiple seasons or tax years, and the associated economic benefits, within the State.”.

and in line 11, 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.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 811 – Delegates Olszewski, Clippinger, and Mitchell**

AN ACT concerning

**Education – Summer Career Academy Pilot Program**

**HB0811/925466/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Program;” insert “providing for the duration of the Program;”; and in line 9, after “Program;” insert “prohibiting a certain school system from participating in the Program more than once;”; and in line 12, after “counselor” insert “and a certain employment opportunity”.

AMENDMENT NO. 2

On page 2, after line 25, insert:

**“(2) THE PROGRAM SHALL BEGIN IN THE SUMMER OF 2015 AND LAST FOR 3 YEARS.”;**

and in line 26, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 3

On page 3, in line 10, after “(1)” insert “(I)”; in line 11, after “SYSTEMS” insert “**EACH YEAR**”; in lines 11 and 12, strike “**FOR A PERIOD OF 3 YEARS**”; and after line 12, insert:

**“(II) EACH ELIGIBLE SCHOOL SYSTEM MAY ONLY BE SELECTED TO PARTICIPATE IN THE PROGRAM FOR ONE YEAR.”.**

AMENDMENT NO. 4

On page 3, after line 21, insert:

**“(2) SHALL BE ASSIGNED A SUMMER EMPLOYMENT OPPORTUNITY WITH AN ELIGIBLE EMPLOYER;”**;

in lines 22 and 23, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 22, after “OF” insert “UP TO”; and in the same line, after “SUMMER” insert “THAT IS PROPORTIONAL TO THE TIME WORKED”.

On page 4, after line 11, insert:

**“(2) WAGE INFORMATION REGARDING PAYMENTS DISBURSED TO STUDENTS PARTICIPATING IN THE PROGRAM;”**;

and in lines 12, 14, and 16, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#25**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 240 – Senator Stone**

AN ACT concerning

**Maryland Trust Act**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 454 – ~~Senator Robey~~ Senators Robey, Brochin, Forehand, Jacobs, Muse, Raskin, and Stone**



AN ACT concerning

**Criminal Law – Child Kidnapping and Prostitution – Penalty**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 727 – Senators Madaleno, Currie, Frosh, Jones-Rodwell, Kasemeyer, King, Klausmeier, Montgomery, Raskin, Rosapepe, ~~and Shank~~ Shank, McFadden, Colburn, DeGrange, Edwards, Getty, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax – Earned Income Credit – Refundable Amount**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 940 – Senator Stone**

AN ACT concerning

**Victims of Crime – Legal Representatives of Minors and Disabled and Elderly Persons**

The Bill was re-referred to the Committee on Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

**Senate Bill 1112 – Senator Robey**

AN ACT concerning

**Howard County – Alcoholic Beverages – Population Restrictions on Class A Licenses**

The Bill was re-referred to the Committee on Economic Matters.

## AMENDED IN THE SENATE

**House Bill 296 – The Speaker (By Request – Administration) and Delegates S. Robinson, Barve, Carr, Clippinger, Cullison, Dumais, Frick, Frush, Gilchrist, Gutierrez, Guzzone, Hammen, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Love, Luedtke, Malone, McIntosh, A. Miller, Mitchell, Niemann, Oaks, Pendergrass, Rosenberg, Summers, F. Turner, M. Washington, ~~and Zucker~~ Zucker, and Murphy**

AN ACT concerning

**Natural Resources – Wildlands – Designation of New Wildlands**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0296/344936/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 296

(Third Reading File Bill)

On page 1, strike beginning with “authorizing” in line 4 down through “wildlands;” in line 5.

On page 9, strike in their entirety lines 18 through 25, inclusive.

On page 18, strike in their entirety lines 15 through 22, inclusive.

On page 27, in line 1, strike the comma; in the same line, strike “**BOUNDARY**” and substitute “**BOUNDARY,**”.

On page 75, in line 30, strike the first “**OF THE**”.

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 – 101    Negative – 35    (See Roll Call No. 1249)

**AMENDED IN THE SENATE**

**House Bill 432 – Delegates Beitzel, K. Kelly, Myers, Parrott, and Serafini**

AN ACT concerning

**Allegany County, Frederick County, Garrett County, and Washington County  
– Deer Hunting – Sundays**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0432/224935/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 432

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 5, in each instance, strike “Allegany County,”; in lines 2 and 6, in each instance, strike “, Garrett County, and Washington County”; and in line 7, after “law;” insert “making conforming changes.”

AMENDMENT NO. 2

On page 2, in line 22, strike “Frederick,”.

On page 3, in lines 28 and 29, strike “**ALLEGANY COUNTY,**”; and in lines 29 and 30, strike “, **GARRETT COUNTY, AND WASHINGTON COUNTY**”.

On page 4, in line 5, after “**FOR**” insert “**SUNDAY**”.

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 – 121    Negative – 11    (See Roll Call No. 1250)

**AMENDED IN THE SENATE**

**House Bill 882 – Delegate Malone**

AN ACT concerning

**Motor Vehicles – Low Speed Vehicles – Power Source**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0882/368176/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 882

(Third Reading File Bill)

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 5, after the semicolon insert “making this Act an emergency measure;”.

On page 2, strike in their entirety lines 27 and 28 and substitute:

“SECTION 2. 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 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 – 136    Negative – 0    (See Roll Call No. 1251)

**AMENDED IN THE SENATE**

**House Bill 1246 – Delegates Malone, Afzali, Anderson, Barnes, Beitzel, Busch, Clagett, Conway, Eckardt, Elliott, Frush, Guzzone, Haddaway-Riccio, Hogan, Hough, Jacobs, Jameson, K. Kelly, Krebs, McComas, McIntosh, Myers, Otto, Ready, Rudolph, Schuh, Schulz, Serafini, Smigiel, Stein, Stifler, Stocksdale, and Wood**

AN ACT concerning

**Motor Vehicles – Exceptional Milk Hauling Permit – Establishment**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1246/778272/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1246

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “**DISTANCE**” in line 26 down through “**SEMITRAILER**” in line 27 and substitute “**FRONT-TO-REAR CENTERLINE AXLE SPACING OF NOT LESS THAN 50 FEET**”.

AMENDMENT NO. 2

On page 6, strike beginning with “distance” in line 23 down through “semitrailer” in line 24 and substitute “front-to-rear centerline axle spacing of not less than 50 feet”.

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 – 136    Negative – 0    (See Roll Call No. 1252)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 1253)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #73**

**House Bill 1389 – Delegate McComas**

AN ACT concerning

**Task Force on the Prevention of Child Abuse and Neglect**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1254)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #42****Senate Bill 341 – Calvert County Senators**

AN ACT concerning

**Calvert County and St. Mary's County – Alcoholic Beverages – Refillable  
Container Permit**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1255)

The Bill was then returned to the Senate.

**Senate Bill 382 – Senator Conway**

AN ACT concerning

**Business Regulation – Automated Purchasing Machines – Licensing of  
Buyers and Required Records**

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1256)

The Bill was then returned to the Senate.

**Senate Bill 521 – Senators Pinsky, Hershey, Mathias, ~~and Middleton~~  
Middleton, Montgomery, and Simonaire Simonaire, and Colburn**

AN ACT concerning

**~~Agriculture – Poultry Litter –~~ Poultry Litter Energy-Generating Cooperative  
Program**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1257)

The Bill was then returned to the Senate.

**Senate Bill 794 – Senator Reilly**

AN ACT concerning

~~Department of Planning~~ **Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1258)

The Bill was then returned to the Senate.

**Senate Bill 889 – Senators Jennings and Glassman**

AN ACT concerning

**Northeastern Maryland Additive Manufacturing Innovation Authority**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1259)

The Bill was then returned to the Senate.

**Senate Bill 985 – Senator Frosh**

AN ACT concerning

**Maryland Clean Energy Center – Green Banks and Clean Bank Financing and Risk Management Program – Study**

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

Affirmative – 95 Negative – 40 (See Roll Call No. 1260)

The Bill was then returned to the Senate.

**Senate Bill 1079 – Senator Mathias**

AN ACT concerning

**Worcester County – Alcoholic Beverages Licenses – ~~Town of Berlin~~**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1261)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #46**

**Senate Bill 235 – The President (By Request – Governor’s Salary Commission)**

AN ACT concerning

#### **Governor – Pension and Health Benefits**

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

Affirmative – 132    Negative – 3    (See Roll Call No. 1262)

The Bill was then returned to the Senate.

**Senate Bill 236 – The President (By Request – Governor’s Salary Commission)**

AN ACT concerning

#### **Constitutional Officers – Salaries**

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

Affirmative – 102    Negative – 34    (See Roll Call No. 1263)

The Bill was then returned to the Senate.

**Senate Bill 612 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Salaries of County Officials and County Commissioner Retirement Plan Participation**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1264)

The Bill was then returned to the Senate.



**Senate Joint Resolution 1 – Senators Frosh, Benson, Conway, Currie, Dyson, Gladden, Jones–Rodwell, Kelley, Madaleno, Manno, McFadden, Middleton, Miller, Muse, Pinsky, Pugh, Raskin, ~~and Rosapepe~~ Rosapepe, Brochin, Forehand, Hershey, Jacobs, Stone, and Zirkin**

A Senate Joint Resolution concerning

**Rescission of Maryland’s Ratification of the Corwin Amendment to the United States Constitution**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1265)

The Bill was then returned to the Senate.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 850 – Senator Conway**

AN ACT concerning

**Real Property – Prohibition on Acquiring Mortgages or Deeds of Trust by  
Condemnation**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

**SB0850/303825/1**

BY: Delegate Braveboy

AMENDMENTS TO SENATE BILL 850  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Condemnation” insert “and Related Study”; in line 6, after “time;” insert “requiring the Department of Housing and Community Development to conduct a certain study; specifying the contents of the study; requiring the Department to monitor certain developments; requiring the Department to hold a certain minimum number of public hearings as part of the study; requiring the”

Department to consult with certain persons in carrying out the study; requiring the Department to report to the General Assembly on or before a certain date; defining a certain term;”; and in line 6, after “to” insert “mortgages and”.

#### AMENDMENT NO. 2

On page 2, after line 28 insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In this section, “Department” means the Department of Housing and Community Development.

(b) The Department shall conduct a study of ways of restoring equity for underwater homeowners with private label securities.

(c) The study shall identify and evaluate methods, including the use of eminent domain by local governments, for restoring equity to homeowners with private label securities in their mortgages who have been unable to obtain mortgage loan modifications that would allow the homeowners to keep their homes.

(d) In conducting the study required by this section, the Department shall:

(1) monitor the development of and legal challenges to the use of eminent domain to assist underwater homeowners in other parts of the country;

(2) hold a minimum of two public hearings; and

(3) consult, as appropriate, with:

(i) housing counselors;

(ii) State and local elected officials;

(iii) local housing departments;

(iv) local government legal counselors;

(v) homeowners and their advocates;

(vi) civil rights and community organizations;

(vii) legal experts; and

(viii) any other stakeholders identified by the Department.

(e) On or before November 1, 2015, the Department shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the results of the study required under this Section and on any recommendations the Department has on ways of restoring equity to underwater homeowners with private label securities.”;

and in line 29, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

### MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0401**

**SPONSOR: Sen Young**

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

The Senate still does not concur in the House amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Stein, Chair

Delegate Holmes

Delegate Fraser–Hidalgo

The Senate appoints:

Senator Young, Chairman

Senator Benson

Senator Ferguson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 593 – Senator Rosapepe**

AN ACT concerning

**State Government – Commemorative Months – American Indian Heritage  
Month**

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

~~BY adding to~~

~~Article – State Government~~

~~Section 13–506~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2013 Supplement)~~

BY adding to

Article – General Provisions

Section 7–506

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (H.B. 270) of the Acts of the General Assembly of  
2014)

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

**Senate Bill 774 – Senators Montgomery, Benson, Currie, Feldman, Forehand,  
Jones–Rodwell, Madaleno, Manno, Peters, Ramirez, Raskin, Stone, and  
Young**

AN ACT concerning

~~Procurement~~ Department of Labor, Licensing, and Regulation – Workgroup  
on Public Works Contractor Occupational Safety and Health  
Prequalification Requirements

FOR the purpose of ~~requiring the Department of Labor, Licensing, and Regulation to develop and adopt by regulation a certain safety questionnaire and safety rating system; requiring the Department to consult with certain persons and review certain information when developing a certain safety questionnaire and safety rating system; requiring the safety questionnaire and safety rating system to assess certain factors; requiring the Department to determine a certain minimum safety rating; requiring a prospective bidder or offeror to submit certain documentation to the Department; requiring the Department to calculate by using a certain safety rating system the safety rating that a prospective bidder or offeror has attained on a certain safety questionnaire; providing that a prospective bidder or offeror that attains a certain safety rating is deemed to have prequalified to submit a bid or an offer on certain contracts; requiring the Department to publish a prequalification list that includes certain bidders and offerors and to require that certain documentation be submitted at least once per year; providing for the removal of prospective bidders and offerors from a certain list; authorizing certain prospective bidders or offerors to appeal to the Department or resubmit documentation after a certain time period; prohibiting, beginning on a certain date, certain prospective bidders and offerors and public bodies from taking certain actions; prohibiting a certain prospective bidder or offeror from prequalifying under a certain provision of law; providing for the debarment of a prospective bidder or offeror under certain circumstances; providing that the period of debarment may not exceed a certain number of years; providing that certain debarment procedures apply to debarment under a certain provision of this Act; defining certain terms; requiring the Department of Labor, Licensing, and Regulation to convene a certain workgroup to study and make recommendations regarding public works contractor occupational safety and health prequalification requirements; requiring that the workgroup include representatives of certain organizations; 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 occupational safety and health prequalification for prospective bidders and offerors on public work contracts~~ the workgroup on public works contractor occupational safety and health prequalification requirements.

~~BY adding to~~

~~Article State Finance and Procurement~~

~~Section 17-801 through 17-804 to be under the new subtitle “Subtitle 8:  
Occupational Safety and Health Prequalification”~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2013 Supplement)~~

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

**Senate Bill 868 – Senators Benson, Currie, and Gladden**

AN ACT concerning

**Public Safety Diversity Act of 2014**

FOR the purpose of requiring the Department of State Police, when it advertises for or recruits new employees, to include advertising that is targeted toward ~~racial minority~~ certain communities and individuals; ~~requiring rule governing promotion of a Department employee that requires the promotion decision to be made by a board to require the board to be racially and gender diverse; requiring a certain disciplinary hearing board to be racially and gender diverse under certain circumstances;~~ requiring the fair practices officer of the Department to meet certain qualifications; requiring the Department to report to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to diversity in public safety.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 2–402  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY adding to  
Article – Public Safety  
Section 2–402.1  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 2–404 and 3–107  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)~~

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 5–207  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)

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

**Senate Bill 1117 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class BWLT Tasting Licenses**

FOR the purpose of adding a certain area in Baltimore City to the list of areas in which the Board of Liquor License Commissioners for Baltimore City may issue a Class BWLT beer, wine, and liquor tasting license to a holder of a Class A beer, wine and liquor license; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–403.2(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–403.2(b) through (d)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2013 Supplement)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 1266)

**ADJOURNMENT**

At 12:38 P.M. on motion of Delegate Barve the House adjourned until 4:00 P.M. on Legislative Day April 1, 2014, Calendar Day Monday, April 7, 2014.

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**Annapolis, Maryland**  
**Legislative Day: April 1, 2014**  
**Calendar Day: Monday, April 7, 2014**

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The House met at 4:07 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay A. Jacobs of Kent, Queen Anne's, Cecil and Caroline counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1267)

The Journal of March 31, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical

Del. Harper – medical

Del. S. Robinson – business

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 198	Del. Mitchell	Income Tax – Earned Income Credit – Refundable Amount
HB 207	Ch. Hlth & Govt Ops	State Capital Projects – High Performance Buildings – Maryland Green Building Council
HB 249	Del. McMillan	Real Property – Residential Leases – Interest on Security Deposits
HB 265	Del. Hixson	Task Force to Study How to Improve Student Achievement in Middle School
HB 297	The Speaker	Prekindergarten Expansion Act of 2014
HB 306	The Speaker	Crimes – Committing a Crime



HB 390	Dorchester Co. Del.	of Violence in the Presence of a Minor – Penalties Office of the State’s Attorney – Dorchester County – Authority to Appoint Criminal Investigators
HB 575	Del. Jacobs	Farm Area Motor Vehicles – Registration and Authorized Use
HB 579	Del. Kramer	Commissioner of Labor and Industry – Authority – Enforcement of Local Minimum Wage Laws
HB 590	Ch. Hlth & Govt Ops	Maryland Medical Assistance Program – Waivers – Consolidation and Repeal
HB 641	Del. Simmons	Cts and Jud Predngs – Communs Between Patient or Client and Hlth Care Prof – Exceptions to Prvlg
HB 692	Del. Pena–Melnik	Maryland Perfusion Act – Revisions
HB 705	Del. Waldstreicher	Victims of Crime – Legal Representatives of Minors and Disabled and Elderly Persons
HB 714	Del. Lee	Criminal Law – Identity Fraud – Prohibitions

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 807	Del. Lee	Criminal Law – Burglary in the First Degree – Home Invasion
HB 822	Ch., Appropriations	St Empl & Retr Hlth & Welfare Bnfts Pgm – Prtcpatn in Pgm – Cty of Hyattsville & Satellite Orgs
HB 823	Ch. Hlth & Govt Ops	Health Ins – Ins Laws That Apply to HMOs – Consolidation and Clarif
HB 838	Del. James	Task Force to Study Vocational and Technical Education Programs in Harford

		County
HB 912	Del. Smigiel	Courts – Electronic Communications – Privacy
HB 957	Del. Valentino–Smith	Impaired Driving – Repeat Offenders – Penalties
HB 977	PG/Montgomery Co. Del.	M–NCPPC Park Police – Workers’ Comp – Lyme Disease Presumption – Repeal of Termin Date PG/MC 110–14
HB 1017	Prince George’s Del.	Prince George’s Co – Bd of Ed – Elected Mbr Vacancy – Approval of Appointment PG 422–14
HB 1025	Del. Hixson	State Personnel – Contractual Employees – Filling of Vacant Positions
HB 1035	Prince George’s Del.	Prince George’s County Juvenile Court and School Safety Workgroup – Membership and Duties PG 305–14
HB 1093	Howard County Del.	Howard County Board of Education – Members – Salary Increase Ho. Co. 2–14
HB 1118	Del. Clagett	Economic Development – Office of the Business Ombudsman – Establishment
HB 1170	Harford County Del.	Harford County – Alcoholic Beverages – Residency Requirements
HB 1206	Del. Carter	Baltimore City – Orphans’ Court Judges – Salary and Pension
HB 1332	Del. Dumais	Task Force to Study Sports Injuries in High School Female Athletes
HB 1430	Del. Hubbard	Health – State Children’s Environmental Health and Protection Advisory Council – Composition
HB 1431	Del. Hubbard	Maryland Community Health Resources Commission – Sunset Extension
HB 1491	Del. Oaks	Transportation – Citizens’ Advisory Council for the Baltimore Corridor Transit Study – Red Line

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0386**  
SPONSOR: Del Anderson (BCA), et al  
SUBJECT: Criminal Law – Illegal Dumping and Litter Control Law – Driver’s License – Penalty and Points

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 Carter, Chair  
Delegate Clippinger  
Delegate McComas

The Senate appoints:  
Senator Gladden, Chairman  
Senator Muse  
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0701**  
SPONSOR: Del Lee, et al  
SUBJECT: Criminal Law – Child Kidnapping for the Purpose of Committing a Sexual Crime – Penalty

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 Swain  
Delegate Parrott

The Senate appoints:  
Senator Zirkin, Chairman  
Senator Brochin  
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0881**  
**SPONSOR:** Del Glenn, et al  
**SUBJECT:** Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission

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 Morhaim, Chair  
Delegate Hammen  
Delegate Kach

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 ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0907**  
**SPONSOR:** Del Olszewski, et al  
**SUBJECT:** Video Lottery Facility Payouts – Intercepts for Child Support Payments

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 Luedtke, Chair  
Delegate Myers  
Delegate Walker

The Senate appoints:  
Senator King, Chairman  
Senator DeGrange  
Senator Madaleno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 1212**

SPONSOR: Del Clippinger, et al

SUBJECT: Use of Txt Mesaging Dvc or Hanheld Tel While Drvg – Acidnts Rsultng  
in Death or Serious Inj – Pnlts

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 Anderson, Chair

Delegate Clippinger

Delegate Cluster

The Senate appoints:

Senator Raskin, Chairman

Senator Shank

Senator Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0929**

SPONSOR: Del Malone, et al

SUBJECT: Speed Monitoring Systems Reform Act of 2014

The Senate recedes from its position on HB 0929.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1268)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #50**

**Senate Bill 257 – Senators Kelley, Astle, Feldman, Glassman, Kittleman, Mathias, Middleton, Pugh, ~~and Ramirez~~ Ramirez, and Klausmeier**

AN ACT concerning

**Task Force to Study Access to Pharmacy Services in Maryland**

FLOOR AMENDMENT

**SB0257/923621/1**

BY: Delegate Fisher

AMENDMENT TO SENATE BILL 257

(Third Reading File Bill)

On page 3, in line 31, strike “and”.

On page 4, in line 3, after “waiver” insert “; and”

(9) study the feasibility of implementing a 3-year opioids time lock dispenser pilot program within the Department of Veterans Affairs”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 35    Negative – 100    (See Roll Call No. 1269)

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1270)

The Bill was then returned to the Senate.

**Senate Bill 923 – Senators Raskin, Brinkley, Feldman, Forehand, Frosh, Jacobs, Madaleno, Mathias, Montgomery, Muse, Stone, Young, and Zirkin**

AN ACT concerning

**Medical Marijuana – Natalie M. LaPrade Medical Marijuana Commission**

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

Affirmative – 127    Negative – 9    (See Roll Call No. 1271)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #45**

**Senate Bill 37 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

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

Affirmative – 134    Negative – 1    (See Roll Call No. 1272)

The Bill was then returned to the Senate.

**Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Maryland Register – Publication of Court Documents – Exception**

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

Affirmative – 135    Negative – 1    (See Roll Call No. 1273)

The Bill was then returned to the Senate.



**Senate Bill 266 – Baltimore City Senators (By Request – Baltimore City Administration)**

AN ACT concerning

**Maryland Income Tax Refund – Baltimore City – Warrants**

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

Affirmative – 127    Negative – 7    (See Roll Call No. 1274)

The Bill was then returned to the Senate.

**Senate Bill 290 – Senators Brochin, Getty, ~~and Jennings~~ Jennings, and Zirkin**

AN ACT concerning

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

Delegate Barnes moved to make the Bill a Special Order for next session.

The motion was adopted.

**Senate Bill 469 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Maryland Income Tax Refund – Washington County – Warrants**

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

Affirmative – 130    Negative – 6    (See Roll Call No. 1275)

The Bill was then returned to the Senate.

**Senate Bill 534 – Senators Edwards ~~and Hershey~~, Hershey, Brinkley, Getty, and Kittleman**

AN ACT concerning

**Education – State Grant to Counties With ~~Small and Declining Student Enrollment~~ Declining State Aid**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1276)

The Bill was then returned to the Senate.

**Senate Bill 558 – Carroll County Senators**

AN ACT concerning

**Carroll County – Local Government Tort Claims Act – Industrial  
Development Authority**

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

Affirmative – 134    Negative – 2    (See Roll Call No. 1277)

The Bill was then returned to the Senate.

**Senate Bill 596 – Senators Peters, Kasemeyer, King, Klausmeier, Raskin, and  
Robey**

AN ACT concerning

**Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief –  
Extension**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1278)

The Bill was then returned to the Senate.

**Senate Bill 699 – Senators Shank, Raskin, Hershey, Jacobs, Muse, Ramirez,  
Reilly, Simonaire, Stone, ~~and Young~~ Young, and Forehand**

AN ACT concerning

**~~Automatic Motor Vehicle Registration License Plate Readers and Captured  
Plate Data – Authorized Uses~~**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1279)

The Bill was then returned to the Senate.

**Senate Bill 805 – Senators Raskin, Forehand, Jones–Rodwell, Kelley,  
Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Maryland Uniform Collaborative Law Act**

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1280)

The Bill was then returned to the Senate.

**Senate Bill 1066 – ~~Senator Raskin~~ Senators Raskin, Feldman, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Fairness in Negotiations Act and the Public School Labor Relations Board – Sunset Repeal and Reporting Requirements**

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

Affirmative – 93    Negative – 43    (See Roll Call No. 1281)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (HOUSE BILLS) #74**

**House Bill 811 – Delegates Olszewski, Clippinger, and Mitchell**

AN ACT concerning

**Education – Summer Career Academy Pilot Program**

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

Affirmative – 138    Negative – 0    (See Roll Call No. 1282)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #43**

**Senate Bill 548 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine and Liquor ~~License~~ Permit**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1283)

The Bill was then returned to the Senate.

### **THIRD READING CALENDAR (SENATE BILLS) #51**

**Senate Bill 850 – Senator Conway**

AN ACT concerning

**Real Property – Prohibition on Acquiring Mortgages or Deeds of Trust by  
Condemnation**

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

Affirmative – 136    Negative – 1    (See Roll Call No. 1284)

The Bill was then returned to the Senate.

**Senate Bill 1051 – ~~Senator Kasemeyer~~ Senators Kasemeyer, McFadden,  
Colburn, DeGrange, Getty, Jones-Rodwell, King, Manno, Peters, and  
Robey**

AN ACT concerning

**Business and Economic Development – Film Production Activity Tax Credit  
Program**

Delegate Fisher moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

### **THIRD READING CALENDAR (SENATE BILLS) #48**

**Senate Bill 340 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Unlicensed Establishments –  
Prohibitions**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1285)

The Bill was then returned to the Senate.

**Senate Bill 496 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Organizational Licenses**

Delegate O'Donnell moved to make the Bill a Special Order for next session.

The motion was adopted.

**Senate Bill 552 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Liquor Control Board – Alcoholic Beverages Licenses**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1286)

The Bill was then returned to the Senate.

**Senate Bill 1099 – Senators Manno ~~and Miller~~, Miller, Middleton, Astle,  
Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Workers' Compensation – Occupational Disease Presumptions – Paid  
~~Emergency Medical Services Providers~~ Rescue Squad Members and Paid  
Advanced Life Support Unit Members**

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

Affirmative – 118    Negative – 17    (See Roll Call No. 1287)

The Bill was then returned to the Senate.

**Senate Bill 1103 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class C Licenses**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1288)

The Bill was then returned to the Senate.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS  
REPORT #18**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**House Bill 1197 – Delegates Hixson, Tarrant, Howard, and Valderrama**

AN ACT concerning

**Health – Food Allergy Awareness****HB1197/326180/1**

BY: Health and Government Operations Committee

**AMENDMENTS TO HOUSE BILL 1197**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 3, strike “food establishment” and substitute “restaurant”; in line 6, after “on” insert “a certain sign or”; strike beginning with “requiring” in line 7 down through “circumstances;” in line 12; in line 15, after “resources;” insert “providing for the application of certain provisions of this Act; providing that a person who violates certain provisions of this Act is not subject to certain criminal or civil penalties; defining a certain term;”; and in line 18, after “21–330.2” insert “and 21–1214”.

**AMENDMENT NO. 2**

On page 1, after line 24, insert:

**“(A) (1) IN THIS SECTION, “RESTAURANT” MEANS A FOOD ESTABLISHMENT THAT:**

**(I) ACCOMMODATES THE PUBLIC;**

**(II) IS EQUIPPED WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND**

**(III) PROVIDES SEATING OR HAS ACCESS TO SHARED SEATING FOR USE OF ITS CUSTOMERS.**

**(2) "RESTAURANT" DOES NOT INCLUDE:**

**(I) A CONVENIENCE STORE;**

**(II) A GROCERY STORE; OR**

**(III) A SERVICE STATION.**

**(B) SUBSECTION (D) OF THIS SECTION DOES NOT APPLY TO A FOOD ESTABLISHMENT THAT IS A VENDOR AT:**

**(1) A CARNIVAL, AS DEFINED IN § 3-101 OF THE BUSINESS REGULATION ARTICLE; OR**

**(2) A FAIR, AS DEFINED IN § 3-101 OF THE BUSINESS REGULATION ARTICLE."**

On page 2, in lines 1, 9, and 32, strike "(a)", "(B)", and "(D)", respectively, and substitute "(C)", "(D)", and "(E)", respectively; in line 9, strike "FOOD ESTABLISHMENT" and substitute "RESTAURANT"; in line 15, after "ON" insert "A SIGN THAT IS CONSPICUOUSLY DISPLAYED IN THE RESTAURANT;

**(II) INCLUDED ON";**

in the same line, strike "FOOD ESTABLISHMENT'S" and substitute "RESTAURANT'S"; in line 17, strike "(II)" and substitute "(III)"; and strike in their entirety lines 19 through 31, inclusive.

On page 3, after line 5, insert:

“21–1214.

(a) (1) Except as provided in paragraph (2) of this subsection, any person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days, or both; and

(ii) For a second offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year, or both.

(2) A person who violates § 21–330.1 OR § 21–330.2(D) of this title is not subject to paragraph (1) of this subsection.

(b) (1) [In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN addition to any criminal penalties imposed under this section, a person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title or any term, condition, or limitation of any license or registration issued under Subtitle 3 of this title:

[(1)] (I) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil action in the District Court for any county; and

[(2)] (II) May be enjoined from continuing the violation.

(2) A PERSON WHO VIOLATES § 21–330.2(D) OF THIS TITLE IS NOT SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION.

(c) Each day on which a violation occurs is a separate violation under this section.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.



Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 409 – Senators Raskin and Shank**

AN ACT concerning

**Health – Food Allergy Awareness**

**SB0409/246388/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 409

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “on” insert “a certain sign or”; strike beginning with “authorizing” in line 7 down through “circumstances;” in line 13; in line 17, after “Act;” insert “providing that a person who violates certain provisions of this Act is not subject to certain criminal or civil penalties;”; and in line 20, after “21–330.2” insert “and 21–1214”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**SUBSECTIONS**” and substitute “**SUBSECTION**”; in the same line, strike “**AND (E)**”; and in the same line, strike “**DO**” and substitute “**DOES**”.

On page 3, in line 7, after “**ON**” insert “**A SIGN THAT IS CONSPICUOUSLY DISPLAYED IN THE RESTAURANT;**”

**(II) INCLUDED ON**”;

and in line 9, strike “**(II)**” and substitute “**(III)**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 11 through 25, inclusive; and in line 26, strike “**(F)**” and substitute “**(E)**”.

AMENDMENT NO. 4

On page 3, after line 32, insert:

“21-1214.

(a) (1) Except as provided in paragraph (2) of this subsection, any person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days, or both; and

(ii) For a second offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year, or both.

(2) A person who violates § 21-330.1 OR § 21-330.2(D) of this title is not subject to paragraph (1) of this subsection.

(b) (1) [In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN addition to any criminal penalties imposed under this section, a person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title or any term, condition, or limitation of any license or registration issued under Subtitle 3 of this title:

[(1)] (I) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil action in the District Court for any county; and

[(2)] (II) May be enjoined from continuing the violation.

(2) A PERSON WHO VIOLATES § 21-330.2(D) OF THIS TITLE IS NOT SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION.

(c) Each day on which a violation occurs is a separate violation under this section.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

**Senate Bill 654 – ~~Senator Middleton~~ Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Health – Down Syndrome – Required Information**

**SB0654/476883/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 654

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 3, in line 25, strike “SHALL” and substitute “MAY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Kaiser moved to make the Bill a Special Order for next session.

The motion was adopted.

**AMENDED IN THE SENATE**

**House Bill 781 – Delegates Clippinger, Arora, Simmons, Glenn, Arora, Cluster, Dumais, Glass, Lee, McComas, McDermott, Mitchell, Parrott, Smigiel, Sophocleus, Valderrama, Valentino-Smith, and Waldstreicher**

AN ACT concerning

**Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB0781/308970/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 781  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “a certain prohibition against a certain” and substitute “the definition of”; in line 5, strike “from” and substitute “for purposes of a certain prohibition against”; strike beginning with “in” in line 5 down through “engaging” in line 6; in line 7, after “a” insert “certain”; strike beginning with “who” in line 7 down through the second “prosecution” in line 15 and substitute “to repeal a requirement that the person be a full-time permanent employee of a school”; and strike in their entirety lines 17 through 21, inclusive.

On page 2, strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 13 through 17, inclusive; in lines 20, 28, and 29, in each instance, strike the bracket; in line 23, strike “as a full-time permanent employee”; and in line 29, strike “(A)”.

On page 3, in lines 7, 14, and 15, in each instance, strike the bracket; and in line 15, strike “(B)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 31 on page 4, inclusive.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

BILL: **HB 0781**

SPONSOR: Del Clippinger, et al

SUBJECT: Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor

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 Dumais, Chairman  
Delegate Arora, and  
Delegate Hough.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

#### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0229**  
**SPONSOR: Sen Frosh**  
**SUBJECT: Real Property – Condominiums – Disclosures to Purchasers on Resale of Unit – Limitation on Fees**

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 Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE TO THE SENATE**

**BILL: SB 0229**

**SPONSOR: Sen Frosh**

**SUBJECT: Real Property – Condominiums – Disclosures to Purchasers on Resale of Unit – Limitation on Fees**

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 Muse

The House appoints:

Delegate Beidle, Chairman

Delegate McMillan, and

Delegate Norman.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.

**CONCURRENCE CALENDAR #13**

**AMENDED IN THE SENATE**

**House Bill 861 – Delegates Fraser–Hidalgo, Arora, Barkley, Hixson, Kramer, Luedtke, McIntosh, Mizeur, and Waldstreicher**

AN ACT concerning

**Agriculture – Easements – Renewable Energy Generation Facilities**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0861/154037/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 861

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “easement” insert “approved for a certain purchase after a certain date”; in the same line, after “landowner” insert “to request approval”; and in line 16, after “Fund;” insert “requiring a certain lease executed by a landowner and a certain facility owner to include provisions related to the removal of a certain facility under certain circumstances;”.

AMENDMENT NO. 2

On page 6, in line 6, strike “AND”; in line 8, after “LAND” insert “; AND”

**4. ANAEROBIC DIGESTION OF LIVESTOCK MANURE  
IF PLACED ON FALLOW LAND**;

and in line 17, after “A” insert “FAVORABLE”.

On page 7, in line 20, after the second “A” insert “FAVORABLE”.

On page 10, after line 10, insert:

**“(7) A LEASE EXECUTED BY A FACILITY OWNER AND A  
LANDOWNER FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH  
THIS SUBSECTION SHALL INCLUDE PROVISIONS TO REQUIRE A FACILITY OWNER  
TO REMOVE THE FACILITY IF THE FACILITY IS NO LONGER INTENDED TO BE  
USED TO GENERATE ELECTRICITY.”**;

and in lines 11, 15, and 19, strike “(7)”, “(8)”, and “(9)”, respectively, and substitute “(8)”, “(9)”, and “(10)”, respectively.

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 – 111    Negative – 23    (See Roll Call No. 1289)

### CONCURRENCE CALENDAR #14

#### AMENDED IN THE SENATE

**House Bill 168 – Delegates Schulz, Afzali, Arentz, Aumann, Bates, Eckardt, Frank, George, Glass, Haddaway–Riccio, Hogan, Jacobs, Kramer, Krebs, Love, W. Miller, Minnick, Myers, Norman, O’Donnell, Olszewski, Otto, Schuh, Stifler, Szeliga, Vaughn, and Weir**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Boards, Commissions, and Councils – Member Removal**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0168/864934/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO HOUSE BILL 168

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 4, strike “requiring the Governor to remove” and substitute “providing that”; in line 6, after “Regulation” insert “shall be considered to have resigned”; and in line 7, strike “the prior year” and substitute “a certain period of time”.

##### AMENDMENT NO. 2

On page 3, in lines 24 and 25, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in line 26, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in line 28, after “MAY” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; and in the same line, strike “A” and substitute “**THE**”.



On page 4, in lines 10 and 11, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 12 and 27, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 14 and 29, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 25 and 26, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 5, in lines 8 and 9, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 10 and 25, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 12 and 27, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 23 and 24, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 6, in lines 5 and 6, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 7 and 24, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 9 and 26, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 22 and 23, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 7, in lines 5 and 6, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 7 and 22, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 9 and 24, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 20 and 21, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 8, in lines 4 and 5, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 7 and 22, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 9 and 24, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 20 and 21, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 9, in lines 2 and 3, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 4 and 19, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 6 and 21, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; in lines 17 and 18, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; and in lines 32 and 33, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 10, in lines 1 and 2, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 3 and 18, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; in lines 14 and 15, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; and in lines 16 and 17, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”.

On page 11, in lines 21 and 22, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in line 23, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in line 25, after “**MAY**” insert “**WAIVE THE MEMBER’S RESIGNATION AND**”; and in the same line, strike “**A**” and substitute “**THE**”.

On page 12, in lines 6 and 7, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in line 8, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 10 and 25, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; in lines 21 and 22, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; and in lines 23 and 24, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”.

On page 13, in lines 4 and 5, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in line 7, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in line 9, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; and in the same line, strike “**A**” and substitute “**THE**”.

On page 14, in lines 8 and 9, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 10 and 26, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 12 and 28, in each instance, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; in the same lines, in each instance, strike “**A**” and substitute “**THE**”; and in lines 24 and 25, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”.

On page 15, in lines 19 and 20, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 21 and 22, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in line 23, after “**MAY**” insert “**WAIVE A MEMBER’S RESIGNATION AND**”; and in the same line, strike “**A**” and substitute “**THE**”.

On page 16, in lines 2 and 3, strike “**THE GOVERNOR SHALL REMOVE A MEMBER**” and substitute “**A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED**”; in lines 4, 18, and 33, in each instance, strike “**THE PRIOR YEAR**” and substitute “**ANY CONSECUTIVE 12-MONTH PERIOD**”; in lines 6 and 20, in each

instance, after “MAY” insert “WAIVE A MEMBER’S RESIGNATION AND”; in the same lines, in each instance, strike “A” and substitute “THE”; in lines 15 and 16, strike “THE GOVERNOR SHALL REMOVE A MEMBER” and substitute “A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED”; and in lines 30 and 31, strike “THE GOVERNOR SHALL REMOVE A MEMBER” and substitute “A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED”.

On page 17, in lines 1 and 15, in each instance, after “MAY” insert “WAIVE A MEMBER’S RESIGNATION AND”; in the same lines, in each instance, strike “A” and substitute “THE”; in lines 10 and 11, strike “THE GOVERNOR SHALL REMOVE A MEMBER” and substitute “A MEMBER SHALL BE CONSIDERED TO HAVE RESIGNED”; and in line 13, strike “THE PRIOR YEAR” and substitute “ANY CONSECUTIVE 12-MONTH PERIOD”.

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 – 138    Negative – 0    (See Roll Call No. 1290)

### AMENDED IN THE SENATE

#### House Bill 287 – Delegates Otto and McDermott

AN ACT concerning

#### Somerset County – Micro-Brewery License

Delegate Davis moved that the House concur in the Senate amendments.

**HB0287/974334/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 287

(Third Reading File Bill)

On page 1, in line 2, after “County –” insert “Alcoholic Beverages –”; and in the same line, strike “License” and substitute “Licenses”.

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 – 138    Negative – 0    (See Roll Call No. 1291)

**AMENDED IN THE SENATE**

**House Bill 702 – Delegates Vaughn, Haddaway–Riccio, Howard, McHale, Schulz, Swain, and Valentino–Smith**

AN ACT concerning

**Professional Land Surveyors – Licensure Qualifications – Revisions**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0702/814337/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 702

(Third Reading File Bill)

On page 2, strike in their entirety lines 6 through 13, inclusive, and substitute:

**“(1) HAS GRADUATED ON COMPLETION OF AT LEAST A 4-YEAR CURRICULUM FROM A COLLEGE OR UNIVERSITY THAT IS ACCREDITED BY, OR IS A CONSTITUENT UNIT OF AN INSTITUTION ACCREDITED BY, THE MIDDLE STATES ASSOCIATION OF COLLEGES AND UNIVERSITIES OR THE EQUIVALENT REGIONAL ACCREDITING ASSOCIATION OF OTHER REGIONAL AREAS;”**;

strike beginning with “has” in line 14 down through “surveying” in line 15 and substitute **“BEGINNING ON OCTOBER 1, 2023, POSSESSES A MINIMUM OF 32 CREDIT HOURS OF LAND SURVEYING–RELATED COURSES THAT THE BOARD APPROVES”**; after line 25, insert:

**“(I) FUNDAMENTALS OF SURVEYING;”**;

in line 26, strike “(i)” and substitute “**(II)**”; and in line 28, strike “(ii)” and substitute “**(III)**”.

On page 3, strike beginning with “has” in line 5 down through “**(4)**” in line 7; in line 16, strike “**(5)**” and substitute “**(4)**”; after line 16, insert:

“**(I) FUNDAMENTALS OF SURVEYING;**”;

in lines 17 and 19, strike “(i)” and “(ii)”, respectively, and substitute “**(II)**” and “**(III)**”, respectively.

On page 4, in line 5, after “surveying” insert “**-RELATED**”; in line 11, strike “**AND,**” and substitute “;

**(II)**”;

in line 13, after “**SURVEYING**” insert “**-RELATED COURSES**”; in line 14, strike “**(II)**” and substitute “**(III)**”; strike in their entirety lines 18 and 19, inclusive; strike beginning with “**HAS**” in line 20 down through “**(V)**” in line 24; after line 24, insert:

“**1. FUNDAMENTALS OF SURVEYING;**”;

in lines 25 and 27, strike “1.” and “2.”, respectively, and substitute “**2.**” and “**3.**”, respectively; in line 31, after “surveying” insert “**-RELATED**”; and in line 33, strike “**(1)(II)**” and substitute “**(1)(III)**”.

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 – 120    Negative – 18    (See Roll Call No. 1292)

### AMENDED IN THE SENATE

**House Bill 205 – Delegates K. Kelly, Anderson, Beitzel, Donoghue, and Frush**

AN ACT concerning

**Vehicle Laws – Electric Bicycle – Definition**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0205/788575/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 205

(Third Reading File Bill)

On page 2, in line 15, strike the second “BICYCLE” and substitute “VEHICLE”; and in line 22, strike “750” and substitute “500”.

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 – 134    Negative – 1    (See Roll Call No. 1293)

**AMENDED IN THE SENATE**

**House Bill 602 – Delegate Niemann**

AN ACT concerning

**Real Property – Common Ownership Communities – Foreclosure of Liens**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0602/408177/2**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 602

(Third Reading File Bill)

On page 2, in lines 23 and 27, in each instance, strike “LATE FEES AND”; strike beginning with “OR” in line 25 down through “ASSESSMENTS” in line 26; and in line 29, after “fees” insert “OR COSTS”.

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 – 136    Negative – 0    (See Roll Call No. 1294)

**AMENDED IN THE SENATE**

**House Bill 976 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – State’s Attorney – Salary  
PG 310–14**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0976/628474/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 976

(Third Reading File Bill)

On page 2, in line 4, in each instance, strike the bracket; in the same line, strike “\$150,000” and substitute “**\$199,000**”; and strike beginning with “**THE**” in line 4 down through “**THEREAFTER**” in line 11.

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 – 124    Negative – 5    (See Roll Call No. 1295)

**AMENDED IN THE SENATE**

**House Bill 1345 – Delegate McHale (By Request – Maryland Electric Vehicle Infrastructure Council) and Delegates Malone, Clippinger, and Hammen**

AN ACT concerning



**Electric Vehicles and Recharging Equipment – Rebates and Tax Credits**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB1345/509537/1**

BY: Budget and Taxation Committee

**AMENDMENTS TO HOUSE BILL 1345**

(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 19, after “years;” insert “requiring the Maryland Energy Administration and the Maryland Department of Transportation to report to certain committees of the General Assembly on or before a certain date;”.

**AMENDMENT NO. 2**

On page 4, after line 18, insert:

**“(4) “RETAIL SERVICE STATION DEALER” HAS THE MEANING STATED IN § 10–101 OF THE BUSINESS REGULATION ARTICLE.”.**

**AMENDMENT NO. 3**

On page 5, in line 10, strike “OR”; in line 11, before “A” insert “**EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION,**”; and in line 15, after “\$5,000” insert “**; OR**

**(3) A RETAIL SERVICE STATION DEALER IN AN AMOUNT EQUAL TO THE LESSER OF:**

**(I) 50% OF THE COSTS OF ACQUIRING AND INSTALLING QUALIFIED ELECTRIC VEHICLE RECHARGING EQUIPMENT; OR**

**(II) \$7,500”.**

**AMENDMENT NO. 4**

On page 8, after line 4, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2015, the Maryland Energy Administration and the Maryland Department of Transportation shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on:

(1) the amount of Transportation Trust Fund revenue that is paid by owners of electric vehicles to the Transportation Trust Fund for the construction and maintenance of roadways in the State; and

(2) a plan for owners of electric vehicles to contribute to the Transportation Trust Fund for the construction and maintenance of roadways in the State.”;

and in line 5, strike “3.” and substitute “4.”.

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 – 119    Negative – 17    (See Roll Call No. 1296)

#### AMENDED IN THE SENATE

**House Bill 653 – ~~Delegate Luedtke~~ Delegates Luedtke, Howard, and Cardin**

AN ACT concerning

#### **Education – Deaf Culture Digital Library**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB0653/484932/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 653

(Third Reading File Bill)

On page 1, in line 5, after “duties,” insert “leadership.”.

On page 4, strike beginning with the comma in line 23 down through the comma in line 24; and in line 26, after “LIBRARY” insert “AND THE MAJORITY OF WHOSE MEMBERS ARE DEAF OR HARD OF HEARING AND SELECTED FROM THE FOLLOWING ENTITIES:”

(I) COUNTY LIBRARY SYSTEMS;

(II) THE DIVISION OF LIBRARY DEVELOPMENT AND SERVICES;

(III) THE GOVERNOR’S OFFICE FOR THE DEAF AND HARD OF HEARING;

(IV) STATEWIDE DEAF AND HARD OF HEARING ORGANIZATIONS; AND

(V) OTHER ORGANIZATIONS AS AGREED ON BY THE GOVERNOR’S OFFICE FOR THE DEAF AND HARD OF HEARING AND THE DIVISION OF LIBRARY DEVELOPMENT AND SERVICES”.

On page 5, after line 2, insert:

“(C) THE LEAD EMPLOYEE OR COORDINATOR WHO MANAGES THE DEAF CULTURE DIGITAL LIBRARY SHALL BE:

(1) A DEAF OR HARD OF HEARING INDIVIDUAL; AND

(2) KNOWLEDGEABLE AND EXPERIENCED CONCERNING ISSUES AFFECTING DEAF AND HARD OF HEARING INDIVIDUALS.”.

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 – 137    Negative – 0    (See Roll Call No. 1297)

## CONCURRENCE CALENDAR #15

## AMENDED IN THE SENATE

House Bill 1282 – Delegates Schulz, Afzali, Aumann, Bates, Beitzel, Bromwell, Clagett, DeBoy, Elliott, Frank, George, Hogan, Hough, Kipke, McComas, McDermott, Myers, Olszewski, Pena–Melnik, Serafini, Stocksdale, ~~and Szeliga~~ Szeliga, A. Kelly, Krebs, Nathan–Pulliam, Ready, and Tarrant

AN ACT concerning

**Public Health – Drug Overdose Deaths – ~~State and~~ Local Fatality Review Teams**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1282/457773/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1282

(Third Reading File Bill)

AMENDMENT NO. 1

On page 9, in line 4, after “OFFICER” insert “, OR THE OFFICER’S DESIGNEE”; in line 6, after “SERVICES” insert “, OR THE DIRECTOR’S DESIGNEE”; in line 7, after “ATTORNEY” insert “, OR THE STATE’S ATTORNEY’S DESIGNEE”; in line 8, after “SCHOOLS” insert “, OR THE SUPERINTENDENT’S DESIGNEE”; and in line 24, after “COUNTY” insert “, OR THE DIRECTOR’S DESIGNEE”.

On page 10, in line 5, after “SERVICES” insert “, OR THE SECRETARY’S DESIGNEE”.

AMENDMENT NO. 2

On page 10, in line 30, after “PRACTICE” insert “, INCLUDING THE USE OF DEVICES THAT ARE PROGRAMMED TO DISPENSE MEDICATIONS ON A SCHEDULE OR SIMILAR TECHNOLOGY,”.

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 – 137    Negative – 0    (See Roll Call No. 1298)

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: HB 101      SPONSOR: Delegate Kipke**

**SUBJECT: Dental Hygienists – Nitrous Oxide – Repeal of Termination Date**

**THIRD READING CALENDAR      HOUSE NO. 5      SENATE NO. 11**

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 Education, Health, and Environmental Affairs Committee Amendments (HB0101/254238/1) be rejected.

Senate Members:

House Members:

\_\_\_\_\_  
Chair,      **Karen S. Montgomery**

\_\_\_\_\_  
Chair,      **Nicholaus R. Kipke**

\_\_\_\_\_  
**Roy P. Dyson**

\_\_\_\_\_  
**Nathaniel T. Oaks**

\_\_\_\_\_  
**Edward R. Reilly**

\_\_\_\_\_  
**Shane E. Pendergrass**

\_\_\_\_\_  
Read in the Senate:

\_\_\_\_\_  
Read in the House of Delegates:

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1299)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: **HB 947**      SPONSOR: **Delegate Stein**

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

THIRD READING CALENDAR      HOUSE NO. **42**      SENATE NO. **24**

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 Education, Health, and Environmental Affairs Committee Amendments (HB0947/334339/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0947/693329/1) be adopted.

**HB0947/693329/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 947  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “employed” and substitute “hired”; and in line 15, strike “prohibiting a unit from being inspected under certain circumstances”.

AMENDMENT NO. 2

On page 4, in line 13, strike “AT LEAST 10% OF THE UNITS IN”; in line 16, strike “**10**” and substitute “5”; and in line 29, strike “**EMPLOYED**” and substitute “HIRED”.

On page 5, in line 28, strike “**10**” and substitute “5”.

On page 6, strike in their entirety lines 1 through 3, inclusive.

On page 7, in line 30, strike “10–year” and substitute “5–year”.

Senate Members:

House Members:

Chair, **Ronald N. Young**

Chair, **Dana Stein**

**Joanne C. Benson**

**Marvin E. Holmes, Jr.**

**Bill Ferguson**

**David Fraser-Hidalgo**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99    Negative – 37    (See Roll Call No. 1300)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: HB 1164    SPONSOR: Delegate Luedtke**

**SUBJECT: Md College and Career-Ready Stds and  
Partnshp for Asmt of Rd for Colege and Cars (PARCC)  
Impl Rev Wk**

**THIRD READING CALENDAR    HOUSE NO. 58    SENATE NO. 20**

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 Nos. 1 and 3 of the Education, Health, and Environmental Affairs Committee Amendments (HB1164/774133/1) be adopted; and

(2) That Amendment No. 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB1164/774133/1) be rejected.

**HB1164/774133/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1164

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, after line 31, insert:

“(x) one representative of charter schools;”.

On page 3, in lines 1, 3, and 5, strike “(x)”, “(xi)”, and “(xii)”, respectively, and substitute “(xi)”, “(xii)”, and “(xiii)”, respectively.

AMENDMENT NO. 3

On page 5, in line 32, strike “shall take effect June 1, 2014” 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”.

Senate Members:

House Members:

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Chair, **Paul G. Pinsky**

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Chair, **Alonzo T. Washington**

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**Joanne C. Benson**

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**Andrew A. Serafini**

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**J. B. Jennings**

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**Anne R. Kaiser**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1301)

The Bill was then sent to the Senate.

### CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1212**      SPONSOR: **Delegate Clippinger**



SUBJECT: Use of Txt Mesaging Dvc or Hanheld Tel While Drvg – Acidnts Rsltng in Death or Serious Inj – Pnlts

THIRD READING CALENDAR HOUSE NO. 43 SENATE NO. 31

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 (HB1212/878773/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1212/903221/1) be adopted.

**HB1212/903221/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1212

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “substantially contributes to” and substitute “causes”; and strike beginning with “requiring” in line 7 down through “device;” in line 12.

AMENDMENT NO. 2

On page 2, in line 14, strike “§ 21-1124.3(A)” and substitute “§ 21-1124.3”.

AMENDMENT NO. 3

On page 5, in line 2, strike “(A)”; in line 3, strike “SUBSTANTIALLY CONTRIBUTES TO” and substitute “CAUSES”; strike in their entirety lines 6 through 18, inclusive; and in line 20, strike “§ 21-1124.3(A)” and substitute “§ 21-1124.3”.

Senate Members:

House Members:

Chair,

**Jamie Raskin**

Chair,

**Curt Anderson**

**Christopher B. Shank**

**Luke Clippinger**

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**C. Anthony Muse**

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**John W. E. Cluster, Jr.**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 118    Negative – 20    (See Roll Call No. 1302)

The Bill was then sent to the Senate.

### CONFERENCE COMMITTEE REPORT

**BILL NO.: SB 390      SPONSOR: Baltimore City Senators**

**SUBJECT: Criminal Law – Illegal Dumping and Litter  
Control Law – Driver’s License – Points**

**THIRD READING CALENDAR      HOUSE NO. 21      SENATE NO. 53**

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 No. 3 of the attached House Judiciary Committee Amendments (SB0390/152816/2) be adopted.

(2) That Amendments Nos. 1 and 2 of the attached House Judiciary Committee Amendments (SB0390/152816/2) be rejected.

(3) That the attached Conference Committee Amendment (SB0390/113720/1) be adopted.

**SB0390/152816/2**

BY: House Judiciary Committee

### AMENDMENTS TO SENATE BILL 390

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, before “Points” insert “Penalty and”; in line 4, after the first “of” insert “increasing the penalty for a certain violation of the Illegal Dumping and Litter Control Law;”; and in line 9, strike “a violation” and substitute “certain violations”.

#### AMENDMENT NO. 2

On page 2, in line 14, strike “1 year” and substitute “**3 YEARS**”.

#### AMENDMENT NO. 3

On pages 3 through 5, strike in their entirety the lines beginning with line 8 on page 3 through line 25 on page 5, inclusive, and substitute:

“16-402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2-209, [or] § 3-211, OR § 10-110 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

- (1) Any moving violation not listed below and not contributing to an accident...1 point
- (2) Following another vehicle too closely...2 points
- (3) Speeding in excess of the posted speed limit by 10 miles an hour or more...2 points
- (4) Driving with an improper class of license...2 points
- (5) Failing to stop for a school vehicle with activated alternately flashing red lights...3 points
- (6) Any violation of § 21-1111 of this article...2 points
- (7) Passing an emergency or police vehicle under the provisions of § 21-405(d) of this article...2 points
- (8) A violation of § 21-511(a) of this article...2 points

(9) Failure to stop a vehicle for a steady red traffic signal in violation of § 21–202 of this article or a nonfunctioning traffic control signal in violation of § 21–209 of this article...2 points

(10) Operating a limousine in violation of § 21–1127(a) of this article...2 points

**(11) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10–110(F)(2)(I) OF THE CRIMINAL LAW ARTICLE...2 POINTS**

**(12) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10–110(F)(2)(II) OF THE CRIMINAL LAW ARTICLE...3 POINTS**

[(11)] (13) Any moving violation contributing to an accident...3 points

[(12)] (14) Any violation of § 16–303(h) or (i) of this title...3 points

[(13)] (15) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21–1411 of this article...3 points

[(14)] (16) Speeding in excess of the posted speed limit by 30 miles an hour or more...5 points

[(15)] (17) Driving while not licensed...5 points

[(16)] (18) Failure to report an accident...5 points

[(17)] (19) Driving on a learner's permit unaccompanied...5 points

[(18)] (20) Any violation of § 17–107 of this article...5 points

[(19)] (21) Participating in a race or speed contest on a highway...5 points

[(20)] (22) Any violation of § 16–304 or § 16–305 of this title...5 points

[(21)] (23) Any violation of § 22–404.5 of this article...5 points

[(22)] (24) Speeding in excess of a posted speed limit of 65 miles an hour by 20 miles an hour or more...5 points

[(23)] (25) Aggressive driving in violation of § 21–901.2 of this article...5 points

**(26) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10–110(F)(2)(III) OF THE CRIMINAL LAW ARTICLE...5 POINTS**

[(24)] (27) Reckless driving...6 points

[(25)] (28) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, or driving within 12 hours after arrest under § 21–902.1 of this article...8 points

[(26)] (29) Turning off lights of a vehicle to avoid identification...8 points

[(27)] (30) Failing to stop after accident resulting in damage to attended vehicle or property...8 points

[(28)] (31) Failing to stop after accident resulting in damage to unattended vehicle or property...8 points

[(29)] (32) Any violation of § 16–815 or § 16–816 of this title...8 points

[(30)] (33) Failing to stop after an accident resulting in bodily injury or death...12 points

[(31)] (34) Any violation of § 16–303 of this title, excluding § 16–303(h) or (i)...12 points

[(32)] (35) Any violation of § 16–301, § 16–302, § 16–804, or § 16–808(a)(1) through (9) or (b) of this title...12 points

[(33)] (36) Homicide, life threatening injury under § 3–211 of the Criminal Law Article, or assault committed by means of a vehicle...12 points

[(34)] (37) Driving while under the influence of alcohol, while under the influence of alcohol per se, or while impaired by an illegally used controlled dangerous substance...12 points

[(35)] (38) Any felony involving use of a vehicle...12 points

[(36)] (39) Fleeing or attempting to elude a police officer...12 points

[(37)] (40) The making of a false affidavit or statement under oath, or falsely certifying to the truth of any fact or information to the Administration under the Maryland Vehicle Law or under any law relating to the ownership or operation of motor vehicles...12 points

[(38)] (41) Any violation involving an unlawful taking or unauthorized use of a motor vehicle under § 7–105 or § 7–203 of the Criminal Law Article, or § 14–102 of this article...12 points”.

**SB0390/113720/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 390

(Third Reading File Bill)

On page 1, in line 9, strike “a violation” and substitute “certain violations”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Lisa A. Gladden**

\_\_\_\_\_  
Chair, **Jill P. Carter**

\_\_\_\_\_  
**C. Anthony Muse**

\_\_\_\_\_  
**Luke Clippinger**

\_\_\_\_\_  
**Christopher B. Shank**

\_\_\_\_\_  
**Susan K. McComas**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 121    Negative – 17    (See Roll Call No. 1303)

The Bill was then returned to the Senate.

### CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 737**      SPONSOR: **Senator Pugh**

SUBJECT: **Labor and Employment – Unpaid Parental Leave – Birth or Adoption of a Child**

THIRD READING CALENDAR      HOUSE NO. **16**      SENATE NO. **61**

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 No. 3 of the attached Economic Matters Committee Amendments (SB0737/283397/1) be adopted.

(2) That Amendment Nos. 1 and 2 of the attached Economic Matters Committee Amendments (SB0737/283397/1) be rejected.

**SB0737/283397/1**

BY: Economic Matters Committee

#### AMENDMENTS TO SENATE BILL 737

(Third Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 9, after “paid” insert “vacation”.

##### AMENDMENT NO. 2

On page 4, in line 9, after “PAID” insert “VACATION”; and in line 11, after “PAID” insert “VACATION”.

##### AMENDMENT NO. 3

On page 6, strike beginning with “AND” in line 22 down through “DAMAGES” in line 23.

Senate Members:

House Members:

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 Chair, **Catherine E. Pugh**


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 Chair, **Michael L. Vaughn**


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**Brian J. Feldman**


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**John A. Olszewski, Jr.**


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**Barry Glassman**


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**Susan L. M. Aumann**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 92    Negative – 43    (See Roll Call No. 1304)

The Bill was then returned to the Senate.

### **THE COMMITTEE ON JUDICIARY REPORT #17**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**Senate Bill 454 – ~~Senator Robey~~ Senators Robey, Brochin, Forehand, Jacobs, Muse, Raskin, and Stone**

AN ACT concerning

**Criminal Law – Child Kidnapping and Prostitution – Penalty**

**SB0454/112413/1**

BY: House Judiciary Committee

#### AMENDMENTS TO SENATE BILL 454

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “and Prostitution” and substitute “for the Purpose of Committing a Sexual Crime”; strike beginning with “reclassifying” in line 3 down through “age;” in line 6 and substitute “altering the elements of a certain prohibition involving persuading or enticing from a certain place or knowingly secreting or”



harboring an individual under a certain age for purposes of prostitution or committing a certain sexual crime so as to prohibit the act of persuading or enticing from a certain place and knowingly secreting or harboring an individual under a certain age for the purpose of committing a certain sexual crime; reclassifying the offense as a felony and altering the maximum penalty of imprisonment; making a conforming change.”; and in lines 6 and 7, strike “and prostitution”.

AMENDMENT NO. 2

On page 1, in line 17, strike “purposes of” and substitute “**THE PURPOSE OF**”; and in the same line, strike “prostitution or”.

On page 2, in line 3, strike the second “or” and substitute “**AND**”; in line 5, strike “an” and substitute “**THE**”; and in the same line, strike “under the age of 16 years”.

AMENDMENT NO. 3

On page 2, in line 8, strike “**30**” and substitute “**25**”; and strike in their entirety lines 10 and 11.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 940 – Senator Stone**

AN ACT concerning

**Victims of Crime – Legal Representatives of Minors and Disabled and Elderly  
Persons**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1305)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #49**

**Senate Bill 515 – Senators Gladden, Currie, and Miller**

AN ACT concerning

#### **Juvenile Law – Transfer of Cases to Juvenile Court**

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

Affirmative – 89    Negative – 46    (See Roll Call No. 1306)

The Bill was then returned to the Senate.

**Senate Bill 876 – Senators Klausmeier, Colburn, Ferguson, King, Manno, Miller, Muse, Peters, Pugh, Raskin, and Rosapepe**

AN ACT concerning

#### **Education – Summer Career Academy Pilot Program**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1307)

The Bill was then returned to the Senate.

### **THE COMMITTEE ON WAYS AND MEANS REPORT #21**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

**Senate Bill 1070 – Senators DeGrange, Astle, Benson, Colburn, Currie, Dyson, Edwards, Forehand, Glassman, Madaleno, Manno, Mathias, Montgomery, Peters, Ramirez, Reilly, Robey, and Zirkin**

AN ACT concerning

**Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and  
Emergency Medical Services Members**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0075**  
SPONSOR: Sen Madaleno  
SUBJECT: Alcoholic Beverages – Maximum Alcohol Content

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 ordered journalized.

**Senate Bill 75 – ~~Senator Madaleno~~ Senators Madaleno, Forehand,  
Montgomery, and King**

AN ACT concerning

**Alcoholic Beverages – Maximum Alcohol Content**

Delegate Davis moved that the House recede on its amendment.

The motion was adopted.

**SB0075/513293/1**

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 75  
(Third Reading File Bill)

On page 1, in line 4, after “more” insert “, with a certain exception”; and in line 16, after “MORE” insert “, EXCEPT TO THE HOLDER OF A NONBEVERAGE PERMIT UNDER § 2-101(C) OF THIS ARTICLE”.

House recessed and the amendment was removed.

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

Affirmative – 91    Negative – 43    (See Roll Call No. 1308)

The Bill was then returned to the Senate.

### MESSAGE TO THE SENATE

**BILL:    SB 0075**

**SPONSOR:    Sen Madaleno**

**SUBJECT:    Alcoholic Beverages – Maximum Alcohol Content**

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates recesses from its position on SB 0075.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and adopted.

### THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #22

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**House Bill 1021 – Prince George’s County Delegation**

EMERGENCY BILL

AN ACT concerning

Prince George's County – Foreclosure – Subprime Mortgages – Moratorium  
PG 411-14

**HB1021/690514/2**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1021

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 2, strike “Subprime Mortgages – Moratorium” and substitute “Report by Department of Housing and Community Development and Commissioner of Financial Regulation”; and strike beginning with “prohibiting” in line 4 down through “mortgages” in line 10 and substitute “requiring the Department of Housing and Community Development and the Commissioner of Financial Regulation to conduct certain analyses based on the available data of certain foreclosure trends for residential real property in Prince George's County; requiring the Department and the Commissioner to report the Department's and the Commissioner's findings to certain committees and certain delegations of the General Assembly on or before a certain date; and generally relating to foreclosures”.

AMENDMENT NO. 2

On page 1, after line 13, insert:

“(a) The Department of Housing and Community Development and the Commissioner of Financial Regulation shall conduct the following analyses based on the available data:

(1) foreclosure trends for residential real property since 2007, at both county and zip code levels, in order to identify the communities hardest hit by the foreclosure crisis in Prince George's County;

(2) short-term and long-term delinquency trends for residential real property since 2007, at both county and zip code levels, in order to identify at-risk communities in Prince George's County;

(3) housing market trends at the county level, including home sales, median home sales price, inventory, months' supply, housing affordability, and

residential construction, in order to evaluate the impact of high foreclosure rates on the housing market recovery in Prince George’s County; and

(4) trends in the average period that residential real property in Prince George’s County is in default prior to the issuance of a notice of intent to foreclose, based on zip code and loan servicer.

(b) On or before December 31, 2014, the Department and the Commissioner shall report the Department’s and the Commissioner’s findings, in accordance with § 2–1246 of the State Government Article, to the Senate Judicial Proceedings Committee, the House Environmental Matters Committee, and the Prince George’s County House and Senate Delegations.”.

### AMENDMENT NO. 3

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 29 on page 2, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

### **Senate Bill 966 – Senators Dyson and Middleton**

AN ACT concerning

**Calvert County, Charles County, and St. Mary’s County – Deer Hunting**

**SB0966/130415/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 966

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 16, in each instance, strike “Calvert County,”; in the same lines, in each instance, strike the second comma; in line 6, after “program;” insert “authorizing the Department to terminate the program under certain circumstances; requiring the Department to provide a certain report to the General Assembly on or before a certain date;”; and in lines 15 and 16, strike “defining a certain term” and substitute “authorizing the Department to terminate a certain deer season under certain circumstances; authorizing the Department to restrict the lands on which a person may hunt deer under certain circumstances; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, in lines 10 and 11, strike “CALVERT COUNTY,”; in lines 11, 13, and 28, in each instance, strike the second comma; in lines 13 and 28, in each instance, strike “CALVERT COUNTY,”; after line 18, insert:

**“(C) THE DEPARTMENT MAY TERMINATE THE PROGRAM TO PROTECT PUBLIC SAFETY AND WELFARE.**

**“(D) ON OR BEFORE DECEMBER 1, 2016, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE PROGRAM.”;**

in line 19, strike “(C)” and substitute “(E)”; and in line 20, after “SECTION” insert “**, INCLUDING A SYSTEM FOR STAGGERING PARTICIPATION IN THE PROGRAM**”.

AMENDMENT NO. 3

On page 3, in lines 3, 9, 11, and 14, in each instance, strike “CALVERT COUNTY,”; in lines 3, 9, and 18, in each instance, strike the second comma; in lines 12 and 15, in each instance, strike the comma; in line 18, strike “CALVERT COUNTY,”; and after line 19, insert:

**“(5) TO PROTECT PUBLIC SAFETY AND WELFARE, THE DEPARTMENT MAY:**

**“(1) TERMINATE THE DEER HUNTING SEASON ESTABLISHED UNDER SUBSECTION (A)(2) OF THIS SECTION; AND**

**(II) RESTRICT THE LANDS ON WHICH AN INDIVIDUAL MAY HUNT DEER.**

**AMENDMENT NO. 4**

On page 3, in line 21, after “2014.” insert “It shall remain effective for a period 3 years and, at the end of June 30, 2017, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Holmes moved to suspend the rules to put **Senate Bill 966** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 130    Negative – 3    (See Roll Call No. 1309)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 966** was placed on Third Reading.

**Senate Bill 966 – Senators Dyson and Middleton**

AN ACT concerning

**Calvert County, Charles County, and St. Mary’s County – Deer Hunting**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 125    Negative – 6    (See Roll Call No. 1310)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: **HB 881**      SPONSOR: **Delegate Glenn**

SUBJECT: **Medical Marijuana – Natalie M. LaPrade  
Medical Marijuana Commission**



## THIRD READING CALENDAR      HOUSE NO. 59      SENATE NO. 32

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 (HB0881/528178/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0881/783522/1) be adopted.

**HB0881/783522/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 881

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “registration” and substitute “approval”; in line 7, after “site;” insert “increasing the membership of the Commission; requiring the Department of Health and Mental Hygiene to adopt certain regulations;”; in line 12, strike “registered” and substitute “approved”; and in line 14, after “applications;” insert “prohibiting a certifying physician and the spouse of a certifying physician from receiving gifts from, or having any financial interest in, a medical marijuana grower or a dispensary; authorizing a certifying physician to receive certain compensation if the certifying physician obtains certain approval and discloses certain information;”.

On page 2, in line 6, strike “licensed” and substitute “medical marijuana”; in the same line, after “grower” insert “or dispensary licensed by the Commission”; in line 8, after “caregiver;” insert “prohibiting a caregiver from serving more than a certain number of qualifying patients at any time; prohibiting a qualifying patient from having more than a certain number of caregivers;”; in lines 9 and 10, strike “a registration” and substitute “an approval”; in line 11, strike “a registration” and substitute “an approval”; strike beginning with “providing” in line 12 down through “actions;” in line 13; strike beginning with “providing” in line 16 down through “grower;” in line 18 and substitute “requiring the Commission to establish a certain application review process for granting medical marijuana grower licenses; prohibiting the Commission from issuing more than one medical than one medical marijuana”.

grower license to an applicant; requiring a medical marijuana grower to pay a certain fee; altering the entities to which a licensed medical marijuana grower may provide marijuana; providing for the term of an initial and a renewal medical marijuana grower license; providing for the form of an application to operate as a medical marijuana grower; requiring the Commission to set certain standards for licensure; requiring a medical marijuana grower agent to be registered with the Commission; requiring a medical marijuana grower to apply to the Commission for a registration card for each grower agent by submitting certain information to the Commission; requiring each medical marijuana grower agent to obtain a criminal history records check;”; in line 19, strike “and” and substitute a comma; in the same line, after “prepare” insert “medical”; in line 20, after “administration” insert “, and are located in agricultural zones”; in the same line, after “to” insert “actively”; in line 21, after “diversity” insert “and to encourage certain applicants”; strike beginning with “prohibiting” in line 25 down through “requirements;” in line 26 and substitute “prohibiting a medical marijuana grower agent and certain family members of a medical marijuana grower agent from being employed by, and receiving any compensation or gifts from, or having any financial interest in a certifying physician or a medical marijuana treatment center;”; strike beginning with the second “to” in line 27 down through “and” in line 28 and substitute “only to certain programs, certain licensed dispensaries, qualified patients, and caregivers; authorizing a medical marijuana grower”; in line 29, after “patient” insert “or caregiver”; in the same line, after “obtain” insert “medical”; in line 31, after “facilities;” insert “requiring a dispensary to be licensed by the Commission; requiring an applicant to be licensed as a dispensary to submit to the Commission a certain application fee and a certain application; requiring the Commission to establish a certain application review process for granting dispensary licenses and to actively seek to achieve racial, ethnic, and geographic diversity when licensing dispensaries; prohibiting certain entities and agents from being arrested or penalized for certain actions; requiring the medical marijuana treatment center agents to meet certain qualifications; requiring dispensaries to apply to the Commission for registration cards for certain agents by submitting certain information; requiring, under certain circumstances, dispensaries to notify the Commission and return registration cards of certain agents to the Commission within a certain time period; requiring the Commission, on receipt of a certain notice, to immediately revoke certain registrations and, under certain circumstances, notify the Department of State Police that certain registration cards have not been returned; prohibiting the Commission from registering certain persons as dispensary agents; requiring an applicant for certain criminal history records checks to submit to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services certain sets of fingerprints and

certain fees; requiring the Central Repository to forward to the Commission and the applicant certain information; authorizing, under certain circumstances, the Commission to accept an alternate method of criminal history records checks as permitted by certain individuals; providing that certain information obtained from the Central Repository is confidential, may not be redisseminated, and may be used only for a certain purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain statement;”; and in line 38, after “date;” insert “requiring the Commission to report to certain committees of the General Assembly on or before a certain date in certain years on any change in marijuana use by minors; requiring the Commission to study and report its recommendations to the General Assembly on how to provide access to medical marijuana for certain veterans; requiring the Commission to report to the General Assembly on or before a certain date on the level of competition in the market for medical marijuana; requiring the Commission, in consultation with the Comptroller, to study the taxation of medical marijuana and the impact that medical marijuana laws have had on banking and financial transactions in other states and to report the Commission’s findings and recommendations to the General Assembly on or before a certain date;”.

On page 3, in line 3, strike “and 13–3313” and substitute “13–3310, 13–3311, 13–3312, and 13–3316”.

#### AMENDMENT NO. 2

On page 3, in line 27, after “**MEDICINE;**” insert “**AND**”; strike beginning with “**ON**” in line 28 down through “**WITH**” in line 30 and substitute “**APPROVED BY**”; and in line 31, after “**USE**” insert “**IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION**”.

On page 4, after line 2, insert:

**“(F) “DISPENSARY” MEANS AN ENTITY LICENSED UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, PROCESSES, TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES, DISPENSES, OR ADMINISTERS MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, RELATED PRODUCTS INCLUDING FOOD, TINCTURES, AEROSOLS, OILS, OR OINTMENTS, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR CAREGIVER.**

**“(G) “DISPENSARY AGENT” MEANS AN OWNER, A MEMBER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A DISPENSARY.”;**

in line 3, strike “(F)” and substitute “(H)”; in line 5, strike “(G)” and substitute “(I)”  
“MEDICAL MARIJUANA GROWER AGENT” MEANS AN OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL MARIJUANA GROWER LICENSED UNDER THIS SUBTITLE.

(J)”;

in line 8, strike “(H)” and substitute “(K)”; in line 13, before “HAS” insert “(I)”; in line 15, after “RELATIONSHIP;” insert “OR”; in lines 16, 18, and 19, strike “(2)”, “(3)”, and “(I)”, respectively, and substitute “(II)”, “(2)”, and “(L)”, respectively; and in line 17, strike “OR” and substitute “AND”.

On page 5, in line 18, strike “REGISTER” and substitute “APPROVE”; strike beginning with the colon in line 23 down through “DEVELOP” in line 24 and substitute “DEVELOP”; and strike beginning with the semicolon in line 25 down through “GROWERS” in line 28.

On page 6, after line 11, insert:

“(E) THE COMMISSION SHALL DEVELOP AND MAINTAIN A WEB SITE THAT:

(1) PROVIDES INFORMATION ON HOW AN INDIVIDUAL CAN OBTAIN MEDICAL MARIJUANA IN THE STATE AND HOW AN INDIVIDUAL CAN FIND A CERTIFYING PHYSICIAN; AND

(2) PROVIDES CONTACT INFORMATION FOR LICENSED GROWERS AND LICENSED DISPENSARIES.”;

and in lines 13 and 16, strike “12” and “11”, respectively, and substitute “15” and “14”, respectively.

On page 7, in line 1, strike “and”; and in line 3, after “States” insert “;

(X) AN INDIVIDUAL WITH EXPERIENCE IN HORTICULTURE, RECOMMENDED BY THE DEPARTMENT OF AGRICULTURE;

(XI) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND EXTENSION; AND

(XII) ONE REPRESENTATIVE OF THE OFFICE OF THE COMPTROLLER”.

On page 11, in line 25, strike “REGISTERED” and substitute “APPROVED”.

On page 12, in lines 23 and 24, strike “RESISTANT TO CONVENTIONAL MEDICINE” and substitute “FOR WHICH OTHER MEDICAL TREATMENTS HAVE BEEN INEFFECTIVE”; after line 25, insert:

“(E) (1) A CERTIFYING PHYSICIAN OR THE SPOUSE OF A CERTIFYING PHYSICIAN MAY NOT RECEIVE ANY GIFTS FROM OR HAVE AN OWNERSHIP INTEREST IN A MEDICAL MARIJUANA GROWER OR A DISPENSARY.

(2) A CERTIFYING PHYSICIAN MAY RECEIVE COMPENSATION FROM A MEDICAL MARIJUANA GROWER OR DISPENSARY IF:

(I) THE CERTIFYING PHYSICIAN OBTAINS THE APPROVAL OF THE COMMISSION BEFORE RECEIVING THE COMPENSATION; AND

(II) DISCLOSES THE AMOUNT OF COMPENSATION RECEIVED FROM THE MEDICAL MARIJUANA GROWER OR DISPENSARY TO THE COMMISSION.”;

and in line 26, strike “(E)” and substitute “(F)”.

On page 13, in line 9, strike “LICENSED GROWER” and substitute “MEDICAL MARIJUANA GROWER LICENSED BY THE COMMISSION OR A DISPENSARY LICENSED BY THE COMMISSION”; after line 12, insert:

“(6) (I) A CAREGIVER MAY SERVE NO MORE THAN FIVE QUALIFYING PATIENTS AT ANY TIME.

**(II) A QUALIFYING PATIENT MAY HAVE NO MORE THAN TWO CAREGIVERS.**;

in lines 13 and 24, strike “**(F)**” and “**(G)**”, respectively, and substitute “**(G)**” and “**(H)**”, respectively; in lines 24 and 25, strike “**FOR A RENEWAL OF A REGISTRATION**” and substitute “**TO THE COMMISSION FOR APPROVAL**”; in lines 26 and 27, strike “**A REGISTRATION**” and substitute “**AN APPLICATION FOR APPROVAL**”; and strike in their entirety lines 29 and 30.

On page 14, strike in their entirety lines 1 and 2; in line 10, after “growers” insert “**THAT MEET ALL REQUIREMENTS ESTABLISHED BY THE COMMISSION**”; in line 11, strike “programs” and substitute “**:**”

**(I) PROGRAMS**”;

in line 12, after “subtitle” insert “**:**”

**(II) DISPENSARIES LICENSED BY THE COMMISSION UNDER THIS SUBTITLE; AND**

**(III) QUALIFYING PATIENTS AND CAREGIVERS**”;

in line 13, strike “The” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; in the same line, strike “**10**” and substitute “**15**”; after line 14, insert:

**“(II) BEGINNING JUNE 1, 2016, THE COMMISSION MAY ISSUE THE NUMBER OF LICENSES NECESSARY TO MEET THE DEMAND FOR MEDICAL MARIJUANA BY QUALIFYING PATIENTS AND CAREGIVERS ISSUED IDENTIFICATION CARDS UNDER THIS SUBTITLE IN AN AFFORDABLE, ACCESSIBLE, SECURE, AND EFFICIENT MANNER.**

**(III) THE COMMISSION SHALL ESTABLISH AN APPLICATION REVIEW PROCESS FOR GRANTING MEDICAL MARIJUANA GROWER LICENSES IN WHICH APPLICATIONS ARE REVIEWED, EVALUATED, AND RANKED BASED ON CRITERIA ESTABLISHED BY THE COMMISSION.**

(IV) THE COMMISSION MAY NOT ISSUE MORE THAN ONE MEDICAL MARIJUANA GROWER LICENSE TO EACH APPLICANT.

(V) A GROWER SHALL PAY AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION CONSISTENT WITH THIS SUBTITLE.

(3) THE COMMISSION SHALL SET STANDARDS FOR LICENSURE AS A MEDICAL MARIJUANA GROWER TO ENSURE PUBLIC SAFETY AND SAFE ACCESS TO MEDICAL MARIJUANA, WHICH MAY INCLUDE A REQUIREMENT FOR THE POSTING OF SECURITY.

(4) EACH MEDICAL MARIJUANA GROWER AGENT SHALL:

(I) BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT MAY VOLUNTEER OR WORK FOR A LICENSED GROWER; AND

(II) OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13-3312 OF THIS SUBTITLE.

(5) (I) A LICENSED GROWER SHALL APPLY TO THE COMMISSION FOR A REGISTRATION CARD FOR EACH GROWER AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE OF BIRTH OF THE AGENT.

(II) 1. WITHIN 1 BUSINESS DAY AFTER A GROWER AGENT CEASES TO BE ASSOCIATED WITH A GROWER, THE GROWER SHALL:

A. NOTIFY THE COMMISSION; AND

B. RETURN THE GROWER AGENT'S REGISTRATION CARD TO THE COMMISSION.

2. ON RECEIPT OF A NOTICE DESCRIBED IN SUBSUBPARAGRAPH 1A OF THIS SUBPARAGRAPH, THE COMMISSION SHALL:

**A. IMMEDIATELY REVOKE THE REGISTRATION CARD OF THE GROWER AGENT; AND**

**B. IF THE REGISTRATION CARD WAS NOT RETURNED TO THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.**

**(III) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE AS A GROWER AGENT.**”;

in line 15, strike “**(II)** **1.**” and substitute “**(6)** **(I)**”; in line 16, strike “**5**” and substitute “**2**”; in line 17, strike “**2.**” and substitute “**(II)**”; in line 18, strike “**10**” and substitute “**2**”; in line 19, strike “**(III)**” and substitute “**(7)**”; in line 21, strike “**(3)**” and substitute “**(8)**”; after line 27, insert:

**“(III) THE COMMISSION SHALL ENCOURAGE LICENSING MEDICAL MARIJUANA GROWERS LOCATED IN AGRICULTURAL ZONES.**”;

in line 28, strike “**(III)** **1.**” and substitute “**(9)** **(I)**”; in the same line, after “**SHALL**” insert “**:**”

**1. ACTIVELY**”;

and in line 30, after “**GROWERS**” insert “**; AND**”.

### **AMENDMENT NO. 3**

On page 15, in line 1, after “**2.**” insert “**ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY BUSINESS ENTERPRISE, AS DEFINED IN § 14-301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(II)**”;

in line 5, strike “**(IV)** **1.**” and substitute “**(10)**”; strike in their entirety lines 8 through 10, inclusive; in line 12, strike the brackets; strike beginning with “**TO**” in line 13 down through the period in line 16 and substitute “**PROGRAMS APPROVED FOR OPERATION UNDER THIS SUBTITLE;**



**(2) DISPENSARIES LICENSED BY THE COMMISSION UNDER THIS SUBTITLE;**

**(3) QUALIFIED PATIENTS; AND**

**(4) CAREGIVERS.”;**

in line 20, after “PATIENT” insert “OR CAREGIVER”; after line 31, insert:

**“13-3310.**

**(A) A DISPENSARY SHALL BE LICENSED BY THE COMMISSION.**

**(B) TO BE LICENSED AS A DISPENSARY, AN APPLICANT SHALL SUBMIT TO THE COMMISSION:**

**(1) AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE COMMISSION CONSISTENT WITH THIS SUBTITLE; AND**

**(2) AN APPLICATION THAT INCLUDES:**

**(I) THE LEGAL NAME AND PHYSICAL ADDRESS OF THE PROPOSED DISPENSARY;**

**(II) THE NAME, ADDRESS, AND DATE OF BIRTH OF EACH PRINCIPAL OFFICER AND EACH DIRECTOR, NONE OF WHOM MAY HAVE SERVED AS A PRINCIPAL OFFICER OR DIRECTOR FOR A DISPENSARY THAT HAS HAD ITS REGISTRATION CERTIFICATE REVOKED; AND**

**(III) OPERATING PROCEDURES THAT THE DISPENSARY WILL USE, CONSISTENT WITH COMMISSION REGULATIONS FOR OVERSIGHT, INCLUDING STORAGE OF MARIJUANA ONLY IN ENCLOSED AND LOCKED FACILITIES.**

**(C) THE COMMISSION SHALL:**

(1) ESTABLISH AN APPLICATION REVIEW PROCESS FOR GRANTING DISPENSARY LICENSES IN WHICH APPLICATIONS ARE REVIEWED, EVALUATED, AND RANKED BASED ON CRITERIA ESTABLISHED BY THE COMMISSION; AND

(2) ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY WHEN LICENSING DISPENSARIES.

(D) A DISPENSARY LICENSED UNDER THIS SECTION OR A DISPENSARY AGENT REGISTERED UNDER § 13-3311 OF THIS SUBTITLE MAY NOT BE PENALIZED OR ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, PROCESSING, TRANSFERRING, TRANSPORTING, SELLING, DISTRIBUTING, OR DISPENSING MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.

13-3311.

(A) A DISPENSARY AGENT SHALL:

(1) BE AT LEAST 21 YEARS OLD;

(2) BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT MAY VOLUNTEER OR WORK AT A DISPENSARY; AND

(3) OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13-3312 OF THIS SUBTITLE.

(B) A DISPENSARY SHALL APPLY TO THE COMMISSION FOR A REGISTRATION CARD FOR EACH DISPENSARY AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE OF BIRTH OF THE AGENT.

(C) (1) WITHIN 1 BUSINESS DAY AFTER A DISPENSARY AGENT CEASES TO BE ASSOCIATED WITH A DISPENSARY, THE DISPENSARY SHALL:

(i) NOTIFY THE COMMISSION; AND

(II) RETURN THE DISPENSARY AGENT'S REGISTRATION CARD TO THE COMMISSION.

(2) ON RECEIPT OF A NOTICE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL:

(I) IMMEDIATELY REVOKE THE REGISTRATION CARD OF THE DISPENSARY AGENT; AND

(II) IF THE REGISTRATION CARD WAS NOT RETURNED TO THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.

(D) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE AS A DISPENSARY AGENT.

13-3312.

(A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(B) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(1) TWO COMPLETE SETS OF LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(2) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS; AND

(3) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(C) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-228 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE COMMISSION AND TO THE APPLICANT THE CRIMINAL HISTORY RECORD INFORMATION OF THE APPLICANT.

(D) IF AN APPLICANT HAS MADE TWO OR MORE UNSUCCESSFUL ATTEMPTS AT SECURING LEGIBLE FINGERPRINTS, THE COMMISSION MAY ACCEPT AN ALTERNATE METHOD OF A CRIMINAL HISTORY RECORDS CHECK AS PERMITTED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION SHALL BE:

(1) CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND

(2) USED ONLY FOR THE REGISTRATION PURPOSE AUTHORIZED BY THIS SUBTITLE.

(F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY, AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.”;

and in line 32, strike “13-3310.” and substitute “13-3313.”.

AMENDMENT NO. 4

On page 16, in line 20, strike “OR”; after line 20, insert:

“(6) A DISPENSARY LICENSED UNDER § 13-3310 OF THIS SUBTITLE OR A DISPENSARY AGENT REGISTERED UNDER § 13-3311 OF THIS SUBTITLE; OR”;

in line 21, strike “(6)” and substitute “(7)”; strike beginning with “CERTIFYING” in line 21 down through “STAFF” in line 22 and substitute “QUALIFYING PATIENT IS RECEIVING TREATMENT”; in line 25, after “patient” insert “, A CAREGIVER, A”

LICENSED GROWER, OR A LICENSED DISPENSARY"; and in line 32, strike "13-3311." and substitute "13-3314.".

On page 17, in line 29, strike "REGISTRATION" and substitute "APPROVAL"; in the same line, strike "WITH" and substitute "BY"; and in line 30, strike "13-3312." and substitute "13-3315.".

On page 18, in line 7, strike "13-3313." and substitute "13-3316."; after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1 of any year in which the results of the Maryland Youth Behavior Survey are published, the Natalie M. LaPrade Medical Marijuana Commission shall report to the Senate Judicial Proceedings Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Judiciary Committee, and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on any change in marijuana use by minors in Maryland.

SECTION 3. AND BE IT FURTHER ENACTED, That the Natalie M. LaPrade Medical Marijuana Commission shall study and report its recommendations, in accordance with § 2-1246 of the State Government Article, to the General Assembly on how to provide access to medical marijuana for veterans who are receiving treatment at a medical facility operating under the auspices of the United States Veterans Health Administration, the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, or any other facility in the State certified by the United States Department of Veterans Affairs Medical Center.

SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2015, the Natalie M. LaPrade Medical Marijuana Commission shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the level of competition in the market for medical marijuana and:

(1) whether the supply of medical marijuana exceeds the demand, and, if so, whether the oversupply has caused the diversion of medical marijuana to persons not authorized by law to possess it; or

(2) whether the demand exceeds the supply, and, if so, whether additional medical marijuana grower licenses are necessary to meet the demand for medical marijuana by qualifying patients and caregivers issued identification cards

under Title 13, Subtitle 33 of the Health – General Article in an affordable, accessible, secure, and efficient manner.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Natalie M. LaPrade Medical Marijuana Commission, in consultation with the Comptroller, shall study the taxation of medical marijuana and the impact that medical marijuana laws have had on banking and financial transactions in other states that have implemented medical marijuana laws.

(b) The study required under subsection (a) of this section shall include an examination of federal laws and policies related to the taxation of medical marijuana and banking and financial transactions affected by medical marijuana laws.

(c) On or before December 1, 2014, the Commission shall report its findings and recommendations to the General Assembly, in accordance with § 2–1246 of the State Government Article, regarding taxation of medical marijuana in this State and the impact of medical marijuana laws on banking and financial transactions.”;

and in line 10, strike “2.” and substitute “6.”.

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Jamie Raskin**

\_\_\_\_\_  
Chair, **Dan K. Morhaim**

\_\_\_\_\_  
**James Brochin**

\_\_\_\_\_  
**Peter A. Hammen**

\_\_\_\_\_  
**Christopher B. Shank**

\_\_\_\_\_  
**Wade Kach**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 125    Negative – 11    (See Roll Call No. 1311)

The Bill was then sent to the Senate.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**Senate Bill 1112 – Senator Robey**

AN ACT concerning

**Howard County – Alcoholic Beverages – Population Restrictions on Class A Licenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON WAYS AND MEANS REPORT #22**

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**Senate Bill 570 – Senators King, Feldman, Jones–Rodwell, Kasemeyer, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts**

**SB0570/845467/1**

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 570

(Third Reading File Bill)

On page 2, in lines 17 and 31, in each instance, strike “**\$5,000,000**” and substitute “**\$4,500,000**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#26**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

**Senate Bill 929 – Senators Hershey, Colburn, and Shank**

AN ACT concerning

**Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption**

The Bill was re-referred to the Committee on Environmental Matters.

**MESSAGE FROM THE SENATE**

**FIRST READING OF SENATE BILLS**

**Senate Bill 433 – ~~Senator Dyson~~ Senators Dyson, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**~~Public Health~~ Department of Health and Mental Hygiene – Newborn Screening Program Fund – ~~Lysosomal Storage Disorders~~ Establishment**

FOR the purpose of ~~requiring that the Department of Health and Mental Hygiene’s Newborn Screening Program include screening for certain Lysosomal Storage Disorders; and generally relating to newborn screening~~ establishing the Newborn Screening Program Fund; requiring the Secretary of Health and Mental Hygiene to administer the Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring the Secretary to pay certain fees to the Comptroller beginning on a certain date; requiring the Comptroller to distribute certain fees to the Fund; defining a certain term; and generally relating to the Newborn Screening Program Fund in the Department of Health and Mental Hygiene.

BY ~~repealing and reenacting, with amendments,~~ adding to  
Article – Health – General  
Section ~~13-111~~ 13-111(f) and 13-113  
Annotated Code of Maryland  
(2009 Replacement Volume and 2013 Supplement)



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

**Senate Bill 523 – Senators Feldman and Glassman**

AN ACT concerning

**Task Force to Study a Program for Interest-Free Loans to STEM College Students in Maryland**

FOR the purpose of establishing the Task Force to Study a Program for Interest-Free Loans to STEM College Students in Maryland; 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 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 a Program for Interest-Free Loans to STEM College Students in Maryland.

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

**Senate Bill 961 – Senator Ferguson**

AN ACT concerning

**Baltimore City Residential Retention Act**

FOR the purpose of ~~allowing a homeowner who has received the homestead property tax credit for a dwelling in Baltimore City to receive a homestead credit for a newly purchased dwelling in Baltimore City under certain circumstances; requiring that the credit for a newly purchased dwelling be calculated in a certain manner; providing that a homeowner may receive the larger of the homestead property tax credit amounts as calculated using certain methods; providing for the application and termination of this Act; and generally relating to the homestead property tax credit~~ requiring the Mayor and City Council of Baltimore City to grant, by law, a certain property tax credit against the property tax imposed on a dwelling in Baltimore City that is newly purchased by a homeowner who has received the homestead property tax credit for a dwelling in Baltimore City under certain circumstances; requiring a homeowner to submit a certain application to the Director of the Department of Finance of Baltimore City to receive the credit; requiring that the credit be applied in a certain manner; authorizing the Mayor and City Council of Baltimore City to increase the total amount of the credit under certain circumstances; providing that a certain homeowner residing within a certain census tract when filing a

certain application shall remain eligible for the increased credit amount under certain circumstances; authorizing the Director to establish certain criteria; prohibiting a homeowner from receiving the credit or a portion of the credit if the homeowner's property tax liability would be reduced in a certain manner; prohibiting a recipient of the credit from receiving certain other property tax credits; prohibiting the credit from being transferred in a certain manner; providing that a homeowner may receive a homestead property tax credit calculated in a certain manner after termination of the credit; requiring Baltimore City to allocate funds of no more than a certain amount to pay for the cost and administration of the credit; requiring the Director to review and approve applications for the credit in a certain manner; requiring the Department of Finance of Baltimore City to evaluate the efficacy of the credit and submit a report on or before a certain date; providing for the termination of this Act; defining a certain term; and generally relating to a property tax credit in Baltimore City.

~~BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9-105(a)(1), (5), (7), and (9), (b), (d)(3), and (e)(1) and (2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)~~

~~BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9-105(d)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)~~

BY adding to  
Article – Tax – Property  
Section ~~9-105(d)(7)~~ 9-304(g)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2013 Supplement)

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 1312)

### ADJOURNMENT

At 6:01 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Legislative Day April 2, 2014, Calendar Day Monday, April 7, 2014.

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**Annapolis, Maryland**  
**Legislative Day: April 2, 2014**  
**Calendar Day: Monday, April 7, 2014**

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The House met at 8:08 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jeannie Haddaway–Ricchio of Caroline, Dorchester, Talbot & Wicomico counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1313)

The Journal of April 1, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical

Del. Harper – medical

Del. S. Robinson – business

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 40	Del. Murphy	State Government – Commemorative Months – American Indian Heritage Month
HB 288	Del. O'Donnell	Transportation – Metropolitan Planning Organizations – Notice and Public Hearing
HB 341	Del. Jameson	Chesapeake Employers' Insurance Company – Board Structure
HB 595	Del. Niemann	Real Prop – Foreclosure of Residential Prop – Certified Community Dev Financial Institutions

HB 660	Del. Myers	Forests and Parks – Public Recreation on Private and State–Owned Land – Off–Highway Vehicles
HB 833	Del. McIntosh	Baltimore City – Tax–Exempt Property – Certification of Use
HB 923	Del. Zucker	Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension
HB 929	Del. Malone	Speed Monitoring Systems Reform Act of 2014
HB 973	PG/Montgomery Co. Del	Wshngtn Sbrbn Sntry Cmmssion – Cmmssn Infrcetns Watershed Rgltions PG/MC 102–14
HB 1153	Del. Jacobs	Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption
HB 1349	Del. Braveboy	Public Safety Diversity Act of 2014
HB 1458	Ch., Appropriations	Correctional Services – Charges Recommending Discipline – Investigative Period
HB 1522	Del. Reznik	Residential Child Care Programs – Statement of Need – Exception for Temporary Relocation

Read and ordered journalized.

**THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT  
#24**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Health and Government Operations:

**Senate Bill 847 – Senators Kittleman, Brinkley, and Getty**

AN ACT concerning

~~Open Meetings Act – Advance Notice of Meeting – Agenda~~

**Joint Committee on Transparency and Open Government – Study on  
Requiring Public Bodies to Provide Agendas Under the Open Meetings Act**

The Bill was re-referred to the Committee on Health and Government Operations.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 1051 – ~~Senator Kasemeyer~~ Senators Kasemeyer, McFadden,  
Colburn, DeGrange, Getty, Jones-Rodwell, King, Manno, Peters, and  
Robey**

AN ACT concerning

**Business and Economic Development – Film Production Activity Tax Credit  
Program**

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

**SB1051/533229/1**

BY: Delegate Fisher

**AMENDMENTS TO SENATE BILL 1051, AS AMENDED**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1 of the bill, in line 4, after “of” insert “altering the definition of qualified film production entity for purposes of certain provisions of law concerning income tax credits for certain film production activities;”; in line 10, strike “10-730(b)(1)” and substitute “10-730(a)(1) and (b)(1)”; and in line 15, strike “10-730(f)(1)(ii)” and substitute “10-730(a)(5), (f)(1)(ii), and (g)”.

On page 1 of the Committee on Ways and Means Amendments (SB1051/105564/1), in line 3 of Amendment No. 1, strike “and (g)”.

**AMENDMENT NO. 2**

On page 2 of the bill, after line 2, insert:

“(a) (1) In this section the following words have the meanings indicated.

(5) “Qualified film production entity” means an entity that:

(i) is carrying out a film production activity; [and]

(ii) 1. IS ORGANIZED UNDER THE LAWS OF AND DOMICILED IN THE STATE; AND

2. AGREES TO REMAIN IN COMPLIANCE WITH THE REQUIREMENT UNDER ITEM 1 OF THIS ITEM FOR A PERIOD OF AT LEAST 5 YEARS AFTER RECEIVING A TAX CREDIT UNDER THIS SECTION; AND

(iii) the Secretary determines to be eligible for the tax credit under this section in accordance with subsection (c) of this section.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 41    Negative – 91    (See Roll Call No. 1314)

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

Affirmative – 88    Negative – 47    (See Roll Call No. 1315)

The Bill was then returned to the Senate.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 1316)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (HOUSE BILLS) #75**

**House Bill 1021 – Prince George’s County Delegation**

~~EMERGENCY BILL~~

AN ACT concerning

**Prince George's County – Foreclosure – ~~Subprime Mortgages – Moratorium~~  
Report by Department of Housing and Community Development and  
Commissioner of Financial Regulation  
PG 411-14**

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

Affirmative – 134    Negative – 1    (See Roll Call No. 1317)

The Bill was then sent to the Senate.

**House Bill 1197 – Delegates Hixson, Tarrant, Howard, and Valderrama**

AN ACT concerning

**Health – Food Allergy Awareness**

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

Affirmative – 102    Negative – 33    (See Roll Call No. 1318)

The Bill was then sent to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #47**

**Senate Bill 800 – Senators Ramirez, Forehand, and Raskin**

AN ACT concerning

**Landlord and Tenant – Retaliatory Actions – ~~Conditions for Relief and~~  
Timing of Prohibited Actions**

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

Affirmative – 90    Negative – 46    (See Roll Call No. 1319)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #52**

**Senate Bill 409 – Senators Raskin and Shank**



AN ACT concerning

**Health – Food Allergy Awareness**

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

Affirmative – 99    Negative – 36    (See Roll Call No. 1320)

The Bill was then returned to the Senate.

**Senate Bill 454 – ~~Senator Robey~~ Senators Robey, Brochin, Forehand, Jacobs, Muse, Raskin, and Stone**

AN ACT concerning

**Criminal Law – Child Kidnapping and Prostitution – Penalty**

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1321)

The Bill was then returned to the Senate.

**Senate Bill 570 – Senators King, Feldman, Jones–Rodwell, Kasemeyer, Manno, Peters, and Robey**

AN ACT concerning

**Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts**

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

Affirmative – 98    Negative – 36    (See Roll Call No. 1322)

The Bill was then returned to the Senate.

**Senate Bill 940 – Senator Stone**

AN ACT concerning

**Victims of Crime – Legal Representatives of Minors and Disabled and Elderly Persons**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1323)

The Bill was then returned to the Senate.

**Senate Bill 1112 – Senator Robey**

AN ACT concerning

**Howard County – Alcoholic Beverages – Population Restrictions on Class A Licenses**

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

Affirmative – 132    Negative – 4    (See Roll Call No. 1324)

The Bill was then returned to the Senate.

**THIRD READING CALENDAR (SENATE BILLS) #53**

**Senate Bill 1070 – Senators DeGrange, Astle, Benson, Colburn, Currie, Dyson, Edwards, Forehand, Glassman, Madaleno, Manno, Mathias, Montgomery, Peters, Ramirez, Reilly, Robey, and Zirkin**

AN ACT concerning

**Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and Emergency Medical Services Members**

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

Affirmative – 136    Negative – 0    (See Roll Call No. 1325)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: SB 460      SPONSOR: Senator Raskin**

**SUBJECT: Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor**

**THIRD READING CALENDAR      HOUSE NO. 28      SENATE NO. 49**

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 (SB0460/482510/2) be rejected; and

(2) That the attached Conference Committee Amendments (SB0460/183920/1) be adopted.

**SB0460/183920/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 460  
(Third Reading File Bill)

On page 2, in line 23, after “by” insert “OR UNDER CONTRACT WITH”; and in line 27, after “teacher,” insert “COACH,”.

Senate Members:

House Members:

Chair, **Bobby A. Zirkin**

Chair, **Kathleen M. Dumais**

**James Brochin**

**Sam Arora**

**Christopher B. Shank**

**Michael J. Hough**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135    Negative – 0    (See Roll Call No. 1326)

The Bill was then returned to the Senate.

**AMENDED IN THE SENATE**

**House Bill 93 – ~~Delegate Murphy~~ Delegates Murphy and Waldstreicher**

AN ACT concerning

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

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB0093/798976/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 93

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “, not exceeding a certain amount,”; and in line 13, before “10–606,” insert “10–604,”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“10–604.

(a) A person may not:

(1) overdrive or overload an animal;

(2) deprive an animal of necessary sustenance;

(3) inflict unnecessary suffering or pain on an animal;

(4) cause, procure, or authorize an act prohibited under item (1), (2), or (3) of this subsection; or

(5) if the person has charge or custody of an animal, as owner or otherwise, unnecessarily fail to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter, or protection from the weather.

(b) (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000 or both.

(2) As a condition of sentencing, the court may order a defendant convicted of violating this section to:

(I) participate in and pay for psychological counseling; AND

(II) PAY, IN ADDITION TO ANY OTHER FINES AND COSTS, ALL REASONABLE COSTS INCURRED IN REMOVING, HOUSING, TREATING, EUTHANIZING, OR DISPOSING OF AN ANIMAL CONFISCATED FROM THE DEFENDANT, EXCEPT FOR COSTS INCURRED AFTER SURRENDER OF OWNERSHIP OF THE ANIMAL BY THE DEFENDANT UNDER § 10-615(D)(1) OF THIS SUBTITLE OR AFTER THE ANIMAL IS CONSIDERED A STRAY UNDER § 10-615(E)(1) OF THIS SUBTITLE.

(3) As a condition of probation, the court may prohibit a defendant from owning, possessing, or residing with an animal.”.

#### AMENDMENT NO. 3

On page 3, in line 8, strike “, NOT EXCEEDING \$15,000,”.

On page 4, in line 2, strike “, NOT EXCEEDING \$15,000,”.

On page 5, in line 11, strike “, NOT EXCEEDING \$15,000,”.

The preceding 3 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB 0093**

SPONSOR: Dels Murphy and Waldstreicher

SUBJECT: Criminal Law – Animal Cruelty – Payment of Costs

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 adopted.

**AMENDED IN THE SENATE**

**House Bill 1161 – Delegates Waldstreicher, Carr, Rosenberg, and Smigiel**

AN ACT concerning

**Criminal Procedure – Electronic Device Location Information – ~~Warrant~~  
Order**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB1161/298377/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1161  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “requiring” in line 13 down through “report;” in line 14 and substitute “providing that a person may not be held civilly liable for complying with this Act by providing location information.”.

AMENDMENT NO. 2

On page 8, after line 29, insert:

**“(G) A PERSON MAY NOT BE HELD CIVILLY LIABLE FOR COMPLYING WITH THIS SECTION BY PROVIDING LOCATION INFORMATION.”.**

AMENDMENT NO. 3

On page 2, in line 9, after “**(3)**” insert “**(1)**”; and after line 13, insert:

**“(II) “ELECTRONIC DEVICE” DOES NOT INCLUDE:**

**1. AN AUTOMATIC IDENTIFICATION SYSTEM INSTALLED ON A VESSEL IN ACCORDANCE WITH TITLE 33, PART 164.46 OF THE CODE OF FEDERAL REGULATIONS; OR**

**2. A VESSEL MONITORING SYSTEM (VMS) OR A VMS UNIT INSTALLED ON BOARD A VESSEL FOR VESSEL MONITORING IN ACCORDANCE WITH TITLE 50, PART 648 OF THE CODE OF FEDERAL REGULATIONS.”.**

On page 4, in line 12, strike “IDENTIFYING NUMBER OF THE ELECTRONIC DEVICE” and substitute “INDIVIDUAL”; in line 13, strike “WHICH” and substitute “WHOM”; in lines 23 and 24, strike “FOR THE DURATION OF THE ORDER”; and in lines 30 and 31, strike “TO THE EXECUTING LAW ENFORCEMENT OFFICER THE”.

On page 5, in line 11, strike “SUBSECTION (C)(3) OF THIS SECTION” and substitute “PARAGRAPH (3) OF THIS SUBSECTION”; in line 14, strike “EXECUTING LAW ENFORCEMENT OFFICER” and substitute “APPLICANT”; and in the same line, strike “CALENDAR”.

On page 7, in line 14, strike “AFFIDAVIT” and substitute “SEARCH”.

On page 8, in line 9, after “OBTAIN” insert “PRESENT”.

#### AMENDMENT NO. 4

On pages 8 and 9, strike in their entirety the lines beginning with line 30 on page 8 through line 21 on page 9, inclusive.

The preceding 4 amendments were read and not concurred in.

### MESSAGE TO THE SENATE

BILL: **HB 1161**

SPONSOR: Del Waldstreicher, et al

SUBJECT: Criminal Procedure – Electronic Device Location Information – Order

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 Waldstreicher, Chairman  
Delegate Arora, and  
Delegate Parrott.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

#### AMENDED IN THE SENATE

**House Bill 1166 – Delegates Anderson, Waldstreicher, Branch, Cardin, Carter, Clippinger, Conaway, Glenn, Gutierrez, Harper, Haynes, Holmes, Ivey, Luedtke, McIntosh, Mizeur, Oaks, Reznik, B. Robinson, Rosenberg, Simmons, Stukes, Swain, Tarrant, F. Turner, Valderrama, A. Washington, and Wilson**

AN ACT concerning

#### **Maryland Second Chance Act of 2014**

Delegate Vallario moved that the House not concur in the Senate amendments.

**HB1166/538079/1**

BY: Judicial Proceedings Committee

#### AMENDMENTS TO HOUSE BILL 1166

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 4, strike “information” and substitute “court records and police records”; in the same line, strike “a certain conviction” and substitute “certain convictions”; strike beginning with “providing” in line 9 down through “time;” in line 10; in line 10, after “that” insert a comma; in line 11, after “a” insert “certain”; in line



12, after “unit;” insert “providing that a certain conviction is eligible for shielding at a certain time;”; in the same line, after “court” insert “to”; and in line 17, strike “under certain circumstances” and substitute “for good cause; authorizing a court to grant only one shielding petition to a person over the lifetime of the person”.

On page 2, in line 18, after “victims;” insert “prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; prohibiting a person authorized to access a shielded record under this Act from disclosing any information from a shielded record to a person who is not authorized to access shielded records under this Act; prohibiting an employer from requiring a person who applies for employment to disclose certain shielded information at a certain time or discharging or refusing to hire a person solely because the person refused to disclose certain information, with a certain exception; prohibiting an educational institution from requiring a person who applies for admission to the institution to disclose certain shielded information at a certain time or expelling or refusing to admit a person solely because the person refused to disclose certain information; prohibiting a unit, an official, or an employee of the State or a political subdivision of the State from requiring a person who applies for a license, certificate, permit, registration, or government service to disclose certain shielded information at a certain time or denying a person’s application for a license, certificate, permit, registration, or government service solely because the person refused to disclose certain information, with a certain exception; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act;”; strike beginning with “clarifying” in line 20 down through “records” in line 24 and substitute “providing that a shielded record shall remain fully accessible by certain persons; establishing penalties for a violation of a certain provision of this Act”; in line 26, strike “convictions” and substitute “court records and police records”; in line 29, strike “10-303” and substitute “10-306”; and after line 37, insert:

“BY adding to

Article – General Provisions

Section 4-326

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (H.B. 270) of the Acts of the General Assembly of 2014)”.

AMENDMENT NO. 2

On page 3, after line 9, insert:

**“(B) ‘‘COURT RECORD’’ HAS THE MEANING STATED IN § 10–101 OF THIS TITLE.**

**“(C) ‘‘CRIMINAL JUSTICE UNIT’’ HAS THE MEANING STATED IN § 10–201 OF THIS TITLE.**

**“(D) ‘‘POLICE RECORD’’ HAS THE MEANING STATED IN § 10–101 OF THIS TITLE.”;**

in lines 10 and 15, strike **“(B)”** and **“(C)”**, respectively, and substitute **“(E)”** and **“(F)”**, respectively; strike beginning with **‘‘COMPLETELY’’** in line 11 down through **‘‘JUDICIARY’’** in line 14 and substitute **‘‘RENDER A COURT RECORD AND POLICE RECORD RELATING TO A CONVICTION OF A CRIME INACCESSIBLE BY MEMBERS OF THE PUBLIC’’**; in line 17, strike **‘‘§ 10–201’’** and substitute **‘‘§ 10–201(C)(2)’’**; in line 27, strike **“(6)”**; and strike in their entirety lines 29 and 30.

On page 4, in lines 1, 3, 5, 7, 9, 12, and 14, strike **“(7)”**, **“(8)”**, **“(9)”**, **“(10)”**, **“(11)”**, **“(12)”**, and **“(13)”**, respectively, and substitute **“(6)”**, **“(7)”**, **“(8)”**, **“(9)”**, **“(10)”**, **“(11)”**, and **“(12)”**, respectively; and in line 17, strike **“(D)”** and substitute **“(G)”**.

On page 5, after line 4, insert:

**“(B) A SHIELDED RECORD SHALL REMAIN FULLY ACCESSIBLE BY:**

**“(1) CRIMINAL JUSTICE UNITS FOR LEGITIMATE CRIMINAL JUSTICE PURPOSES;**

**“(2) PROSPECTIVE OR CURRENT EMPLOYERS WHO ARE SUBJECT TO A STATUTORY OR CONTRACTUAL REQUIREMENT TO INQUIRE INTO THE CRIMINAL BACKGROUND OF AN APPLICANT OR EMPLOYEE FOR PURPOSES OF CARRYING OUT THAT REQUIREMENT;**

**(3) FACILITIES THAT ARE AUTHORIZED TO INQUIRE INTO AN INDIVIDUAL’S CRIMINAL BACKGROUND UNDER § 5-561(B), (C), (D), (E), (F), OR (G) OF THE FAMILY LAW ARTICLE;**

**(4) THE PERSON WHO IS THE SUBJECT OF THE SHIELDED RECORD AND THAT PERSON’S ATTORNEY; AND**

**(5) HEALTH OCCUPATIONS BOARDS.**

**10-303.**;

in lines 5, 16, 22, and 25, strike “**(B)**”, “**(D)**”, “**(E)**”, and “**(F)**”, respectively, and substitute “**(A)**”, “**(B)**”, “**(C)**”, and “**(D)**”, respectively; in line 5, strike “**OTHERWISE**”; in the same line, after “**IN**” insert “**SUBSECTION (B) OF**”; in lines 7 and 8, strike “**A SHIELDABLE CONVICTION**” and substitute “**THE PERSON’S COURT AND POLICE RECORDS RELATING TO ALL SHIELDABLE CONVICTIONS**”; in line 9, strike “**THE CONVICTION**” and substitute “**ALL CONVICTIONS**”; strike in their entirety lines 11 through 15, inclusive; in line 17, strike “**(B) OR (C)**” and substitute “**(A)**”; and in line 30, strike “**A**” and substitute “**ALL POLICE RECORDS AND COURT RECORDS RELATING TO THE**”.

On page 6, in lines 1 and 8, strike “**(G)**” and “**(H)**”, respectively, and substitute “**(E)**” and “**(F)**”, respectively; in line 4, strike “**MAY**” and substitute “**SHALL**”; in the same line, after “**OF**” insert “**ALL POLICE RECORDS AND COURT RECORDS RELATING TO**”; after line 7, insert:

**“(4) A COURT MAY GRANT ONLY ONE SHIELDING PETITION TO A PERSON OVER THE LIFETIME OF THE PERSON.”;**

in line 11, strike “**TO THE COURT**”; and in line 12, after “**PETITION**” insert “**TO THE COURT**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 31 on page 7 through line 7 on page 8, inclusive, and substitute:

**“10-304.**

THE MARYLAND JUDICIARY CASE SEARCH MAY NOT IN ANY WAY REFER TO THE EXISTENCE OF SPECIFIC RECORDS SHIELDED IN ACCORDANCE WITH THIS SUBTITLE.

10-305.

A CONVICTION THAT HAS BEEN SHIELDED UNDER THIS SUBTITLE MAY NOT BE CONSIDERED A CONVICTION FOR PURPOSES OF § 10-105(E)(4)(II)1 OF THIS TITLE.

10-306.

(A) A PERSON AUTHORIZED TO ACCESS A SHIELDED RECORD UNDER § 10-302(B) OF THIS SUBTITLE MAY NOT DISCLOSE ANY INFORMATION FROM A SHIELDED RECORD TO A PERSON WHO IS NOT AUTHORIZED TO ACCESS SHIELDED RECORDS UNDER § 10-302(B) OF THIS SUBTITLE.

(B) (1) EXCEPT AS PROVIDED IN § 10-302(B)(2) OF THIS SUBTITLE, AN EMPLOYER MAY NOT:

(I) REQUIRE A PERSON WHO APPLIES FOR EMPLOYMENT TO DISCLOSE SHIELDED INFORMATION ABOUT CRIMINAL CHARGES IN AN APPLICATION, AN INTERVIEW, OR OTHERWISE; OR

(II) DISCHARGE OR REFUSE TO HIRE A PERSON SOLELY BECAUSE THE PERSON REFUSED TO DISCLOSE INFORMATION ABOUT CRIMINAL CHARGES THAT HAVE BEEN SHIELDED.

(2) AN EDUCATIONAL INSTITUTION MAY NOT:

(I) REQUIRE A PERSON WHO APPLIES FOR ADMISSION TO THE INSTITUTION TO DISCLOSE SHIELDED INFORMATION ABOUT CRIMINAL CHARGES IN AN APPLICATION, AN INTERVIEW, OR OTHERWISE; OR

(II) EXPEL OR REFUSE TO ADMIT A PERSON SOLELY BECAUSE THE PERSON REFUSED TO DISCLOSE INFORMATION ABOUT CRIMINAL CHARGES THAT HAVE BEEN SHIELDED.

(3) EXCEPT AS PROVIDED IN § 10-302(B)(2) OF THIS SUBTITLE, A UNIT, AN OFFICIAL, OR AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY NOT:

(I) REQUIRE A PERSON WHO APPLIES FOR A LICENSE, CERTIFICATE, PERMIT, REGISTRATION, OR GOVERNMENT SERVICE TO DISCLOSE SHIELDED INFORMATION ABOUT CRIMINAL CHARGES IN AN APPLICATION, AN INTERVIEW, OR OTHERWISE; OR

(II) DENY A PERSON'S APPLICATION FOR A LICENSE, CERTIFICATE, PERMIT, REGISTRATION, OR GOVERNMENT SERVICE SOLELY BECAUSE THE PERSON REFUSED TO DISCLOSE INFORMATION ABOUT CRIMINAL CHARGES THAT HAVE BEEN SHIELDED.

(C) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO, FOR EACH VIOLATION, A CIVIL PENALTY NOT EXCEEDING \$1,000.

Article – General Provisions

4-326.

A CUSTODIAN SHALL DENY INSPECTION OF CRIMINAL RECORDS AND POLICE RECORDS RELATING TO THE CONVICTION OF A CRIME THAT HAVE BEEN SHIELDED UNDER TITLE 10, SUBTITLE 3 OF THE CRIMINAL PROCEDURE ARTICLE.”

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 1166**

**SPONSOR: Del Anderson, et al**

**SUBJECT: Maryland Second Chance Act of 2014**

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 adopted.

### SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

#### **Senate Bill 496 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Alcoholic Beverages – Organizational Licenses**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 135    Negative – 0    (See Roll Call No. 1327)

The Bill was then returned to the Senate.

### CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 386**      SPONSOR: **Delegate Anderson**

SUBJECT: **Criminal Law – Illegal Dumping and Litter  
Control Law – Driver’s License – Penalty and Points**

THIRD READING CALENDAR      HOUSE NO. **6**      SENATE NO. **32**

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 No. 2 of the attached Judicial Proceedings Committee Amendments (HB0386/948674/1) be adopted.

(2) That Amendment Nos. 1 and 3 of the attached Judicial Proceedings Committee Amendments (HB0386/948674/1) be rejected.

(3) That the attached Conference Committee Amendment (HB0386/453428/1) be adopted.

**HB0386/948674/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 386

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Penalty and"; strike beginning with "increasing" in line 4 down through "Law;" in line 5; and in line 10, strike "certain violations" and substitute "a violation".

AMENDMENT NO. 2

On page 2, in line 16, strike "3 YEARS" and substitute "1 year".

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 through 8, inclusive; in lines 9, 10, 11, 13, 15, 16, 17, 18, 19, 21, 22, 23, and 25, strike "(13)", "(14)", "(15)", "(16)", "(17)", "(18)", "(19)", "(20)", "(21)", "(22)", "(23)", "(24)", and "(25)", respectively, and substitute "(11)", "(12)", "(13)", "(15)", "(16)", "(17)", "(18)", "(19)", "(20)", "(21)", "(22)", "(23)", and "(24)", respectively; after line 12, insert:

"(14) USE OF A MOTOR VEHICLE IN VIOLATION OF THE ILLEGAL DUMPING AND LITTER CONTROL LAW UNDER § 10-110 OF THE CRIMINAL LAW ARTICLE.....4 POINTS";

and strike in their entirety lines 27 through 29, inclusive.

On page 5, in lines 1, 5, 8, 10, 12, 14, 16, 18, 20, 22, 24, 27, 28, and 30, strike “(27)”, “(28)”, “(29)”, “(30)”, “(31)”, “(32)”, “(33)”, “(34)”, “(35)”, “(36)”, “(37)”, “(38)”, “(39)”, and “(40)”, respectively, and substitute “(25)”, “(26)”, “(27)”, “(28)”, “(29)”, “(30)”, “(31)”, “(32)”, “(33)”, “(34)”, “(35)”, “(36)”, “(37)”, and “(38)”, respectively.

On page 6, in line 3, strike “(41)”, and substitute “(39)”; in line 19, after “article,” insert “OR § 10-110”; and in line 25, after “under” insert “§ 10-110 OR”.

**HB0386/453428/1**

BY: Conference Committee

AMENDMENT TO HOUSE BILL 386

(Third Reading File Bill)

On page 1, in line 3, strike “Penalty and”; and strike beginning with “increasing” in line 4 down through “Law,” in line 5.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Jill P. Carter**

**C. Anthony Muse**

**Luke Clippinger**

**Christopher B. Shank**

**Susan K. McComas**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 111    Negative – 25    (See Roll Call No. 1328)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

BILL NO.: **HB 907**      SPONSOR: **Delegate Olszewski**

SUBJECT: **Video Lottery Facility Payouts – Intercepts for**



**Child Support Payments**

THIRD READING CALENDAR      HOUSE NO. 62      SENATE NO. 23

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 Senate Budget and Taxation Committee Amendments (SB0907/469830/1) be adopted.

(2) That the attached Conference Committee Amendments (HB0907/403125/1) be adopted.

**HB0907/469830/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 907

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “the” in line 3 down through “date;” in line 9 and substitute “certain video lottery operation licensees to provide certain notices to certain obligors who win certain prizes and who owe child support; requiring certain video lottery operation licensees to make certain payments, withhold certain amounts, and transfer certain amounts under certain circumstances; authorizing certain obligors to appeal certain proposed transfers; requiring the Child Support Enforcement Administration to notify the video lottery operation licensee on the distribution of certain prizes; prohibiting a video lottery operation licensee from being held liable for certain acts or omissions; requiring certain video lottery operation licensees to comply with a certain provision of law; defining certain terms;”;

after line 10, insert:

“BY repealing and reenacting, with amendments,Article – Family LawSection 10–113.1Annotated Code of Maryland(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–24(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

and in line 13, strike “9–1A–02.1” and substitute “9–1A–24(h)”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Family Law

10–113.1.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.**

**(3) “VIDEO LOTTERY OPERATION LICENSEE” HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.**

**[(a)] (B) The Administration may certify to the State Lottery and Gaming Control Agency the name of any obligor who is in arrears in the amount of \$150 or more if:**

**(1) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or**

**(2) the recipient of support payments has filed an application for support enforcement services with the Administration.**

**[(b)] (C) The certification shall contain:**

(1) the full name of the obligor, and any other names known to be used by the obligor;

(2) the Social Security number of the obligor; and

(3) the amount of the arrearage.

**[(c)] (D)** If an obligor who has been certified as an obligor wins a lottery prize to be paid by check directly by the State Lottery and Gaming Control Agency, the State Lottery and Gaming Control Agency shall send a notice to the obligor that:

(1) the obligor has won a prize to be paid by check directly by the State Lottery and Gaming Control Agency;

(2) the State Lottery and Gaming Control Agency has received certification from the Child Support Enforcement Administration of the obligor's child support arrearage in the amount specified;

(3) subsection **[(d)] (F)** of this section requires the State Lottery and Gaming Control Agency to withhold the prize to pay it towards the obligor's support arrearage;

(4) the State Lottery and Gaming Control Agency proposes to transfer the prize, or that part of it which is equal to the support arrearage, to the Administration if no appeal is filed within 15 days;

(5) the obligor may appeal to the Administration if the obligor disputes the existence or the amount of the arrearage;

(6) if the obligor appeals to the Administration, the prize will be distributed as the Administration directs; and

(7) if no appeal is filed within 15 days, the prize, or that part of it equal to the support arrearage, will be transferred to the Administration.

**(E) IF AN OBLIGOR WHO OWES CHILD SUPPORT AND HAS BEEN CERTIFIED AS AN OBLIGOR WINS A PRIZE AT A VIDEO LOTTERY FACILITY REQUIRING THE ISSUANCE OF INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT FORM BY A VIDEO LOTTERY OPERATION**

LICENSEE, THE VIDEO LOTTERY OPERATION LICENSEE SHALL PROVIDE A NOTICE TO THE OBLIGOR THAT:

(1) THE OBLIGOR HAS WON A PRIZE TO BE PAID BY CASH OR CHECK DIRECTLY BY THE VIDEO LOTTERY OPERATION LICENSEE;

(2) THE STATE LOTTERY AND GAMING CONTROL AGENCY HAS RECEIVED CERTIFICATION FROM THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION OF THE OBLIGOR'S CHILD SUPPORT ARREARAGE IN THE AMOUNT SPECIFIED;

(3) SUBSECTION (F) OF THIS SECTION REQUIRES THE VIDEO LOTTERY OPERATION LICENSEE TO WITHHOLD THE PRIZE TO PAY IT TOWARDS THE OBLIGOR'S CHILD SUPPORT ARREARAGE;

(4) THE VIDEO LOTTERY OPERATION LICENSEE PROPOSES TO TRANSFER THE PRIZE, OR THAT PART OF IT WHICH IS EQUAL TO THE CHILD SUPPORT ARREARAGE, TO THE ADMINISTRATION IF NO APPEAL IS FILED WITHIN 15 DAYS;

(5) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE OBLIGOR DISPUTES THE EXISTENCE OR THE AMOUNT OF THE CHILD SUPPORT ARREARAGE;

(6) IF THE OBLIGOR APPEALS TO THE ADMINISTRATION, THE PRIZE WILL BE DISTRIBUTED AS THE ADMINISTRATION DIRECTS; AND

(7) IF NO APPEAL IS FILED WITHIN 15 DAYS, THE PRIZE, OR THAT PART OF IT EQUAL TO THE CHILD SUPPORT ARREARAGE, WILL BE TRANSFERRED TO THE ADMINISTRATION.

[(d)] (F) If the prize exceeds the arrearage, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall immediately pay the excess to the obligor. The State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall withhold any part of the prize that does not

exceed the arrearage until notified by the Administration to whom the withheld prize money shall be paid.

**[(e)] (G)** Upon receipt of a notice from the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE any obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer within 15 days of the date of the notice to the Administration.

**[(f)] (H)** If no appeal is filed within 15 days, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall transfer the amount of the prize withheld to the Administration.

**[(g)] (I)** The Administration shall notify the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE that upon appeal, the withheld prize shall be:

- (1) paid to the obligor;
- (2) transferred to the Administration; or
- (3) partly paid to the obligor and partly transferred to the Administration, in the amounts specified.

**[(h)] (I)** The State Lottery and Gaming Control Agency shall honor lottery prize interception requests in the following order:

- (1) an interception request under this section;
- (2) an interception request under § 11–618 of the Criminal Procedure Article; and
- (3) an interception request under § 3–307 of the State Finance and Procurement Article.

**[(i)] (K)** The Secretary of Human Resources and the Director of the State Lottery and Gaming Control Agency may jointly adopt regulations to implement this section.

**(L) A VIDEO LOTTERY OPERATION LICENSEE MAY NOT BE HELD LIABLE FOR AN ACT OR OMISSION TAKEN IN GOOD FAITH TO COMPLY SUBSTANTIALLY WITH THE REQUIREMENTS OF THIS SECTION.**”;

and strike in their entirety lines 19 through 22, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 24 on page 4 through line 17 on page 5, inclusive, and substitute:

“9-1A-24.

(a) Except as provided in subsection (b) of this section, the Commission shall ensure that a video lottery operation licensee complies with the requirements of this section as a condition of holding the video lottery operation license.

**(H) A VIDEO LOTTERY OPERATION LICENSEE SHALL COMPLY WITH § 10-113.1 OF THE FAMILY LAW ARTICLE.**”.

On page 5, in line 18, strike “3.” and substitute “2.”; and in line 19, strike “June” and substitute “October”.

**HB0907/403125/1**

BY: Conference Committee

**AMENDMENTS TO HOUSE BILL 907, AS AMENDED**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 1 of the Budget and Taxation Committee Amendments (HB0907/469830/1), in Amendment No. 1, strike beginning with “requiring” in line 9 down through “law;” in line 10; in the same line, after “terms;” insert “providing for the application of this Act;”; strike beginning with “BY” in line 17 down through “Supplement)” in line 21; and in line 22, strike “9-1A-24(h)”.

On page 2 of the bill, strike in their entirety lines 11 through 15, inclusive; and strike line 18 in its entirety.

**AMENDMENT NO. 2**

On pages 6 and 7 of the Budget and Taxation Committee Amendments, in Amendment No. 2, strike in their entirety the lines beginning with line 19 on page 6 through line 2 on page 7, inclusive.

AMENDMENT NO. 3

On page 5 of the bill, in line 18, after "That" insert ", this Act does not apply to a prize won at a video lottery facility on or before June 1, 2015.

SECTION 3. AND BE IT FURTHER ENACTED, That".

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Nancy J. King**

\_\_\_\_\_  
Chair, **Eric G. Luedtke**

\_\_\_\_\_  
**James E. DeGrange, Sr.**

\_\_\_\_\_  
**LeRoy E. Myers, Jr.**

\_\_\_\_\_  
**Richard S. Madaleno, Jr.**

\_\_\_\_\_  
**Jay Walker**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134    Negative – 1    (See Roll Call No. 1329)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: HB 274      SPONSOR: Delegate Lafferty**

**SUBJECT: Forclsre Sales of Resid Prop – Statute of Lims  
for Crtn Specialties & Motion for Crtn Defcncy Judgts**

**THIRD READING CALENDAR      HOUSE NO. 60      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 Judicial Proceedings Committee Amendments (HB0274/178779/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0274/393021/1) be adopted.

### **HB0274/393021/1**

BY: Conference Committee

### AMENDMENTS TO HOUSE BILL 274

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike “Foreclosure Sales of”; in line 8, strike “party that files a certain”; in line 9, strike “file” and substitute “be filed”; in line 10, after “procedures;” insert “providing that the filing of a certain motion shall constitute the sole post-ratification remedy available to a certain party under certain circumstances;”; in line 11, strike “sections” and substitute “provisions”; in lines 11 and 12, strike “for a deficiency judgment” and substitute “to collect the unpaid balance due on”; in line 13, strike “accrues” and substitute “arises”; and in line 18, strike “in connection with foreclosure sales of” and substitute “with regard to”.

#### AMENDMENT NO. 2

On page 3, in line 4, strike “**BY A MORTGAGOR**”; in line 27, strike “**SECURED PARTY OR PARTY IN INTEREST THAT FILES A**”; in line 28, strike “**MUST FILE WITHIN 2**” and substitute “**SHALL BE FILED WITHIN 3**”; in line 29, strike the first “**OF**” and substitute “**AFTER**”; and after line 31, insert:

**“(F) THE FILING OF A MOTION FOR DEFICIENCY JUDGMENT IN ACCORDANCE WITH THIS SECTION AND THE MARYLAND RULES SHALL CONSTITUTE THE SOLE POST-RATIFICATION REMEDY AVAILABLE TO A SECURED PARTY OR PARTY IN INTEREST FOR BREACH OF A COVENANT CONTAINED IN A DEED OF TRUST, MORTGAGE, OR PROMISSORY NOTE THAT SECURES OR IS SECURED BY OWNER-OCCUPIED RESIDENTIAL PROPERTY.”**

#### AMENDMENT NO. 3

On page 4, in line 5, after “That” insert “, except as provided in Section 4 of this Act.”; in line 6, strike “is filed” and substitute “arises”; strike beginning with “for” in line 7 down through “filed” in line 10; in lines 11 and 12, strike “for a deficiency”.



judgment” and substitute “to collect the unpaid balance due”; in line 13, strike “by a mortgagor”; strike beginning with “order” in line 14 down through “accrues” in line 15 and substitute “property was transferred with the unpaid balance that arises”; in line 16, strike “Section” and substitute “§”; in line 18, strike “2016” and substitute “2017”; in line 19, after “That” insert “, except as provided in Section 6 of this Act.”; and in line 31, strike “2016” and substitute “2017”.

Senate Members:

House Members:

Chair,

**Jamie Raskin**

Chair,

**Doyle L. Niemann****C. Anthony Muse****Wayne Norman****Nancy Jacobs****Pamela Beidle**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 102    Negative – 33    (See Roll Call No. 1330)

The Bill was then sent to the Senate.

### CONCURRENCE CALENDAR #16

#### AMENDED IN THE SENATE

House Bill 43 – ~~Delegate Simmons~~ Delegates Simmons, Cardin, Frick, Afzali, Arora, Barkley, Cullison, DeBoy, Dwyer, Frush, George, Glenn, Gutierrez, Healey, Kaiser, A. Kelly, Lafferty, McComas, McDonough, Murphy, Niemann, Olszewski, Pena-Melnyk, Reznik, Rudolph, Sophocleus, Stocksdales, Stukes, F. Turner, Weir, McDermott, Arentz, Aumann, Boteler, Cluster, Eckardt, Elliott, Frank, K. Kelly, Krebs, Otto, Parrott, Smigiel, Swain, Valentino-Smith, and Vitale

AN ACT concerning

#### Criminal Law – Harassment – Revenge Porn

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0043/423220/1**

BY: Senator Jennings

AMENDMENTS TO HOUSE BILL 43, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, in line 17, after “**PROCEEDINGS;**” insert “**OR**”; in line 19, strike “**;** **OR**”; and in line 20, strike “**IMAGES CONCERNING MATTERS OF PUBLIC IMPORTANCE**”.

AMENDMENT NO. 2

On page 1 of the Judicial Proceedings Committee Amendments (HB0043/598674/1), in line 2 of Amendment No. 2, strike “**(III)**”.

The preceding 2 amendments were read and concurred in.

**HB0043/598674/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 43

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances” insert “; providing that a certain interactive computer service is not liable under this Act for content provided by another person”.

AMENDMENT NO. 2

On page 2, in line 15, after “**(B)**” insert “**(1)**”; in lines 16, 18, and 20, strike “**(1)**”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and after line 20, insert:

**“(2) AN INTERACTIVE COMPUTER SERVICE, AS DEFINED IN 47 U.S.C. § 230(F)(2), IS NOT LIABLE UNDER THIS SECTION FOR CONTENT PROVIDED BY ANOTHER PERSON.”**

AMENDMENT NO. 3

On page 2, in line 27, strike “AN IDENTIFIABLE” and substitute “A”; and in line 29, after “PERSON” insert “THAT REVEALS THE IDENTITY OF THE OTHER PERSON”.

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 – 136    Negative – 0    (See Roll Call No. 1331)

### AMENDED IN THE SENATE

**House Bill 79 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

#### **Courts – Juveniles – Expungement of Records**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0079/378977/1**

BY:    Judicial Proceedings Committee

#### AMENDMENT TO HOUSE BILL 79

(Third Reading File Bill)

On page 3, in line 12, strike “A” and substitute “:

**(I)    A”;**

and in line 13, after the semicolon insert “OR

**(II)    A VIOLATION OF § 3-308 OF THE CRIMINAL LAW ARTICLE;”.**

The preceding amendment was read and concurred in.

**HB0079/173523/1**

BY: Senator Kittleman

AMENDMENT TO HOUSE BILL 79, AS AMENDED

In line 3 of the Judicial Proceedings Committee Amendment (HB0079/378977/1), strike “OR”; and in line 5, after “ARTICLE;” insert “OR

**(III) A FELONY;**.

The preceding amendment was read and concurred in.

**HB0079/603628/2**

BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 79

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “on” insert “certain victims, certain family members of certain victims, and”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

**“(4) “VICTIM” MEANS A PERSON AGAINST WHOM A DELINQUENT ACT HAS BEEN COMMITTED OR ATTEMPTED.”;**

and in line 20, strike “THE” and substitute “:

**(I) ALL LISTED VICTIMS IN THE CASE IN WHICH THE PERSON IS SEEKING EXPUNGEMENT AT THE ADDRESS LISTED IN THE COURT FILE;**

**(II) ALL FAMILY MEMBERS OF A VICTIM LISTED IN ITEM (I) OF THIS PARAGRAPH WHO ARE LISTED IN THE COURT FILE AS HAVING ATTENDED THE ADJUDICATION FOR THE CASE IN WHICH THE PERSON IS SEEKING EXPUNGEMENT; AND**

**(III) THE**.

The preceding 2 amendments were read and concurred in.

**HB0079/603628/3**

BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 79

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “authorizing certain persons to file an objection to a petition for expungement;”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

**“(4) “VICTIM” MEANS A PERSON AGAINST WHOM A DELINQUENT ACT HAS BEEN COMMITTED OR ATTEMPTED.”**

On page 3, in line 30, after “**(I)**” insert “**1. THE FOLLOWING PERSONS MAY FILE AN OBJECTION TO A PETITION UNDER THIS SECTION:**

**A. A LISTED VICTIM IN THE CASE IN WHICH THE PERSON IS SEEKING EXPUNGEMENT;**

**B. A FAMILY MEMBER OF A VICTIM LISTED IN ITEM A OF THIS SUBSUBPARAGRAPH WHO IS LISTED IN THE COURT FILE AS HAVING ATTENDED THE ADJUDICATION FOR THE CASE IN WHICH THE PERSON IS SEEKING EXPUNGEMENT; AND**

**C. THE STATE’S ATTORNEY.**

**2.**”;

and in line 31, strike “**THE STATE’S ATTORNEY**” and substitute “**A PERSON LISTED IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH**”.

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 – 92    Negative – 45    (See Roll Call No. 1332)

### AMENDED IN THE SENATE

#### House Bill 83 – Delegate Simmons

AN ACT concerning

#### Maryland Trust Act

Delegate Vallario moved that the House concur in the Senate amendments.

#### HB0083/748477/1

BY:    Judicial Proceedings Committee

#### AMENDMENTS TO HOUSE BILL 83 (Third Reading File Bill)

#### AMENDMENT NO. 1

On page 3, after line 26, insert:

#### “Preamble

WHEREAS, Trusts serve many useful purposes and have a long history in the Anglo–American legal system; and

WHEREAS, Codification of Maryland’s trust laws will benefit both the public and practitioners; and

WHEREAS, The fact that a beneficiary cannot compel distribution from a discretionary trust has justified not counting the trust assets in determining the beneficiary’s eligibility for need–based programs such as Medicaid, and not subjecting them to the estate tax when the beneficiary dies; and

WHEREAS, These advantages, and the fact that Maryland trusts may have perpetual existence and no limits on size, make it reasonable to expect the popularity of discretionary trusts to increase substantially, as well as their impact on public revenues and expenses; and

WHEREAS, By contrast, a beneficiary who is not also a trustee of a discretionary trust has few rights and little recourse to address abuses of power by a trustee; and

WHEREAS, A trust with no enforceable rights for a beneficiary is a trust in name only; and

WHEREAS, The Judiciary must be able to intervene aggressively to protect all trust beneficiaries; now, therefore.”.

#### AMENDMENT NO. 2

On page 22, in line 16, strike “**THAT**” and substitute “:

**(1) THAT”;**

and in line 17, after “**CONTINGENT**” insert “:**OR**

**(2) IN A CAPACITY OTHER THAN THAT OF A TRUSTEE, HOLDS A POWER OF APPOINTMENT OVER TRUST PROPERTY”.**

#### AMENDMENT NO. 3

On page 28 in line 13, and on page 37 in line 9, in each instance, after “**LAWFUL**” insert “,**NOT CONTRARY TO PUBLIC POLICY,**”.

On page 39, in line 14, after “**UNLAWFUL**” insert “,**CONTRARY TO PUBLIC POLICY,**”.

#### AMENDMENT NO. 4

On page 28, after line 25, insert:

**“(10) THE DUTY UNDER § 14.5–813(A) AND (B) OF THIS TITLE TO:**

(I) NOTIFY QUALIFIED BENEFICIARIES OF AN IRREVOCABLE TRUST WHO HAVE ATTAINED 25 YEARS OF AGE OF THE EXISTENCE OF THE TRUST, THE IDENTITY OF THE TRUSTEE, AND THEIR RIGHT TO REQUEST TRUSTEE’S REPORTS AND A COPY OF THE TRUST; AND

(II) RESPOND TO THE REQUEST OF A QUALIFIED BENEFICIARY OF AN IRREVOCABLE TRUST FOR REPORTS BY THE TRUSTEE AND OTHER INFORMATION REASONABLY RELATED TO THE ADMINISTRATION OF THE TRUST;”;

and in lines 26 and 28, strike “(10)” and “(11)”, respectively, and substitute “(11)” and “(12)”, respectively.

On page 29, in line 3, strike “(12)” and substitute “(13)”.

#### AMENDMENT NO. 5

On page 29, in line 10, strike “RESERVED.”; and after line 10, insert:

“(A) WITHOUT PRECLUDING OTHER MEANS FOR ESTABLISHING A SUFFICIENT CONNECTION WITH THE DESIGNATED JURISDICTION, TERMS OF A TRUST DESIGNATING THE PRINCIPAL PLACE OF ADMINISTRATION ARE VALID AND CONTROLLING IF:

(1) THE PRINCIPAL PLACE OF BUSINESS OF A TRUSTEE IS LOCATED IN OR A TRUSTEE IS A RESIDENT OF THE DESIGNATED JURISDICTION;  
OR

(2) ALL OR PART OF THE ADMINISTRATION OF THE TRUST OCCURS IN THE DESIGNATED JURISDICTION.

(B) A TRUSTEE IS UNDER A CONTINUING DUTY TO ADMINISTER THE TRUST AT A PLACE APPROPRIATE TO ITS PURPOSES, ITS ADMINISTRATION, AND THE INTERESTS OF THE BENEFICIARY.

(C) WITHOUT PRECLUDING THE RIGHT OF THE COURT TO ORDER, APPROVE, OR DISAPPROVE A TRANSFER, THE TRUSTEE, IN FURTHERANCE OF THE DUTY UNDER SUBSECTION (B) OF THIS SECTION, MAY TRANSFER THE



PRINCIPAL PLACE OF ADMINISTRATION OF THE TRUST TO ANOTHER STATE OR A JURISDICTION OUTSIDE THE UNITED STATES.

(D) (1) THE TRUSTEE SHALL NOTIFY THE QUALIFIED BENEFICIARIES OF A PROPOSED TRANSFER OF A TRUST'S PRINCIPAL PLACE OF ADMINISTRATION NOT LESS THAN 60 DAYS BEFORE INITIATING THE TRANSFER.

(2) THE NOTICE OF PROPOSED TRANSFER UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST INCLUDE:

(I) THE NAME OF THE JURISDICTION TO WHICH THE PRINCIPAL PLACE OF ADMINISTRATION IS TO BE TRANSFERRED;

(II) THE ADDRESS AND TELEPHONE NUMBER AT THE NEW LOCATION AT WHICH THE TRUSTEE CAN BE CONTACTED;

(III) AN EXPLANATION OF THE REASONS FOR THE PROPOSED TRANSFER;

(IV) THE DATE ON WHICH THE PROPOSED TRANSFER IS ANTICIPATED TO OCCUR; AND

(V) THE DATE, NOT LESS THAN 60 DAYS AFTER THE GIVING OF THE NOTICE, BY WHICH THE QUALIFIED BENEFICIARY MUST NOTIFY THE TRUSTEE OF AN OBJECTION TO THE PROPOSED TRANSFER.

(E) THE AUTHORITY OF A TRUSTEE UNDER THIS SECTION TO TRANSFER A TRUST'S PRINCIPAL PLACE OF ADMINISTRATION TERMINATES IF A QUALIFIED BENEFICIARY NOTIFIES THE TRUSTEE OF AN OBJECTION TO THE PROPOSED TRANSFER ON OR BEFORE THE DATE SPECIFIED IN THE NOTICE.”.

AMENDMENT NO. 6

On page 31, in line 26, strike “THE” and substitute “ON THE INVOCATION OF THE COURT'S JURISDICTION BY AN INTERESTED PERSON, ON THE COURT'S OWN MOTION, OR AS OTHERWISE PROVIDED BY LAW, THE”; in the same line, after “INTERVENE” insert “ACTIVELY”; in the same line, after “TRUST” insert “,

FASHIONING AND IMPLEMENTING REMEDIES AS THE PUBLIC INTEREST AND THE INTERESTS OF THE BENEFICIARIES MAY REQUIRE.”; and strike in their entirety lines 27 and 28.

AMENDMENT NO. 7

On page 32, in line 26, strike “ONLY”.

AMENDMENT NO. 8

On page 39, in lines 22 and 26, in each instance, after “OF” insert “THE TRUSTEE AND”.

AMENDMENT NO. 9

On page 49, in line 26, strike “OR”; and in line 28, after “PROVIDES” insert “; OR”.

(4) A VICTIM OF AN INTENTIONAL TORT OF THE BENEFICIARY WHO HAS A JUDGMENT OR COURT ORDER AGAINST THE BENEFICIARY FOR DAMAGES”.

On page 50, in line 1, strike “ONLY”; in lines 2 and 3, strike “AS THEY BECOME DUE”; in lines 4 and 5, strike beginning with “THE” in line 4 down through “CONSIDERING” in line 5 and substitute “IN FASHIONING AN AWARD OF RELIEF AS IS APPROPRIATE UNDER THE CIRCUMSTANCES, THE COURT MAY CONSIDER,”; in line 9, strike “OR”; and strike in their entirety lines 10 through 13, inclusive, and substitute:

“(III) THE DAMAGES OF A VICTIM OF AN INTENTIONAL TORT OF A BENEFICIARY; OR

(IV) WITH RESPECT TO A BENEFICIARY WHO IS THE RECIPIENT OF PUBLIC BENEFITS, A PETITION FILED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(D) (1) (I) NOTWITHSTANDING ANY CONTRARY PROVISION OF THE TRUST INSTRUMENT, IF A STATUTE OR REGULATION OF THE STATE OR THE UNITED STATES REQUIRES A BENEFICIARY TO REIMBURSE THE STATE OR ANY AGENCY OR INSTRUMENTALITY OF THE STATE FOR PUBLIC ASSISTANCE,

INCLUDING MEDICAL ASSISTANCE, FURNISHED OR TO BE FURNISHED TO THE BENEFICIARY, THE ATTORNEY GENERAL OR AN ATTORNEY ACTING ON BEHALF OF THE AGENCY RESPONSIBLE FOR THE PROGRAM MAY FILE A PETITION IN THE CIRCUIT COURT HAVING JURISDICTION OVER THE TRUST TO REQUEST REIMBURSEMENT.

(II) A PETITION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE FILED BEFORE OBTAINING A JUDGMENT.

(III) THE BENEFICIARY AND THE GUARDIAN OF THE BENEFICIARY'S PROPERTY SHALL BE A PARTY TO A PROCEEDING UNDER THIS PARAGRAPH.

(2) FOLLOWING ITS REVIEW OF A PETITION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT MAY:

(I) ORDER THE TRUSTEE TO SATISFY ALL OR PART OF THE LIABILITY THROUGH ALL OR PART OF THE AMOUNTS TO WHICH THE BENEFICIARY IS ENTITLED, WHETHER PRESENTLY OR IN THE FUTURE, TO THE EXTENT THE BENEFICIARY HAS THE RIGHT UNDER THE TRUST TO COMPEL THE TRUSTEE TO PAY INCOME OR PRINCIPAL TO OR FOR THE BENEFIT OF THE BENEFICIARY; OR

(II) REGARDLESS OF WHETHER THE BENEFICIARY HAS THE RIGHT TO COMPEL THE TRUSTEE TO PAY INCOME OR PRINCIPAL TO OR FOR THE BENEFIT OF THE BENEFICIARY, ORDER THE TRUSTEE TO SATISFY ALL OR PART OF THE LIABILITY THROUGH ALL OR PART OF ANY FUTURE PAYMENT THAT THE TRUSTEE ELECTS TO MAKE TO OR FOR THE BENEFIT OF THE BENEFICIARY IN THE EXERCISE OF DISCRETION UNDER THE TRUST.”.

AMENDMENT NO. 10

On page 55, in line 4, strike “(1)”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 11

On page 86, in line 26, strike “THE” and substitute “:

**(1) THE**”;

and in line 28, after “TRUST” insert “; OR

**(2) THE RIGHT OF A TITLE INSURANCE PRODUCER OR TITLE INSURER TO OBTAIN A COPY OF THE TRUST INSTRUMENT FOR THE SOLE PURPOSE OF DETERMINING WHETHER THE SETTLOR’S INTEREST IN REAL PROPERTY MAY BE SUBJECT TO CREDITORS’ CLAIMS, WHEN THE TRUSTEE IS SELLING, ENCUMBERING, OR DISPOSING OF THE REAL PROPERTY AND TITLE INSURANCE HAS BEEN REQUESTED FOR THE TRANSACTION.”.**

The preceding 11 amendments were read and concurred in.

**HB0083/823428/1**

BY: Senator Brinkley

**AMENDMENT TO HOUSE BILL 83, AS AMENDED**

In the Judicial Proceedings Committee Amendments (HB0083/748477/1), strike Amendment No. 9 in its entirety.

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 – 137    Negative – 0    (See Roll Call No. 1333)

**AMENDED IN THE SENATE**

**House Bill 397 – Delegates Simmons, Dumais, Carter, Anderson, Arora, Conaway, Glass, K. Kelly, McComas, McDermott, Rosenberg, Smigiel, Valderrama, Valentino-Smith, Vallario, Vitale, ~~and Waldstreicher~~ Waldstreicher, and Costa**

AN ACT concerning

**Peace Orders and Protective Orders – Consent Orders – Shielding**

Delegate Vallario moved that the House concur in the Senate amendments.

HB0397/558078/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 397

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “requiring” and substitute “authorizing”; and strike beginning with “authorizing” in line 18 down through “cause” in line 20 and substitute “requiring the court to balance certain considerations in determining whether to shield court records relating to a peace order or protective order proceeding”.

AMENDMENT NO. 2

On page 5 in line 11, on page 6 in line 22, on page 11 in line 11, and on page 12 in line 22, in each instance, strike “SUBPARAGRAPHS (V) AND” and substitute “SUBPARAGRAPH”.

On page 5 in line 12, on page 6 in line 23, on page 11 in line 12, and on page 12 in line 23, in each instance, after “PARAGRAPH” insert “AND SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH”.

On page 5 in line 12, on page 6 in line 23, on page 11 in line 12, and on page 12 in line 23, in each instance, strike “SHALL” and substitute “MAY”.

On page 6, strike beginning with “1.” in line 1 down through “2.” in line 4.

On page 7, strike beginning with “1.” in line 15 down through “2.” in line 18.

On page 12, strike beginning with “1.” in line 1 down through “2.” in line 4.

On page 13, strike beginning with “1.” in line 13 down through “2.” in line 16.

On page 6 in lines 4 and 5, on page 7 in lines 18 and 19, on page 12 in lines 4 and 5, and on page 13 in lines 16 and 17, in each instance, strike “THERE IS GOOD CAUSE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH” and substitute “COURT RECORDS SHOULD BE SHIELDED UNDER THIS PARAGRAPH”.

AMENDMENT NO. 3

On page 5 in lines 28 and 29, on page 7 in lines 10 and 11, on page 11 in lines 27 and 28, and on page 13 in lines 9 and 10, in each instance, strike “IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT”.

On page 5 in line 32 and on page 7 in line 14, in each instance, strike “AGAINST THE PETITIONER”.

On page 11 in line 30 and on page 13 in line 12, in each instance, strike “THE PETITIONER” and substitute “AN INDIVIDUAL”.

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 – 102    Negative – 34    (See Roll Call No. 1334)

#### AMENDED IN THE SENATE

**House Bill 695 – Delegates McComas, Clippinger, Cluster, Dumais, Dwyer, Elliott, Glass, K. Kelly, Krebs, McDermott, Sophocleus, Stocksdales, Swain, Valentino-Smith, and Wood**

AN ACT concerning

**Crimes – Obstructing Justice – Tampering With or Fabricating Physical Evidence**

Delegate Vallario moved that the House concur in the Senate amendments.

**HB0695/578177/2**

BY:    Judicial Proceedings Committee

#### AMENDMENTS TO HOUSE BILL 695

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 8, after “evidence” insert “with the intent to deceive in order to impair the verity of the physical evidence”.

#### AMENDMENT NO. 2

On page 2, in line 15, after “EVIDENCE” insert “IN ORDER TO IMPAIR THE VERITY OF THE PHYSICAL EVIDENCE”; in line 16, after “INTENT” insert “TO DECEIVE AND”; and in line 20, after “FABRICATED” insert “WITH THE INTENT TO DECEIVE IN ORDER TO IMPAIR THE VERITY OF THE PHYSICAL EVIDENCE”.

AMENDMENT NO. 3

On page 2, in line 19, strike “OR SHOULD KNOW”.

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 – 137    Negative – 0    (See Roll Call No. 1335)

**AMENDED IN THE SENATE**

**House Bill 863 – Delegates McIntosh, Anderson, Branch, Carter, Clippinger, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, and Cardin**

AN ACT concerning

**Property Tax – Exemption – ~~Baltimore Green Space~~ Community-Managed Open Space**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB0863/429031/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 863

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “exempting” and substitute “authorizing the Mayor and City Council of Baltimore City or the governing body of a county or a municipal corporation to exempt”; in line 5, strike “certain”; strike beginning with the comma in line 5 down through “agreement” in line 6; in line 6, after “from” insert “the county or municipal corporation”; and in line 13, strike “7-245” and substitute “7-518”.

On page 2, in line 1, strike “7-245” and substitute “7-518”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 30, inclusive, and substitute:

**“(B) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY EXEMPT PROPERTY OWNED BY A COMMUNITY OPEN SPACE MANAGEMENT ENTITY FROM THE COUNTY OR MUNICIPAL PROPERTY TAX.”**

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 – 138    Negative – 0    (See Roll Call No. 1336)

**AMENDED IN THE SENATE**

**House Bill 920 – Delegates McIntosh, Clippinger, Anderson, Branch, Carter, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, and Cardin**

AN ACT concerning

**Baltimore City Residential Retention Act**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB0920/749334/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 920

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “allowing” and substitute “requiring the Mayor and City Council of Baltimore City to grant, by law, a certain property tax credit against the property tax imposed on a dwelling in Baltimore City that is newly purchased by”;



strike beginning with “to” in line 4 down through “City” in line 5; strike beginning with “providing” in line 9 down through “tax;” in line 10; in line 11, strike “an” and substitute “a certain”; in the same line, strike “State Department of Assessments and Taxation” and substitute “Director of the Department of Finance of Baltimore City”; in line 12, strike “in a certain manner and within a certain timeframe”; in line 13, strike “calculated” and substitute “applied”; in the same line, after “manner;” insert “authorizing the Mayor and City Council of Baltimore City to increase the total amount of the credit under certain circumstances; providing that a certain homeowner residing within a certain census tract when filing a certain application shall remain eligible for the increased credit amount under certain circumstances; authorizing the Director to establish certain criteria;”; in line 20, strike “the cost” and substitute “for the cost and administration”; and in the same line, strike “Department” and substitute “Director”.

On pages 1 and 2, strike beginning with “requiring” in line 21 on page 1 down through “date;” in line 4 on page 2.

On page 2, in line 5, after “Department” insert “of Finance of Baltimore City”; in the same line, strike “and Baltimore City to jointly” and substitute “to”; in line 7, strike “effective dates, application, and”; in line 8, strike “the homestead property tax credit” and substitute “a property tax credit in Baltimore City”; strike in their entirety lines 9 through 18, inclusive; and in line 21, strike “9-105(o)” and substitute “9-304(g)”.

#### AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 27 on page 2 through line 30 on page 5, inclusive, and substitute:

“9-304.”

**(G) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(II) “DIRECTOR” MEANS THE DIRECTOR OF THE DEPARTMENT OF FINANCE OF BALTIMORE CITY.**

**(III) “DWELLING” HAS THE MEANING INDICATED IN § 9-105 OF THIS TITLE.**

**(IV) “HOMEOWNER” HAS THE MEANING INDICATED IN § 9–105 OF THIS TITLE.**

**(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SUBSECTION AGAINST THE COUNTY PROPERTY TAX IMPOSED ON A DWELLING LOCATED IN BALTIMORE CITY THAT IS NEWLY PURCHASED BY A HOMEOWNER WHO HAS RECEIVED A CREDIT UNDER § 9–105 OF THIS TITLE FOR THE PRECEDING 5 YEARS FOR A DWELLING LOCATED IN BALTIMORE CITY.”.**

On page 5, in line 31, strike “**(4)**” and substitute “**(3)**”; and in line 33, strike “**DEPARTMENT**” and substitute “**DIRECTOR**”.

On page 6, in line 2, strike “**DEPARTMENT**” and substitute “**DIRECTOR**”; strike beginning with “**FILED**” in line 4 down through “**DWELLING**” in line 5 and substitute “**ACCORDING TO PROCEDURES ESTABLISHED BY THE DIRECTOR**”; strike in their entirety lines 6 through 10, inclusive; in line 11, strike “**(5)**” and substitute “**(4)**”; strike beginning with the colon in line 11 down through “**DWELLING**” in line 20 and substitute “**A FIXED AMOUNT OF \$4,000 TO BE APPLIED TO THE HOMEOWNER’S PROPERTY TAX BILL OVER A PERIOD OF 5 YEARS AS FOLLOWS**”; in lines 21, 22, 23, 24, and 25, strike “**100%**”, “**80%**”, “**60%**”, “**40%**”, and “**20%**”, respectively, and substitute “**\$1,000**”, “**\$900**”, “**\$800**”, “**\$700**”, and “**\$600**”, respectively; after line 25, insert:

**“(II) 1. THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY MAY INCREASE THE TOTAL AMOUNT PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BY UP TO AN ADDITIONAL \$1,000 FOR A HOMEOWNER WHO PURCHASES A DWELLING LOCATED WITHIN A LOW OR MODERATE INCOME CENSUS TRACT, AS DESIGNATED FROM TIME TO TIME BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND IN WHICH AT LEAST 51% OF THE PERSONS LIVING IN THE TRACT ARE IN HOUSEHOLDS EARNING 80% OR LESS OF THE AREA MEDIAN INCOME.**

**2. A HOMEOWNER RESIDING WITHIN A LOW OR MODERATE INCOME CENSUS TRACT AS DESCRIBED UNDER SUBSUBPARAGRAPH**

1 OF THIS SUBPARAGRAPH WHEN THE HOMEOWNER SUBMITS AN APPLICATION UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL REMAIN ELIGIBLE FOR THE INCREASED CREDIT UNDER THIS SUBPARAGRAPH EVEN IF THE CENSUS TRACT CHANGES FOLLOWING THE DATE OF APPLICATION AND THE HOMEOWNER WOULD OTHERWISE BE INELIGIBLE FOR THE INCREASED CREDIT DURING THE 5-YEAR PERIOD.

3. THE DIRECTOR MAY ESTABLISH ADDITIONAL CRITERIA NECESSARY TO CARRY OUT THIS SUBPARAGRAPH.”;

and in line 26, strike “(6)” and substitute “(5)”.

On page 7, strike beginning with “FROM” in line 1 down through “DERIVED” in line 2; in lines 3, 9, 15, and 24, strike “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively; in line 5, strike beginning with “CREDIT” through “SECTION” and substitute “LOCAL PORTION OF THE CREDIT UNDER § 9-105 OF THIS TITLE”; strike beginning with “CREDIT” in line 16 down through “SECTION” in line 17 and substitute “LOCAL PORTION OF THE CREDIT UNDER § 9-105 OF THIS TITLE”; in line 19, strike “SUBSECTION (E) OF THIS SECTION” and substitute “§ 9-105 OF THIS TITLE”; in line 23, strike beginning with the comma through “AMOUNT”; in line 26, after “PAY” insert “:

1.”;

in line 27, strike “APPLICANTS APPROVED” and substitute “APPROVED APPLICANTS”; in line 28, after “CREDIT” insert “;AND”

2. THE COST OF ADMINISTERING THE CREDIT BY THE DEPARTMENT OF FINANCE OF BALTIMORE CITY”;

and strike beginning with “DEPARTMENT” in line 29 down through the comma in line 30 and substitute “DIRECTOR SHALL”.

On page 8, strike in their entirety lines 3 through 21, inclusive and substitute:

“(10) THE”;

in line 22, strike “, **THE DEPARTMENT**”; strike in their entirety lines 24 through 32, inclusive; strike beginning with “State” in line 33 down through “City” in line 34; in line 34, after “Finance” insert “of Baltimore City”; and in the same line, strike “jointly”.

On page 8 in line 33 and on page 9 in line 15, strike “3.” and “5.”, respectively, and substitute “2.” and “3.”, respectively.

On page 9, strike beginning with “Act” in line 1 down through “evaluation” in line 2 and substitute “Act”; in line 2, strike “their” and substitute “its”; in line 3, strike “2019” and “2021”, respectively, and substitute “2018” and “2020”, respectively; in line 5, after “Delegation.” insert “the”; in the same line, after “Senators.” insert “the”; strike in their entirety lines 12 through 14, inclusive; strike beginning with “That.” in line 15 down through “Act.” in line 16 and substitute “That”; and in line 17, strike “11” and “2025”, respectively, and substitute “10” and “2024”, respectively.

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 – 138    Negative – 0    (See Roll Call No. 1337)

### AMENDED IN THE SENATE

**House Bill 1406 – ~~Delegate Kipke~~ Delegates Kipke and Afzali**

AN ACT concerning

#### **Election Law – Signed Voting Authority Cards – Maintenance**

Delegate Hixson moved that the House concur in the Senate amendments.

**HB1406/854537/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 1406

(Third Reading File Bill)

On page 2, in line 3, strike “**48 MONTHS**” and substitute “**3 YEARS**”.

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 – 136    Negative – 0    (See Roll Call No. 1338)

**CONCURRENCE CALENDAR #17**

**AMENDED IN THE SENATE**

**House Bill 344 – Charles County Delegation**

AN ACT concerning

**Charles County – Sunday Car ~~Sales~~ – Sales Blue Law Exemption – Enabling Authority**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0344/618178/1**

BY:    Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 344

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Commissioners” insert “, after a public hearing,”.

AMENDMENT NO. 2

On page 2, in line 27, after “COMMISSIONERS” insert “, AFTER A PUBLIC HEARING,”.

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 – 133    Negative – 5    (See Roll Call No. 1339)

**AMENDED IN THE SENATE**

**House Bill 951 – Delegates McHale, Barkley, Barnes, Braveboy, Burns, Carr, Clagett, Frick, Glenn, Hucker, A. Kelly, K. Kelly, Love, Luedtke, Mizeur, Niemann, Olszewski, S. Robinson, Rosenberg, V. Turner, Vaughn, and Zucker**

AN ACT concerning

**~~Procurement~~ – Department of Labor, Licensing, and Regulation – Workgroup  
on Public Works Contractor Occupational Safety and Health  
Prequalification Requirements**

Delegate Davis moved that the House concur in the Senate amendments.

**HB0951/557979/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 951

(Third Reading File Bill)

On page 3, in line 7, strike the second “and”; and in line 8, after “Citizen” insert  
“.

(7) the American Society of Safety Engineers; and

(8) the Alliance for Construction Excellence”.

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 – 136    Negative – 0    (See Roll Call No. 1340)

**AMENDED IN THE SENATE**

**House Bill 1079 – Calvert County Delegation**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Refillable Container Permit**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1079/624731/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1079

(Third Reading File Bill)

On page 1, in line 9, strike “; requiring a certain applicant to” and substitute “and”.

On page 3, strike beginning with “\$1” in line 6 down through “PRIVILEGE” in line 8 and substitute “:

**A. \$500 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE DOES NOT HAVE AN OFF-SALE PRIVILEGE; OR**

**B. \$50 FOR AN APPLICANT WHOSE ALCOHOLIC BEVERAGES LICENSE HAS AN OFF-SALE PRIVILEGE”.**

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 – 132    Negative – 1    (See Roll Call No. 1341)

**AMENDED IN THE SENATE**

**House Bill 1159 – Delegates Vitale, Eckardt, Haddaway-Riccio, Hogan, ~~and O'Donnell~~ O'Donnell, Aumann, Barkley, Braveboy, Burns, Clagett, Davis, Glenn, Hucker, Impallaria, Jameson, Love, McHale, Minnick, W. Miller, Mitchell, Olszewski, Rudolph, Schuh, Schulz, Stifler, and Vaughn**

AN ACT concerning

**Cigarettes – County Retail License Holder – Prohibited Sales**

Delegate Davis moved that the House concur in the Senate amendments.

**HB1159/977471/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1159

(Third Reading File Bill)

On page 1, in line 10, strike “Bureau” and substitute “Division”.On page 2, in line 22, strike “BUREAU” and substitute “DIVISION”.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 – 136    Negative – 0    (See Roll Call No. 1342)

**AMENDED IN THE SENATE****House Bill 118 – Delegate Luedtke**

AN ACT concerning

~~Greenhouse Gas Emissions Reductions – Progress Report – Ocean~~  
**Acidification****Task Force to Study the Impact of Ocean Acidification on State Waters**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0118/333326/1**

BY: Senator Ferguson

AMENDMENT TO HOUSE BILL 118

(Third Reading File Bill)

On page 3, after line 8, insert:

“(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;”;

and in lines 9, 10, and 11, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

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 – 104    Negative – 32    (See Roll Call No. 1343)

### **THE COMMITTEE ON JUDICIARY REPORT #18**

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

#### **House Bill 262 – Delegates Beitzel, Jacobs, and Weir**

AN ACT concerning

#### **Bow Hunting – Possession of Handguns for Protection**

**HB0262/442114/1**

BY: House Judiciary Committee

#### AMENDMENT TO HOUSE BILL 262

(First Reading File Bill)

On page 1, in the sponsor line, strike “Jacobs, and Weir” and substitute “Glass, Jacobs, Weir, K. Kelly, McDonough, and Smigiel”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 231 – Senators Edwards, Astle, Brinkley, Glassman, Jennings, Robey, and Shank**

AN ACT concerning

**Bow Hunting – Possession of Handguns for Protection**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**AMENDED IN THE SENATE**

**House Bill 1314 – Delegate Hucker**

AN ACT concerning

**Maryland Wage Payment and Collection Law – Awards of Certain Fees and Costs and Prohibition Against Retaliation**

Delegate Davis moved that the House not concur in the Senate amendments.

**HB1314/427775/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1314

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after the semicolon insert “prohibiting the court from awarding certain counsel fees and other costs under certain circumstances;”; and in line 12, after “Act;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 3, after line 9, insert:

**“(C) NOTWITHSTANDING SUBSECTION (B)(1) OF THIS SECTION, IF, IN AN ACTION UNDER THIS SECTION, AN EMPLOYER SHOWS TO THE SATISFACTION OF THE COURT THAT THE WAGE WAS WITHHELD AS A RESULT OF A BONA FIDE DISPUTE, THE COURT MAY NOT AWARD THE EMPLOYEE REASONABLE COUNSEL FEES AND OTHER COSTS.”;**

after line 19, insert:

**“(B) THIS SECTION DOES NOT APPLY TO AN EMPLOYEE THAT IS EXEMPT UNDER SUBTITLE 4 OF THIS TITLE OR UNDER THE FEDERAL FAIR LABOR STANDARDS ACT, 29 U.S.C. 201.”;**

and in line 20, strike **“(B)”** and substitute **“(C)”**.

The preceding 2 amendments were read and not concurred in.

**MESSAGE TO THE SENATE**

**BILL: HB 1314**  
**SPONSOR: Del Hucker**  
**SUBJECT: Md Wage Pymt and Collection Law – Awards of Certain Fees and Costs and Prohib Agst Retaliation**

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 adopted.

**CONCURRENCE CALENDAR #18**

**AMENDED IN THE SENATE**

**House Bill 1238 – Delegates Costa ~~and Hammen~~, Hammen, Pendergrass, Bromwell, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**Developmental Disabilities Administration – Payment of Providers**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1238/637378/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1238

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “stakeholders;” insert “requiring the Administration to complete the study on or before a certain date;”; in line 11, after “regulations;” insert “requiring that, beginning in a certain fiscal year, a certain survey be submitted in a certain format, meet a certain objective, and include certain information and a certain attestation; requiring a community provider to make certain information available to the Department of Health and Mental Hygiene under certain circumstances; prohibiting a certain percentage of certain expenses of a community provider spent on certain salaries, wages, and fringe benefits for a fiscal year from being less than a certain percentage of certain expenses of a community provider spent on certain salaries, wages, and fringe benefits for a certain fiscal year; requiring the Department of Health and Mental Hygiene to provide to a community provider certain written notice of certain determinations under certain circumstances; requiring a community provider to have a certain number of days after receiving notice of a certain determination to take certain action; requiring the Department of Health and Mental Hygiene to recoup certain funds through a certain process from a community provider under certain circumstances; authorizing the Department of Health and Mental Hygiene to contract with an independent consultant to implement certain provisions of this Act;”; in line 12, strike “a”; in the same line, strike “report” and substitute “reports”; and in line 16, after “frame;” insert “making certain provisions of this Act contingent on the passage of another Act; providing for the termination of certain provisions of this Act under certain circumstances;”.

On page 2, in line 5, after “7–306.2” insert “and 7–306.3”.

AMENDMENT NO. 2

On page 6, after line 23, insert:

“(B) THE ADMINISTRATION, ON OR BEFORE SEPTEMBER 30, 2017, SHALL COMPLETE THE STUDY REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.”;

in line 24, strike “(B)” and substitute “(C)”; after line 25, insert:

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

Article – Health – General

7-306.3.

(A) (1) BEGINNING IN FISCAL 2014, THE WAGE SURVEY REQUIRED UNDER § 7-306.1 OF THIS SUBTITLE SHALL BE SUBMITTED BY A COMMUNITY PROVIDER IN A FORMAT THAT:

(i) MEETS THE REQUIREMENTS OF THIS SUBSECTION; AND

(ii) IS APPROVED BY THE DEPARTMENT.

(2) THE WAGE SURVEY SHALL:

(i) ALLOW THE DEPARTMENT TO ACCURATELY ASSESS THE LEVEL OF WAGES AND BENEFITS PAID BY A COMMUNITY PROVIDER TO DIRECT SUPPORT EMPLOYEES WHO PROVIDE SERVICES FUNDED BY THE ADMINISTRATION;

(ii) AT A MINIMUM, INCLUDE:

1. THE STARTING WAGE AND THE AVERAGE WAGE PAID BY THE COMMUNITY PROVIDER TO DIRECT SUPPORT EMPLOYEES;

2. THE EXPENDITURES MADE ANNUALLY BY THE COMMUNITY PROVIDER FOR DIRECT SUPPORT EMPLOYEE WAGES;

3. THE COSTS AND EXPENDITURES FOR MANDATORY AND VOLUNTARY FRINGE BENEFITS; AND

4. THE AVERAGE TENURE AND TURNOVER OF DIRECT SUPPORT EMPLOYEES; AND

(III) INCLUDE AN ATTESTATION BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT THAT THE DATA IN THE WAGE SURVEY IS ACCURATE.

(3) AT THE REQUEST OF THE DEPARTMENT, A COMMUNITY PROVIDER SHALL MAKE AVAILABLE TO THE DEPARTMENT INDIVIDUALIZED PAYROLL INFORMATION FOR EACH DIRECT SUPPORT EMPLOYEE OF THE COMMUNITY PROVIDER.

(B) (1) THIS SUBSECTION APPLIES IN FISCAL 2015 AND EACH FISCAL YEAR THEREAFTER BEFORE THE EARLIER OF:

(I) THE IMPLEMENTATION OF THE PAYMENT SYSTEM REQUIRED UNDER § 7-306.2 OF THIS SUBTITLE; OR

(II) THE END OF FISCAL YEAR 2019.

(2) THE PERCENTAGE OF A COMMUNITY PROVIDER'S TOTAL REPORTED OPERATING EXPENSES, EXCLUDING INTEREST ON CAPITAL AND OTHER CAPITAL EXPENSES, THAT IS SPENT ON DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS FOR A FISCAL YEAR, AS REPORTED TO THE DEPARTMENT BY THE PROVIDER IN ITS FISCAL YEAR COST REPORT DATA FORM, MAY NOT BE LESS THAN THE PERCENTAGE OF THE COMMUNITY PROVIDER'S TOTAL REPORTED OPERATING EXPENSES SPENT ON DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS FOR FISCAL YEAR 2014.

(3) IF THE DEPARTMENT DETERMINES THAT THE PROPORTION OF A COMMUNITY PROVIDER'S EXPENSES FOR DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS FOR A FISCAL YEAR FALLS BELOW

THE LEVEL REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL NOTIFY THE COMMUNITY PROVIDER OF THE DETERMINATION IN WRITING.

(4) A COMMUNITY PROVIDER SHALL HAVE 45 DAYS AFTER RECEIVING NOTICE OF THE DETERMINATION UNDER PARAGRAPH (3) OF THIS SUBSECTION TO:

(i) CONTEST THE DETERMINATION;

(ii) PROVIDE INFORMATION TO THE DEPARTMENT DEMONSTRATING MITIGATING CIRCUMSTANCES JUSTIFYING THE COMMUNITY PROVIDER'S NONCOMPLIANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, WHICH MAY INCLUDE PROOF THAT THE AVERAGE WAGE PAID TO DIRECT SUPPORT EMPLOYEES BY THE COMMUNITY PROVIDER INCREASED IN PROPORTION TO THE RATE INCREASE TO THE COMMUNITY PROVIDER FOR THE FISCAL YEAR; OR

(iii) SUBMIT A PLAN OF CORRECTION TO THE DEPARTMENT.

(5) THE DEPARTMENT SHALL NOTIFY A COMMUNITY PROVIDER IN WRITING OF ITS FINAL DETERMINATION AFTER AFFORDING THE COMMUNITY PROVIDER THE OPPORTUNITY TO CONTEST THE DETERMINATION, DEMONSTRATE MITIGATING CIRCUMSTANCES, OR SUBMIT A PLAN OF CORRECTION UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(6) (i) THE DEPARTMENT SHALL RECOUP FUNDS FROM A COMMUNITY PROVIDER THAT HAVE NOT BEEN EXPENDED AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION THROUGH A RECONCILIATION PROCESS IF:

1. A COMMUNITY PROVIDER FAILS TO RESPOND TO A DETERMINATION OF THE DEPARTMENT WITHIN THE TIME PROVIDED UNDER PARAGRAPH (4) OF THIS SUBSECTION;

**2. THE DEPARTMENT DOES NOT FIND MITIGATING CIRCUMSTANCES; OR**

**3. THE DEPARTMENT DOES NOT ACCEPT A PLAN OF CORRECTION SUBMITTED BY THE COMMUNITY PROVIDER.**

**(II) THE AMOUNT OF FUNDS RECOUPED BY THE DEPARTMENT UNDER THIS PARAGRAPH SHALL BE THE DIFFERENCE BETWEEN THE ACTUAL FUNDS SPENT BY THE COMMUNITY PROVIDER ON DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS DURING THE FISCAL YEAR AT ISSUE AND THE AMOUNT OF FUNDS THAT THE COMMUNITY PROVIDER WAS REQUIRED TO SPEND ON DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

**(7) THE DEPARTMENT MAY CONTRACT WITH AN INDEPENDENT CONSULTANT TO IMPLEMENT THIS SUBSECTION.**

**(C) (1) ON OR BEFORE DECEMBER 1, 2015, THE DEPARTMENT SHALL SUBMIT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE A REPORT SUMMARIZING THE RANGE OF TOTAL FUNDING SPENT BY COMMUNITY PROVIDERS ON DIRECT SUPPORT EMPLOYEE SALARIES, WAGES, AND FRINGE BENEFITS AS A PERCENTAGE OF TOTAL REPORTED OPERATING EXPENSES, EXCLUDING INTEREST ON CAPITAL AND OTHER EXPENSES, FOR FISCAL YEAR 2014.**

**(2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE AN ANALYSIS OF DATA TO EXPLAIN ANY SIGNIFICANT OUTLIERS IN SPENDING PATTERNS AMONG COMMUNITY PROVIDERS.”;**

and in line 26, strike “3.” and substitute “4.”.

On page 7, in lines 4 and 11, strike “4.” and “5.”, respectively, and substitute “5.” and “8.”, respectively; after line 10, insert:



“SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2014, contingent on the taking effect of Chapter \_\_\_\_ (H.B. 295) of the Acts of the General Assembly of 2014, and if Chapter \_\_\_\_ (H.B. 295) does not become effective, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act becomes effective, Section 3 of this Act shall be abrogated and of no further force and effect on the effective date of the regulations adopted by the Developmental Disabilities Administration as required by § 7-306.2 of the Health – General Article, as enacted by Section 2 of this Act. The Secretary of Health and Mental Hygiene, within 5 days after the effective date of the regulations, shall provide written notice of the effective date of the regulations to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.”;

in line 12, strike “4” and substitute “5”; and in the same line, after “Act,” insert “and subject to Section 6 of this Act.”.

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 – 135    Negative – 0    (See Roll Call No. 1344)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1345)

### **ADJOURNMENT**

At 9:12 P.M. on motion of Delegate Barve the House adjourned until 9:45 P.M. on Legislative Day April 3, 2014, Calendar Day Monday, April 7, 2014.

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**Annapolis, Maryland**  
**Legislative Day: April 3, 2014**  
**Calendar Day: Monday, April 7, 2014**

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The House met at 9:54 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 1346)

The Journal of April 2, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical

Del. Harper – medical

Del. Lee – left briefly – business

Del. McDonough – personal

**YEAS AND NAYS**

**HOUSE BILLS PASSED IN THE SENATE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 510	Ch., Ways and Means	Sustainable Communities Tax Credit Program – Extension and Alteration
HB 668	Ch. Hlth & Govt Ops	Income Tax Credit – Health Enterprise Zones – Modifications
HB 1015	Del. Arora	Drunk Driving – Transporting a Minor – Ignition Interlock System Program

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1347)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #54**

**Senate Bill 231 – Senators Edwards, Astle, Brinkley, Glassman, Jennings, Robey, and Shank**

AN ACT concerning

**Bow Hunting – Possession of Handguns for Protection**

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

Affirmative – 120    Negative – 9    (See Roll Call No. 1348)

The Bill was then returned to the Senate.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 290 – Senators Brochin, Getty, ~~and Jennings~~ Jennings, and Zirkin**

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 133    Negative – 0    (See Roll Call No. 1349)

The Bill was then returned to the Senate.

## CONFERENCE COMMITTEE REPORT

BILL NO.: SB 401 SPONSOR: Senator Young

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

THIRD READING CALENDAR HOUSE NO. 26 SENATE NO. 25

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 Environmental Matters Committee Amendments (SB0401/480318/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0401/633525/1) be adopted.

**SB0401/480318/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 401

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Balcony” insert “Railing”; in line 4 and in lines 6 and 7, in each instance, strike “a political subdivision” and substitute “certain political subdivisions”; in line 4, strike “conduct” and substitute “require”; in line 7, after the first “to” insert “conduct the inspections,”; in the same line, strike “periodic”; in the same line, after “inspections” insert “, or require a certain professional inspector employed by the owner of a multifamily dwelling to conduct and certify the inspections in a certain manner; requiring certain political subdivisions to provide a certain notice to the owner of a multifamily dwelling”; in line 10, after “inspection;” insert “prohibiting a unit from being inspected under certain circumstances; prohibiting Baltimore City from issuing or renewing a certain multiple-family dwelling license unless the applicant demonstrates that a professional inspector has completed a certain inspection; requiring Baltimore City to notify the holder of a multiple-family dwelling license of a certain inspection requirement at a certain time;”; strike beginning with “providing” in line 11 down through “term” in line 13 and substitute

“defining certain terms; requiring a political subdivision to require a certain inspection under this Act of certain multifamily or multiple-family dwellings on or before a certain date; providing that this Act does not require a political subdivision to inspect a certain balcony railing more than once within a certain period of time, with a certain exception; providing for the application of this Act”; and in line 14, strike “balconies in multifamily dwellings” and substitute “certain balcony railings”.

AMENDMENT NO. 2

On page 2, in line 6, after “(3)” insert “(I)”; in the same line, strike “BUILDING” and substitute “PROPERTY”; in lines 8, 9, 10, 11, 12, 13, 14, and 15, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, “7.”, and “8.”, respectively; and after line 15, insert:

“(II) MULTIFAMILY DWELLING DOES NOT INCLUDE:

1. A CONDOMINIUM, AS DEFINED IN § 11-101 OF THE REAL PROPERTY ARTICLE; OR

2. A COOPERATIVE HOUSING CORPORATION, AS DEFINED IN § 5-6B-01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(4) “PROFESSIONAL INSPECTOR” MEANS:

(I) A PROFESSIONAL ENGINEER LICENSED UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE AND EXPERIENCED IN THE PRACTICE OF STRUCTURAL ENGINEERING;

(II) AN ARCHITECT LICENSED UNDER TITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE AND KNOWLEDGEABLE IN THE DESIGN, CONSTRUCTION, AND INSPECTION OF BUILDINGS; OR

(III) FOR PURPOSES OF THE INSPECTION OF A MULTIFAMILY DWELLING CONTAINING MORE THAN 10 DWELLING UNITS, A QUALIFIED PERSON WITH AT LEAST 5 YEARS OF EXPERIENCE IN MULTIFAMILY DWELLING OPERATIONS, UPKEEP, AND MAINTENANCE.”

On page 3, strike in their entirety lines 16 through 18, inclusive, and substitute:

“(3) (I) THIS PARAGRAPH DOES NOT APPLY IN BALTIMORE CITY.”;

in line 19, strike “CONDUCT” and substitute “REQUIRE”; in line 20, after “OF” insert “AT LEAST 10% OF THE UNITS IN”; in line 22, strike “5” and substitute “10”; in line 23, after “YEARS” insert “, BEGINNING NO LATER THAN 10 YEARS AFTER THE BALCONY IS CONSTRUCTED,”; in the same line, strike “EACH BALCONY MEETS” and substitute “THE BALCONY RAILINGS MEET”; in line 25, after “MAY” insert “:”

1. CONDUCT INSPECTIONS REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH;

2.;

in line 26, after “INSPECTIONS” insert “REQUIRED”; in line 27, after “PARAGRAPH” insert “ON BEHALF OF THE POLITICAL SUBDIVISION; OR”

3. REQUIRE AN INSPECTION REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH TO BE CONDUCTED AND CERTIFIED TO THE POLITICAL SUBDIVISION BY A PROFESSIONAL INSPECTOR EMPLOYED BY THE OWNER OF THE MULTIFAMILY DWELLING”;

after line 27, insert:

“(IV) A CERTIFICATION MADE BY A PROFESSIONAL INSPECTOR UNDER SUBPARAGRAPH (III)3 OF THIS PARAGRAPH SHALL:

1. BE MADE IN THE FORM REQUIRED BY THE APPLICABLE POLITICAL SUBDIVISION; AND

2. INCLUDE:

A. A STATEMENT THAT THE BALCONY RAILINGS HAVE BEEN INSPECTED;

- B. THE NAME OF THE OWNER OF THE MULTIFAMILY DWELLING;**
- C. THE ADDRESS OF THE MULTIFAMILY DWELLING;**
- D. THE NAME OF THE INSPECTOR;**
- E. THE DATE THE MULTIFAMILY DWELLING WAS INSPECTED;**
- F. THE RESULTS OF THE INSPECTION; AND**
- G. ANY OTHER INFORMATION REQUIRED BY THE POLITICAL SUBDIVISION.**

**(v) A POLITICAL SUBDIVISION SHALL:**

**1. PROVIDE NOTICE TO THE OWNER OF A MULTIFAMILY DWELLING AT LEAST 10 DAYS BEFORE ANY INSPECTION OF THE DWELLING CONDUCTED UNDER SUBPARAGRAPH (III)1 OR 2 OF THIS PARAGRAPH; OR**

**2. A. NOTIFY THE OWNER OF A MULTIFAMILY DWELLING OF THE NEED TO HAVE A PROFESSIONAL INSPECTOR COMPLETE AN INSPECTION UNDER SUBPARAGRAPH (III)3 OF THIS PARAGRAPH; AND**

**B. ALLOW THE OWNER OF THE MULTIFAMILY DWELLING A REASONABLE PERIOD OF TIME TO HAVE THE INSPECTION COMPLETED.”;**

in line 28, strike “(IV)” and substitute “(VI)”; in line 29, strike “5” and substitute “10”; and after line 31, insert:

**“(VII) A UNIT MAY NOT BE INSPECTED UNDER THIS PARAGRAPH IF THE TENANT OR LAWFUL OCCUPANT LEASING THE UNIT DENIES THE INSPECTOR ACCESS TO THE UNIT.**

(4) (I) IN THIS PARAGRAPH, “MULTIPLE-FAMILY DWELLING” HAS THE MEANING STATED IN ARTICLE 13, § 5-1 OF THE BALTIMORE CITY CODE.

(II) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

(III) BALTIMORE CITY MAY NOT ISSUE OR RENEW A MULTIPLE-FAMILY DWELLING LICENSE UNLESS THE APPLICANT DEMONSTRATES THAT A PROFESSIONAL INSPECTOR HAS COMPLETED AN INSPECTION OF THE MULTIPLE-FAMILY DWELLING TO ENSURE THAT EACH BALCONY RAILING IN THE MULTIPLE-FAMILY DWELLING MEETS THE REQUIREMENTS OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY.

(IV) BEGINNING IN OCTOBER 2015, AND EVERY 5 YEARS THEREAFTER, AT THE TIME THAT BALTIMORE CITY SENDS A RENEWAL NOTICE TO A HOLDER OF A MULTIPLE-FAMILY DWELLING LICENSE, BALTIMORE CITY SHALL NOTIFY THE LICENSE HOLDER OF THE INSPECTION REQUIREMENT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH.”.

On page 4, in line 1, strike “(4)” and substitute “(5)”; and in line 5, after “(3)” insert “OR (4)”.

### AMENDMENT NO. 3

On page 5, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, a political subdivision shall require an inspection, in accordance with the requirements of this Act, of each multifamily or multiple-family dwelling in the political subdivision in which a unit in the multifamily or multiple-family dwelling has a balcony railing that is at least 10 years old.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act does not require a political subdivision, other than Baltimore City, to inspect a balcony railing inspected before the effective date of this Act more than once within a 10-year period.



SECTION 4. AND BE IT FURTHER ENACTED, That this Act does not require a political subdivision that conducts balcony railing inspections before the effective date of this Act to alter its method of conducting inspections, but any change to balcony railing inspection methods made on or after October 1, 2014, must comply with this Act.”;

and in line 6, strike “2.” and substitute “5”.

**SB0401/633525/1**

BY: Conference Committee

AMENDMENT TO SENATE BILL 401, AS AMENDED

On page 1 of the Environmental Matters Committee Amendments (SB0401/480318/1), in line 6 of Amendment No. 1, strike “employed” and substitute “hired”; and in line 9, strike “prohibiting a unit from being inspected under certain circumstances”.

On page 3 of the Environmental Matters Committee Amendments, in line 2 of Amendment No. 2, strike “AT LEAST 10% OF THE UNITS IN”; in the same line, strike “10” and substitute “5”; and in line 13, strike “EMPLOYED” and substitute “HIRED”.

On page 5 of the Environmental Matters Committee Amendments, in line 4 of Amendment No. 2, strike “10” and substitute “5”; and strike beginning with “(VII)” in line 6 down through “UNIT.” in line 8.

On page 6 of the Environmental Matters Committee Amendments, in line 9 of Amendment No. 3, strike “10-year” and substitute “5-year”.

Senate Members:

House Members:

Chair, **Ronald N. Young**

Chair, **Dana Stein**

**Joanne C. Benson**

**Marvin E. Holmes, Jr.**

**Bill Ferguson**

**David Fraser-Hidalgo**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 98    Negative – 35    (See Roll Call No. 1350)

The Bill was then returned to the Senate.

### CONCURRENCE CALENDAR #19

#### AMENDED IN THE SENATE

**House Bill 1317 – Delegates Rosenberg, Bohanan, and A. Miller**

AN ACT concerning

#### **Higher Education – Maryland Technology Internship Program**

Delegate Conway moved that the House concur in the Senate amendments.

**HB1317/174333/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO HOUSE BILL 1317

(Third Reading File Bill)

On page 1, in line 5, strike the comma.

On page 2, in line 15, strike the comma.

On page 4, in lines 5, 11, and 17, in each instance, after “A” insert “PUBLIC OR PRIVATE”; and in line 27, strike “2-YEAR OR 4-YEAR” and substitute “PUBLIC OR PRIVATE NONPROFIT”.

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 – 134    Negative – 0    (See Roll Call No. 1351)

**AMENDED IN THE SENATE**

**House Bill 1476 – Delegate Jones**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore County –  
The Emmart–Pierpoint Safe House**

Delegate Conway moved that the House concur in the Senate amendments.

**HB1476/429037/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1476  
(Third Reading File Bill)

On page 2, in line 3, after “of” insert “HISTORICAL”.

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 – 111    Negative – 23    (See Roll Call No. 1352)

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: SB 348      SPONSOR: Senator Manno**

**SUBJECT: Texting While Driving – Accidents Resulting in  
Death or Serious Injury – Penalties**

**THIRD READING CALENDAR      HOUSE NO. 27      SENATE NO. 60**

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 (SB0348/632018/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0348/293028/1) be adopted.

**SB0348/293028/1**

BY: Conference Committee

AMENDMENTS TO SENATE BILL 348

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Texting” and substitute “Use of Text Messaging Device or Handheld Telephone”; strike beginning with “altering” in line 4 down through “circumstances;” in line 7; in line 9, after “device” insert “or a handheld telephone”; in the same line, after the second “that” insert “directly”; in line 17, after “Act;” insert “providing that a sentence imposed under this Act shall be separate from and concurrent with a sentence for a certain other crime;”; in line 19, strike “prohibition” and substitute “prohibitions”; and in the same line, after “device” insert “and a handheld telephone”.

AMENDMENT NO. 2

On page 1, in line 22, after “16–402(a)(39)” insert “, 21–1124.3.”

On page 2, in line 1, strike “with” and substitute “without”; and in line 3, after “21–1124.1” insert “and 21–1124.2”.

AMENDMENT NO. 3

On page 2, in line 14, strike “§ 21–1124.1(B)(2)” and substitute “§ 21–1124.3”; in line 23, strike “(1)”; in line 24, strike “THE INDIVIDUAL’S HANDS TO USE”; and strike in their entirety lines 27 through 30, inclusive.

AMENDMENT NO. 4

On page 3, after line 27, insert:

“21–1124.2.

(a) (1) In this section the following words have the meanings indicated.

(2) “Handheld telephone” means a handheld device used to access wireless telephone service.

(3) “9–1–1 system” has the meaning stated in § 1–301 of the Public Safety Article.

(b) This section does not apply to:

(1) Emergency use of a handheld telephone, including calls to:

(i) A 9–1–1 system;

(ii) A hospital;

(iii) An ambulance service provider;

(iv) A fire department;

(v) A law enforcement agency; or

(vi) A first aid squad;

(2) Use of a handheld telephone by the following individuals when acting within the scope of official duty:

(i) Law enforcement personnel; and

(ii) Emergency personnel;

(3) Use of a handheld telephone as a text messaging device as defined in § 21–1124.1 of this subtitle; and

(4) Use of a handheld telephone as a communication device utilizing push-to-talk technology by an individual operating a commercial motor vehicle, as defined in 49 C.F.R. Part 390.5 of the Federal Motor Carrier Safety Regulations.

(c) The following individuals may not use a handheld telephone while operating a motor vehicle:

(1) A driver of a Class H (school) vehicle that is carrying passengers and in motion; and

(2) A holder of a learner's instructional permit or a provisional driver's license who is 18 years of age or older.

(d) (1) This subsection does not apply to an individual specified in subsection (c) of this section.

(2) A driver of a motor vehicle that is in motion may not use the driver's hands to use a handheld telephone other than to initiate or terminate a wireless telephone call or to turn on or turn off the handheld telephone.

(e) (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 \$75;

(ii) For a second offense, a fine of not more than \$125; and

(iii) For a third or subsequent offense, a fine of not more than \$175.

(2) Points may not be assessed against the individual under § 16–402 of this article unless the offense contributes to an accident.

(f) The court may waive a penalty under subsection (e) of this section for a person who:

(1) Is convicted of a first offense under this section; and

(2) Provides proof that the person has acquired a hands-free accessory, an attachment or add-on, a built-in feature, or an addition for the person's handheld telephone that will allow the person to operate a motor vehicle in accordance with this section.

**21–1124.3.**

A PERSON MAY NOT COMMIT A VIOLATION OF § 21-1124.1 OR § 21-1124.2 OF THIS SUBTITLE THAT CAUSES AN ACCIDENT THAT DIRECTLY RESULTS IN THE DEATH OR, AS DEFINED IN § 27-113 OF THIS ARTICLE, SERIOUS BODILY INJURY OF ANOTHER.”.

AMENDMENT NO. 5

On page 3, in line 29, before “A” insert “(A)”; in the same line, strike “§ 21-1124.1(B)(2)” and substitute “§ 21-1124.3”; in line 31, strike “3 YEARS” and substitute “1 YEAR”; and after line 31, insert:

“(B) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE SEPARATE FROM AND CONCURRENT WITH A SENTENCE FOR ANOTHER CRIME BASED IN WHOLE OR PART ON THE ACT ESTABLISHING THE VIOLATION OF § 21-1124.3 OF THIS ARTICLE.”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Curt Anderson**

**Christopher B. Shank**

**Luke Clippinger**

**C. Anthony Muse**

**John W. E. Cluster, Jr.**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 110    Negative – 23    (See Roll Call No. 1353)

The Bill was then returned to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: HB 701      SPONSOR: Delegate Lee**

**SUBJECT: Criminal Law – Child Kidnapping for the Purpose of Committing a Sexual Crime – Penalty**

**THIRD READING CALENDAR      HOUSE NO. 60      SENATE NO. 32**

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 Judicial Proceedings Committee Amendments (HB0701/898471/1) be rejected.

Senate Members:

House Members:

Chair, **Bobby A. Zirkin**

Chair, **Luiz R. S. Simmons**

**James Brochin**

**Darren M. Swain**

**Christopher B. Shank**

**Neil Parrott**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1354)

The Bill was then sent to the Senate.

### QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1355)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (HOUSE BILLS) #76

House Bill 262 – Delegates Beitzel, ~~Jacobs, and Weir~~ Glass, Jacobs, Weir, K. Kelly, McDonough, and Smigiel



AN ACT concerning

**Bow Hunting – Possession of Handguns for Protection**

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

Affirmative – 118    Negative – 13    (See Roll Call No. 1356)

The Bill was then sent to the Senate.

**CONFERENCE COMMITTEE REPORT**

**BILL NO.: SB 512      SPONSOR: Senator Gladden**

**SUBJECT: Criminal Injuries Compensation Board –  
Membership – Family Member of Homicide Victim**

**THIRD READING CALENDAR      HOUSE NO. 28      SENATE NO. 39**

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 House Judiciary Committee Amendments (SB0512/102819/1) be rejected.

Senate Members:

House Members:

\_\_\_\_\_  
Chair,      **Lisa A. Gladden**

\_\_\_\_\_  
Chair,      **Jeff Waldstreicher**

\_\_\_\_\_  
            **Norman R. Stone, Jr.**  
(not signed)

\_\_\_\_\_  
            **Susan C. Lee**  
(not signed)

\_\_\_\_\_  
            **Jennie M. Forehand**

\_\_\_\_\_  
            **Glen Glass**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137    Negative – 0    (See Roll Call No. 1357)

The Bill was then returned to the Senate.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 654 – ~~Senator Middleton~~ Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Health – Down Syndrome – Required Information**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: HB 0781**

**SPONSOR:** Del Clippinger, et al

**SUBJECT:** Criminal Law – Person in a Position of Authority – Sexual Offenses With a Minor

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 Dumais, Chair

Delegate Arora

Delegate Hough

The Senate appoints:

Senator Zirkin, Chairman

Senator Brochin

Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: HB 1161**  
**SPONSOR:** Del Waldstreicher, et al  
**SUBJECT:** Criminal Procedure – Electronic Device Location Information – Order

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 Waldstreicher, Chair  
Delegate Arora  
Delegate Parrott

The Senate appoints:  
Senator Shank, Chairman  
Senator Stone  
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**CONCURRENCE CALENDAR #20**

**AMENDED IN THE SENATE**

**House Bill 553 – Chair, Environmental Matters Committee (By Request –  
Departmental – Housing and Community Development)**

AN ACT concerning

**Housing – Energy-Efficient Homes Construction Loan Program**

Delegate McIntosh moved that the House concur in the Senate amendments.

**HB0553/173723/1**

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 553

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “duties;” insert “requiring the Department to submit a certain periodic report to the General Assembly;”.

AMENDMENT NO. 2

On page 3, in line 18, after “PROGRAM” insert “, INCLUDING REGULATIONS DESIGNED TO INCREASE PARTICIPATION OF MINORITY BUSINESS ENTERPRISES IN THE PROGRAM”.

On page 4, after line 24, insert:

**“(D) EVERY 6 MONTHS BEGINNING JANUARY 1, 2015, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON REGULATIONS ADOPTED UNDER SUBSECTION (A)(5) OF THIS SECTION TO INCREASE PARTICIPATION OF MINORITY BUSINESSES IN THE PROGRAM AND THE OUTCOME OF THAT EFFORT.”**

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 – 131    Negative – 3    (See Roll Call No. 1358)

**AMENDED IN THE SENATE**

**House Bill 1510 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Behavioral Health Administration – Establishment and Duties**

Delegate Hammen moved that the House concur in the Senate amendments.

**HB1510/177574/1**

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1510  
(Third Reading File Bill)

On page 11, strike in their entirety lines 5 through 10, 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 – 135    Negative – 1    (See Roll Call No. 1359)

**YEAS AND NAYS**

HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 741	Del. Bohanan	Business and Economic Development – Maryland E–Nnovation Initiative Program
HB 742	Del. Walker	Regional Institution Strategic Enterprise Zone Program
HB 814	Del. Beitzel	Education – State Grant to Counties With Small and Declining Student Enrollment
HB 1228	Del. Luedtke	Income Tax – Subtraction Modif – Volunteer Fire, Rescue, and Emergency Medical Services Mbrs
HB 1276	Del. A. Washington	Child Care Centers – Healthy Eating and Physical Activity Act

HB 1432	Del. A. Washington	Teaching Fellows for Maryland Scholarship Program
HB 1479	Del. Frank	Election Law – Baltimore City Republican Party Central Committee – Filling of Vacancies

Read and ordered journalized.

### MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: SB 1051**

**SPONSOR:** Sen Kasemeyer, et al

**SUBJECT:** Business and Economic Development – Film Production Activity Tax  
Credit 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 DeGrange, Chairman

Senator Jones–Rodwell

Senator Manno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 1051**

**SPONSOR:** Sen Kasemeyer, et al

**SUBJECT:** Business and Economic Development – Film Production Activity Tax  
Credit 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 DeGrange, Chair  
Senator Jones–Rodwell  
Senator Manno

The House appoints:  
Delegate Hixson, Chairman  
Delegate F. Turner, and  
Delegate Barve.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### MESSAGE FROM THE SENATE

By the Majority Leader:  
Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0585**  
**SPONSOR:** Sen Middleton, et al  
**SUBJECT:** Commercial Law – Patent Infringement – Assertions Made in Bad Faith

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 Astle, Chairman  
Senator Pugh  
Senator Kittleman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,  
Secretary

Read and ordered journalized.

**Senate Bill 585 – ~~Senator Middleton~~ Senators Middleton, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**Commercial Law – Patent Infringement – Assertions Made in Bad Faith**

Delegate Davis moved that the House recede on its amendment.

The motion was adopted.

**SB0585/253799/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 585

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 12 down through “Act;” in line 13; and in line 17, strike “11-1605” and substitute “11-1604”.

AMENDMENT NO. 2

On page 2, strike beginning with “**THIS**” in line 22 down through “**11-1603.**” in line 25.

On page 5, in line 8, strike “**11-1604.**” and substitute “**11-1603.**”; and in line 13, strike “**11-1605.**” and substitute “**11-1604.**”.

House receded and the amendment was removed.

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

Affirmative – 137    Negative – 0    (See Roll Call No. 1360)

The Bill was then returned to the Senate.



**MESSAGE TO THE SENATE**

**BILL: SB 0585**

**SPONSOR:** Sen Middleton, et al

**SUBJECT:** Commercial Law – Patent Infringement – Assertions Made in Bad Faith

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates recedes from its position on SB 0585.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

**BILL: SB 0454**

**SPONSOR:** Sen Robey, et al

**SUBJECT:** Criminal Law – Child Kidnapping and Prostitution – Penalty

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 Zirkin, Chairman  
Senator Brochin  
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and ordered journalized.

### MESSAGE TO THE SENATE

**BILL: SB 0454**

**SPONSOR:** Sen Robey, et al

**SUBJECT:** Criminal Law – Child Kidnapping and Prostitution – Penalty

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments.  
The House respectfully requests the Senate to reconsider and concur.

Said Bill is returned herewith.

By Order,

Sylvia Siegert  
Chief Clerk

Read and adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 1361)

### ADJOURNMENT

At 11:30 P.M. on motion of Delegate Barve the House adjourned until 11:30 P.M. on Legislative Day April 4, 2014, Calendar Day Monday, April 7, 2014.

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**Annapolis, Maryland**  
**Legislative Day: April 4, 2014**  
**Calendar Day: Monday, April 7, 2014**

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The House met at 11:31 P.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1362)

The Journal of April 3, 2014 was read and approved.

**EXCUSES:**

Del. Cane – medical

Del. Harper – medical

Del. McDonough – personal

**QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1363)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #55**

**Senate Bill 654 – ~~Senator Middleton~~ Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez**

AN ACT concerning

**Health – Down Syndrome – Required Information**

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

Affirmative – 134    Negative – 0    (See Roll Call No. 1364)

The Bill was then returned to the Senate.

### YEAS AND NAYS

#### HOUSE BILLS PASSED IN THE SENATE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 708	Del. Serafini	Correctional Officers' Retirement System – Membership
HB 811	Del. Olszewski	Education – Summer Career Academy Pilot Program
HB 1483	Del. Hucker	State Reformed Contributory Employees' and Teachers' Pension Syss – Prior Eligibility Service

Read and ordered journalized.

### CONFERENCE COMMITTEE REPORT

**BILL NO.: HB 1161      SPONSOR: Delegate Waldstreicher**

**SUBJECT: Criminal Procedure – Electronic Device Location Information – Order**

**THIRD READING CALENDAR      HOUSE NO. 58      SENATE NO. 42**

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 (HB1161/298377/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1161/663626/1) be adopted.

**HB1161/663626/1**

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1161  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 13 down through “report;” in line 14 and substitute “providing that a person may not be held civilly liable for complying with this Act by providing location information;”.

AMENDMENT NO. 2

On page 2, in line 9, after “(3)” insert “(1)”; and after line 13, insert:

**“(II) “ELECTRONIC DEVICE” DOES NOT INCLUDE:**

**1. AN AUTOMATIC IDENTIFICATION SYSTEM INSTALLED ON A VESSEL IN ACCORDANCE WITH TITLE 33, PART 164.46 OF THE CODE OF FEDERAL REGULATIONS; OR**

**2. A VESSEL MONITORING SYSTEM (VMS) OR A VMS UNIT INSTALLED ON BOARD A VESSEL FOR VESSEL MONITORING IN ACCORDANCE WITH TITLE 50, PART 648 OF THE CODE OF FEDERAL REGULATIONS.”.**

AMENDMENT NO. 3

On pages 8 and 9, strike in their entirety the lines beginning with line 30 on page 8 through line 21 on page 9, inclusive, and substitute:

**“(G) A PERSON MAY NOT BE HELD CIVILLY LIABLE FOR COMPLYING WITH THIS SECTION BY PROVIDING LOCATION INFORMATION.”.**

Senate Members:

House Members:

\_\_\_\_\_  
Chair, **Christopher B. Shank**

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Chair, **Jeff Waldstreicher**

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\_\_\_\_\_

**Norman R. Stone, Jr.**

**Sam Arora**

(not signed)

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**Jamie Raskin**

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**Neil Parrott**

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136    Negative – 0    (See Roll Call No. 1365)

The Bill was then sent to the Senate.

### **JOINT CHAIRMEN'S REPORT**

REPORT ON THE FISCAL 2015 STATE OPERATING BUDGET (SENATE BILL 170)  
AND THE STATE CAPITAL BUDGET (SENATE BILL 171) AND  
RELATED RECOMMENDATIONS BY THE CHAIRMEN OF THE SENATE BUDGET AND  
TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE – JOINT  
CHAIRMEN'S REPORT

(See Exhibit Q of Appendix II)

### **PETITIONS, MEMORIALS AND OTHER PAPERS**

CHIEF CLERK'S OFFICE RECEIPTS FOR BILLS DELIVERED TO THE GOVERNOR

(See Exhibit R of Appendix II)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 1366)

At 12:01 A.M. on motion of Delegate Barve the House adjourned Sine Die.