

Journal *of* Proceedings

of the

Senate

of

Maryland

2014 Regular Session

Volume II

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Journal Clerk

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

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Annapolis, Maryland
Monday, February 10, 2014
8:00 P.M. Session

The Senate met at 8:07 P.M.

Prayer by Reverend Monsignor John A. Dietzenbach, Church of the Resurrection, guest of Senator Kittleman.

(See Exhibit A of Appendix III)

The Journal of February 7, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Forehand and Muse be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 209)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 320 – Senator Joseph M. Getty:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
North Carroll High School Boys Soccer Team
in recognition of
your winning the 2013 Class 1A Maryland State Soccer Championship, the school's
first State title, with a victory against Pikesville High School, under the excellent
coaching of Andrew Harrell.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 210)

Senate Resolution No. 319 – Senator Joseph M. Getty:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
North Carroll High School Girls Field Hockey Team
in recognition of
your winning the 2013 Class 1A Maryland State Field Hockey Championship, the
school's first State title since 1977, with an overtime victory against Patterson Mill
High School, under the excellent coaching of Denean Koontz.

Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 211)

INTRODUCTION OF BILLS

**Senate Bill 974 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange,
Dyson, Edwards, Getty, Glassman, Hershey, Jennings, Klausmeier,
Middleton, Reilly, Simonaire, and Stone**

AN ACT concerning

Public Safety – Regulated Firearms – Transport Through State

FOR the purpose of specifying that a person who is not a resident of the State and who is not prohibited from possessing a regulated firearm in the person's state of residence may transport a regulated firearm through the State to another state under certain circumstances; and generally relating to regulated firearms and transport through the State.

BY adding to

Article – Public Safety

Section 5–147

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

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

AN ACT concerning

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

FOR the purpose of repealing the termination provision of a certain provision of law relating to the definition of “small business” as used for the purposes of the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, with amendments,
Chapter 539 of the Acts of the General Assembly of 2012
Section 2

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

Senate Bill 976 – Senator Klausmeier

AN ACT concerning

Higher Education – Loan Repayment Program for Home Buyers in Distressed Areas – Establishment

FOR the purpose of establishing the Loan Repayment Program for Home Buyers in Distressed Areas; requiring the Office of Student Financial Assistance to assist in the repayment of higher education loans owed by certain individuals who buy homes in certain areas of the State; establishing requirements for an applicant to be eligible for the Program; providing that assistance under this Program shall be separate from assistance under the Janet L. Hoffman Loan Assistance Repayment Program; requiring the Office to establish certain regulations to implement the Program; requiring the Governor to include, beginning in a certain fiscal year, a certain amount in the annual budget bill for the Program; requiring the Office to make a certain report to the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the Loan Repayment Program for Home Buyers in Distressed Areas.

BY adding to

Article – Education

Section 18–15A–01 through 18–15A–05 to be under the new subtitle “Subtitle 15A. Loan Repayment Program for Home Buyers in Distressed Areas”

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 977 – Senator Feldman

AN ACT concerning

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

FOR the purpose of altering the manner in which certain insurers are required to notify certain persons of the rescission, cancellation, nonrenewal, or termination of certain policies or binders of certain property or casualty insurance, or of an increase in the total premium for a policy of private passenger motor vehicle liability insurance; making certain conforming changes; defining a certain term; and generally relating to notices required under policies of property or casualty insurance.

BY renumbering

Article – Insurance

Section 27–602(b) and (c), 27–603(b), (c), and (e), and 27–613(b), (c), (f), (g), (h), (i), and (j), respectively

to be Section 27–602(c) and (d), 27–603(c), (d), and (f), and 27–613(c), (d), (g), (h), (i), (j), and (k), respectively

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 12–106(a), (f), and (j)(3), 27–602(a) and (d), 27–603(a) and (d), 27–613(a), (d), and (e), and 27–614(a) and (c)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 12–106(b) and 27–614(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Insurance

Section 27–602(a), 27–603(a), and 27–613(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–602(c)(1) and (d)(1), 27–603(c)(1), (d)(1), and (f)(1), and 27–613(c)(2), (d)(1), and (g)(1)

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)
(As enacted by Section 1 of this Act)

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

Senate Bill 978 – Senators Raskin and Feldman

AN ACT concerning

Maryland Benefit Corporations – Purposes, Duties of Directors, and Liability

FOR the purpose of altering the purpose of a Maryland benefit corporation; clarifying that a director of a benefit corporation is required to perform the director's duties in accordance with a certain standard; requiring a director to consider the effects of a certain action or decision on certain interests of the benefit corporation and the ability of the benefit corporation to accomplish a certain goal; providing that the director may not be required to give priority to a certain interest or factor over any other interest or factor; clarifying that a director does not have a duty to certain persons; establishing that an act of a director is subject to a certain presumption; clarifying that a director has no duty to the corporation or the stockholders other than as set forth in certain provisions of law; prohibiting a person from bringing a certain action against a benefit corporation or its directors or officers with respect to certain matters; establishing that a benefit corporation or a director or officer of a benefit corporation is not liable for certain damages; providing that a certain action or claim may be maintained only by certain individuals or entities; making certain conforming changes; altering a certain definition; and generally relating to benefit corporations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6C–01, 5–6C–06, and 5–6C–07
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY adding to
Article – Corporations and Associations
Section 5–6C–09
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

Senate Bill 979 – Senator Raskin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

County and Municipal Street Lighting Investment Act

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the General Assembly to provide that certain property consisting of street lighting equipment may be taken by a county or municipality for public use immediately on payment to the owner of the property of the amount that the county or municipality estimates to be the net book value of the property calculated in a certain manner, provided the legislation also requires the payment of any further sum that may be subsequently awarded by the Public Service Commission; submitting the amendment to the Maryland Constitution to the qualified voters of the State for their adoption or rejection; authorizing a certain county or municipality, after giving certain notice to certain persons, to convert its street lighting service to a certain alternative energy only tariff, acquire certain street lighting equipment from the electric company, and enter into an agreement to purchase electricity for a certain use from any available electricity supplier under certain circumstances; authorizing a county or municipality to request that an electric company remove certain street lighting equipment under certain circumstances; requiring a county or municipality to pay the net book value of certain street lighting equipment that is being removed and the costs of its removal under certain circumstances; providing that the net book value of certain street lighting equipment shall be calculated in a certain manner or be determined in a proceeding before the Public Service Commission under certain circumstances; requiring a certain county or municipality to notify a certain electric company of any alteration to the county's or municipality's street lighting equipment inventory within a certain period of time under certain circumstances; prohibiting a certain agreement or contract for sale or license agreement from including certain fees or other costs under certain circumstances; prohibiting an electric company from making certain requirements of a certain county or municipality; requiring that certain workers be fully qualified and meet certain requirements; requiring that certain disputes be submitted to the Commission for resolution; requiring the Commission to issue a determination on certain disputes within a certain time period; requiring each electric company to develop a certain alternative energy only tariff for street lighting on or before a certain date; requiring a certain alternative energy only tariff to include certain fees; requiring that a certain alternative energy only tariff provide for monthly bills for street lighting that include a schedule of electricity charges based on a certain determination; prohibiting the alternative energy only tariff from including certain charges; requiring that, for street lighting equipment in use on a certain date, the alternative energy only tariff shall use certain calculation methods and rates that existed on a certain date; requiring the alternative energy only tariff to provide for reasonable rates for street lighting equipment that is adopted after a certain date; requiring the alternative energy only tariff to provide for options for certain street lighting controls; requiring the Commission to issue a decision

regarding the adoption of a certain alternative energy only tariff within a certain period of time after receiving the alternative energy only tariff from an electric company; stating the findings and declarations of the General Assembly; making certain clarifying changes; defining a certain term; making certain provisions of this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the purchase of certain street lighting equipment by a county or municipality from an electric company and tariffs for street lighting.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 40D

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–1309
Annotated Code of Maryland
(2013 Volume)

BY adding to
Article – Public Utilities
Section 4–211
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 980 – Senator Conway

AN ACT concerning

Anesthesia Services – Assignment of Billing Rights and Fees for Management Services – Prohibition

FOR the purpose of prohibiting the billing rights for anesthesia services provided in a freestanding ambulatory care facility from being assigned to a person that has a certain beneficial interest in the freestanding ambulatory care facility; prohibiting a freestanding ambulatory care facility or a person that has a certain beneficial interest in the freestanding ambulatory care facility from charging, directly or indirectly, an anesthesia services provider a fee for management services; prohibiting a person, with the intent to retaliate, from knowingly taking any action harmful to an individual for providing certain information to a law enforcement officer, the Department of Health and Mental Hygiene, a health occupation board, or the Attorney General; establishing certain penalties for a violation of certain provisions of this Act; authorizing a disciplinary panel of the State Board of Physicians to take certain disciplinary action against a licensee if the licensee accepts an assignment of certain billing

rights or charges a management services fee to certain practitioners in a freestanding ambulatory care facility in which the licensee owns a beneficial interest; defining a certain term; and generally relating to anesthesia services and assignment of billing rights to and charging of management services fees by persons that have a beneficial interest in freestanding ambulatory care facilities.

BY renumbering

Article – Health Occupations

Section 1–307

to be Section 1–308

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 1–307 and 14–404(a)(15–a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 981 – Senator Jennings

AN ACT concerning

Baltimore County – Property Tax Credit – Homes Near a Refuse Disposal System

FOR the purpose of authorizing the governing body of Baltimore County to grant a credit against the county property tax for certain owner–occupied residential real property within a certain proximity to a certain refuse disposal system under certain conditions; defining a certain term; providing for the application of this Act; and generally relating to a property tax credit for certain residential real property in proximity to a certain refuse disposal system in Baltimore County.

BY adding to

Article – Tax – Property

Section 9–305(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 982 – Senator Conway

AN ACT concerning

**Maryland Affordable Housing Trust – Award Criteria – Preference for
Multijurisdictional Applicants**

FOR the purpose of requiring the Board of Trustees of the Maryland Affordable Housing Trust to develop a process for making awards under the Trust that gives preference to multijurisdictional applicants; and generally relating to awards from the Maryland Affordable Housing Trust.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 10–108
Annotated Code of Maryland
(2006 Volume and 2013 Supplement)

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

Senate Bill 983 – Senator Manno

AN ACT concerning

**Creation of a State Debt – Montgomery County – Second Chance Wildlife
Center**

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

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

**Senate Bill 984 – Senators Manno, Feldman, Forehand, Frosh, King, and
Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Silver Spring Learning
Center Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Silver Spring Jewish Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 985 – Senator Frosh

AN ACT concerning

Maryland Clean Energy Financing and Risk Management Program

FOR the purpose of establishing the Maryland Clean Energy Financing and Risk Management Program; establishing the purposes of the Program; requiring the Maryland Clean Energy Center to administer the Program; requiring the Center to provide certain forms of financing support or risk management for certain projects that meet certain guidelines; requiring the Center to assess certain fees, ensure that certain bonds are sold in a certain manner, use certain networks and methods to identify certain projects, coordinate with certain other projects, and adopt certain regulations; authorizing the Center to take certain measures to cover certain risks and to facilitate certain transactions to carry out the purposes of the Program; requiring an applicant for financing support or risk management to submit a certain application to the Center in a certain manner; requiring the Center to consider certain criteria in evaluating an applicant for financing support or risk management; authorizing the Center to provide financing support or risk management for a clean energy project only under certain conditions; requiring the Executive Director of the Center to require an entity that receives certain financing support or risk management to provide a certain quarterly report and make the report available to the public; authorizing the Executive Director to establish additional reporting requirements; authorizing the Executive Director to deobligate certain financing support and award the funds to another applicant under certain circumstances; establishing the Maryland Clean Energy Center Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Center to administer the Fund; requiring the State Treasurer to hold the Fund and invest the money of the Fund in a certain manner; requiring that any investment earnings of the Fund be credited to the Fund; requiring the Comptroller to account for the Fund; specifying the contents of the Fund; providing for expenditures from the Fund; requiring a certain annual report to include certain information; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; repealing a certain provision of law stating the intent of the General Assembly regarding funding from a certain source; clarifying the intent of the General Assembly regarding certain financial assistance; defining certain terms; and generally relating to the Maryland Clean Energy Financing and Risk Management Program.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–801(a), (e), (f), (i), and (n), 10–802(b), 10–806(d), and 10–826

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–802(c)

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

BY renumbering

Article – Economic Development

Section 10–854 and the part “Part V. Short Title”

to be Section 10–869 and the part “Part VI. Short Title”

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

BY adding to

Article – Economic Development

Section 10–854 through 10–866 to be under the new part “Part V. Maryland
Clean Energy Financing and Risk Management Program”

Annotated Code of Maryland

(2008 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)

BY repealing and reenacting, with amendments,

Chapter 137 of the Acts of the General Assembly of 2008

Section 3

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

Senate Bill 986 – Senators Feldman, Madaleno, and Montgomery

AN ACT concerning

Criminal Law – Energy Drinks – Sale to and Possession by Minors Prohibited

FOR the purpose of prohibiting a person from distributing, selling, furnishing, or giving away or offering to sell, furnish, or give away an energy drink to a minor; establishing a certain defense for a prosecution for a certain violation; prohibiting a person from selling or offering to sell an energy drink in a vending machine or any other automatic device; prohibiting a person from providing free samples of energy drinks or coupons for free or discounted energy drinks to minors in a certain manner; establishing certain penalties for certain violations of this Act; clarifying when certain violations have occurred; prohibiting a minor from possessing an energy drink; establishing that a person who violates a certain provision of this Act shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the State Court Administrator to prescribe a certain form of citation; requiring the citation to be uniform and contain certain information; requiring the jurisdiction that issues a certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; prohibiting the Chief Judge of the District Court from establishing a certain schedule for the prepayment of fines; authorizing a court to direct that the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is a criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State's Attorney to prosecute a certain violation in a certain manner; defining a certain term; and generally relating to minors and energy drinks.

BY adding to

Article – Criminal Law

Section 10–136 through 10–140 to be under the new part “Part V. Energy Drinks”

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 987 – Senator Stone

AN ACT concerning

**Local Government Tort Claims Act – Injury From Lead-Based Paint –
Application of Notice Requirement**

FOR the purpose of providing that a certain notice requirement under the Local Government Tort Claims Act does not apply to a claim of injury from exposure to lead-based paint occurring on or after a certain date; and generally relating to the application of a certain notice requirement under the Local Government Tort Claims Act to a certain claim of injury from exposure to lead-based paint.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–304
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

Senate Bill 988 – Senator Pugh

AN ACT concerning

**State Department of Education – Assessment Report for Broadband
Capabilities in Public Schools**

FOR the purpose of requiring the State Department of Education to report to the General Assembly on certain matters relating to broadband capabilities in local school systems on or before a certain date; providing for the termination of this Act; and generally relating to a report on broadband capabilities in public schools by the State Department of Education.

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

Senate Bill 989 – Senator Pugh

AN ACT concerning

**State Personnel – Collective Bargaining – Sworn Police Officers – Binding
Arbitration**

FOR the purpose of authorizing a designated representative of a system institution of the University System of Maryland, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College, or the exclusive representative of sworn police officers employed by a system institution of the University System of Maryland, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College, to request that an arbitrator be employed under certain circumstances; requiring the arbitrator to be employed no later than a certain date; providing for the appointment of the arbitrator; authorizing the arbitrator to give certain notice, hold certain hearings, administer oaths, take testimony, and issue subpoenas; requiring the arbitrator to make certain written findings before a certain date; requiring the Secretary of Budget and Management to deliver the written final decision of the arbitrator to certain persons on or before a certain date; providing that certain final decisions are binding on certain parties; and generally relating to collective bargaining and binding arbitration for sworn police officers employed by system institutions, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College.

BY adding to

Article – State Personnel and Pensions

Section 3–501(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 990 – Senator Feldman

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County – Warren Historical Site – Loving Charity Hall

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to provide that a certain grant for the Loving Charity Hall may not terminate before a certain date; making a technical correction; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2007.

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by

Chapter 707 of the Acts of the General Assembly of 2009

Section 1(3) Item ZA01(AS)

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

Senate Bill 991 – Senator King

AN ACT concerning

Dogs – Discrimination Based on Breed, Type, or Heritage – Prohibited

FOR the purpose of providing that a dog may not be determined to be potentially dangerous based solely on the breed, type, or heritage of the dog; establishing that a county or municipality may not enact a local law or adopt an ordinance that prohibits a person from owning, keeping, or harboring a dog of a specific breed, type, or heritage or take certain other actions based on the breed, type, or heritage of a dog; providing that a homeowner or tenant, regardless of the terms of certain documents, may not be prohibited from owning, keeping, or harboring a dog of a specific breed, type, or heritage or be denied occupancy in or evicted from residential property solely because the person owns, keeps, or harbors a dog of a specific breed, type, or heritage; providing for the construction of certain provisions of this Act; providing for the application of this Act; and generally relating to discrimination against certain dogs.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–619

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Local Government

Section 5–107 and 13–102.1

Annotated Code of Maryland

(2013 Volume)

BY adding to

Article – Real Property

Section 14–133

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 992 – Senators Brinkley and Young

AN ACT concerning

Creation of a State Debt – Frederick County – Forgeman’s House Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$168,000, the proceeds to be used as a grant to the Board of Directors of The Catoctin Furnace Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a

requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 993 – Senators Brinkley and Young

AN ACT concerning

**Frederick County – Transition to Charter Government – Corrections to
References in the Annotated Code of Maryland**

FOR the purpose of correcting references to the government of Frederick County in the Annotated Code of Maryland that will be rendered obsolete after the status of the county is changed from a commission county to a charter county; altering the manner in which certain authority may be exercised in the county; replacing references to the County Manager with references to the Chief Administrative Officer; repealing certain definitions; providing for an abnormal effective date; and generally relating to the government of Frederick County.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 2–102(b)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(l)(1), (5)(ii)2., (iv)2., and (v)4.B., and (6)(ii)2., (iv)2., and (v)4.B.,
and 2–507(a)(11)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–609(a)(2), 13–1301, 13–1305(d), and 13–1306(a), (d), and (f)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–5B–01(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 13–504
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–857 through 5–862
Annotated Code of Maryland
(As enacted by Chapter _____ (H.B. 270) of the Acts of the General Assembly of
2014)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–304(e)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 9–1002
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–1007(a)(1) and (c), 1–1014, 12–208(c), 12–301(e), 12–408, 12–522,
12–806(c)(1), 13–121, 13–304, 13–306 through 13–308, 13–922, 19–105,
20–419, and 20–703
Annotated Code of Maryland
(2013 Volume)

BY repealing
Article – Local Government
Section 12–301(d)
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–903(a)(6)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–211

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–312(d) and 14–820(b)(10)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–313(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 35 – Delegate W. Miller

AN ACT concerning

Electric Reliability – Priorities and Funding

FOR the purpose of requiring the Public Service Commission and certain electric companies to establish certain priorities for certain remediation projects; establishing an Electric Reliability Remediation Fund in the Commission; providing for the purpose, administration, investment, sources, and permissible uses of the Fund; requiring that certain electric companies maintain the reliability of their distribution systems in accordance with certain standards; providing that certain civil penalties shall be paid into the Fund; defining certain terms; and generally relating to priorities and the reliability of the electric distribution system.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–213, 7–506, and 13–201(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 13–201(a)

Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 98 – Delegate Arora

AN ACT concerning

Commercial Law – Interference With Internet Ticket Sales – Prohibition

FOR the purpose of prohibiting a person from intentionally selling or using certain software to circumvent a security measure, an access control system, or any other control or measure on a certain Web site that is used to ensure an equitable ticket buying process; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to ticket sales on the Internet.

BY adding to

Article – Commercial Law

Section 14–4001 through 14–4003 to be under the new subtitle “Subtitle 40.
Interference With Internet Ticket Sales”

Annotated Code of Maryland
(2013 Replacement Volume)

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

House Bill 99 – Delegate Arora

AN ACT concerning

Maryland Uniform Commercial Code – Secured Transactions – Notice of Filing of Financing Statement

FOR the purpose of requiring the State Department of Assessments and Taxation or other office that receives a certain financing statement for filing to provide a certain notice of the filing to the debtor identified on the financing statement under certain circumstances; requiring the Department or other office required to provide the notice to determine the form of the notice; requiring the notice to contain certain information; providing for the application of this Act; and generally relating to secured transactions and the filing of financing statements.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 9–501

Annotated Code of Maryland

(2013 Replacement Volume)

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

House Bill 130 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

Motor Vehicle Insurance – Task Force to Study Methods to Reduce the Rate of Uninsured Drivers

FOR the purpose of establishing the Task Force to Study Methods to Reduce the Rate of Uninsured Drivers; 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 preliminary and final findings and recommendations to certain committees of the General Assembly on or before certain dates; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Task Force to Study Methods to Reduce the Rate of Uninsured Drivers.

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

House Bill 141 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Barbershops – Restriction on Operation Repealed
MC 1–14**

FOR the purpose of repealing a certain restriction prohibiting a barbershop in Montgomery County from being open for business more than a certain number of days per week; and generally relating to barbershops in Montgomery County.

BY repealing

Article – Business Occupations and Professions

Section 4–606

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

House Bill 221 – Delegate Rudolph

AN ACT concerning

Limited Lines – Travel Insurance

FOR the purpose of altering certain provisions of law on limited lines insurance for transportation tickets to relate instead to limited lines travel insurance; authorizing the Maryland Insurance Commissioner to issue a limited lines license to an individual or a business entity to sell travel insurance; authorizing a travel retailer to offer and disseminate travel insurance under certain circumstances under the direction of a limited lines travel insurance producer; requiring a limited lines travel insurance producer or travel retailer to provide certain information to purchasers of travel insurance in a certain manner; requiring a limited lines travel insurance producer to establish and maintain a certain register containing certain information subject to inspection by the Commissioner; requiring a limited lines travel insurance producer to designate a certain employee as a responsible person for certain purposes; requiring certain persons to comply with certain requirements of State insurance law; requiring a limited lines travel insurance producer to be in good standing; requiring a limited lines travel insurance producer to require certain travel retailer employees or authorized representatives to receive certain instruction or training with certain required content; requiring a travel retailer to make available to prospective purchasers certain information concerning travel insurance and producers; prohibiting certain unlicensed employees or authorized representatives of a travel retailer from evaluating or providing certain advice concerning travel insurance or holding themselves out as ~~qualified in certain manners~~ a certain producer or expert; authorizing certain travel retailers to be compensated in a certain manner ~~notwithstanding any other law; authorizing certain persons to compensate certain employees of a travel retailer or authorized representative in a certain manner~~; prohibiting a travel retailer from compensating certain travel retailer employees or authorized representatives for certain activities in a certain manner; providing for the construction of certain provisions of this Act; providing that a limited lines travel insurance producer is responsible for the acts of a travel retailer; requiring a limited lines travel insurance producer to use reasonable means to ensure certain compliance with this Act; altering a prohibition on payment of certain commissions or other consideration with respect to limited lines insurance; requiring the Commissioner to collect certain information, make certain determinations, and report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to travel and limited lines insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 10–101, 10–122, and 10–130

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 257 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Elevator Safety Review Board and Division of Labor and Industry – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Elevator Safety Review Board in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that govern the Board be performed on or before a certain date; repealing certain termination provisions that apply to the regulation of mediation or arbitration of labor disputes, choice of bargaining representative, and strikebreakers; providing for the effective date of this Act; and generally relating to the Elevator Safety Review Board and the Division of Labor and Industry.

BY repealing

Article – Labor and Employment

Section 4–405

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–842

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(16)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 778 – Senators Montgomery, Benson, Feldman, Forehand, Madaleno, Manno, Raskin, and Simonaire

AN ACT concerning

Health – General – Genetically Engineered Food – Labeling Requirements

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #10

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

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

Senate Bill 294 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Horse Industry Board – Sunset Extension and Program Evaluation

SB0294/824034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 294

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 6 down through “assessments;” in line 7; in line 14, strike “and 6–107.2”; and after line 16, insert:

“BY repealing and reenacting, without amendments,

Article – Agriculture

Section 6–107.2

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 20 and 22, in each instance, strike the bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 336 – The President (By Request – Administration) and Senators Astle, Conway, Frosh, Glassman, Klausmeier, Madaleno, McFadden, Middleton, Montgomery, Pinsky, Pugh, and Raskin

AN ACT concerning

Natural Resources – Wildlands – Designation of New Wildlands

SB0336/564238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 336

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “, Raskin, Ferguson, Young, Simonaire, Rosapepe, and Benson”.

On page 3 in lines 7 and 14, on page 7 in lines 27, 28, 30, 31, 34, 36, 37, and 41, on page 8 in lines 5, 12, 14, 16, 20, 21, and 22, on page 9 in line 33, on page 10 in lines 6, 17, 23, 29, 30, and 42, on page 11 in lines 1, 3, 6, 8, 13, and 15, on page 16 in line 41, on page 17 in lines 3, 4, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, and 23, on page 20 in lines 16 and 26, on page 21 in lines 13, 17, 21, 25, 32, and 39, on page 22 in line 6, on page 31 in line 33, on page 51 in lines 23 and 29, on page 52 in lines 14 and 26, on page 58 in lines 1, 11, 17, and 19, on page 61 in line 26, on page 69 in lines 31, 35, and 38, on page 70 in lines 7, 11, and 14, on page 77 in line 10, on page 81 in lines 7 and 24, on page 82 in line 5, on page 83 in line 12, and on page 84 in line 8, in each instance, strike “**THENCE**” and substitute “**THEN**”.

On page 5 in lines 2 and 19, on page 8 in line 37, on page 43 in lines 30 and 37, on page 44 in line 8, on page 69 in lines 31 and 35, on page 70 in lines 7 and 22, and on page 78 in line 41, in each instance, strike “**NAD83**”) and substitute “**NAD83**”).”.

On page 5 in line 20, on page 8 in lines 14 and 15, on page 9 in lines 35, 36, 37, 38, 39, and 40, on page 10 in lines 1, 7, 10, 11, 24, 30, 31, 33, 34, 35, 36, 37, and 38, on page 21 in lines 16 and 17, on page 23 in line 24, on page 26 in lines 29 and 30, on page 31 in lines 21 and 22, on page 41 in lines 38, 39, 40, 41, 42, and 43, on page 44 in lines 16, 18, 19, 20, 21, 22, 26, 27, 30, 31, 32, 33, 34, 37, 38, 39, and 40, on page 45 in lines 2, 3, 4, and 5, on page 61 in lines 28, 29, 30, 31, 32, 35, 36, 37, and 38, and on page 83 in line 13, in each instance, strike “**TO A POINT**”.

On page 26 in line 24, on page 27 in line 12, on page 35 in line 37, on page 43 in lines 32 and 40, and on page 82 in line 39, in each instance, after “**THE**” insert “**POINT OF**”.

AMENDMENT NO. 2

On page 5, in line 19, strike the comma.

On page 9, strike beginning with “**TO**” in line 37 down through “**POINT**” in line 38.

AMENDMENT NO. 3

On page 10, in line 9, strike “TO POINT”; strike beginning with “TO” in line 7 down through the first “POINT” in line 8; strike beginning with “TO” in line 11 down through the first “POINT” in line 12; strike beginning with “TO” in line 33 down through the first “POINT” in line 34; and strike beginning with “TO” in line 37 down through the first “POINT” in line 38.

On page 17, in line 17, strike “THENCE” and substitute “THEN NORTH”.

On page 18, in line 9, strike “4,400” and substitute “4,397”.

AMENDMENT NO. 4

On page 21, in line 15, strike the comma; and strike beginning with “SOUTH” in line 35 down through “FEET,” in line 38 and substitute “THEN LEAVING SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING THE FOLLOWING COURSES AND DISTANCES, NORTH 81 DEGREES 34 MINUTES 28 SECONDS WEST 476.82 FEET, SOUTH 60 DEGREES 44 MINUTES 49 SECONDS WEST 279.32 FEET, NORTH 84 DEGREES 52 MINUTES 51 SECONDS WEST 298.10 FEET, NORTH 65 DEGREES 45 MINUTES 18 SECONDS WEST 230.41 FEET, NORTH 82 DEGREES 57 MINUTES 48 SECONDS WEST 254.53 FEET TO A POINT, SAID POINT INTERSECTING THE NORTH 27 DEGREES 09 MINUTES 38 SECONDS EAST 3058.78 FOOT LINE OF SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING WITH THE REMAINDER OF SAID LINE 2,953.53 FEET, THEN RUNNING”.

On page 25, in line 35, strike “BOUNDARY” and substitute “BOUNDARY,”.

AMENDMENT NO. 5

On page 31, in line 20, strike the comma; and in line 23, strike “TO A POINT” and substitute “WEST 409.16 FEET”.

On page 33, in line 7, strike “VENTURE” and substitute “VENTURE,”; and in line 10, strike the first comma.

On page 34, in line 32, strike “ROAD” and substitute “ROAD,”; and in line 42, strike “RUNNING”.

On page 35, in lines 20 and 26, in each instance, after “DESCRIPTION” insert “OF PARCEL 4”.

AMENDMENT NO. 6

On page 44, in line 12, strike “POINT SAID POINT INTERSECTION” and substitute “POINT, SAID POINT INTERSECTING”; in line 25, strike “, THEN WITH SAID BOUNDARY,” and substitute “PROPERTY, THEN RUNNING WITH SAID BOUNDARY”; strike beginning with “TO” in line 14 down through “POINT” in line 15; strike beginning with “TO” in line 28 down through “POINT” in line 29; and strike beginning with “TO” in line 35 down through “POINT” in line 36.

On pages 44 and 45, strike beginning with “TO” in line 42 on page 44 down through “POINT” in line 1 on page 45.

On page 45, in line 6, after “676.77” insert “FEET”.

AMENDMENT NO. 7

On page 51, in line 19, strike the first “POINT” and substitute “POINT,”; and in lines 22 and 34, in each instance, strike “ALLEGHENY” and substitute “ALLEGANY”.

On page 55, in line 17, strike “F” and substitute “F,”.

AMENDMENT NO. 8

On page 61, in line 20, strike the first “POINT” and substitute “POINT,”; strike beginning with “TO” in line 33 down through “POINT” in line 34; and in line 43, strike “RESOURCES” and substitute “RESOURCES,”.

On page 67, in line 35, strike “THENCE” and substitute “THEN RUNNING”.

AMENDMENT NO. 9

On page 72, in line 12, strike “OR REMOVE” and substitute “REMOVE, OR REPLACE”.

On page 73, in line 28, strike “ON” and substitute “IN”.

On page 74, in line 6, strike the first “POINT” and substitute “POINT,”; and in line 20, strike “POINT” and substitute “POINT,”.

On page 75, in line 3, strike “OF THE”; in line 9, strike “ON” and substitute “IN”; and in line 12, strike “RESOURCES” and substitute “RESOURCES,”.

On page 77, in line 10, after “IN” insert “A”; in lines 11 and 16, in each instance, strike “SAID” and substitute “AFOREMENTIONED”; and in line 16, strike “MARYLAND” and substitute “MARYLAND,”.

On page 79, in lines 6 and 13, in each instance, strike the second “SAID” and substitute “AFOREMENTIONED”; and in lines 9 and 16, in each instance, strike “MARYLAND” and substitute “MARYLAND,”.

AMENDMENT NO. 10

On page 80, in lines 16 and 23, in each instance, strike “FORESTRY” and substitute “FORESTRY,”; and in line 29, strike the first “POINT” and substitute “POINT,”.

On page 81, in line 34, strike the first “THEN”; and in line 43, strike “CORPORATION” and substitute “CORPORATION,”.

On page 82, in lines 2 and 3, in each instance, strike “THEN”; and in line 11, strike “SOUTH” and substitute “SOUTH”.

On page 83, in line 21, strike “PLACE” and substitute “POINT”.

On page 84, in line 27, strike “88. THEN” and substitute “88, THEN”; and in line 35, strike “PLACE” and substitute “POINT”.

The preceding 10 amendments were read only.

Senator Edwards moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 407 – Senator Astle

AN ACT concerning

Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #4

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 421 – Senator Kittleman

AN ACT concerning

General Assembly – Housing Allowance – Restriction on Use

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 595 – Senators Peters, Colburn, Currie, DeGrange, Edwards, Getty, King, McFadden, and Robey

AN ACT concerning

Local Government – Restrictions on Income-Producing Real Property – Fiscal Impact Review

The bill was re-referred to the Committee on Budget and Taxation.

LINCOLN DAY ADDRESS

Lincoln Day Address given by Senator Christopher B. Shank

Lincoln and Maryland

Mr. President, colleagues, honored guests thank you for giving me this opportunity to speak this evening. It is truly an honor. I'd first like to introduce some guests, my

mother and father— Sandra and William Shank who are joining me tonight. I'm so thankful for all they've done for me that had led me here to this place.

I'd like to dedicate this speech to all of the gifted history teachers from South Hagerstown High School, St. Mary's College, and Johns Hopkins University that each in their own way cultivated in me a lifetime love of history and learning.

As I thought about the topic of Lincoln, I felt a speech exploring his relationship to the State of Maryland would be relevant to us today.

As I researched, I found a compelling story with drama, bloodshed, political intrigue, and a high stakes contest for the survival of the Union— with Maryland like a character in a novel, indispensable to the story.

The 6 month window of time between February 1861 and August 1861 was a roller coaster of intrigue and near misses that could have changed the course of our nation's history. Lincoln's actions during this crisis secured Maryland in the United States and quite possibly saved the Union.

Our story began at 7:30 AM on February 11th, 1861 as Abraham Lincoln boarded a train in Springfield Illinois headed for Washington.

The nation was more divided than ever before in its history. Just as today, the sectional differences in the election results were profound. Lincoln received no electoral votes from any states south of the Ohio River.

Maryland was considerably less divided, the common theme in our state was a dislike for Lincoln specifically and abolitionists in general.

Lincoln drew a mere 2% of the votes in the Presidential election in our state. His 2,294 votes came predominately from Western and Northern Maryland. Thankfully my party's performance in our state has improved somewhat since 1860!

Baltimore

Baltimore was to be in the last stop of Lincoln's 7 state journey before reaching his final destination in Washington. Unlike the Northern cities on his journey, there would be no warm welcome from Baltimoreans.

Baltimore had a history of Election Day riots that drew national attention in the late 1850s. Gangs like the Plug Uglies, Red Necks, Blood Tubs, and Butt Enders fought in bloody street feuds. In 1860, the police force was actually taken over by the General Assembly and the state installed Marshal George P. Kane as chief.

Many in the city were also ardent secessionists and bitterly disliked the President Elect. Lincoln did not travel with anything like today's cordon of Secret Service

protection. Notwithstanding a torrent of hate mail and threats, only a sparse group of volunteers were with him on the train ride to provide protection.

Two independent investigations, one initiated by General Winfield Scott and the other by legendary detective Allen Pinkerton, uncovered evidence that a shadowy group, led by a Baltimore barber, an Italian revolutionary named Cipriano Ferrandini, had formed a conspiracy to assassinate Lincoln as he changed rail cars in Baltimore.

Pinkerton convinced a reluctant Lincoln to travel ahead from Harrisburg Pennsylvania under the cover of darkness in a sleeper coach. The ruse worked exactly as planned. Although the next morning a group of men boarded the Presidential coach searching for him, Lincoln and Pinkerton were able to travel alone and undisturbed through the city in the waning hours of the night escaping detection.

When these precautionary measures were leaked, controversy ensued. A Baltimore Sun editorial howled that Maryland's honor had been insulted by Lincoln. Some even feared that the midnight run would inflame the state and lead to secession.

Riot and Aftermath

In response to the April 12, 1861 Confederate attack on Ft. Sumter, Lincoln issued a proclamation for 75,000 troops to "suppress" the rebellion and re-possess the federal property already seized by secessionist forces.

The Northern states enthusiastically responded to his call, the Southern press denounced his aggressive stance; Marylanders on the other hand wanted no parts of troops traveling thru their soil to attack the South.

Until the troops could mobilize, Washington was extremely vulnerable. Virginia passed its own resolution of secession on April 17th and 7500 of her well-armed troops were stationed in nearby Harpers Ferry. Rumors of an imminent invasion were in the air.

Maryland's Governor Thomas Hicks and Baltimore Mayor George William Brown begged the administration not to send troops thru the state. Knowing the volatile political climate, they both expressed the fears (rightly so) that it would lead to violence and push the state into secession.

Things came to a head on April 19th when units from the 6th Massachusetts volunteers were attacked by a violent mob of at least 20,000 as they marched thru Baltimore near Pratt Street. Paving stones and bricks were thrown at the soldiers, who returned fire. Four soldiers and 12 civilians were killed on this tragic day, the first real casualties of the Civil War.

The riot and violence sparked outrage in the Northern press, punitive actions were urged, one paper wrote "If Baltimore was lain in ashes, the North would rejoice".

At some point in the aftermath of the riot, city and most probably state officials ordered Baltimore militia, Baltimore Police, and the Baltimore County Horse Guard to burn the railroad bridges entering the state and city in order to stop the troop movements.

Completely surrounded by Maryland and Virginia, things looked bleak for the President. The Confederate Secretary of War boldly predicted that the Stars and Bars would be flying in Washington within weeks, leading to foreign recognition of the rebel states, and the ultimate dissolution of the Union.

Lincoln solved the troop supply issue by using steam ships in the Chesapeake Bay to bypass the burned bridges. By May, General Benjamin Butler had established operations in Annapolis and Baltimore and occupied Maryland with thousands of federal troops. Cannon emplacements were said to be able to reach over 3/4s of the City. Maryland was now an occupied State under martial law.

Lincoln next ordered General Scott to suspend the writ of habeas corpus along the key railroad lines leading to Washington. Latin for “bring the body”, the principle of habeas corpus requires prison officials to bring an arrested person before a judge and is intended to remedy an unjust arrest.

On May 25th at approximately 2 AM, federal forces raided the home of John Merryman. This Baltimore county politician and farmer was identified as an officer in one of the militia units that burned the Cockeysville bridges. Mayor Brown, Marshal Kane, and the Baltimore Police Board were also arrested and detained by federal forces later that year.

Merryman’s attorney filed a writ of habeas corpus with Supreme Court Justice Roger Taney who was then sitting in US District court in Baltimore. Taney called a hearing and demanded Merryman be brought to his court. The commanding General of Ft. McHenry declined to attend the hearing and instead sent an aide who politely refused to comply. Taney, not used to his orders being ignored, found the general in contempt of court and wrote a scathing opinion denouncing the actions of the administration.

At around the same time, the General Assembly was called into special session by Governor Hicks as a result of the Baltimore riots and destruction of the railroad bridges. Hicks, although not a political supporter of Lincoln, definitely did not want Maryland to secede. He knew that secession would have been disastrous for the state both militarily and economically.

Public opinion was teetering towards secession, however, particularly in areas around the Eastern Shore, Southern Maryland, and Baltimore. Hicks feared a convention to consider the question would be called if he didn’t take action, so he relented and called the General Assembly to session.

The solution to the crisis was ingenious—citing the “safety and comfort” of the General Assembly, Hicks summoned the members to the City of Frederick away from the

potential of pro-rebel agitation. This had the effect of further delaying pro-secessionist members from Southern Maryland and the Eastern Shore. To aid the South's cause and work around this geographical problem, one well-financed Baltimore member even commissioned a steam-boat to take his colleagues across the bay.

The legislature adjourned on the fourteenth of May claiming they lacked the authority to address the question of secession, averting the potential crisis for the time being.

The War Department was fearful of a much different outcome. Lincoln's response to General Scott, once again struck a delicate balance—first telling Scott to allow the legislature to meet. Notably Lincoln also told Scott that “bombardment of cities” would be authorized if the legislators took any actions disloyal to the Union. The message was clear, the fix was in.

Still that summer, a considerable body of influential members of the House and Senate advocated for secession. The Speaker of the House, from **Anne Arundel County** and other slaveholding counties of the state would have a majority in the next session in September.

Once again detective Allen Pinkerton played a role in the intrigue. Along with federal authorities he devised a numerical scheme assessing the risk of each member to vote for secession. Ultimately, 29 of the highest “scoring” members were singled out for arrest in late August. One third of the body's total membership was arrested by federal authorities. Most were subsequently released after they swore a “loyalty oath” to the Union.

Governor Hicks applauded the arrests, the most ardent pro-Southern leaders were arrested or fled, and the military continued to tighten its grip on the State. Maryland was securely in the Union and would pose no more of a threat.

Extraordinary Measures

The arrests didn't stop with the members of the General Assembly; newspaper editors expressing a pro-South point of view soon joined them in what they called the American Bastille at Ft. McHenry. In all thirteen newspapers in Maryland were suppressed by the military, and a number of their editors imprisoned.

Measures that Lincoln took during this period by today's standards might seem harsh and inconsistent with our constitutional values if considered in the abstract.

Lincoln did what he needed to do to preserve the Union, if it meant sacrificing some liberties to preserve the American ideal; he knew that's what the moment called for.

In Lincoln's case, the Republic eventually snapped back to its default setting once the crisis was over. Such measures were considered temporary expedencies and not long term restrictions to bolster Presidential power.

For an example of Lincoln's commitment to democracy, consider that in the middle of such a terrible war, in 1864 Lincoln stood for re-election and won decisively. The thought of suspending the election was not considered.

Lincoln often took steps that were in conflict with his core values and inconsistent with his personal views of the constitution, his pragmatism and keen intellect helped him navigate these contradictions.

It is clear from the historical record that Lincoln did not claim these powers or stifle political speech in order to punish his political enemies or as an excuse to accrue power for its own sake. If he did, there would have been thousands more arrests throughout the nation.

As it were, during the Civil War period there were approximately 14,000 military arrests out of a population of 22 million, hardly repressive.

Lincoln distinguished between political speech that was critical of him versus speech that advocated secession, disloyalty, or interfered with the war effort. For the most part his commanders were able to maintain this balance, although there were certainly excesses.

One such example in Maryland was Upper Eastern Shore Circuit Court Judge Richard Bennett Carmichael. Concerned about the military arrests on the Eastern Shore, the judge instructed the grand jury to indict officers who were making arbitrary arrests.

In May of 1862, federal troops dramatically stormed his courtroom. The Judge didn't take kindly to this effort and resisted, kicking the soldiers in the process as they tried to detain him. He was pistol whipped and drug off the bench. The Judge's detention caused a furor on the Shore and elsewhere in Maryland. As shocking as the manner of the arrest, the fact remains that Judge Carmichael had made statements that could be construed as harming the war effort.

This example reflects Lincoln's understanding that civil liberties ought to be respected during relative periods of peace, yet in wartime, faced with a real and present danger; the nation could not be as tolerant with this type of dissent.

Lincoln understood well that many in Maryland and other states had no further use for the idea of a "**United**" States of America. Lincoln could not let those who had given up on America infect the rest of the body politic. These were more than mere campaign rivals and political opponents. These types of dissidents were of a different stripe altogether, a contagion of sorts. They would be quarantined and prevented from spreading their views. Many of course were permitted to simply leave and join the South.

Do the ends justify the means? I think in this case yes. The costs to civil liberties, for this abbreviated time frame during an existential threat to the United States, were worth it to save the Union.

As we move forward in history though, I think we must ask what happens when the need to restrict liberties goes on indefinitely. In addition, how do we respond when the potential risks could lead to catastrophic consequences?

Lincoln can point us to what I feel is the right balance. One of his greatest legacies was his nearly supernatural ability to balance competing factions, individuals, parties, and ideas. His keen intuition about public opinion enabled him this ability to say just the right thing, make the right appointment, or in our case strike the right balance between liberty for our state and security for the Union.

We would do well to reflect on Lincoln's judicious use of power and reluctance to restrict civil liberties. His default position was always away from accruing excessive power for its own sake. Circumstances forced him to take actions that he most certainly found distasteful, but his overarching goal of saving the Union had to come first.

Lincoln's famous quote in relationship to the habeas corpus debate sums up the argument—

“Are all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated?”

Lincoln was not a legalist, nor was he a doctrinaire ideologue. What if he had hesitated and failed to respond decisively to the threat of secession by border-states like Maryland? It is probable the Union would have fallen.

President Lincoln operated in the real world, where men died based on his decisions, cities fell, and draft riots ensued. He also knew that if he didn't secure the railroad lines, install military force, suppress newspapers, and prevent Maryland's secession vote, the Union simply would not survive.

No single President before or since has been more an embodiment of our nation's founding constitutional ideals; Lincoln lived it and breathed it. He realized that in order to save those ideals, sacrifices would have to be made so that our democracy would survive and the light of freedom would remain a beacon for the world.

Our nation was truly blessed to have him.

Thank you.

QUORUM CALL

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

(See Roll Call No. 212)

ADJOURNMENT

At 8:59 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 11, 2014 in honor of Willard Hackerman.

Annapolis, Maryland
Tuesday, February 11, 2014
10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Rabbi Harold Axelrod, Retired Program Manager for Religious Activities at the Department of Public Safety and Correctional Services, guest of Senator Manno.

(See Exhibit A of Appendix III)

The Journal of February 10, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 214)

INTRODUCTION OF BILLS

Senate Bill 994 – Senator Gladden

AN ACT concerning

Baltimore City – School Closures – Consultations

FOR the purpose of requiring the Baltimore City Board of School Commissioners to conduct certain public meetings and consult with the Parent and Community Advisory Board before a vote to close a certain school that is not included in a certain 10–Year Plan; and generally relating to school closings in Baltimore City.

BY adding to

Article – Education

Section 4–320

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 336 – The President (By Request – Administration) and Senators Astle, Conway, Frosh, Glassman, Klausmeier, Madaleno, McFadden, Middleton, Montgomery, Pinsky, Pugh, and Raskin

AN ACT concerning

Natural Resources – Wildlands – Designation of New Wildlands

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (10) AND THE FAVORABLE REPORT.

SB0336/564238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 336

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “, Raskin, Ferguson, Young, Simonaire, Rosapepe, and Benson”.

On page 3 in lines 7 and 14, on page 7 in lines 27, 28, 30, 31, 34, 36, 37, and 41, on page 8 in lines 5, 12, 14, 16, 20, 21, and 22, on page 9 in line 33, on page 10 in lines 6, 17, 23, 29, 30, and 42, on page 11 in lines 1, 3, 6, 8, 13, and 15, on page 16 in line 41, on page 17 in lines 3, 4, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, and 23, on page 20 in lines 16 and 26, on page 21 in lines 13, 17, 21, 25, 32, and 39, on page 22 in line 6, on page 31 in line 33, on page 51 in lines 23 and 29, on page 52 in lines 14 and 26, on page 58 in lines 1, 11, 17, and 19, on page 61 in line 26, on page 69 in lines 31, 35, and 38, on page 70 in lines 7, 11, and 14, on page 77 in line 10, on page 81 in lines 7 and 24, on page 82 in line 5, on page 83 in line 12, and on page 84 in line 8, in each instance, strike “**THENCE**” and substitute “**THEN**”.

On page 5 in lines 2 and 19, on page 8 in line 37, on page 43 in lines 30 and 37, on page 44 in line 8, on page 69 in lines 31 and 35, on page 70 in lines 7 and 22, and on page 78 in line 41, in each instance, strike “**NAD83**” and substitute “**NAD83**”.

On page 5 in line 20, on page 8 in lines 14 and 15, on page 9 in lines 35, 36, 37, 38, 39, and 40, on page 10 in lines 1, 7, 10, 11, 24, 30, 31, 33, 34, 35, 36, 37, and 38, on page 21 in lines 16 and 17, on page 23 in line 24, on page 26 in lines 29 and 30, on page 31 in lines 21 and 22, on page 41 in lines 38, 39, 40, 41, 42, and 43, on page 44 in lines 16, 18, 19, 20, 21, 22, 26, 27, 30, 31, 32, 33, 34, 37, 38, 39, and 40, on page 45 in lines 2, 3, 4, and 5, on page 61 in lines 28, 29, 30, 31, 32, 35, 36, 37, and 38, and on page 83 in line 13, in each instance, strike “**TO A POINT**”.

On page 26 in line 24, on page 27 in line 12, on page 35 in line 37, on page 43 in lines 32 and 40, and on page 82 in line 39, in each instance, after “**THE**” insert “**POINT OF**”.

AMENDMENT NO. 2

On page 5, in line 19, strike the comma.

On page 9, strike beginning with “**TO**” in line 37 down through “**POINT**” in line 38.

AMENDMENT NO. 3

On page 10, in line 9, strike “**TO POINT**”; strike beginning with “**TO**” in line 7 down through the first “**POINT**” in line 8; strike beginning with “**TO**” in line 11 down through the first “**POINT**” in line 12; strike beginning with “**TO**” in line 33 down through the first “**POINT**” in line 34; and strike beginning with “**TO**” in line 37 down through the first “**POINT**” in line 38.

On page 17, in line 17, strike “**THENCE**” and substitute “**THEN NORTH**”.

On page 18, in line 9, strike “**4,400**” and substitute “**4,397**”.

AMENDMENT NO. 4

On page 21, in line 15, strike the comma; and strike beginning with “**SOUTH**” in line 35 down through “**FEET,**” in line 38 and substitute “**THEN LEAVING SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING THE FOLLOWING COURSES AND DISTANCES, NORTH 81 DEGREES 34 MINUTES 28 SECONDS WEST 476.82 FEET, SOUTH 60 DEGREES 44 MINUTES 49 SECONDS WEST 279.32 FEET, NORTH 84 DEGREES 52 MINUTES 51 SECONDS WEST 298.10 FEET, NORTH 65 DEGREES 45 MINUTES 18 SECONDS WEST 230.41 FEET, NORTH 82 DEGREES 57**”.

MINUTES 48 SECONDS WEST 254.53 FEET TO A POINT, SAID POINT INTERSECTING THE NORTH 27 DEGREES 09 MINUTES 38 SECONDS EAST 3058.78 FOOT LINE OF SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING WITH THE REMAINDER OF SAID LINE 2,953.53 FEET, THEN RUNNING”.

On page 25, in line 35, strike “BOUNDARY” and substitute “BOUNDARY,”.

AMENDMENT NO. 5

On page 31, in line 20, strike the comma; and in line 23, strike “TO A POINT” and substitute “WEST 409.16 FEET”.

On page 33, in line 7, strike “VENTURE” and substitute “VENTURE,”; and in line 10, strike the first comma.

On page 34, in line 32, strike “ROAD” and substitute “ROAD,”; and in line 42, strike “RUNNING”.

On page 35, in lines 20 and 26, in each instance, after “DESCRIPTION” insert “OF PARCEL 4”.

AMENDMENT NO. 6

On page 44, in line 12, strike “POINT SAID POINT INTERSECTION” and substitute “POINT, SAID POINT INTERSECTING”; in line 25, strike “, THEN WITH SAID BOUNDARY,” and substitute “PROPERTY, THEN RUNNING WITH SAID BOUNDARY”; strike beginning with “TO” in line 14 down through “POINT” in line 15; strike beginning with “TO” in line 28 down through “POINT” in line 29; and strike beginning with “TO” in line 35 down through “POINT” in line 36.

On pages 44 and 45, strike beginning with “TO” in line 42 on page 44 down through “POINT” in line 1 on page 45.

On page 45, in line 6, after “676.77” insert “FEET”.

AMENDMENT NO. 7

On page 51, in line 19, strike the first “POINT” and substitute “POINT,”; and in lines 22 and 34, in each instance, strike “ALLEGHENY” and substitute “ALLEGANY”.

On page 55, in line 17, strike “**F**” and substitute “**F**”.

AMENDMENT NO. 8

On page 61, in line 20, strike the first “**POINT**” and substitute “**POINT**,”; strike beginning with “**TO**” in line 33 down through “**POINT**” in line 34; and in line 43, strike “**RESOURCES**” and substitute “**RESOURCES**”.

On page 67, in line 35, strike “**THENCE**” and substitute “**THEN RUNNING**”.

AMENDMENT NO. 9

On page 72, in line 12, strike “**OR REMOVE**” and substitute “**REMOVE, OR REPLACE**”.

On page 73, in line 28, strike “**ON**” and substitute “**IN**”.

On page 74, in line 6, strike the first “**POINT**” and substitute “**POINT**,”; and in line 20, strike “**POINT**” and substitute “**POINT**”.

On page 75, in line 3, strike “**OF THE**”; in line 9, strike “**ON**” and substitute “**IN**”; and in line 12, strike “**RESOURCES**” and substitute “**RESOURCES**”.

On page 77, in line 10, after “**IN**” insert “**A**”; in lines 11 and 16, in each instance, strike “**SAID**” and substitute “**AFOREMENTIONED**”; and in line 16, strike “**MARYLAND**” and substitute “**MARYLAND**”.

On page 79, in lines 6 and 13, in each instance, strike the second “**SAID**” and substitute “**AFOREMENTIONED**”; and in lines 9 and 16, in each instance, strike “**MARYLAND**” and substitute “**MARYLAND**”.

AMENDMENT NO. 10

On page 80, in lines 16 and 23, in each instance, strike “**FORESTRY**” and substitute “**FORESTRY**,”; and in line 29, strike the first “**POINT**” and substitute “**POINT**”.

On page 81, in line 34, strike the first “**THEN**”; and in line 43, strike “**CORPORATION**” and substitute “**CORPORATION**”.

On page 82, in lines 2 and 3, in each instance, strike “THEN”; and in line 11, strike “SOUTH” and substitute “SOUTH”.

On page 83, in line 21, strike “PLACE” and substitute “POINT”.

On page 84, in line 27, strike “88. THEN” and substitute “88, THEN”; and in line 35, strike “PLACE” and substitute “POINT”.

The preceding 10 amendments were read only.

Senator Edwards moved, duly seconded, to make the Bill and Amendments a Special Order for February 12, 2014.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #6

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

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

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

AN ACT concerning

Motor Vehicles – Weight and Axle Load Limits

SB0072/848975/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 72

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “home” in line 7 and substitute “exempting certain buses from certain provisions of law establishing tandem axle weight limits; clarifying that certain vehicle weight limits apply to certain buses”; and in line 13, strike “24–108, 24–109,” and substitute “24–109”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 19 on page 1 through line 16 on page 3, inclusive.

On page 3, in line 26, strike beginning with “**IN**” through “**BUS,**” and substitute “**AN OVER–THE–ROAD BUS**”; in line 29, strike “**AXLE WEIGHTS; AND**” and substitute “**TANDEM AXLE WEIGHT LIMITS PROVIDED IN THIS SECTION; BUT**”; and in line 31, strike beginning with “**IN**” through “**SECTION**” and substitute “**PROVIDED IN THIS SECTION THAT ARE NOT TANDEM AXLE WEIGHT LIMITS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 78 – Senator Forehand

AN ACT concerning

Criminal Law – Human Trafficking – Victims Under Age 21**SB0078/818079/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 78

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Forehand” and substitute “Senators Forehand, Brochin, Frosh, Hershey, Jacobs, Muse, Shank, Stone, Zirkin, and Kittleman”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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 – Penalty

SB0206/198577/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 206

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Devices” insert “and Accessories”; and strike beginning with the second “a” in line 3 down through “confinement” in line 5 and substitute “or possessing with the intent to deliver certain telecommunication devices or accessories to a person detained or confined in a certain place of confinement; prohibiting a person from depositing or concealing certain telecommunication devices or accessories in or about a place of confinement; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving certain telecommunication devices or accessories”.

AMENDMENT NO. 2

On page 1, in line 20, after “device” insert “, TELECOMMUNICATION DEVICE CHARGER, OR SUBSCRIBER IDENTIFICATION MODULE (SIM) CARD”.

On page 2, in lines 1, 4, and 9, in each instance, after “device” insert “, TELECOMMUNICATION DEVICE CHARGER, OR SIM CARD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

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

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

SB0334/378373/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 334

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “under certain circumstances” and substitute “and who has served a certain period of time”.

AMENDMENT NO. 2

On page 2, in line 26, after “order” insert “AND HAS SERVED AT LEAST 12 MONTHS OF THE SENTENCE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 294 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Sean McComb
Patapsco High School & Center for the Arts
in recognition of
being selected as the 2014 Maryland Teacher of the Year. We applaud your
outstanding contributions to Maryland students and for spending this year as an
education voice in policy and instruction in our State. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 295 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Carol Garner

Center for Career & Technical Education
in recognition of
being selected as the 2013–2014 Teacher of the Year
for Allegany County. We applaud your outstanding contributions to enhancing the
education of
Maryland students. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 296 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jodie Hogan
South River High School
in recognition of
being selected as the 2013–2014 Teacher of the Year for Anne Arundel County. We
applaud your outstanding contributions to enhancing the education of Maryland
students. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 297 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Ketia Chantrese Stokes
Green Street Academy
in recognition of
being selected as the 2013–2014 Teacher of the Year for Baltimore City. We applaud
your outstanding contributions to enhancing the education of Maryland students.
Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 298 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jon Kenneth Cox
Southern Middle School

in recognition of
being selected as the 2013–2014 Teacher of the Year for Calvert County. We applaud
your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 299 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Katherine Bridwell
North Caroline High School
in recognition of

being selected as the 2013–2014 Teacher of the Year for Caroline County. We applaud
your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 300 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Laura L. Doolan
Westminster High School
in recognition of

being selected as the 2013–2014 Teacher of the Year for Carroll County. We applaud
your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 301 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Steven Luthultz
Holly Hall Elementary School
in recognition of

being selected as the 2013–2014 Teacher of the Year

for Cecil County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 302 – The President and All Members:

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Mary Frances Bailey

Dr. Thomas L. Higdon Elementary School

in recognition of

being selected as the 2013–2014 Teacher of the Year

for Charles County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 303 – The President and All Members:

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Linda M. Blackmon

North Dorchester Middle School

in recognition of

being selected as the 2013–2014 Teacher of the Year

for Dorchester County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 304 – The President and All Members:

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Karl J. Kidd, Jr.

Urbana Elementary School

in recognition of

being selected as the 2013–2014 Teacher of the Year for Frederick County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 11th day of February 2014.

Senate Resolution No. 305 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Derek Berger

Northern Garrett High School
in recognition of

being selected as the 2013–2014 Teacher of the Year for Garrett County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 11th day of February 2014.

Senate Resolution No. 306 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kristin Schaub

Havre de Grace Elementary School
in recognition of

being selected as the 2013–2014 Teacher of the Year for Harford County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 11th day of February 2014.

Senate Resolution No. 307 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
George McGurl
Burleigh Manor Middle School

in recognition of
being selected as the 2013–2014 Teacher of the Year
for Howard County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 308 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Ellen Chamberlin

Rock Hall Elementary School

in recognition of

being selected as the 2013–2014 Teacher of the Year
for Kent County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 309 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Cristina A. Ulrich

Brookhaven Elementary School

in recognition of

being selected as the 2013–2014 Teacher of the Year
for Montgomery County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 310 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Albert T. Lewis

Walker Mill Middle School
in recognition of
being selected as the 2013–2014 Teacher of the Year for Prince George’s County. We
applaud your outstanding contributions to enhancing the education of
Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 311 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Marlo Coppage
Queen Anne’s County High School
in recognition of
being selected as the 2013–2014 Teacher of the Year for Queen Anne’s County. We
applaud your outstanding contributions to enhancing the education of Maryland
students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 312 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Courtney Haldeman
Somerset Intermediate School
in recognition of
being selected as the 2013–2014 Teacher of the Year
for Somerset County. We applaud your outstanding contributions to enhancing the
education of
Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 313 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Shawn Snyder
Leonardtwn High School

in recognition of
being selected as the 2013–2014 Teacher of the Year
for St. Mary's County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 314 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Robin Werner

St. Michael's Middle High School

in recognition of

being selected as the 2013–2014 Teacher of the Year
for Talbot County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 315 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Ayako Shiga

Boonsboro High School

in recognition of

being selected as the 2013–2014 Teacher of the Year
for Washington County. We applaud your outstanding contributions to enhancing the
education of

Maryland students. Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 316 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kristin L. Cashman

Salisbury Middle School
in recognition of
being selected as the 2013–2014 Teacher of the Year
for Wicomico County. We applaud your outstanding contributions to enhancing the
education of
Maryland students. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Senate Resolution No. 317 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Karen B. Eure
Snow Hill Elementary School
in recognition of
being selected as the 2013–2014 Teacher of the Year
for Worcester County. We applaud your outstanding contributions to enhancing the
education of
Maryland students. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 215)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #3

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 123 – Chair, Budget and Taxation Committee (By Request – Departmental – Information Technology)

AN ACT concerning

Major Information Technology Development Project Fund – Revenue Sources and Authorized Expenditures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 238 – Senators King, Currie, Feldman, Ferguson, Jones–Rodwell, Kasemeyer, Kelley, Madaleno, Manno, Montgomery, Peters, Ramirez, Raskin, Robey, Rosapepe, and Young

AN ACT concerning

Board of Public Works – Relocatable Classrooms – Indoor Air Quality Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 386 – Senators Brinkley, Colburn, Jacobs, Jones–Rodwell, Klausmeier, Madaleno, Montgomery, Muse, and Raskin

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 417 – Senator DeGrange

AN ACT concerning

Sales and Use Tax – Tax–Free Weekend – Exemption for Light–Emitting Diode (LED) Lights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 441 – Senator Mathias

AN ACT concerning

Worcester County – Bingo Board – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 465 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County Gaming Commission – Membership – Conflict of Interest

SB0465/699832/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 465

(First Reading File Bill)

On page 2, in line 12, strike “October” and substitute “July”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

THE COMMITTEE ON FINANCE REPORT #9

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

Senate Bill 96 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

**Health Insurance – Conformity With and Implementation of the Federal
Patient Protection and Affordable Care Act**

SB0096/537177/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 96

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “permit;” insert “providing that certain provisions of the federal Patient Protection and Affordable Care Act relating to guaranteed availability of coverage apply to certain coverage offered in certain insurance markets;”; in line 10, after “circumstances;” insert “providing a certain exception to the requirement that certain insurance carriers take certain action in relation to a certain claim within a certain number of days; authorizing certain insurance carriers to suspend review of a claim for reimbursement for certain services under certain circumstances;”; in line 23, strike “repealing” and substitute “altering”; and in line 26, after “coverage;” insert “altering the date by which carriers that sell health benefit plans to individuals in the State are required to establish a certain enrollment period; specifying the dates on which certain enrollment periods begin and end; providing for certain effective dates of coverage in the individual insurance market;”.

On page 2, in line 8, after “2–112(a),” insert “15–137.1(a), 15–1005, 15–1009.”.

AMENDMENT NO. 2

On page 5, after line 18, insert:

“15–137.1.

(a) Notwithstanding any other provisions of law, the following provisions of Title I, Subtitles A, C, and D of the Affordable Care Act apply to individual health insurance coverage and health insurance coverage offered in the small group and large group markets, as those terms are defined in the federal Public Health Service Act, issued or delivered in the State by an authorized insurer, nonprofit health service plan, or health maintenance organization:

- (1) coverage of children up to the age of 26 years;
- (2) preexisting condition exclusions;

- (3) policy rescissions;
- (4) bona fide wellness programs;
- (5) lifetime limits;
- (6) annual limits for essential benefits;
- (7) waiting periods;
- (8) designation of primary care providers;
- (9) access to obstetrical and gynecological services;
- (10) emergency services;
- (11) summary of benefits and coverage explanation;
- (12) minimum loss ratio requirements and premium rebates;
- (13) disclosure of information;
- (14) annual limitations on cost sharing;
- (15) child-only plan offerings in the individual market;
- (16) minimum benefit requirements for catastrophic plans;
- (17) health insurance premium rates;
- (18) coverage for individuals participating in approved clinical trials;

[and]

(19) contract requirements for stand-alone dental plans sold on the Maryland Health Benefit Exchange; AND

(20) GUARANTEED AVAILABILITY OF COVERAGE."

AMENDMENT NO. 3

On page 14, in line 4, strike “REGARDLESS OF ANY” and substitute “, PROVIDED THAT THE INDIVIDUAL DOES NOT MEET THE INITIAL STANDARD BECAUSE OF A”.

AMENDMENT NO. 4

On page 15, after line 17, insert:

“15–1005.

(a) In this section, “clean claim” means a claim for reimbursement, as defined in regulations adopted by the Commissioner under § 15–1003 of this subtitle.

(b) To the extent consistent with the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1001 et seq., this section applies to an insurer, nonprofit health service plan, or health maintenance organization that acts as a third party administrator.

(c) Except as provided in § 15–1315 of this title AND SUBSECTION (H) OF THIS SECTION, within 30 days after receipt of a claim for reimbursement from a person entitled to reimbursement under § 15–701(a) of this title or from a hospital or related institution, as those terms are defined in § 19–301 of the Health – General Article, an insurer, nonprofit health service plan, or health maintenance organization shall:

(1) mail or otherwise transmit payment for the claim in accordance with this section; or

(2) send a notice of receipt and status of the claim that states:

(i) that the insurer, nonprofit health service plan, or health maintenance organization refuses to reimburse all or part of the claim and the reason for the refusal;

(ii) that, in accordance with § 15–1003(d)(1)(ii) of this subtitle, the legitimacy of the claim or the appropriate amount of reimbursement is in dispute and additional information is necessary to determine if all or part of the claim will be reimbursed and what specific additional information is necessary; or

(iii) that the claim is not clean and the specific additional information necessary for the claim to be considered a clean claim.

(d) (1) An insurer, nonprofit health service plan, or health maintenance organization shall permit a provider a minimum of 180 days from the date a covered service is rendered to submit a claim for reimbursement for the service.

(2) If an insurer, nonprofit health service plan, or health maintenance organization wholly or partially denies a claim for reimbursement, the insurer, nonprofit health service plan, or health maintenance organization shall permit a provider a minimum of 90 working days after the date of denial of the claim to appeal the denial.

(3) If an insurer, nonprofit health service plan, or health maintenance organization erroneously denies a provider's claim for reimbursement submitted within the time period specified in paragraph (1) of this subsection because of a claims processing error, and the provider notifies the insurer, nonprofit health service plan, or health maintenance organization of the potential error within 1 year of the claim denial, the insurer, nonprofit health service plan, or health maintenance organization, on discovery of the error, shall reprocess the provider's claim without the necessity for the provider to resubmit the claim, and without regard to timely submission deadlines.

(e) (1) If an insurer, nonprofit health service plan, or health maintenance organization provides notice under subsection (c)(2)(i) of this section, the insurer, nonprofit health service plan, or health maintenance organization shall mail or otherwise transmit payment for any undisputed portion of the claim within 30 days of receipt of the claim, in accordance with this section.

(2) If an insurer, nonprofit health service plan, or health maintenance organization provides notice under subsection (c)(2)(ii) of this section, the insurer, nonprofit health service plan, or health maintenance organization shall:

(i) mail or otherwise transmit payment for any undisputed portion of the claim in accordance with this section; and

(ii) comply with subsection (c)(1) or (2)(i) of this section within 30 days after receipt of the requested additional information.

(3) If an insurer, nonprofit health service plan, or health maintenance organization provides notice under subsection (c)(2)(iii) of this section, the insurer, nonprofit health service plan, or health maintenance organization shall comply with subsection (c)(1) or (2)(i) of this section within 30 days after receipt of the requested additional information.

(f) (1) If an insurer, nonprofit health service plan, or health maintenance organization fails to pay a clean claim for reimbursement or otherwise violates any provision of this section, the insurer, nonprofit health service plan, or health maintenance organization shall pay interest on the amount of the claim that remains unpaid 30 days after receipt of the initial clean claim for reimbursement at the monthly rate of:

(i) 1.5% from the 31st day through the 60th day;

(ii) 2% from the 61st day through the 120th day; and

(iii) 2.5% after the 120th day.

(2) The interest paid under this subsection shall be included in any late reimbursement without the necessity for the person that filed the original claim to make an additional claim for that interest.

(g) An insurer, nonprofit health service plan, or health maintenance organization that violates a provision of this section is subject to:

(1) a fine not exceeding \$500 for each violation that is arbitrary and capricious, based on all available information; and

(2) the penalties prescribed under § 4-113(d) of this article for violations committed with a frequency that indicates a general business practice.

(H) (1) AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION MAY SUSPEND REVIEW OF A CLAIM FOR REIMBURSEMENT FOR A PREAUTHORIZED OR APPROVED HEALTH CARE SERVICE IF THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION SENDS WRITTEN NOTICE WITHIN 30 DAYS AFTER RECEIPT OF THE CLAIM THAT INFORMS THE PERSON FILING THE CLAIM, THAT:

(I) REVIEW OF THE CLAIM IS SUSPENDED DURING THE SECOND OR THIRD MONTH OF A GRACE PERIOD UNDER 45 C.F.R. § 156.270(D); AND

(II) ON RECEIPT OF THE PAYMENT OF PREMIUM, THE INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION IS REQUIRED TO COMPLY WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) WITHIN 30 DAYS AFTER RECEIPT OF THE PAYMENT OF PREMIUM, AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH MAINTENANCE ORGANIZATION SHALL COMPLY WITH SUBSECTION (C)(1) OR (2) OF THIS SECTION.

15-1009.

(a) In this section, “carrier” means:

(1) an insurer;

(2) a nonprofit health service plan;

(3) a health maintenance organization;

(4) a dental plan organization; or

(5) any other person that provides health benefit plans subject to regulation by the State.

(b) If a health care service for a patient has been preauthorized or approved by a carrier or the carrier’s private review agent, the carrier may not deny reimbursement to a health care provider for the preauthorized or approved service delivered to that patient unless:

(1) the information submitted to the carrier regarding the service to be delivered to the patient was fraudulent or intentionally misrepresentative;

(2) critical information requested by the carrier regarding the service to be delivered to the patient was omitted such that the carrier's determination would have been different had it known the critical information;

(3) a planned course of treatment for the patient that was approved by the carrier was not substantially followed by the health care provider; or

(4) on the date the preauthorized or approved service was delivered:

(i) the patient was not covered by the carrier;

(ii) the carrier maintained an automated eligibility verification system that was available to the contracting provider by telephone or via the Internet; and

(iii) according to the verification system, the patient was not covered by the carrier.

(C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A CARRIER MAY SUSPEND REVIEW OF A CLAIM FOR REIMBURSEMENT OF A PREAUTHORIZED OR APPROVED HEALTH CARE SERVICE IF:

(1) THE PATIENT IS IN THE SECOND OR THIRD MONTH OF A GRACE PERIOD UNDER 45 C.F.R. § 156.270(D);

(2) THE CARRIER MAINTAINS AN AUTOMATED ELIGIBILITY VERIFICATION SYSTEM THAT WAS AVAILABLE TO THE HEALTH CARE PROVIDER BY TELEPHONE OR VIA THE INTERNET AT THE TIME THE HEALTH CARE SERVICE WAS PROVIDED;

(3) ACCORDING TO THE VERIFICATION SYSTEM, THE PROVIDER IS INFORMED THAT:

(I) THE PATIENT IS IN THE SECOND OR THIRD MONTH OF A GRACE PERIOD AND REVIEW OF A CLAIM FOR REIMBURSEMENT MAY BE SUSPENDED; AND

(II) A CARRIER IS NOT PROHIBITED FROM DENYING A CLAIM FOR REIMBURSEMENT OF A SUSPENDED CLAIM; AND

(4) THE CARRIER COMPLIES WITH THE NOTICE AND CLAIM PAYMENT REQUIREMENTS UNDER § 15-1005 OF THIS SUBTITLE.

[(c)](D) A carrier shall pay a claim for a preauthorized or approved covered health care service in accordance with §§ 15-1005 and 15-1008 of this subtitle.

AMENDMENT NO. 5

On page 20, in line 13, strike “qualified”; and in the same line, after “health” insert “**BENEFIT**”.

On page 23, in lines 1 and 3, in each instance, strike the bracket; and strike beginning with “and” in line 2 down through “title” in line 3.

AMENDMENT NO. 6

On page 26, strike in their entirety lines 1 through 4, inclusive, and substitute:

“(b) (1) Beginning [October 15, 2014,] NOVEMBER 15, 2014, UNLESS AN ALTERNATIVE DATE IS ADOPTED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, a carrier that sells health benefit plans to individuals in the state shall establish an annual open enrollment period.

(2) THE ANNUAL OPEN ENROLLMENT PERIOD FOR 2014 SHALL BEGIN ON NOVEMBER 15, 2014, AND EXTEND THROUGH JANUARY 15, 2015, UNLESS ALTERNATIVE DATES ARE ADOPTED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES.

[(2)](3) The annual open enrollment period FOR YEARS BEGINNING ON AND AFTER JANUARY 1, 2015, shall begin on October 15 and extend through December 7 each year.”;

in line 5, strike “(3)” and substitute “**(4)**”; strike in their entirety lines 12 through 14, inclusive, and substitute:

“(4)(5) IF AN INDIVIDUAL ENROLLS IN A HEALTH BENEFIT PLAN OFFERED BY THE CARRIER DURING THE ANNUAL OPEN ENROLLMENT PERIOD FOR 2014, THE EFFECTIVE DATE OF COVERAGE SHALL BE:

(I) JANUARY 1, 2015, IF THE APPLICATION IS RECEIVED BY THE CARRIER ON OR BEFORE DECEMBER 15, 2014, UNLESS AN ALTERNATIVE DATE IS ADOPTED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND

(II) FEBRUARY 1, 2015, IF THE APPLICATION IS RECEIVED BY THE CARRIER FROM DECEMBER 16, 2014, THROUGH JANUARY 15, 2015, UNLESS AN ALTERNATIVE DATE IS ADOPTED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(6) If an individual enrolls in a health benefit plan offered by the carrier during the annual open enrollment period FOR YEARS BEGINNING ON AND AFTER JANUARY 1, 2015, the effective date of coverage shall be January 1 of the following calendar year.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 186 – Senators Feldman, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

SB0186/967477/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 186

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “the” insert “express”; and in line 8, after “municipality” insert “, and certain administrative costs.”.

AMENDMENT NO. 2

On page 3, in line 23, after “THE” insert “EXPRESS”; and in line 28, after “OWNER” insert “, AND COSTS ASSOCIATED WITH ADMINISTERING THE PROGRAM.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 257 – Senators Kelley, Astle, Feldman, Glassman, Kittleman, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

Task Force to Study Access to Pharmacy Services in Maryland

SB0257/387571/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 257

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ramirez” and substitute “Ramirez, and Klausmeier”; and in line 9, after “Governor,” insert “the Health Services Cost Review Commission.”.

AMENDMENT NO. 2

On page 2, in line 4, strike the second “and”; after line 4 insert:

“(6) one member of the State Board of Dental Examiners, appointed by the Secretary of Health and Mental Hygiene;

(7) one representative of the Maryland Behavioral Health Administration, appointed by the Secretary of Health and Mental Hygiene; and”;

in line 5, strike “(6)” and substitute “(8)”; in line 10, strike “National” and substitute “Maryland”; in line 18, strike “and”; and in line 19, after “member” insert “;

(ix) one representative of the Maryland DC Society of Clinical Oncology;

(x) one representative of the Maryland Dental Society;

(xi) one representative of the Maryland State Dental Association;

(xii) one representative of a federally qualified health center;

(xiii) one representative of an independent retail pharmacy; and

(xiv) two representatives of health insurance carriers doing business in the State”.

AMENDMENT NO. 3

On page 3, strike beginning with “best” in line 3 down through “services” in line 4 and substitute “information on best practices, programs, and community pharmacist services used around the State and nationally to provide and to facilitate access to pharmacy services, including community pharmacy medication therapy management services”.

AMENDMENT NO. 4

On page 3, in line 16, strike “June 1, 2015” and substitute “December 31, 2014”; and in line 17, after “Governor” insert “, the Health Services Cost Review Commission,”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 335 – The President (By Request – Administration) and Senators Astle, Feldman, Klausmeier, Middleton, and Robey

AN ACT concerning

Health Services Cost Review Commission – Powers and Duties, Regulation of Facilities, and Maryland All-Payer Model Contract

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 356 – Senator Ferguson

AN ACT concerning

Public Utilities – Fixed Charges for Taxicab Services – Baltimore City

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 169 – Senators Conway and Pugh

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Program Proposals – Revisions

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

Senator Conway moved, duly seconded, to recommit the Bill.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 216)

ADJOURNMENT

At 11:03 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 12, 2014 in honor of Veronica Dixon and James Brady.

Annapolis, Maryland
Wednesday, February 12, 2014
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Steve Hall, Heritage Community Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 11, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senator Jones–Rodwell be excused from today’s session.

QUORUM CALL

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

(See Roll Call No. 218)

INTRODUCTION OF BILLS

Senate Bill 995 – Senator Ramirez

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Redevelopment of 4510
41st Avenue and 4516 41st Avenue**

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

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

Senate Bill 996 – Senator Gladden

AN ACT concerning

**Creation of a State Debt – Baltimore City – Gaudenzia’s Park Heights Facility
Renovation**

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

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

**Senate Bill 997 – Senators Conway, Ferguson, Gladden, Jones–Rodwell,
McFadden, and Pugh**

AN ACT concerning

**Baltimore City Sheriff’s Office – Deputy Sheriff Majors – Number of
Appointments**

FOR the purpose of altering the number of deputy sheriff majors that the Sheriff of Baltimore City is required to appoint; and generally relating to the number of deputy sheriff majors appointed in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(d)(1)(ii)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

**Senate Bill 998 – Chair, Budget and Taxation Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland in a certain total principal amount for financing the projects;

providing that the bonds issued under the authority of this Act are not a debt or obligation of the State or any of its subdivisions; and generally relating to academic facilities bonding authority of the University System of Maryland and specified projects.

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

Senate Bill 999 – Senator Pugh

AN ACT concerning

Insurance – Reinsurance – Certification of Reinsurers

FOR the purpose of authorizing the Maryland Insurance Commissioner to use information provided by the National Association of Insurance Commissioners (NAIC) committee process to take certain actions relating to an applicant for certification as a reinsurer in Maryland; authorizing the Commissioner, until a certain time, to consider the list of conditionally qualified jurisdictions published through the NAIC committee process when determining the jurisdictions under which an assuming insurer, licensed and domiciled in a jurisdiction on the list, is eligible to be considered for certification as a reinsurer in Maryland; and generally relating to certification of reinsurers.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 5–909(a)(1) and (b)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 5–910

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1000 – Senators Jones–Rodwell, Conway, Gladden, Madaleno, McFadden, Montgomery, and Pugh

AN ACT concerning

Historically Black Colleges and Universities – International Education

FOR the purpose of requiring certain historically black colleges and universities to develop and implement certain plans for a program to promote international education as a part of curricular and extracurricular life at the colleges and

universities; requiring certain plans to include certain implementation strategies and timelines for meeting certain goals; providing for the contents of certain plans; requiring certain historically black colleges and universities to submit certain plans to the governing bodies of the colleges and universities for review on or before a certain date each year, beginning in a certain year; requiring the governing bodies of certain colleges and universities to submit a certain progress report to the Maryland Higher Education Commission on or before a certain date each year, beginning in a certain year; requiring the Commission to review certain progress reports and to submit a certain report to certain committees of the General Assembly on or before a certain date each year, beginning in a certain year; and generally relating to plans for programs of historically black colleges and universities to promote international education.

BY adding to

Article – Education

Section 11–406.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1001 – Senator Mathias

AN ACT concerning

Vehicle Laws – Divided Highways – Speed Limits and Crosswalks

FOR the purpose of requiring that, on a divided highway that has traffic lights located in certain areas, each intersection that has a traffic light shall 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.

Senate Bill 1002 – Senator Mathias

AN ACT concerning

Health Insurance – Uniform Claims Form – Electronic Submission by Insured

FOR the purpose of authorizing an insured, a member, or a subscriber to submit a certain claims form by electronic transfer, under certain circumstances; specifying when an insurer, a nonprofit health service plan, or a health maintenance organization must comply with this Act; and generally relating to submission of a claims form under health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1004(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1004(b)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1003 – Senator Muse

AN ACT concerning

Business Regulation – Pet Cemeteries – Establishment and Operational Requirements

FOR the purpose of exempting pet cemeteries from the registration and permitting requirements of the Office of Cemetery Oversight; requiring the owner of certain land used or to be used as a pet cemetery to file a certain declaration in the office of the clerk of the circuit court of the county in which the land is located; providing for the execution and recordation of a certain declaration; providing that a certain restriction recorded in a certain declaration may be removed in accordance with certain provisions of law; requiring each pet cemetery owner to have a perpetual care trust fund; establishing the requirements, purpose, initial deposit amount, and use for the funds in a certain perpetual care trust fund; requiring a certain annual report for a certain perpetual care trust fund to be prepared, maintained, made available for inspection, and filed in a certain manner; prohibiting money in a certain perpetual care trust fund from being made available to certain creditors in the event of a bankruptcy or insolvency or an adverse judgment against a certain pet cemetery owner; providing that a certain perpetual care trust fund is not subject to judgment, execution, garnishment, attachment, or seizure under certain circumstances; requiring each burial lot sold or conveyed in a pet cemetery to be held by the owner for the purpose of burial of a pet; prohibiting a human body from being interred in a pet cemetery; requiring a pet cemetery owner to comply with certain requirements; requiring a certain purchaser of a burial lot or burial right in a pet cemetery to notify the pet cemetery owner of a change of address in a certain manner; providing for the removal of a certain land restriction in a recorded declaration under certain circumstances; prohibiting a certain person from establishing, operating, or allowing a pet cemetery to be operated in violation of certain provisions of law; establishing certain penalties for violations of this Act; defining certain terms; and generally relating to the establishment of and operational requirements for pet cemeteries.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–102
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 5–405
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to
Article – Business Regulation
Section 5–8A–01 through 5–8A–08 to be under the new subtitle “Subtitle 8A.
Pet Cemeteries”
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1004 – Senator Muse

AN ACT concerning

Family Law – Children’s Civil Rights – Equal Parenting Time

FOR the purpose of creating a rebuttable presumption that certain custodial arrangements are in the best interest of the child in certain child custody proceedings; and generally relating to child custody determinations.

BY adding to

Article – Family Law

Section 9–109

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1005 – Senator Forehand

AN ACT concerning

**Courts and Judicial Proceedings – Crime Victims and Witnesses Funds –
Court Costs**

FOR the purpose of increasing certain costs imposed by a circuit court and the District Court for certain crimes and offenses; increasing the amount of money from certain fees collected by a circuit court and the District Court that the Comptroller must deposit into the State Victims of Crime Fund; excluding certain fees collected under this Act from a certain calculation relating to the amount of money that the Comptroller must deposit into the Criminal Injuries Compensation Fund and the State Victims of Crime Fund; and generally relating to court costs in certain criminal cases.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–409

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

Senate Bill 1006 – Senator Conway

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Baltimore City –
The Miles Washington Family Support Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to extend the deadline for the Board of Trustees of The Miles Washington Family Support Center, Inc. to present evidence of a certain matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012, as amended by
Chapter 430 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(U)

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

Senate Bill 1007 – Senator Klausmeier

AN ACT concerning

**State Board of Education – Financial Literacy Curriculum – Graduation
Requirement**

FOR the purpose of requiring the State Board of Education to require each public school to administer a certain test to each student before high school graduation during certain school years; requiring the State Board to develop curriculum content for a certain course in financial literacy to be taught beginning with a certain school year; requiring each county board of education to implement certain financial literacy curriculum content in certain high schools beginning with a certain school year; requiring students to complete a certain course to graduate from high school beginning with a certain school year; and generally relating to graduation requirements for public high schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–205.1
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1008 – Senator Astle

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Anne Arundel County –
Charles Carroll House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to provide that a certain grant for the Charles Carroll House may not terminate before a certain date; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA02(L)

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

Senate Bill 1009 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Captain Avery Museum
Window Repair and Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$38,000, the proceeds to be used as a grant to the Board of Directors of the Captain Avery Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1010 – Senators Benson and Stone

AN ACT concerning

**Domestic Animals – Sterilization and Life–Sustaining Care of Cats –
Determination of Dangerousness**

FOR the purpose of providing that a law prohibiting a person who owns, possesses, or has custody of a domestic animal from dropping or leaving the animal on a road, in a public place, or on private property with the intent to abandon the animal does not apply to a person who is providing sterilization or life–sustaining care to a certain cat that is not owned or lacks visible owner identification; providing that a county or local government may not prohibit a person from providing sterilization or life–sustaining care to a cat that is not owned or lacks visible owner registration; providing that a county or local government may not determine that a cat is a nuisance, potentially dangerous, or dangerous solely

on the grounds that the cat is not owned or lacks visible owner registration; establishing that this Act does not limit a common law cause of action or immunity; providing for the application of this Act; and generally relating to domestic animals.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–612
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Criminal Law
Section 10–624
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1011 – Senator Kasemeyer

AN ACT concerning

Maryland Estate Tax – Exclusion – Deceased Spousal Unused Exclusion Amount

FOR the purpose of providing that, for the calculation of the Maryland estate tax in the case of a certain surviving spouse, the applicable exclusion amount includes the sum of a certain exclusion amount and a certain deceased spousal unused exclusion amount; prohibiting the surviving spouse from applying the deceased spousal unused exclusion amount except under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1) and (2)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 7–309(b)(3)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Tax – General
Section 7–309(b)(9)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1012 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Arts Realty Corporation (BARCO) North Avenue Arts Building

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

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

Senate Bill 1013 – Senator Klausmeier

AN ACT concerning

Public Utilities – Billing for Noncommodity Products and Services – Prohibition

FOR the purpose of prohibiting a gas company or an electric company from billing its customers for noncommodity products and services; defining a certain term; and generally relating to customer billing by a gas company or an electric company.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–305
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1014 – Senator Astle

AN ACT concerning

**Developmental Disabilities – Residential Programs – Reimbursement for
Visitation Absence Days**

FOR the purpose of requiring the Department of Health and Mental Hygiene to reimburse certain providers of services to individuals with developmental disabilities in certain residential programs for a visitation absence day; prohibiting the Department from imposing certain limitations on certain reimbursement to certain providers for visitation absence days; prohibiting certain providers from charging certain individuals in certain residential programs for a visitation absence day; prohibiting the Department from using a certain rate-setting methodology for certain providers for a certain purpose; defining certain terms; and generally relating to providers of services to individuals with developmental disabilities and reimbursement for visitation absence days.

BY adding to

Article – Health – General

Section 7-307.1

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1015 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

FOR the purpose of creating in Anne Arundel County a BWLT beer, wine, and liquor (on-premises) tasting license; specifying that the BWLT license may be issued to certain persons; creating a license fee schedule for a BWLT license and altering the fee schedule for a BWT beer and wine (on-premises) tasting license; specifying certain limitations on the amount of alcoholic beverages that may be offered for on-premises consumption; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8-402

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1016 – Senator Benson

AN ACT concerning

Maryland Kinesiology Act

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of kinesiotherapy; providing that this Act does not limit the rights of certain individuals to practice certain occupations; requiring the Board to set certain fees; establishing the Kinesiotherapy Advisory Committee within the Board; providing for the membership, powers, duties, and chair of the Committee; establishing the terms and requirements for certain members of the Committee; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice kinesiotherapy; providing that certain licensing provisions do not apply to certain students practicing kinesiotherapy under certain circumstances; providing for the qualifications for a license to practice kinesiotherapy; providing for the scope of a license to practice kinesiotherapy; providing for the issuance, expiration, and renewal of certain licenses; requiring a licensee to report certain information to the Board within a certain period of time; establishing a certain penalty; requiring that a license be displayed in a certain manner; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for licensed kinesiotherapists; prohibiting certain acts; providing for certain criminal and civil penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; requiring that initial kinesiotherapist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; and generally relating to the licensure and regulation of the practice of kinesiotherapy.

BY renumbering

Article – State Government

Section 8–403(b)(30) through (56), respectively

to be Section 8–403(b)(31) through (57), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 14–5F–01 through 14–5F–24 to be under the new subtitle “Subtitle 5F.
Kinesiotherapists”

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(30)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

MOTION

Senator Kasemeyer moved, duly seconded, to suspend Rule 32 to allow **Senate Bill 998** to be re–referred to the appropriate committee.

The motion was adopted.

Senate Bill 998 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; approving the issuance of bonds by the University System of Maryland in a certain total principal amount for financing the projects; providing that the bonds issued under the authority of this Act are not a debt or obligation of the State or any of its subdivisions; and generally relating to academic facilities bonding authority of the University System of Maryland and specified projects.

The Bill was re–referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

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

Senate Bill 336 – The President (By Request – Administration) and Senators Astle, Conway, Frosh, Glassman, Klausmeier, Madaleno, McFadden, Middleton, Montgomery, Pinsky, Pugh, and Raskin

AN ACT concerning

Natural Resources – Wildlands – Designation of New Wildlands

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (10) AND THE FAVORABLE REPORT.

SB0336/564238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 336

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “, Raskin, Ferguson, Young, Simonaire, Rosapepe, and Benson”.

On page 3 in lines 7 and 14, on page 7 in lines 27, 28, 30, 31, 34, 36, 37, and 41, on page 8 in lines 5, 12, 14, 16, 20, 21, and 22, on page 9 in line 33, on page 10 in lines 6, 17, 23, 29, 30, and 42, on page 11 in lines 1, 3, 6, 8, 13, and 15, on page 16 in line 41, on page 17 in lines 3, 4, 6, 7, 8, 9, 11, 12, 13, 15, 16, 20, 22, and 23, on page 20 in lines 16 and 26, on page 21 in lines 13, 17, 21, 25, 32, and 39, on page 22 in line 6, on page 31 in line 33, on page 51 in lines 23 and 29, on page 52 in lines 14 and 26, on page 58 in lines 1, 11, 17, and 19, on page 61 in line 26, on page 69 in lines 31, 35, and 38, on page 70 in lines 7, 11, and 14, on page 77 in line 10, on page 81 in lines 7 and 24, on page 82 in line 5, on page 83 in line 12, and on page 84 in line 8, in each instance, strike “**THENCE**” and substitute “**THEN**”.

On page 5 in lines 2 and 19, on page 8 in line 37, on page 43 in lines 30 and 37, on page 44 in line 8, on page 69 in lines 31 and 35, on page 70 in lines 7 and 22, and on page 78 in line 41, in each instance, strike “**NAD83**” and substitute “**NAD83**”.

On page 5 in line 20, on page 8 in lines 14 and 15, on page 9 in lines 35, 36, 37, 38, 39, and 40, on page 10 in lines 1, 7, 10, 11, 24, 30, 31, 33, 34, 35, 36, 37, and 38, on page 21 in lines 16 and 17, on page 23 in line 24, on page 26 in lines 29 and 30, on page 31 in lines 21 and 22, on page 41 in lines 38, 39, 40, 41, 42, and 43, on page 44 in lines 16, 18, 19, 20, 21, 22, 26, 27, 30, 31, 32, 33, 34, 37, 38, 39, and 40, on page 45 in lines 2, 3, 4, and 5, on page 61 in lines 28, 29, 30, 31, 32, 35, 36, 37, and 38, and on page 83 in line 13, in each instance, strike “**TO A POINT**”.

On page 26 in line 24, on page 27 in line 12, on page 35 in line 37, on page 43 in lines 32 and 40, and on page 82 in line 39, in each instance, after “THE” insert “POINT OF”.

AMENDMENT NO. 2

On page 5, in line 19, strike the comma.

On page 9, strike beginning with “TO” in line 37 down through “POINT” in line 38.

AMENDMENT NO. 3

On page 10, in line 9, strike “TO POINT”; strike beginning with “TO” in line 7 down through the first “POINT” in line 8; strike beginning with “TO” in line 11 down through the first “POINT” in line 12; strike beginning with “TO” in line 33 down through the first “POINT” in line 34; and strike beginning with “TO” in line 37 down through the first “POINT” in line 38.

On page 17, in line 17, strike “THENCE” and substitute “THEN NORTH”.

On page 18, in line 9, strike “4,400” and substitute “4,397”.

AMENDMENT NO. 4

On page 21, in line 15, strike the comma; and strike beginning with “SOUTH” in line 35 down through “FEET,” in line 38 and substitute “THEN LEAVING SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING THE FOLLOWING COURSES AND DISTANCES, NORTH 81 DEGREES 34 MINUTES 28 SECONDS WEST 476.82 FEET, SOUTH 60 DEGREES 44 MINUTES 49 SECONDS WEST 279.32 FEET, NORTH 84 DEGREES 52 MINUTES 51 SECONDS WEST 298.10 FEET, NORTH 65 DEGREES 45 MINUTES 18 SECONDS WEST 230.41 FEET, NORTH 82 DEGREES 57 MINUTES 48 SECONDS WEST 254.53 FEET TO A POINT, SAID POINT INTERSECTING THE NORTH 27 DEGREES 09 MINUTES 38 SECONDS EAST 3058.78 FOOT LINE OF SAID CONVEYANCE FROM TROUT RUN LLC TO THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES, AND RUNNING WITH THE REMAINDER OF SAID LINE 2,953.53 FEET, THEN RUNNING”.

On page 25, in line 35, strike “BOUNDARY” and substitute “BOUNDARY,”.

AMENDMENT NO. 5

On page 31, in line 20, strike the comma; and in line 23, strike “TO A POINT” and substitute “WEST 409.16 FEET”.

On page 33, in line 7, strike “VENTURE” and substitute “VENTURE,”; and in line 10, strike the first comma.

On page 34, in line 32, strike “ROAD” and substitute “ROAD,”; and in line 42, strike “RUNNING”.

On page 35, in lines 20 and 26, in each instance, after “DESCRIPTION” insert “OF PARCEL 4”.

AMENDMENT NO. 6

On page 44, in line 12, strike “POINT SAID POINT INTERSECTION” and substitute “POINT, SAID POINT INTERSECTING”; in line 25, strike “, THEN WITH SAID BOUNDARY,” and substitute “PROPERTY, THEN RUNNING WITH SAID BOUNDARY”; strike beginning with “TO” in line 14 down through “POINT” in line 15; strike beginning with “TO” in line 28 down through “POINT” in line 29; and strike beginning with “TO” in line 35 down through “POINT” in line 36.

On pages 44 and 45, strike beginning with “TO” in line 42 on page 44 down through “POINT” in line 1 on page 45.

On page 45, in line 6, after “676.77” insert “FEET”.

AMENDMENT NO. 7

On page 51, in line 19, strike the first “POINT” and substitute “POINT,”; and in lines 22 and 34, in each instance, strike “ALLEGHENY” and substitute “ALLEGANY”.

On page 55, in line 17, strike “F” and substitute “F,”.

AMENDMENT NO. 8

On page 61, in line 20, strike the first “POINT” and substitute “POINT,”; strike beginning with “TO” in line 33 down through “POINT” in line 34; and in line 43, strike “RESOURCES” and substitute “RESOURCES,”.

On page 67, in line 35, strike “THENCE” and substitute “THEN RUNNING”.

AMENDMENT NO. 9

On page 72, in line 12, strike “OR REMOVE” and substitute “REMOVE, OR REPLACE”.

On page 73, in line 28, strike “ON” and substitute “IN”.

On page 74, in line 6, strike the first “POINT” and substitute “POINT,”; and in line 20, strike “POINT” and substitute “POINT,”.

On page 75, in line 3, strike “OF THE”; in line 9, strike “ON” and substitute “IN”; and in line 12, strike “RESOURCES” and substitute “RESOURCES,”.

On page 77, in line 10, after “IN” insert “A”; in lines 11 and 16, in each instance, strike “SAID” and substitute “AFOREMENTIONED”; and in line 16, strike “MARYLAND” and substitute “MARYLAND,”.

On page 79, in lines 6 and 13, in each instance, strike the second “SAID” and substitute “AFOREMENTIONED”; and in lines 9 and 16, in each instance, strike “MARYLAND” and substitute “MARYLAND,”.

AMENDMENT NO. 10

On page 80, in lines 16 and 23, in each instance, strike “FORESTRY” and substitute “FORESTRY,”; and in line 29, strike the first “POINT” and substitute “POINT,”.

On page 81, in line 34, strike the first “THEN”; and in line 43, strike “CORPORATION” and substitute “CORPORATION,”.

On page 82, in lines 2 and 3, in each instance, strike “THEN”; and in line 11, strike “SOUTH” and substitute “SOUTH”.

On page 83, in line 21, strike “PLACE” and substitute “POINT”.

On page 84, in line 27, strike “88. THEN” and substitute “88, THEN”; and in line 35, strike “PLACE” and substitute “POINT”.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 219)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #19

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 – 43 Negative – 2 (See Roll Call No. 220)

The Bill was then sent to the House of Delegates.

Senate Bill 294 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Horse Industry Board – Sunset Extension and Program Evaluation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 221)

The Bill was then sent to the House of Delegates.

Senate Bill 407 – Senator Astle

AN ACT concerning

Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest Provisions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 222)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 223)

ADJOURNMENT

At 10:54 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 13, 2014.

Annapolis, Maryland
Thursday, February 13, 2014
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Senator McFadden.

(See Exhibit A of Appendix III)

The Journal of February 12, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Glassman and Stone be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 225)

INTRODUCTION OF BILLS

Senate Bill 1017 – Montgomery County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Chief Executive Officer or County Executive – Special Election to Fill a
Vacancy in Office**

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a county charter may provide for the filling of a vacancy in the office of chief executive officer or county executive of a county by special election; proposing an amendment to the Maryland Constitution regarding a special election to fill certain vacancies in office; submitting an amendment to the Maryland Constitution to the qualified voters of the State for their adoption or rejection; altering provisions of law regarding the filling of a vacancy by special election to allow a county to have a special election to fill a vacancy in the office of chief executive officer or county executive; and generally relating to the filling

of a vacancy in the office of chief executive officer or county executive by special election.

BY proposing an amendment to the Maryland Constitution
Article XI–A – Local Legislation
Section 3

BY proposing an amendment to the Maryland Constitution
Article XVII – Quadrennial Elections
Section 2

BY repealing and reenacting, without amendments,
Article – Election Law
Section 5–303
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–401
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 10–205
Annotated Code of Maryland
(2013 Volume)

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

Senate Bill 1018 – Senator Reilly

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth – Continuation, Membership, Stipend, and Duties

FOR the purpose of altering the membership and duties of the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth; authorizing certain members of the Task Force to receive a certain stipend as compensation for serving on the Task Force; requiring the Task Force to issue its findings and recommendations to the Governor and General Assembly in preliminary and final reports on or before certain dates; extending the termination date of the Task Force; and generally relating to the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth.

BY repealing and reenacting, with amendments,
Chapter 544 of the Acts of the General Assembly of 2013
Section 1(c), (f), (g), and (h) and 2

BY repealing and reenacting, with amendments,
Chapter 545 of the Acts of the General Assembly of 2013
Section 1(c), (f), (g), and (h) and 2

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

Senate Bill 1019 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – East Baltimore Historical Library

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the East Baltimore Community School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1020 – Senator Middleton

AN ACT concerning

Solar Farms – Construction Requirements – Exemptions

FOR the purpose of exempting a solar farm from the requirement to submit a grading and sediment control plan to obtain a permit for grading or construction; exempting a solar farm from the requirement to submit a forest stand delineation and forest conservation plan to obtain a permit for grading or construction; exempting a solar farm from the requirement to obtain a certificate of public convenience and necessity before constructing a generating station if the solar farm meets certain requirements; defining a certain term; making conforming changes; and generally relating to construction of solar farms.

BY renumbering

Article – Natural Resources

Section 5–1601(kk), (ll), (mm), (nn), (oo), and (pp), respectively
to be Section 5–1601(ll), (mm), (nn), (oo), (pp), and (qq), respectively

Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 4–101.1(a) and 4–103(a)(1) and (2)
Annotated Code of Maryland
(2013 Replacement Volume)

BY adding to
Article – Environment
Section 4–101.1(d)
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–101.1(d) and 4–102
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1601(a), 5–1602(a), 5–1604(a), and 5–1605(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Natural Resources
Section 5–1601(kk)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1602(b)(4)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–207(b)(1)(i) and (ii)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities

Section 7–207.1
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1021 – Senator Pugh

AN ACT concerning

Net Energy Metering – Industrial Combined Heat and Power

FOR the purpose of including in the definition of an eligible customer–generator for the purposes of net energy metering a customer that owns and operates, leases and operates, or contracts with a third party that owns and operates a certain industrial combined heat and power facility; defining a certain term; altering a certain definition; and generally relating to net energy metering and industrial combined heat and power facilities.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–306(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1022 – Senator Shank

AN ACT concerning

**Law Enforcement Officers’ Bill of Rights – Administrative Charges
Prohibited – Use of Force Consistent With Training**

FOR the purpose of prohibiting a law enforcement agency from bringing certain administrative charges against a law enforcement officer for excessive force under certain circumstances; and generally relating to the Law Enforcement Officers’ Bill of Rights and administrative charges.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–106
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1023 – Senator Edwards

AN ACT concerning

**Workers' Compensation – Heart Disease and Hypertension Presumption –
Allegany County Correctional Officers**

FOR the purpose of extending the presumption of compensability under the workers' compensation law to include, subject to certain conditions, Allegany County correctional officers who suffer from heart disease or hypertension resulting in partial or total disability or death; requiring Allegany County correctional officers to submit certain medical disclosures to a certain official; providing that, subject to a certain limitation, workers' compensation benefits received under this Act are in addition to certain retirement benefits; altering the definition of "public safety employee" to include Allegany County correctional officers for the purposes of determining certain compensation; providing for the application of certain provisions of this Act; and generally relating to compensability of Allegany County correctional officers under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(b) and (e) and 9–628(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–628(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1024 – Senator Brinkley

AN ACT concerning

Public Ethics Law – Prestige of Office – Prohibited Use

FOR the purpose of prohibiting an official from using the prestige of office or public position to solicit, compel, or oblige a public or private entity to enter into an agreement with a labor organization; and generally relating to the prohibited use of an official's prestige of office and public ethics.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–506

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.

Senate Bill 1025 – Montgomery County Senators

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Residency Requirement
Exemption**

FOR the purpose of exempting Montgomery County from certain provisions of law requiring that a partner in a partnership for which an application for an alcoholic beverages license is made or an applicant for an alcoholic beverages license be a resident in the County for a certain number of years before the application is filed; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(a) and 10–103(b)(4)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

**Senate Bill 1026 – Senators Kasemeyer, DeGrange, Madaleno, Manno, Peters,
and Robey**

AN ACT concerning

Maryland State Fair – Funding Extension

FOR the purpose of repealing the termination of a requirement that a certain racecourse receive at least a certain amount of funds from the Racetrack Facility Renewal Account that is not subject to certain requirements; providing that the amount of funds is equal to a certain amount each fiscal year; and generally relating to a certain allocation from the Racetrack Facility Renewal Account.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–29
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1027 – Senator Kittleman

AN ACT concerning

**Criminal Law – Maryland Controlled Dangerous Substances Act –
Registration of Licensed Physicians**

FOR the purpose of requiring the Department of Health and Mental Hygiene, under certain circumstances, to notify the State Board of Physicians of the amount of a certain fee; requiring the Board, under certain circumstances, to include a certain fee in certain licensing fees and remit the collected fees to the Department; prohibiting the Department from charging certain authorized providers a fee that is separate from the fee included in certain license fees under a certain provision of this Act; requiring the Department to register certain authorized providers without requiring that the authorized providers submit a separate registration application; requiring the Board to submit to the Department certain information; and generally relating to the registration of licensed physicians under the Maryland Controlled Dangerous Substances Act.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–204 and 5–304

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 14–205(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–207(b) and (c)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1028 – Senator Zirkin

AN ACT concerning

**Creation of a State Debt – Baltimore County – Jewish Community Services
Alternative Living Units**

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

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

Senate Bill 1029 – Senator Zirkin

AN ACT concerning

**Baltimore County Board of Education – Procurement for
Construction–Related Projects for Schools**

FOR the purpose of making certain provisions of law concerning the advertising for bids for certain procurements costing more than a certain amount apply to construction–related projects for schools in Baltimore County; making provisions of law concerning the award of certain procurement contracts apply to construction–related projects for schools in Baltimore County; defining certain terms; providing for the application of this Act; and generally relating to procurement for construction–related projects for schools in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–112(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Education
Section 5–112.1
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1030 – Senators Muse and Conway

AN ACT concerning

Forfeiture of Bail Bonds

FOR the purpose of repealing a provision of law that prohibits a court that exercises criminal jurisdiction from refunding a forfeiture of bail or collateral at a certain time unless a private surety pays a forfeiture of bail or collateral within a certain time; repealing certain conditions that must be met before the court may refund a forfeited bail bond or collateral that was not paid within a certain time; and generally relating to forfeiture of bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–208
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1031 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Digital Harbor Foundation (DHF) Tech Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$15,000, the proceeds to be used as a grant to the Board of Trustees of the Digital Harbor Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1032 – Senator Ferguson

AN ACT concerning

Election Law – Political Party – Retention of Status

FOR the purpose of altering the number of registered voters in the State that must be affiliated with a political party as of a certain date each year in order for the political party to retain its status; and generally relating to a political party and the retention of its status.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 4–103
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1033 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Wine Sampling or Tasting

FOR the purpose of 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 Frederick County; prohibiting a single individual at a wine sampling or tasting event in the county from consuming more than a certain amount of wine from all brands in a single day; requiring the Board to adopt certain regulations; and generally relating to wine sampling or tasting events in Frederick County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–406
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1034 – Senator Hershey

AN ACT concerning

Queen Anne’s County Board of Education – Filling a Vacancy in Membership

FOR the purpose of altering provisions of law concerning the filling of a vacancy on the Queen Anne’s County Board of Education; providing for the holding of an election to fill a vacancy on the county board under certain circumstances; providing that a member appointed by the Governor to fill a vacancy on the county board serves only for a certain period; and generally relating to the filling of a vacancy on the Queen Anne’s County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–10A–01
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1035 – Senators Hershey and Jacobs

AN ACT concerning

Maryland Transit Administration – MARC Penn Line Extension

FOR the purpose of requiring the Maryland Transit Administration to extend certain passenger railroad service to Elkton, Maryland, by a certain date by negotiating a certain contract with Amtrak; requiring the Administration to assess by a certain date the feasibility of extending certain passenger railroad service to Newark, Delaware; requiring the Administration to submit a certain report to certain committees of the General Assembly by a certain date each year; providing for the termination of this Act; and generally relating to passenger railroad services and the Maryland Transit Administration.

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

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #3
February 13, 2014

Community Health Resources Commission, Maryland

1. Barry Ronan District 1
15119 Trailbridge Road
Cumberland, MD 21502

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2012

Criminal Injuries Compensation Board

2. Arthur A. Holland District 12
5479 Wooded Way
Columbia, MD 21044

Member of the Criminal Injuries Compensation Board; appointed to serve remainder of a term of five years from July 1, 2013

Deaf and Hard of Hearing, Maryland Advisory Council for the

3. Casey Harris District 3
132 McClellan Drive
Frederick, MD 21702

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2010 and term of three years from October 1, 2013

4. Michelle Palmer Morales District 3
5556 Hines Road
Frederick, MD 21704

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2011

5. Charm L. Smith District 12
8902 Lee Manor Drive
Ellicott City, MD 21043

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

Dietetic Practice, State Board of

6. Sharon Bunch District 43
2105 Woodbourne Avenue
Baltimore, MD 21214

Member of the State Board of Dietetic Practice; reappointed to serve a term of four years from July 1, 2013

Education, State Board of

7. Sylvester J. Gates, Jr. District 25
11527 Lottsford Terrace
Mitchellville, MD 20721

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2013

8. Larry Giammo District 17
124 Monument Street
Rockville, MD 20850

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2012

Health and Mental Hygiene, Board of Review of the Department of

9. Janelle J. Jordan, Esq. District 47
6104 Kilmer Street
Cheverly, MD 20785

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2012

Health Care Commission, Maryland

10. Ligia Peralta, M.D. District 13
5349 Thunder Hill Road
Columbia, MD 21045

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2011

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

11. James Crist District 37
6302 Arrowhead Drive
Hurlock, MD 21643

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2013

12. Albert D. Holley District 10
2800 Lindin Way
Woodstock, MD 21163

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2014

13. Charles E. Smith District 3
1420 Brentland Road
Knoxville, MD 21758

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2013

Higher Education Commission, Maryland

14. Robert A. Wilmot District 21
3010 Old Channel Road
Laurel, MD 20724

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2013

Infants and Toddlers, Interagency Coordinating Council for

15. Nancy J. Egan, Esq. District 40
1004 Deer Ridge Drive
Baltimore, MD 21210

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2012

16. Curtisha Hopkins
1805 Village Square Court
Severn, MD 21144
District 32
Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2013
17. John T. McGinnis
1234 Tamarack Trail
Arnold, MD 21012
District 30
Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve remainder of a term of three years from July 1, 2011
18. Shannon Z. McRae
5919 Theodore Avenue
Baltimore, MD 21214
District 45
Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2013
19. Karen Mull
2806 Moorgate Road
Baltimore, MD 21222
District 6
Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2013
20. Erin Stauder
303 Oak Forest Avenue
Catonsville, MD 21228
District 12
Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2013

Lottery and Gaming Control Commission, State

21. James J. Stakem
427 Crest View Drive
Frostburg, MD 21532
District 1
Member of the State Lottery and Gaming Control Commission; appointed to
serve remainder of a term to expire September 30, 2015

Morgan State University Board of Regents

22. Kweisi Mfume District 46
10 East Lee Street, Unit 2508
Baltimore, MD 21202

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2013

23. Tyrone D. Taborn District 11
2514 Chestnut Woods Court
Reisterstown, MD 21136

Member of the Morgan State University Board of Regents; appointed to serve a term of six years from July 1, 2013

Morticians and Funeral Directors, State Board of

24. Gladys Arnel Sewell District 27
205 Tobacco Ridge Road
Prince Frederick, MD 20678

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2013

Occupational Therapy Practice, State Board of

25. A. Cassaundra Brown District 43
1739 Waverly Way, Apt. B
Baltimore, MD 21239

Member of the State Board of Occupational Therapy Practice; appointed to serve a term of four years from July 1, 2013

Patuxent River Commission

26. Andrew T. Der District 46
1000 Fell Street, #428
Baltimore, MD 21231

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

27. Debra J. Gage District 33
1733 Jones Falls Court
Crofton, MD 21114

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

28. John L. McCoy District 13
11965 Simpson Road
Clarksville, MD 21029

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

Physicians, State Board of

29. Edward J. Brody District 43
101 Stratford Road
Baltimore, MD 21218–1146

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2010

30. Gary J. Della’Zanna, D.O. District 9
1810 Boka Valley Court
Woodbine, MD 21797

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

31. Suresh C. Gupta, M.D. District 15
10805 Nantucket Terrace
Potomac, MD 20854

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2011

32. Robert P. Roca, M.D. District 42
500 Club Lane
Towson, MD 21286

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

Plumbing, State Board of

33. Charles A. Kruger, Sr. District 38
6135 Florence Street
Salisbury, MD 21804

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2012

34. Joseph A. Radtka District 33
3 Severndale Road
Severna Park, MD 21146

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2013

35. Gregory S. Schott District 35
4723 Clermont Mill Road
Pylesville, MD 21132

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2013

School for the Deaf, Board of Trustees of the Maryland

36. Julie Bourne District 3
9053 Major Smith Lane
Frederick, MD 21704

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 14, 2014.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 226)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #20

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 – 44 Negative – 0 (See Roll Call No. 227)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Motor Vehicles – Weight and Axle Load Limits

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

Affirmative – 44 Negative – 0 (See Roll Call No. 228)

The Bill was then sent to the House of Delegates.

**Senate Bill 78 – ~~Senator Forehand~~ Senators Forehand, Brochin, Frosh,
Hershey, Jacobs, Muse, Shank, Stone, Zirkin, and Kittleman**

AN ACT concerning

Criminal Law – Human Trafficking – Victims Under Age 21

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

Affirmative – 44 Negative – 0 (See Roll Call No. 229)

The Bill was then sent to the House of Delegates.

**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 – 44 Negative – 0 (See Roll Call No. 230)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 231)

The Bill was then sent to the House of Delegates.

**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 – 44 Negative – 0 (See Roll Call No. 232)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 233)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 96 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity With and Implementation of the Federal Patient Protection and Affordable Care Act

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

Affirmative – 38 Negative – 7 (See Roll Call No. 234)

The Bill was then sent to the House of Delegates.

Senate Bill 186 – Senators Feldman, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

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

Affirmative – 45 Negative – 0 (See Roll Call No. 235)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 236)

The Bill was then sent to the House of Delegates.

Senate Bill 335 – The President (By Request – Administration) and Senators Astle, Feldman, Klausmeier, Middleton, and Robey

AN ACT concerning

Health Services Cost Review Commission – Powers and Duties, Regulation of Facilities, and Maryland All-Payer Model Contract

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

Affirmative – 45 Negative – 0 (See Roll Call No. 237)

The Bill was then sent to the House of Delegates.

Senate Bill 356 – Senator Ferguson

AN ACT concerning

Public Utilities – Fixed Charges for Taxicab Services – Baltimore City

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

Affirmative – 45 Negative – 0 (See Roll Call No. 238)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 239)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #22

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 – 45 Negative – 0 (See Roll Call No. 240)

The Bill was then sent to the House of Delegates.

**Senate Bill 123 – Chair, Budget and Taxation Committee (By Request –
Departmental – Information Technology)**

AN ACT concerning

**Major Information Technology Development Project Fund – Revenue
Sources and Authorized Expenditures**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 241)

The Bill was then sent to the House of Delegates.

**Senate Bill 238 – Senators King, Currie, Feldman, Ferguson, Jones-Rodwell,
Kasemeyer, Kelley, Madaleno, Manno, Montgomery, Peters, Ramirez,
Raskin, Robey, Rosapepe, and Young**

AN ACT concerning

**Board of Public Works – Relocatable Classrooms – Indoor Air Quality
Requirements**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 242)

The Bill was then sent to the House of Delegates.

**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 – 45 Negative – 0 (See Roll Call No. 243)

The Bill was then sent to the House of Delegates.

Senate Bill 386 – Senators Brinkley, Colburn, Jacobs, Jones–Rodwell, Klausmeier, Madaleno, Montgomery, Muse, and Raskin

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 244)

The Bill was then sent to the House of Delegates.

Senate Bill 417 – Senator DeGrange

AN ACT concerning

Sales and Use Tax – Tax–Free Weekend – Exemption for Light–Emitting Diode (LED) Lights

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

Affirmative – 45 Negative – 0 (See Roll Call No. 245)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 246)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 247)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 248)

ADJOURNMENT

At 10:42 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 14, 2014, in memory of former Senator Michael Wagner.

Annapolis, Maryland
Friday, February 14, 2014
11:00 A.M. Session

The Senate met at 11:10 A.M.

Prayer by Reverend Mark Greiner, Takoma Park Presbyterian Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of February 13, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 250)

MESSAGE FROM THE EXECUTIVE

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

The Honorable Thomas V. Mike Miller, Jr.
President
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, § 13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Governor

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS
REQUIRING CONFIRMATION
2014 SESSION OF THE MARYLAND GENERAL ASSEMBLY

ADMINISTRATIVE HEARINGS, OFFICE OF	
Hon. Thomas E. Dewberry 11101 Gilroy Road Hunt Valley, Maryland 21031 Baltimore County/12	Reappointment Chief Administrative Law Judge Term of 6 years from January 1, 2014
AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Lopez D. Matthews, Jr., Ph.D. 23 Greens Landing Court Randallstown, Maryland 21133 Baltimore County/10	Appointment Member Remainder of a term of 4 years from July 1, 2011
AIRPORT ZONING APPEALS, BOARD OF	
Wayne A. Dixon 7677 Ridge Chapel Road Hanover, Maryland 21076 Anne Arundel/32	Appointment Anne Arundel County Remainder of a term of 4 years from July 1, 2010
Dawn R. Brinkley 223 Green Fern Way Landsdowne, Maryland 21227 Baltimore County/12	Appointment Baltimore County Term of 4 years from July 1, 2013
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
Glenn Dale Fishack 13134 Bikle Road P.O. Box 118 Smithsburg, Maryland 21783 Washington/02	Reappointment Consumer Term of 4 years from July 1, 2014
ARCHITECTS, STATE BOARD OF	
Gary Richard Ey 3718 Goodwill Court Abingdon, Maryland 21009 Harford/07	Reappointment Consumer Term of 5 years from July 1, 2013
ARCHITECTURAL REVIEW, STATE BOARD OF	
Edward A. Masek, Jr. 124 Saint Andrews Road Severna Park, Maryland 21146 Anne Arundel/33	Reappointment Architect – Preservation Term of 4 years from July 1, 2014

Oliver W. Clemons, Jr. 111 Cinder Road Timonium, Maryland 21093 Baltimore County/42	Appointment Engineer Term of 4 years from July 1, 2014
Dennis R. Nola 2104 Crossmeadow Lane Brookeville, Maryland 20833 Montgomery/14	Appointment Landscape Architect Term of 4 years from July 1, 2014
Ravi S. Waldon 1641 Eton Way Crofton, Maryland 21114 Anne Arundel/33	Appointment Architect Term of 4 years from July 1, 2014
James E. Louviere, Sr. 9911 Markham Street Silver Spring, Maryland 20901 Montgomery/18	Reappointment Architect Term of 4 years from July 1, 2014
Melanie E. Hennigan 18725 Wickham Road Olney, Maryland 20832 Montgomery/19	Appointment Architect Term of 4 years from July 1, 2014
Karen Lynn Pitsley 7612 Browns Bridge Road Highland, Maryland 20777 Howard/13	Appointment Architect Term of 4 years from July 1, 2014
CHESAPEAKE CONSERVATION CORPS PROGRAM BOARD	
Maureen Eccleston 6014 Bellona Avenue Baltimore, Maryland 21201 Baltimore City/43	Reappointment Member Term of 4 years from July 1, 2013
CHILD CARE PROGRAM PROFESSIONALS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL	
Jennifer Younker 12808 Divide Ridge Road Little Orleans, Maryland 21766 Allegany/01	Appointment Program Administrator Term of 4 years from July 1, 2013
CIVIL RIGHTS, COMMISSION ON	
Naima Said, Esq. 12112 Blue Paper Trail Columbia, Maryland 21044 Howard/12	Reappointment Member Term of 6 years from July 1, 2013
CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND	
Anton J. Cohen 18 Windermere Court Rockville, Maryland 20852 Montgomery/16	Appointment Venture Capital Remainder of a term of 4 years from July 1, 2013

Claire Broido Johnson 238 E. Montgomery Street Baltimore, Maryland 21230 Baltimore City/46	Appointment Clean Energy Industry Remainder of a term of 4 years from July 1, 2010
CONTRACT APPEALS, MARYLAND STATE BOARD OF	
Ann Marie Doory 112 Taplow Road Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member Term of 5 years from February 1, 2014
DISTRICT COURT OF MARYLAND – DISTRICT 3 – CAROLINE, CECIL, KENT, QUEEN ANNE'S AND TALBOT COUNTIES	
Hon. William H. Adkins, III 108 West Dover Street Easton, Maryland 21601 Talbot County/37	Reappointment Judge – Talbot County Term of 10 years from January 30, 2014
ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Angela Franco 212 New Mark Esplanade Rockville, Maryland 20850 Montgomery/17	Appointment Member Term of 3 years from July 1, 2013
ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS, MARYLAND	
Frederik M. Riefkohl 3 Chester Avenue Annapolis, Maryland 21403 Anne Arundel/30	Appointment Commercial Remainder of a term of 4 years from July 1, 2011
ELEVATOR SAFETY REVIEW BOARD	
Charles E. Meeks, Jr. 601 South Pacific Avenue Ocean City, Maryland 21842 Worcester/38	Reappointment Elevator Manufacturing Term of 3 years from October 1, 2013
Edward M. Hord 1220 Copper Hill Road Baltimore, Maryland 21209 Baltimore County/42	Reappointment Architectural Design Term of 3 years from October 1, 2013
Richard J. Lowman 2445 Lyttonsville Road, #217 Silver Spring, Maryland 20910 Montgomery/18	Reappointment Building Owner/Manager Term of 3 years from October 1, 2013
Robert F. Yeatman, Jr. 5872 Swamp Circle Road P.O. Box 232 Deale, Maryland 20757 Anne Arundel/33	Reappointment Labor Term of 3 years from October 1, 2013

Michael William Moran 1434 St. Stephens Church Road Crownsville, Maryland 21032 Anne Arundel/33	Reappointment Elevator Interior Renovation Industry Term of 3 years from October 1, 2013
EMERGENCY NUMBER SYSTEMS BOARD	
Scott L. Brillman 213 Grindall Street Baltimore, Maryland 21230 Baltimore City/46	Appointment EM Services Remainder of a term of 4 years from July 1, 2010
ENGINEERS, STATE BOARD OF STATIONARY	
Gregory A. Restivo 8228 Styers Court Laurel, Maryland 20723 Howard/13	Reappointment Stationary Engineer Term of 3 years from July 1, 2012
Harold E. Norris 21 Stuart Mills Place Baltimore, Maryland 21228 Baltimore County/10	Reappointment Consumer Term of 3 years from July 1, 2011
Kevin J. McLeod 20112 Darlington Drive Montgomery Village, Maryland 20886 Montgomery/39	Reappointment Boiler Owner Term of 3 years from July 1, 2011
FIRE-RESCUE EDUCATION AND TRAINING COMMISSION	
Herbert L. Jenkins 2709 Millers Way Drive Ellicott City, Maryland 21043 Howard/09	Appointment Public Term of 4 years from July 1, 2012
FISHERIES COMMISSION, ATLANTIC STATES MARINE	
William J. Goldsborough 1355 Moyer Road Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Governor's Appointee Term of 3 years from June 1, 2013
FOOD CENTER AUTHORITY, MARYLAND	
Mark W. Hill, LTC 103 Persimmon Circle Reisterstown, Maryland 21136 Baltimore County/11	Appointment Member Term of 5 years from July 1, 2009
FORESTERS, STATE BOARD OF	
John P. Markovich 11552 Timberbrook Drive Waldorf, Maryland 20601 Charles/28	Appointment Forester Term of 5 years from July 1, 2011
Michael J. Huneke 2035 Whiteford Road Whiteford, Maryland 21160 Harford/35	Appointment Forester Term of 5 years from July 1, 2012

HAZARDOUS SUBSTANCE ADVISORY COUNCIL, CONTROLLED	
Michael J. Wolf 5510 Amesfield Court Rockville, Maryland 20853 Montgomery/19	Reappointment Public Term of 10 years from July 1, 2012
HEALTH CARE COMMISSION, MARYLAND	
Michael S. McHale 1137 St. Stephens Church Road Crownsville, Maryland 21032 Anne Arundel/33	Appointment No Industry Connection Remainder of a term of 4 years from October 1, 2010
Adam J. Weinstein, M.D. 411 Wallman Way Stevensville, Maryland 21666 Queen Anne's/36	Reappointment Physician Term of 4 years from October 1, 2013
Diane Stollenwerk 3957 Cloverhill Road Baltimore, Maryland 21218 Baltimore City/43	Reappointment No Industry Connection Term of 4 years from October 1, 2013
HEALTH AND MENTAL HYGIENE, BOARD OF REVIEW OF THE DEPARTMENT OF	
Judith A. Arnold 1428 John Street Baltimore, Maryland 21217 Baltimore City/40	Appointment Knowledge and Experience Remainder of a term of 3 years from July 1, 2011
Jacqueline Boone Allsup 7370 Anon Lane Glen Burnie, Maryland 21060 Anne Arundel/31	Appointment Knowledge and Experience Term of 3 years from July 1, 2012
HEATING, VENTILATION, AIR-CONDITIONING AND REFRIGERATION CONTRACTORS, STATE BOARD OF	
Allen B. Clinedinst, III 1912 Ridgewood Court Hampstead, Maryland 21074 Carroll/05	Reappointment Master Contractor Term of 3 years from January 1, 2013
LAND RECLAMATION COMMITTEE	
Timothy B. Schwinabart 664 Pine Tree Point Road Swanton, Maryland 21561 Garrett/01	Reappointment Mining Industry Term of 3 years from July 1, 2014
James C. Ashby 1236 E. State Street Oakland, Maryland 21550 Garrett/01	Reappointment Mining Industry Term of 3 years from July 1, 2014
LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF	

Charles B. Adams 14834 Falls Road P.O. Box 93 Butler, Maryland 21023 Baltimore County/05	Reappointment Landscape Architect Term of 3 years from July 1, 2012
David E. Locke 113 Deepdene Road Baltimore, Maryland 21210 Baltimore City/41	Appointment Landscape Architect Term of 3 years from July 1, 2011
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS	
Corey Jay Robey 3711 Clydesdale Road Way Reisterstown, Maryland 21136 Baltimore County/05	Appointment Nonlawyer Term of 3 years from July 1, 2012
OPTOMETRY, STATE BOARD OF EXAMINERS IN	
Frederick J. Walsh 22 Bellchase Court Baltimore, Maryland 21208 Baltimore County/11	Reappointment Consumer Term of 4 years from June 1, 2014
PAROLE COMMISSION, MARYLAND	
Rev. Donna M. Hill 5512 Gunston Lane Suitland, Maryland 20746 Prince George's/25	Reappointment Member Term of 6 years from January 1, 2014
PATUXENT RIVER COMMISSION	
Albert J. Tucker, Ph.D. 6063 Pindell Road Lothian, Maryland 20711 Anne Arundel/33	Appointment Farming Term of 4 years from October 1, 2013
Edward R. Curley, III 41844 Gibson Drive Mechanicsville, Maryland 20659 St. Mary's/29	Appointment Developer Term of 4 years from October 1, 2013
Luis Dieguez 30120 Dudley Road Mechanicsville, Maryland 20659 St. Mary's/29	Reappointment Soil Conservation District Term of 4 years from October 1, 2013
Steven E. Darcey 2550 Ritchie Marlboro Road Upper Marlboro, Maryland 20774 Prince George's/25	Appointment Soil Conservation District Term of 4 years from October 1, 2013
Barbara Sollner-Webb, Ph.D. 17200 Melbourne Drive Laurel, Maryland 20707 Prince George's/21	Reappointment Environmental/Citizen Term of 4 years from October 1, 2013

Kelton L. Clark, Ph.D. 103 1st Street Annapolis, Maryland 21401 Anne Arundel/33	Reappointment Academic Term of 4 years from October 1, 2013
Frederick L. Tutman 18600 Queen Anne Road Upper Marlboro, Maryland 20774 Prince George's/23	Reappointment Farming Term of 4 years from October 1, 2013
John W. Fringer, Jr. 13386 Rousby Hall Road Lusby, Maryland 20657 Calvert/29	Reappointment Waterman Term of 4 years from October 1, 2013
Jacqueline U. Takacs 300 Greenridge Drive Dunkirk, Maryland 20754 Anne Arundel/33	Reappointment UMCES Term of 4 years from October 1, 2013
PLUMBING, STATE BOARD OF	
Michael J. Kastner, Jr. 13556 Argo Drive Dayton, Maryland 21036 Howard/13	Reappointment Plumber – Carroll/Howard – Chair Term of 3 years from May 1, 2014
Jon H. Garner 1987 Mosser Road McHenry, Maryland 21541 Garrett/01	Reappointment Plumber – Western Maryland Term of 3 years from May 1, 2014
Keith R. Horton 5223 Cedgate Road Baltimore, Maryland 21206 Baltimore City/45	Reappointment Plumber – Baltimore City Term of 3 years from May 1, 2012
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
David E. McDaniels 4017 Deepwood Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Consumer Term of 3 years from January 1, 2013
REAL ESTATE COMMISSION, STATE	
J. Nicholas D'Ambrosia 6334 Grant Chapman Drive La Plata, Maryland 20646 Charles/28	Reappointment Realtor – Southern MD Term of 4 years from June 1, 2013
Marla S. Johnson 2762 Lynn Street Frederick, Maryland 21704 Frederick/03	Reappointment Realtor – Western MD Term of 4 years from June 1, 2014

Karen H. Baker 8503 Guertin Court Frederick, Maryland 21704 Frederick/03	Appointment Consumer Remainder of a term of 4 years from June 1, 2010
Maria Liliana Robeson 204 Brynwood Street Hagerstown, Maryland 21740 Washington/02	Appointment Consumer Remainder of a term of 4 years from June 1, 2010
ST. MARY'S CITY COMMISSION, HISTORIC	
Laura J. Cripps, Ph.D. 2309 Westchester Avenue Catonsville, Maryland 21228 Baltimore County/12	Reappointment Distinguished Scholar – Archeologist Term of 4 years from July 1, 2013
Hon. Todd B. Morgan 46536 Millstone Landing Road Lexington Park, Maryland 20653 St. Mary's/29	Appointment Maryland Business Community Term of 4 years from July 1, 2011
Thomas Trezise 23 Selborne Drive Wilmington, Delaware 19807 Nonresident	Reappointment General Public Term of 4 years from July 1, 2012
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Maleeta Kitchen 5639 Harpers Farms Road, Unit D Columbia, Maryland 21044 Howard/12	Appointment Statewide Teachers' Organization with Majority Representation Remainder of a term of 3 years from July 1, 2011
Amy Jo Smith 60 Branch Road North East, Maryland 21901 Cecil/34	Appointment Statewide Teachers' Organization with Majority Representation Remainder of a term of 3 years from July 1, 2011
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF	
Elizabeth D. Callahan, D.V.M. 4471 Evergreen Road Oxford, Maryland 21654 Talbot/37	Appointment Veterinarian Term of 5 years from June 1, 2014
Perry S. Crowl, D.V.M. 2164 Misty Meadow Road Finksburg, Maryland 21048 Carroll/05	Appointment Veterinarian Term of 5 years from June 1, 2014
David L. Handel, D.V.M. 14400 Frances Green Way North Potomac, Maryland 20878 Montgomery/39	Reappointment Veterinarian Term of 5 years from June 1, 2014
WASHINGTON SUBURBAN TRANSIT COMMISSION	

Alvin J. Nichols 8105 Felbrigg Hall Road Glenn Dale, Maryland 20769 Prince George's/22	Reappointment Prince George's County Resident Term of 4 years from July 1, 2013
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Gerard M. Walsh 30 Bellevue Avenue Cambridge, Maryland 21613 Dorchester/37	Reappointment Business Term of 3 years from October 1, 2013
Christopher J. King 3233 Theodore R. Hagans Drive, NE Washington, DC 20018 Nonresident	Appointment Business Term of 3 years from October 1, 2013
WORKERS' COMPENSATION COMMISSION, STATE	
Maureen E. Quinn 426 Palmspring Drive Gaithersburg, Maryland 20878 Montgomery/17	Reappointment Member Term of 12 years from February 1, 2014
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Monika Piccardi 3305 Lerch Drive Baltimore, Maryland 21214 Baltimore City/45	Reappointment DHMH Term of 3 years from July 1, 2014
Jay Gerson 24200 Hawkins Landing Drive Laytonsville, Maryland 20882 Montgomery/14	Reappointment Camp Owner/Manager – For Profit Term of 3 years from July 1, 2013
Jacqueline D. Hurman 145 Mainsail Drive Stevensville, Maryland 21666 Queen Anne's/36	Reappointment Camp Owner/Manager – Nonprofit Term of 3 years from July 1, 2014
Mark L. Bates 247 Likes Road Edgewater, Maryland 21037 Anne Arundel/30	Reappointment Camp Owner/Manager Term of 3 years from July 1, 2014
Edgar Ramirez 1503 Amherst Road Hyattsville, Maryland 20783 Prince George's/47	Appointment Public Remainder of a term of 3 years from July 1, 2011 and a term of 3 years from July 1, 2014

GUBERNATORIAL APPOINTMENTS TO LOCAL BOARDS
REQUIRING CONFIRMATION
2014 SESSION OF THE MARYLAND GENERAL ASSEMBLY

CARROLL COUNTY BOARD OF ELECTIONS	
April Rose 1100 Algernon Drive Westminster, Maryland 21157 Carroll/04	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 6, 2011
PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS	
Franklin D. Jackson, Esq. 12610 Pleasant Prospect Road Mitchellville, Maryland 20721 Prince George's/23	Reappointment Democrat – Chair Term of 3 years from June 1, 2014
Charles Wickliffe Caldwell, III 16112 Parklawn Place Bowie, Maryland 20716 Prince George's/23	Reappointment Republican – Member Term of 3 years from June 1, 2014
SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF	
Samuel C. Jones 11928 Lyons Glen Court Dunkirk, Maryland 20754 Calvert/27	Appointment Member Remainder of a term of 5 years from July 1, 2010

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

INTRODUCTION OF BILLS

Senate Bill 1036 – Senator Edwards

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2013 – Garrett County – Adventure Sports Center International

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to allow funds authorized for a certain purpose to be used for prior eligible expenditures incurred on or before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA00(AC)

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

Senate Bill 1037 – Senator Edwards

AN ACT concerning

**Allegany County – Marriage License Fees – Distribution to Cumberland
Historic Cemetery Organization**

FOR the purpose of authorizing the Board of County Commissioners of Allegany County to set a certain additional fee for each marriage license; requiring the clerk to pay the proceeds from the additional fee to the general fund of the county each month; requiring the Board of County Commissioners to distribute the proceeds to the Cumberland Historic Cemetery Organization; and generally relating to marriage license fees in Allegany County and the Cumberland Historic Cemetery Organization.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 2–404(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Family Law
Section 2–404(b–1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1038 – Senators Hershey, Klausmeier, Shank, and Zirkin

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Programs – Authorized in All
Counties**

FOR the purpose of authorizing a circuit administrative judge to establish a Truancy Reduction Pilot Program in the juvenile court in any county in the administrative judge's circuit; requiring the Chief Judge of the Court of Appeals to consult with the administrative judges of the counties in which a certain program has been established before accepting a certain gift or grant; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–01
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 3–8C–02
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

Senate Bill 1039 – Senators Conway, McFadden, and Pugh

AN ACT concerning

Historically Black Colleges and Universities – Parity and Investment

FOR the purpose of requiring the Governor, for certain fiscal years, to include in the annual State operating and capital budgets certain funding requested in certain 10–year plans of certain historically black colleges and universities (HBCUs); providing for the intent of certain funding; providing that certain funding shall be in addition to certain base funding appropriated to certain HBCUs; specifying the total amount of operating and capital funding that shall be distributed to certain HBCUs during a certain period of time; requiring certain HBCUs to submit certain requests for certain appropriations to the Board of Regents of the University System of Maryland on or before a certain date in certain years and providing for a certain review and comment period by the Board of Regents; requiring certain HBCUs to submit certain requests for certain appropriations to the Governor and the Maryland Higher Education Commission on or before certain dates in certain years; providing for certain exceptions to the authority of the Board of Regents; and generally relating to parity and investment for historically black colleges and universities.

BY repealing and reenacting, with amendments,
Article – Education
Section 12–104(c) and 12–105(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Education
Section 13–704 and 14–111
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1040 – Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission – Sunset Extension

FOR the purpose of extending the termination date for certain provisions of law related to the Maryland Community Health Resources Commission; and generally relating to the Maryland Community Health Resources Commission.

BY repealing and reenacting, with amendments,

Chapter 280 of the Acts of the General Assembly of 2005, as amended by
Chapter 21 of the Acts of the General Assembly of 2006 and Chapter 624
of the Acts of the General Assembly of 2008

Section 14

BY repealing and reenacting, with amendments,

Chapter 280 of the Acts of the General Assembly of 2005, as amended by
Chapter 21 of the Acts of the General Assembly of 2006 and Chapter 625
of the Acts of the General Assembly of 2008

Section 14

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

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 152 (Emergency Bill)	Sen. Colburn	Md Consoltd Capital Bond Ln of 2013 – Dorchester Co – Cambridge Marine Terminal Redevelopment

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 1 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Educational Stability

FOR the purpose of requiring the juvenile court to inquire as to the educational stability of a child at certain hearings and proceedings; authorizing the juvenile court to consider certain factors in determining the educational stability of a child; defining a certain term; and generally relating to children in need of assistance and educational stability.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–816.4

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

House Bill 18 – Delegate Stein

AN ACT concerning

Institutions of Higher Education – Student Notification – Financial Information

FOR the purpose of requiring certain institutions of higher education in the State to report certain information on the cost of higher education at the institution to certain students beginning in a certain academic year; and generally relating to student notification of financial information by institutions of higher education.

BY adding to

Article – Education

Section 15–118

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 121 – Delegate S. Robinson

AN ACT concerning

Chesapeake Bay Trust – Powers and Duties – Member Terms

FOR the purpose of specifying that a certain term limit for members of the Board of Trustees of the Chesapeake Bay Trust applies only to consecutive terms; repealing a certain limitation on the ability of the Chesapeake Bay Trust to solicit or accept a gift, bequest, or lease of real or personal property; and generally relating to the Chesapeake Bay Trust.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1904 and 8–1906
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 129 – Delegate S. Robinson

AN ACT concerning

Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest Provisions

FOR the purpose of providing that the trustees and employees of the Chesapeake Bay Trust are exempt from the provisions of the Public Ethics Law subject to the adoption of certain conflict of interest provisions for nonprofit organizations; requiring the Trust to keep on file and make available for public inspection certain conflict of interest provisions; making certain technical changes; and generally relating to public ethics and the Chesapeake Bay Trust.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1910
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 154 – Delegate O’Donnell

AN ACT concerning

Natural Resources – Sport Fisheries Advisory Commission – Membership

FOR the purpose of altering the number of members on the Sport Fisheries Advisory Commission; providing that the Sport Fisheries Advisory Commission include a certain member of the Tidal Fisheries Advisory Commission; and generally relating to the Sport Fisheries Advisory Commission.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–204(a)
Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–204(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 178 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Adoption, Search, Contact, and Reunion Services – Relatives of Minors in Out-of-Home Placement

FOR the purpose of altering the definition of “search, contact, and reunion services” to include contacting relatives of a certain minor in out-of-home placement for a certain purpose; authorizing a director of a local department of social services or the director’s designee to apply for search, contact, and reunion services for a certain minor in out-of-home placement under certain circumstances; altering a certain definition; and generally relating to adoption search, contact, and reunion services.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–4B–01(f) and (g) and 5–4B–02(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 179 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Adult Public Guardianship Review Board – Membership

FOR the purpose of altering the membership requirements for adult public guardianship review boards; and generally relating to adult public guardianship review boards.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 14–101(n)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 14–402(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 222 – Delegates Dumais, Beidle, and Clippinger

AN ACT concerning

Education – Reportable Offenses – First Degree Burglary and Animal Cruelty

FOR the purpose of adding first degree burglary and animal cruelty to a list of offenses for which a law enforcement agency that arrests a student for the offense is required to report the arrest to certain school officials under certain circumstances; and generally relating to reporting arrests of a student for first degree burglary or animal cruelty.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 6–202 and 10–606
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 242 – Delegates Jacobs, Arentz, and Smigiel

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Program – Kent County

FOR the purpose of authorizing the Circuit Administrative Judge of the Second Circuit to establish a Truancy Reduction Pilot Program in the juvenile court in

Kent County; making certain provisions relating to a Truancy Reduction Pilot Program in certain counties applicable to Kent County; and generally relating to a Truancy Reduction Pilot Program in Kent County.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–01
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–02
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

House Bill 249 – ~~Delegate McMillan~~ Delegates McMillan and O’Donnell

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; altering the annual interest rate paid by a mobile home park owner on a security deposit at the end of a tenancy; requiring the Department of Housing and Community Development to maintain on its Web site a certain list or a certain calculator; establishing that a landlord or park owner is entitled to rely on a certain list or a certain calculator for certain purposes; requiring the Department to submit a certain report on or before a certain date; providing for the application of this Act; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–203(e) and (h) and 8A–1001(f)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to
Article – Real Property
Section 8–203(k) and (l) and 8A–1001(h)
Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

House Bill 285 – Dorchester County Delegation

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Dorchester County –
Cambridge Marine Terminal Redevelopment**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to change the grantee of a certain grant; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA00(AF)

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

House Bill 392 – Delegates Rudolph and James

AN ACT concerning

Northeastern Maryland Higher Education Advisory Board – Revisions

FOR the purpose of altering the membership of the Northeastern Maryland Higher Education Advisory Board; repealing a provision that requires the Board to ensure that certain academic programs and policies of the University Center and sites are in compliance with certain policies of the Maryland Higher Education Commission; authorizing the Board to make certain agreements with certain entities under certain circumstances; altering certain definitions; making stylistic changes; and generally relating to the Northeastern Maryland Higher Education Advisory Board.

BY repealing and reenacting, with amendments,
Article – Education
Section 24–901, 24–903, and 24–904
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

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–Melnik, 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

FOR the purpose of establishing the Commission on Accessibility Concepts in Computer Science, Information Systems, and Information Technology Programs in Higher Education; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters; requiring the Commission to submit a preliminary report and a final report of its findings and recommendations to the Governor and certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; defining a certain term; and generally relating to the Commission on Accessibility Concepts in Computer Science, Information Systems, and Information Technology Programs in Higher Education.

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #11

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

Senate Bill 74 – Senators Klausmeier and Ferguson

AN ACT concerning

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

SB0074/194335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 74

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “students” insert “beginning in a certain academic year”.

AMENDMENT NO. 2

On page 1, in line 19, strike “**FOR**” and substitute “**BEGINNING IN THE 2014–2015 ACADEMIC YEAR, FOR**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 138 – Senator Conway

AN ACT concerning

Health Occupations – Board of Physicians – Reinstatement of Licenses

SB0138/174232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 138

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “based” insert “solely”.

AMENDMENT NO. 2

On page 2, in line 15, after “**BASED**” insert “SOLELY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 225 – Senators Montgomery, Benson, and Forehand

AN ACT concerning

**State Board of Examiners of Psychologists – Psychology Associates –
Registration**

SB0225/124836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 225

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “associate;” insert “specifying the examinations that an applicant for a psychologist license must pass;”; in line 11, after “pass” insert “a”; and in line 12, strike “examinations” and substitute “examination”.

AMENDMENT NO. 2

On page 11, in line 5, after “**(H)**” insert “**(1)**”; in the same line, strike “**EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, AN**” and substitute “**AN**”; in line 6, after “**APPLICANT**” insert “**FOR A PSYCHOLOGIST LICENSE**”; in lines 7 and 9, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; after line 9, insert:

“(2) EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS SECTION, AN APPLICANT FOR A PSYCHOLOGY ASSOCIATE REGISTRATION SHALL SUCCESSFULLY PASS THE STATE JURISPRUDENCE EXAMINATION.”;

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 243 – Cecil County Senators

AN ACT concerning

Cecil County – Board of Elections – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 381 – Senator Conway

AN ACT concerning

Health Occupations – Chiropractors, Massage Therapists, Physical Therapists, and Physical Therapist Assistants – Criminal History Records Checks Required

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 447 – Senator Conway

AN ACT concerning

Public Ethics – Members of the General Assembly – Presumption of a Conflict – Clients

SB0447/364630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 447

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Dyson”.

The preceding amendment was read only.

Senator Dyson moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2014.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #12**

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

Senate Bill 49 – Senator Hershey

AN ACT concerning

Kent County – Alcoholic Beverages Act of 2014

SB0049/324836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 49

(First Reading File Bill)

On page 2, strike beginning with “**BREWED**” in line 31 down through “**LICENSE**” in line 33.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 401 – Senator Young

AN ACT concerning

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

SB0401/924737/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 401
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “balconies” and substitute “balcony railings”; in the same line, after “balcony” insert “railing”; in line 7, after “inspections;” insert “authorizing a political subdivision that otherwise inspects multifamily dwelling units according to a certain schedule to include the periodic inspections required under this Act as part of that inspection;”.

AMENDMENT NO. 2

On page 3, in line 17, strike the second “A”; in the same line, after “BALCONY” insert “RAILINGS”; in the same line, strike “IS” and substitute “ARE”; and after line 23, insert:

“(IV) A POLITICAL SUBDIVISION THAT OTHERWISE INSPECTS MULTIFAMILY DWELLING UNITS AT LEAST ONCE EVERY 5 YEARS MAY INCLUDE THE INSPECTION REQUIRED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH AS PART OF THAT INSPECTION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 437 – Senator Frosh

AN ACT concerning

**Nonresident Recreational Fishing and Crabbing Licenses – Oyster
Restoration Surcharge**

Favorable report adopted.

FLOOR AMENDMENT

SB0437/223621/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 437

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 8 down through “activities” in line 9 and substitute “the oyster committee of the county in which the nonresident recreational fishing and crabbing license is sold, subject to a certain exception; requiring certain surcharges collected under this Act to be credited to the Oyster Recovery Partnership under certain circumstances”.

AMENDMENT NO. 2

On page 4, in line 1, strike “ALL” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL**”; and strike beginning with “FISHERIES” in line 2 down through “RESTORATION” in line 4 and substitute “**OYSTER COMMITTEE OF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD.**”

(2) IF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD DOES NOT HAVE AN OYSTER COMMITTEE, ALL SURCHARGES COLLECTED UNDER THIS SECTION BY THAT COUNTY SHALL BE CREDITED TO THE OYSTER RECOVERY PARTNERSHIP”.

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2014.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #10

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

Senate Bill 288 – Senator Zirkin

AN ACT concerning

Public Schools – Smoking on School Property – Prohibition

SB0288/307672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “prohibiting an individual from” and substitute “authorizing a county board of education to prohibit”; and in line 4, after “of” insert “a prohibition imposed under”.

AMENDMENT NO. 2

On page 1, in line 19, strike “**AN INDIVIDUAL MAY NOT ENGAGE IN**” and substitute “**A COUNTY BOARD OF EDUCATION MAY PROHIBIT**”; and in line 21, after “**VIOLATES**” insert “**A PROHIBITION IMPOSED UNDER**”.

The preceding 2 amendments were read only.

Senator Dyson moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2014.

The motion was adopted.

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

Senate Bill 329 – Senator Astle

AN ACT concerning

**Residential Cliffside Elevators – Registration and Inspection
(The Jock Menzies Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 404 – Senators Kelley, Benson, Brochin, Feldman, Glassman,
Kittleman, Montgomery, Pugh, and Ramirez**

AN ACT concerning

**Maryland Uniform Commercial Code – Secured Transactions – Notice of
Filing of Financing Statement**

SB0404/217379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 404

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ramirez” and substitute “Ramirez, Middleton, and Klausmeier”; in line 5, after the first “a” insert “certain”; and in line 9, after “information,” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 2, in line 13, after “(1)” insert “THIS SUBSECTION DOES NOT APPLY TO A FINANCING STATEMENT THAT IS A MORTGAGE OR DEED OF TRUST.”

(2)”;

in lines 19 and 22, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 19, strike “(3)” and substitute “(4)”; and in line 20, strike “(1)” and substitute “(2)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 416 – Senator Astle

AN ACT concerning

**Health Maintenance Organizations – Payments to Nonparticipating
Providers – Repeal of Termination Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 418 – Senator Middleton

AN ACT concerning

**Developmental Disabilities Administration – Low Intensity Support Services
– Funding**

SB0418/327170/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 418

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, in line 24, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 467 – Senators Glassman and Middleton

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Government
Transparency Requirements**

SB0467/127674/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 467

(First Reading File Bill)

On page 1, in lines 8 and 9, strike “and include certain information”.

On page 3, in line 5, after “**PROJECTS;**” insert “AND”; and strike beginning with “**SHALL**” in line 6 down through “**(III)**” in line 8.

The preceding amendment was read only.

Senator Madaleno moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2014.

The motion was adopted.

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

Senate Bill 522 – Senator Feldman

AN ACT concerning

Commercial Law – Maryland Uniform Commercial Code – Funds Transfers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #3
February 13, 2014

Community Health Resources Commission, Maryland

1. Barry Ronan District 1
15119 Trailbridge Road
Cumberland, MD 21502

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2012

Criminal Injuries Compensation Board

2. Arthur A. Holland District 12
5479 Wooded Way
Columbia, MD 21044

Member of the Criminal Injuries Compensation Board; appointed to serve remainder of a term of five years from July 1, 2013

Deaf and Hard of Hearing, Maryland Advisory Council for the

3. Casey Harris District 3
132 McClellan Drive
Frederick, MD 21702

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2010 and term of three years from October 1, 2013

4. Michelle Palmer Morales District 3
5556 Hines Road
Frederick, MD 21704

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2011

5. Charm L. Smith District 12
8902 Lee Manor Drive
Ellicott City, MD 21043

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

Dietetic Practice, State Board of

6. Sharon Bunch District 43
2105 Woodbourne Avenue
Baltimore, MD 21214

Member of the State Board of Dietetic Practice; reappointed to serve a term of four years from July 1, 2013

Education, State Board of

7. Sylvester J. Gates, Jr. District 25
11527 Lottsford Terrace
Mitchellville, MD 20721

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2013

8. Larry Giammo District 17
124 Monument Street
Rockville, MD 20850

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2012

Health and Mental Hygiene, Board of Review of the Department of

9. Janelle J. Jordan, Esq. District 47
6104 Kilmer Street
Cheverly, MD 20785

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2012

Health Care Commission, Maryland

10. Ligia Peralta, M.D. District 13
5349 Thunder Hill Road
Columbia, MD 21045

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2011

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

11. James Crist District 37
6302 Arrowhead Drive
Hurlock, MD 21643

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2013

12. Albert D. Holley District 10
2800 Lindin Way
Woodstock, MD 21163

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2014

13. Charles E. Smith District 3
1420 Brentland Road
Knoxville, MD 21758

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2013

Higher Education Commission, Maryland

14. Robert A. Wilmot District 21
3010 Old Channel Road
Laurel, MD 20724

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2013

Infants and Toddlers, Interagency Coordinating Council for

15. Nancy J. Egan, Esq. District 40
1004 Deer Ridge Drive
Baltimore, MD 21210

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2012

16. Curtisha Hopkins District 32
1805 Village Square Court
Severn, MD 21144

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2013

17. John T. McGinnis District 30
1234 Tamarack Trail
Arnold, MD 21012

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2011

18. Shannon Z. McRae District 45
5919 Theodore Avenue
Baltimore, MD 21214

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2013

19. Karen Mull District 6
2806 Moorgate Road
Baltimore, MD 21222

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2013

20. Erin Stauder District 12
303 Oak Forest Avenue
Catonsville, MD 21228

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2013

Lottery and Gaming Control Commission, State

21. James J. Stakem District 1
427 Crest View Drive
Frostburg, MD 21532

Member of the State Lottery and Gaming Control Commission; appointed to serve remainder of a term to expire September 30, 2015

Morgan State University Board of Regents

22. Kweisi Mfume District 46
10 East Lee Street, Unit 2508
Baltimore, MD 21202

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2013

23. Tyrone D. Taborn District 11
2514 Chestnut Woods Court
Reisterstown, MD 21136

Member of the Morgan State University Board of Regents; appointed to serve a term of six years from July 1, 2013

Morticians and Funeral Directors, State Board of

24. Gladys Arnel Sewell District 27
205 Tobacco Ridge Road
Prince Frederick, MD 20678

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2013

Occupational Therapy Practice, State Board of

25. A. Cassaundra Brown District 43
1739 Waverly Way, Apt. B
Baltimore, MD 21239

Member of the State Board of Occupational Therapy Practice; appointed to serve a term of four years from July 1, 2013

Patuxent River Commission

26. Andrew T. Der District 46
1000 Fell Street, #428
Baltimore, MD 21231

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

27. Debra J. Gage District 33
1733 Jones Falls Court
Crofton, MD 21114

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

28. John L. McCoy District 13
11965 Simpson Road
Clarksville, MD 21029

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

Physicians, State Board of

29. Edward J. Brody District 43
101 Stratford Road
Baltimore, MD 21218-1146

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2010

30. Gary J. Della'Zanna, D.O. District 9
1810 Boka Valley Court
Woodbine, MD 21797

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

31. Suresh C. Gupta, M.D. District 15
10805 Nantucket Terrace
Potomac, MD 20854

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2011

32. Robert P. Roca, M.D. District 42
500 Club Lane
Towson, MD 21286

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

Plumbing, State Board of

33. Charles A. Kruger, Sr. District 38
6135 Florence Street
Salisbury, MD 21804

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2012

34. Joseph A. Radtka District 33
3 Severndale Road
Severna Park, MD 21146

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2013

35. Gregory S. Schott District 35
4723 Clermont Mill Road
Pylesville, MD 21132

Member of the State Board of Plumbing; appointed to serve a term of three years from May 1, 2013

School for the Deaf, Board of Trustees of the Maryland

36. Julie Bourne District 3
9053 Major Smith Lane
Frederick, MD 21704

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2010

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 251)

QUORUM CALL

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

(See Roll Call No. 252)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 336 – The President (By Request – Administration) and Senators Astle, Conway, Frosh, Glassman, Klausmeier, Madaleno, McFadden, Middleton, Montgomery, Pinsky, Pugh, ~~and Raskin~~ Raskin, Ferguson, Young, Simonaire, Rosapepe, and Benson

AN ACT concerning

Natural Resources – Wildlands – Designation of New Wildlands

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

Affirmative – 46 Negative – 0 (See Roll Call No. 253)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 254)

ADJOURNMENT

At 12:24 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 17, 2014.

Annapolis, Maryland
Monday, February 17, 2014
8:00 P.M. Session

The Senate met at 8:09 P.M.

Prayer by Reverend Mitchel Lee, Grace Community Church, guest of Senator Kittleman.

(See Exhibit A of Appendix III)

The Journal of February 14, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 257)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 374 – Senator Joseph M. Getty:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Future Farmers of America
in recognition of
National FFA week which celebrates the efforts to develop students' potential for
premier leadership, personal growth and career success through agricultural
education.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 258)

Presentation of Boy Scouts' Report

Introduction of Members of the Maryland Association of Community Colleges

Senate Resolution No. 390 – Senator Roy P. Dyson:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Greg Wahl
in recognition of
being named 2013 Maryland Professor of the Year by the Carnegie Foundation for the
Advancement of Teaching and the Council for the Advancement and Support of
Education.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 259)

Senate Resolution No. 373 – Senator Jim Rosapepe:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
University of Maryland College Park
in recognition of
the outstanding achievements of the State’s flagship campus, and our appreciation for
the benefits the
University brings to Maryland.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 260)

INTRODUCTION OF BILLS

Senate Bill 1041 – Senator Stone

AN ACT concerning

**Creation of a State Debt – Baltimore County – Sparrows Point Steel Mill
Remembrance Monument**

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

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

Senate Bill 1042 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Chesapeake High Stadium

FOR the purpose of authorizing the creation of a State Debt not to exceed \$87,000, the proceeds to be used as a grant to the Board of Education of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1043 – Senator Getty

AN ACT concerning

Election Law – Campaign Finance Entities – Inactive Status

FOR the purpose of requiring, under certain circumstances, a certain candidate or a certain treasurer to file an affidavit with the State Board of Elections requesting that the State Board place a certain campaign finance entity on inactive status; authorizing a certain candidate to file, or have a certain treasurer file, an affidavit with the State Board requesting that the State Board place a certain campaign finance entity on inactive status; requiring, under certain circumstances, the State Board to place a campaign finance entity on inactive status; prohibiting, except under certain circumstances, a campaign finance entity on inactive status from making contributions or expenditures under certain provisions of law; requiring a campaign finance entity on inactive status to file a campaign finance report on a certain day each year; requiring the State Board to remove a campaign finance entity from inactive status under certain circumstances; providing for a delayed effective date; and generally relating to the inactive status of campaign finance entities.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to
Article – Election Law
Section 13–204
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1044 – Senator Middleton

AN ACT concerning

**Public Service Commission – Competitive Retail Electricity and Gas Supply –
Consumer Protection – Report**

FOR the purpose of requiring the Public Service Commission to submit a certain report to the General Assembly on or before a certain date on the status of the Commission's efforts to provide appropriate protections for consumers in connection with competitive retail electricity supply and retail gas supply and recommendations regarding ratepayer protections; specifying the contents of the report; providing for the termination of this Act; and generally relating to consumer protection in connection with competitive retail electricity and gas supply.

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

Senate Bill 1045 – Senator Kasemeyer

AN ACT concerning

**Creation of a State Debt – Maryland Food Bank Creating Capacity While
Serving Communities Project**

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

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

Senate Bill 1046 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Sheriff and County Commissioners – Salaries

FOR the purpose of providing that the Sheriff of Washington County shall receive a certain salary in certain years; requiring the County Commissioners of Washington County to set the salaries for certain offices by local law, subject to certain conditions; providing that the County Commissioners of Washington County shall receive a certain salary in certain years; repealing a certain requirement that the County Commissioners submit certain recommendations to certain members of the General Assembly; providing for the application of this Act; and generally relating to the salaries of the Sheriff of Washington County and the County Commissioners of Washington County.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–309(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(w)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 28–207
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 28–209
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–103
Article 22 – Public Local Laws of Maryland

(2007 Edition and October 2010 Supplement, as amended)

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

Senate Bill 1047 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – District Heights Family
and Youth Services Bureau Facility Project**

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

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

Senate Bill 1048 – Senator Stone

AN ACT concerning

Crimes – Robbery or Theft of Property – Controlled Dangerous Substances

FOR the purpose of clarifying that the crime of robbery includes robbing or attempting to rob another of certain controlled dangerous substances; clarifying that the crime of theft includes the theft of certain controlled dangerous substances; defining certain terms; and generally relating to controlled dangerous substances.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–401(a), (d)(1), and (e), 3–402, 6–203(a), 7–101(a) and (i)(1), and
7–104(a) through (g)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–401(d)(2)(xiii) and (xiv) and 7–101(i)(2)(xiii) and (xiv)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law
Section 3–401(d)(2)(xv) and 7–101(i)(2)(xv)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1049 – Senator Getty

EMERGENCY BILL

AN ACT concerning

Education – Required Number of School Days

FOR the purpose of specifying that a day on which public schools are closed during a certain state of emergency shall be credited against the required minimum number of days that public schools shall be open; and making this Act an emergency measure.

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

Senate Bill 1050 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Camp Whippoowill Living Shoreline Project

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

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #7

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

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

Senate Bill 207 – Senator Kelley

AN ACT concerning

Condominiums – Warranty Claims

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 229 – Senator Frosh

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Disclosures
to Purchasers on Resale of Unit or Lot – Limitation on Fees**

SB0229/378473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 229

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Homeowners Associations”; in line 3, strike “or Lot”; strike beginning with “limiting” in line 5 down through “information;” in line 7; in line 8, strike “or a lot located in a certain development”; and in line 16, strike “and 11B–106”.

AMENDMENT NO. 2

On page 4, in line 3, strike “\$50” and substitute “\$100”.

AMENDMENT NO. 3

On pages 4 through 7, strike in their entirety the lines beginning with line 23 on page 4 through line 22 on page 7, inclusive.

The preceding 3 amendments were read only.

Senator Mathias moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

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

A Senate Joint Resolution concerning

Rescission of Maryland’s Ratification of the Corwin Amendment to the United States Constitution

SJ0001/508575/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 1

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, Brochin, Forehand, Hershey, Jacobs, Stone, and Zirkin”.

AMENDMENT NO. 2

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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 261)

RECESS

At 8:43 P.M. on motion of Senator Robey, seconded, the Senate recessed until 8:55 P.M. on Monday, February 17, 2014 to the Old House Chamber in honor of George Washington’s Birthday.

AFTER RECESS
Annapolis, Maryland
Monday, February 17, 2014

At 8:54 P.M. the Senate resumed its session.

The Honorable Thomas V. Mike Miller, Jr.
President, Maryland Senate
Presiding

Ceremony in honor of George Washington's Birthday in the Old House
Chamber, the Address given by **Chris Haley**

WASHINGTON'S BIRTHDAY SPEECH

Old House of Delegates Chamber
Maryland State House
February 17, 2014

“Never trouble trouble till trouble troubles you”

This is a quote from a Chinese fortune cookie I had saved in the box holding my business cards because for some reason, some day, I thought I might have cause to use it. You are now asking yourselves, “why today?”

Someone said to a friend of mine, “Nothing changes until you say “yes.” So true. Responding to a question in the affirmative often suggests that you have just been presented with a choice to do something, to affirm your opinion about something, or to change something when needed. By saying “yes,” you have allowed yourself to become involved, to seek knowledge, and to be held accountable. Sometimes saying “yes” can be the most difficult, challenging and courageous answer to give. On Presidents’ Day, we commemorate, we celebrate, we remember individuals who said “yes” and allowed trouble to trouble them.

On February 22, 1732, a male child was born to Augustine and Mary Ball Washington in Westmoreland County, Virginia, who allegedly, one fine day, chopped down a cherry tree, but undeniably, on another fine day, became the first president of the united states of America. We all know this was George Washington, but it bears repeating. Over the course of a divisive and bloody eight year war, this same Virginia native led a sometimes rag tag, but determined force, the continental army, to ultimate victory and independence from great Britain. We all know this, but it bears repeating. Upon the conclusion of that conflict, general Washington walked through the halls of this hallowed house and stood within the walls of the old Maryland senate chamber, and returned his military commission to congress. He desired to return to

Mount Vernon and enjoy a life of rest and domesticity. We all know this, but it bears repeating. Washington's retirement, however, was short lived. Once again, our nation needed his leadership and asked him to preside over the constitutional convention in 1787. When it ended, it became clear that his intellect, leadership skills, and virtues of humility and honesty made him the right person to become the first president under the new United States constitution. Although it would take him away from his cherished Mount Vernon and simple life, Washington's strong sense of civic duty made him accept the responsibility and say yes. We all know this but, in tribute to his birthday, it bears repeating.

Years, months, or what might seem like eons ago, each of you put it into your head, or someone put it there for you, that you should emulate Washington's acceptance of accountability and consider representing the people. Subsequently, whether it was humbly or boldly, you absorbed that thought and allowed it to beat within your heart and then, there was no turning back. Whether you imagined the magnificent eternal impact of a Lincoln or a Washington, the pioneering legacy of a Margaret Chase Smith or a Shirley Chisholm, or the warming personal influence of a teacher, coach, or parent, you decided it was your duty to lead. And as you recalled the lives of those admired figures, you recognized there could be hardships. You understood there might be disagreements and that effective civic discourse and compromise would, at times, be difficult. You acknowledged there may come a day when you look in a random mirror, in a random mall, at a random time, and say, "What was I thinking?" But, you knew saying yes would not be easy. Robert F. Kennedy once said, "About one fifth of the people are against everything all of the time." And in his infinite wisdom, Winston Churchill reminds you that, "Mountains inspire leaders, but valleys mature them." Yet, despite these troublesome valleys, you accepted the position of civic leadership and now wield the solemn responsibility of being a servant of the people and sit proudly as members of Maryland's 434th General Assembly.

Take pride, President Miller, that you come from humble beginnings, born and raised in Clinton, Maryland, the eldest of ten children, the son of an educator and a small business owner. Through hard work and determination you have become a scholar of jurisprudence, a distinguished civil servant, and a wise historian who analyzes events of the past to help guide your decisions for the future. Take pride, senators, that this legislative body has evolved from one of a single gender and race in 1776 to one that is now represented by both sexes and symbolizes, as my uncle Alex called it, the "salad bowl" of citizens who make up 21st century America.

Thank you, President Miller, for asking me here this evening; take pride that you and your distinguished colleagues have invited the descendant of an enslaved African, Kunta Kinte, who lived during the same time period as President Washington, to speak before you this evening. Who, in this historic building where the first United States president once stood, was able to gift a copy of that enslaved African's story, *ROOTS*, to the first lady of this country's first African American president. I am able to speak here tonight because many leaders throughout our

nation's history have bravely said yes, like all of you, when change was difficult, but necessary.

Take pride senators, as stewards of our democracy, that you have recognized that our youth will become the future leaders of our government. Two years ago, both chambers unanimously passed legislation to help ensure that upon graduation, Maryland students will need to have mastered a foundational knowledge of important constitutional principles and an understanding of how our system of government works. Take pride in the scholarships you have awarded, the interns you have mentored, and the educational programs you have supported so that our posterity can learn and succeed.

Senators, you have said “yes” and you have allowed troubles to trouble you, and because of that, we salute you. Remember, all of you in attendance tonight who have said “yes” to a variety of challenging endeavors, that although Washington encountered some troublesome times during his presidency, he left the nation at peace and united. Let's remember Washington's legacy of unity and take pride that despite our differences we resemble a real family who bicker, disagree, laugh, cry and break bread together. Republican and Democrat, liberal and conservative, female and male, black and white, Catholic, Muslim, Judaic, straight and gay, ultimately and inescapably, we are one; we are Maryland; we are one Maryland.

ADJOURNMENT

At 9:15 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 18, 2014.

Annapolis, Maryland
Tuesday, February 18, 2014
10:00 A.M. Session

The Senate met at 10:21 A.M.

Prayer by Father Mark Smith, Holy Redeemer Catholic Church, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of February 17, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 263)

INTRODUCTION OF BILLS

Senate Bill 1051 – Senator Kasemeyer

AN ACT concerning

Business and Economic Development – Film Production Activity Tax Credit Program

FOR the purpose of altering the amount of income tax credit certificates that the Secretary of Business and Economic Development may issue for a certain fiscal year for certain film production activities; and generally relating to income tax credits for certain film production activities.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–730(b)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–730(f)(1)(ii)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 229 – Senator Frosh

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Disclosures to Purchasers on Resale of Unit or Lot – Limitation on Fees

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0229/378473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 229

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Homeowners Associations”; in line 3, strike “or Lot”; strike beginning with “limiting” in line 5 down through “information;” in line 7; in line 8, strike “or a lot located in a certain development”; and in line 16, strike “and 11B–106”.

AMENDMENT NO. 2

On page 4, in line 3, strike “\$50” and substitute “\$100”.

AMENDMENT NO. 3

On pages 4 through 7, strike in their entirety the lines beginning with line 23 on page 4 through line 22 on page 7, inclusive.

The preceding 3 amendments were read only.

Senator Mathias moved, duly seconded, to make the Bill and Amendments a Special Order for February 20, 2014.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #4

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

SPECIAL ORDERS

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

Senate Bill 447 – Senator Conway

AN ACT concerning

**Public Ethics – Members of the General Assembly – Presumption of a Conflict
– Clients**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0447/364630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 447

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Dyson”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0447/853220/1

BY: Senator Dyson

AMENDMENT TO SENATE BILL 447

(First Reading File Bill)

On page 1, in line 7, after “legislator” insert “knowingly”.

On page 2, in line 9, after “LEGISLATOR” insert “KNOWINGLY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 437 – Senator Frosh

AN ACT concerning

**Nonresident Recreational Fishing and Crabbing Licenses – Oyster
Restoration Surcharge**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2)
OFFERED FROM THE FLOOR BY SENATOR HERSHEY.

FLOOR AMENDMENT

SB0437/223621/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 437

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 8 down through “activities” in line 9 and substitute “the oyster committee of the county in which the nonresident recreational fishing and crabbing license is sold, subject to a certain exception;”

requiring certain surcharges collected under this Act to be credited to the Oyster Recovery Partnership under certain circumstances”.

AMENDMENT NO. 2

On page 4, in line 1, strike “**ALL**” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL**”; and strike beginning with “**FISHERIES**” in line 2 down through “**RESTORATION**” in line 4 and substitute “**OYSTER COMMITTEE OF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD.**”

(2) IF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD DOES NOT HAVE AN OYSTER COMMITTEE, ALL SURCHARGES COLLECTED UNDER THIS SECTION BY THAT COUNTY SHALL BE CREDITED TO THE OYSTER RECOVERY PARTNERSHIP”.

The preceding 2 amendments were read only.

Senator Brinkley moved, duly seconded, to make the Bill and Amendments a Special Order for February 19, 2014.

The motion was adopted.

Senate Bill 288 – Senator Zirkin

AN ACT concerning

Public Schools – Smoking on School Property – Prohibition

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

SB0288/307672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “prohibiting an individual from” and substitute “authorizing a county board of education to prohibit”; and in line 4, after “of” insert “a prohibition imposed under”.

AMENDMENT NO. 2

On page 1, in line 19, strike “AN INDIVIDUAL MAY NOT ENGAGE IN” and substitute “A COUNTY BOARD OF EDUCATION MAY PROHIBIT”; and in line 21, after “VIOLATES” insert “A PROHIBITION IMPOSED UNDER”.

The preceding 2 amendments were read only.

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

The motion was adopted.

Senate Bill 467 – Senators Glassman and Middleton

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Government
Transparency Requirements**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0467/127674/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 467

(First Reading File Bill)

On page 1, in lines 8 and 9, strike “and include certain information”.

On page 3, in line 5, after “**PROJECTS;**” insert “AND”; and strike beginning with “**SHALL**” in line 6 down through “**(III)**” in line 8.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 264)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #24

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 – 45 Negative – 0 (See Roll Call No. 265)

The Bill was then sent to the House of Delegates.

Senate Bill 138 – Senator Conway

AN ACT concerning

Health Occupations – Board of Physicians – Reinstatement of Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 266)

The Bill was then sent to the House of Delegates.

Senate Bill 225 – Senators Montgomery, Benson, and Forehand

AN ACT concerning

State Board of Examiners of Psychologists – Psychology Associates – Registration

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

Affirmative – 46 Negative – 0 (See Roll Call No. 267)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 268)

The Bill was then sent to the House of Delegates.

Senate Bill 381 – Senator Conway

AN ACT concerning

**Health Occupations – Chiropractors, Massage Therapists, Physical
Therapists, and Physical Therapist Assistants – Criminal History Records
Checks Required**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 269)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 288 – Senator Zirkin

AN ACT concerning

Public Schools – Smoking on School Property – Prohibition

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

SB0288/307672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “prohibiting an individual from” and substitute “authorizing a county board of education to prohibit”; and in line 4, after “of” insert “a prohibition imposed under”.

AMENDMENT NO. 2

On page 1, in line 19, strike “AN INDIVIDUAL MAY NOT ENGAGE IN” and substitute “A COUNTY BOARD OF EDUCATION MAY PROHIBIT”; and in line 21, after “VIOLATES” insert “A PROHIBITION IMPOSED UNDER”.

The preceding 2 amendments were read and adopted.

Senator Dyson moved, duly seconded, to make the Bill and Report a Special Order for February 19, 2014.

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #25**Senate Bill 49 – Senator Hershey**

AN ACT concerning

Kent County – Alcoholic Beverages Act of 2014

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

Affirmative – 46 Negative – 0 (See Roll Call No. 270)

The Bill was then sent to the House of Delegates.

Senate Bill 329 – Senator Astle

AN ACT concerning

**Residential Cliffside Elevators – Registration and Inspection
(The Jock Menzies Act)**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 271)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 272)

The Bill was then sent to the House of Delegates.

**Senate Bill 404 – Senators Kelley, Benson, Brochin, Feldman, Glassman,
Kittleman, Montgomery, Pugh, ~~and Ramirez~~ Ramirez, Middleton, and
Klausmeier**

AN ACT concerning

**Maryland Uniform Commercial Code – Secured Transactions – Notice of
Filing of Financing Statement**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 273)

The Bill was then sent to the House of Delegates.

Senate Bill 416 – Senator Astle

AN ACT concerning

**Health Maintenance Organizations – Payments to Nonparticipating
Providers – Repeal of Termination Date**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 274)

The Bill was then sent to the House of Delegates.

Senate Bill 418 – ~~Senator Middleton~~ Senators Middleton, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

**Developmental Disabilities Administration – Low Intensity Support Services
– Funding**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 275)

The Bill was then sent to the House of Delegates.

Senate Bill 522 – Senator Feldman

AN ACT concerning

Commercial Law – Maryland Uniform Commercial Code – Funds Transfers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 276)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 277)

ADJOURNMENT

At 11:01 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 19, 2014, in memory of Lib Tolbert.

Annapolis, Maryland
Wednesday, February 19, 2014
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Reverend James H. Farmer, Severna Park United Methodist Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 18, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 280)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 402 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland Library Community
in recognition of
the 2014 Maryland Library Day, which acknowledges the innovative services provided
by all Maryland libraries and the broad-based community support they enjoy.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 19th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 281)

Senate Resolution No. 375 – Brochin, Senator Katherine Klausmeier & Senator:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Towson University
in recognition of
your 15th successful Tiger Pride Advocacy Day. We applaud the efforts of Towson
University's students and gratefully acknowledge your spirit, enthusiasm, and
dedication to your school.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 19th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 282)

INTRODUCTION OF BILLS**Senate Bill 1052 – Senator Jennings**

AN ACT concerning

Creation of a State Debt – Harford County – Ladew Topiary Gardens

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

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

Senate Bill 1053 – Senator Glassman

AN ACT concerning

Maryland Building Performance Standards – Energy Codes – Local Authority

FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the Maryland Building Performance Standards that are equivalent to the

requirements of certain international energy conservation and energy efficiency codes; and generally relating to building performance standards.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–504
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1054 – Senator Pugh

AN ACT concerning

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

FOR the purpose of altering the definition of qualifying residing artist for an arts and entertainment district to include individuals who own or rent residential real property in the State and who conduct business and derive income in certain areas; altering the eligibility for certain individuals to claim certain tax incentives; and generally relating to qualifying residing artists in arts and entertainment districts.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 4–701(a) and (c) and 4–706(a)
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–701(f)
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

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

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.

Senate Bill 1056 – Senators Raskin and Jones–Rodwell

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 shielding if the person is a defendant in a pending criminal proceeding; providing that, if a person is not entitled to shielding of one conviction in a certain unit, the person is not entitled to 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; requiring the court to hold a hearing and order the shielding of certain records under certain circumstances; requiring the court to deny a certain petition under certain circumstances; 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, permit, registration, or government service to disclose certain shielded information at a certain time or denying a person's application for a license, permit, registration, or government service solely because the person refused to disclose certain information; 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)

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

Senate Bill 1057 – Senator Astle

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2013 – Anne Arundel County – Southern Middle School and Southern High School Improvements

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to provide that a certain grantee has until a certain date to provide a certain matching fund for a grant for certain improvements to Southern Middle School and Southern High School; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA03(G)

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

Senate Bill 1058 – Senator Astle

AN ACT concerning

Anne Arundel County – Electronic Instant Bingo Machines – Regulation

FOR the purpose of authorizing a war veterans' organization or fraternal organization in Anne Arundel County to operate not more than a certain number of electronic instant bingo machines if the organization obtains a license for each machine on or before a certain date; requiring the State Lottery and Gaming Control Commission to adopt certain regulations; and generally relating to electronic instant bingo machines in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–301.1
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1059 – Senator DeGrange

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2010, 2012, and 2013 –
Maryland Historical Trust Easements**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2010, 2012, and 2013 to provide that, for purposes of certain grants, certain entities may only be required to grant and convey to the Maryland Historical Trust a perpetual preservation easement on certain structures that benefit from the grants; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2010, 2012, and 2013.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA00(I)

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(N)

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(L)

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

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 8 – Senators Muse, Benson, Currie, Jones–Rodwell, Ramirez, and Stone

A Senate Joint Resolution concerning

Reinstatement of the Separation of Commercial and Investment Banking Functions

FOR the purpose of urging the United States Congress to support efforts to reinstate the separation of commercial and investment banking functions in effect under the Glass–Steagall Act and to support H. R. 129.

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 39 – Delegate Jameson

EMERGENCY BILL

AN ACT concerning

Chesapeake Employers' Insurance Company – Issuance, Renewal, and Cancellation of Policies – Authority

FOR the purpose of authorizing the Chesapeake Employers' Insurance Company to issue policies for employer's liability insurance and insurance under a federal compensation law; providing an exception to a certain prohibition to allow the Company to cancel or refuse to renew or issue a policy for failure to reimburse the Company under a certain policy as required under a certain provision of law; making this Act an emergency measure; and generally relating to the authority of the Chesapeake Employers' Insurance Company to issue, cancel, and renew policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 24–304 and 24–306
Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 40 – Delegate Murphy

AN ACT concerning

State Government – Commemorative Months – ~~Native American~~ American Indian Heritage Month

FOR the purpose of requiring the Governor annually to proclaim a certain month as ~~Native American~~ American Indian Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to ~~Native American~~ 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 Education, Health, and Environmental Affairs.

House Bill 41 – Delegates Murphy and Branch

AN ACT concerning

Maryland ~~Native American~~ Indian Status – Standards for Recognition

FOR the purpose of specifying that the special circumstances that must be taken into account by certain standards for recognition established by the Commission on Indian Affairs by regulation must include ~~existing~~ circumstances created by State law; altering the criteria that are required to be included in the standards; defining a certain term; making conforming changes; providing for the construction of this Act; and generally relating to recognition of Maryland Indian status.

BY repealing and reenacting, with amendments,

Article – State Government
Section 9.5–311
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 53 – Delegates Vitale and Carr

AN ACT concerning

Public Records – Provision of Copies, Printouts, and Photographs – Required

FOR the purpose of requiring a custodian of a public record to provide a copy, printout, or photograph of a public record to an applicant under certain circumstances; authorizing a person or governmental unit that is not provided with a copy, printout, or photograph of a public record to file a complaint with a certain circuit court; providing that the defendant has the burden of sustaining a certain decision; authorizing the court to take certain action regarding the failure to provide a copy, printout, or photograph of a public record; providing that a defendant governmental unit is liable for certain damages under certain circumstances; requiring the court to send a certain copy of its finding regarding the failure to provide a copy, printout, or photograph of a public record to the appointing authority of the custodian of the public record; and generally relating to the provision of copies, printouts, and photographs of public records by custodians.

~~BY repealing and reenacting, with amendments,
Article – State Government
Section 10–620 and 10–623
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)~~

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–205 and 4–362
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 Education, Health, and Environmental Affairs.

House Bill 101 – Delegate Kipke

AN ACT concerning

Dental Hygienists – Nitrous Oxide – Repeal of Termination Date

FOR the purpose of repealing the termination date of certain provisions of law relating to the authority of a dental hygienist to monitor a patient to whom nitrous oxide is administered; and generally relating to the practice of dental hygiene.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 4–101(k)(9), 4–205(a)(1)(ix), and 4–206.2
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 271 of the Acts of the General Assembly of 2011
Section 2

BY repealing and reenacting, with amendments,
Chapter 272 of the Acts of the General Assembly of 2011
Section 2

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

House Bill 102 – Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)

AN ACT concerning

Procurement Advisory Council – Membership

FOR the purpose of adding the Secretary of Information Technology as a member of the Procurement Advisory Council; and generally relating to the Procurement Advisory Council.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 12–105(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12–105(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 113 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – Psychology Associates – Registration

FOR the purpose of requiring an individual, except under certain circumstances, to be registered by the Board before practicing psychology as a psychology associate in the State; specifying the circumstances under which a registered psychology associate is authorized to practice psychology in the State; repealing obsolete language regarding an exemption from licensure for psychology associates; requiring an individual to meet certain requirements to qualify for registration as a psychology associate; specifying the examinations that an applicant for a psychologist license must pass; requiring an applicant for registration as a psychology associate, except under certain circumstances, to pass a certain examination ~~examination~~; requiring the Board to grant a waiver of certain registration requirements to certain applicants; requiring an applicant for a registration to practice psychology to meet certain requirements; providing that an applicant who otherwise qualifies for a registration is entitled to be examined in a certain manner; providing that a registration authorizes a registrant to practice psychology while the registration is effective; requiring the Board to maintain a roster that contains the names and certain other information regarding registered psychology associates; providing that, except under certain circumstances, a registration expires on the date set by the Board; prohibiting the renewal of a registration for a term longer than a certain number of years; requiring the Board to send to a registrant a renewal notice by a certain method a certain number of days before the registration expires; specifying the content of a renewal notice sent to a registrant; requiring a registrant to notify the Board in writing of any change in the registrant's address within a certain period of time; authorizing a registrant to renew a registration for a certain term under certain circumstances; authorizing the Board to establish continuing education requirements as a condition to the renewal of registrations; requiring the Board to renew the registration of a registrant who meets the requirements of certain provisions of law; repealing the requirement that continuing education requirements set by the Board be standard for all licensed psychologists; authorizing the Board, on a certain vote of its membership, to take certain action against a licensee if the licensee fails to supervise a registered psychology associate in accordance with certain regulations; authorizing the Board to impose a certain monetary penalty instead of suspending a registration or in addition to suspending or revoking a registration; authorizing the Board to direct a registrant to submit to a certain examination; providing that, in return for the privilege given to a registrant to practice psychology in the State, the registrant is deemed to have consented to a

certain examination under certain circumstances and waived a certain claim of privilege; providing that the failure or refusal of a registrant to submit to a required examination is prima facie evidence of a registrant's inability to practice psychology competently, with a certain exception; prohibiting a decision of the Board in relation to a registration from being stayed pending judicial review; authorizing the Board to reinstate a registration that has been revoked; altering the prohibition on practicing, attempting to practice, or offering to practice psychology in the State to include a person who is not registered by the Board; altering certain definitions; defining certain terms; repealing a certain definition; making certain conforming and stylistic changes; and generally relating to the registration of psychology associates.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 18–101, 18–202, 18–206, 18–301, 18–302, 18–303, 18–304(a), 18–306, 18–307(a), 18–308 through 18–313, 18–313.1(a), 18–314(a), (b), and (c), 18–316(c), 18–317, and 18–401(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 149 – Delegate Reznik

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services – Term Limits

FOR the purpose of establishing the terms of certain members of the Council for the Procurement of Health, Educational, and Social Services who are appointed by the Governor; prohibiting certain members from serving more than a certain number of consecutive terms, subject to a certain exception; authorizing the Governor to remove certain members under certain circumstances; requiring certain terms to expire in certain years; and generally relating to the Council for the Procurement of Health, Educational, and Social Services and term limits.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 12–110(b) and (c)(1)(xiii)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – State Finance and Procurement

Section 12–110(c)(3)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 202 – Delegate Barkley

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

FOR the purpose of authorizing a private lender to provide capital for a commercial loan provided under a local clean energy loan program; providing that, with the express consent of any holder of a mortgage or deed of trust on the property, a county or municipality may collect loan payments owed on a commercial loan to a private lender or to a county or municipality, and certain administrative costs, through a surcharge on a property owner's property tax bill; providing that an unpaid surcharge constitutes a lien against the property on which it is imposed under certain circumstances; providing that certain provisions of law that apply to a tax lien also apply to a certain lien created under this Act; defining a certain term; and generally relating to the collection of commercial loan payments owed to private lenders under local clean energy loan programs.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 1–1101, 1–1103, and 1–1105
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 1–1102 and 1–1104
Annotated Code of Maryland
(2013 Volume)

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

House Bill 220 – Delegates Jameson, Barnes, Hucker, Impallaria, Love, Minnick, Rudolph, and Schulz

EMERGENCY BILL

AN ACT concerning

Injured Workers' Insurance Fund Employees – Registration as Registered Lobbyists

FOR the purpose of authorizing an employee of the Injured Workers' Insurance Fund to register and maintain registration as a registered lobbyist under certain circumstances; making this Act an emergency measure; and generally relating to the registration of Injured Workers' Insurance Fund employees as registered lobbyists.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–102(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 253 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Stationary Engineers – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Stationary Engineers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that a preliminary evaluation of the Board and the statutes and regulations that relate to the Board be conducted on or before a certain date; and generally relating to the State Board of Stationary Engineers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6.5–502
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–403(b)(18)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 254 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Individual Tax Preparers – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Individual Tax Preparers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Individual Tax Preparers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 21–502
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(27)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 258 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 2–502
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(6)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 288 – Delegate O’Donnell

AN ACT concerning

Transportation – Metropolitan Planning Organizations – Notice and Public Hearing

FOR the purpose of requiring the Department of Transportation to give certain notice to certain members of the General Assembly before beginning the process of establishing, altering, or eliminating a Metropolitan Planning Organization for transportation planning purposes for certain areas in the State; requiring the Department to hold a public hearing within a certain area of the State to address the establishment, alteration, or elimination of a Metropolitan Planning Organization if any of certain members of the General Assembly requests the public hearing within a certain time period; and generally relating to notice and public hearings with respect to the establishment, alteration, or elimination of a Metropolitan Planning Organization.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–103(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Transportation
Section 2–103(e–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 301 – ~~Delegate Reznik~~ Delegates Reznik, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

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

FOR the purpose of providing that the Maryland Pharmacy Act does not apply, under certain circumstances, to a licensed dentist who obtains a certain permit from the State Board of Dental Examiners and who ~~personally prepares and~~ dispenses certain products or rinses; providing that certain provisions of law do not apply to a licensed dentist who obtains a certain permit under a certain provision of this Act; and generally relating to the exclusion of licensed dentists from the Maryland Pharmacy Act.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–102(a)(1) and (3)
Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~12–102(h)~~, ~~12–102(c)~~, ~~(h)~~, (i), and (j), 12–102.1, 12–102.2, and 12–403

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 12–102(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 303 – ~~Delegate Reznik~~ Delegates Reznik, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

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

FOR the purpose of providing that the Maryland Pharmacy Act does not prohibit, under certain circumstances, a licensed dentist from ~~personally preparing and~~ dispensing a full course of treatment of antibiotics to a patient for infection control; and generally relating to the exclusion of licensed dentists from the Maryland Pharmacy Act.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–102(a)(1) and (3)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 12–102(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–102(h), (i), and (j),
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 335 – Delegates Schuh and Olszewski

AN ACT concerning

**Residential Cliffside Elevators – Registration and Inspection
(The Jock Menzies Act)**

FOR the purpose of adding a certain residential cliffside elevator to the elevators that require certain registration and inspection; requiring a cliffside elevator located on certain residential property to have a certain inspection on a certain periodic basis; altering the term “elevator unit” to include a “cliffside elevator” for purposes of provisions of law relating to elevator safety; defining a certain term; making stylistic and conforming changes; and generally relating to elevators.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–801(a) and 12–806(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article – Public Safety
Section 12–801(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–801(f) through (t), 12–804, 12–809(d), and 12–812(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 478 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

**Maryland Automobile Insurance Fund – Installment Payment Plan –
Clarification**

FOR the purpose of clarifying that the Maryland Automobile Insurance Fund may not discriminate among certain insureds by charging different premiums to insureds who select, as a payment option, the Fund's installment payment plan instead of a premium finance agreement; making this Act an emergency measure; and generally relating to the Maryland Automobile Insurance Fund's installment payment plan.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–507(g)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 511 – Delegate Davis (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Foresters – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Foresters in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that a preliminary evaluation of the Board and the statutes and regulations that relate to the Board be conducted in a certain year; and generally relating to the State Board of Foresters.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 7–602
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government

Section 8–403(b)(21)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

THE COMMITTEE ON RULES REPORT #5

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 414 – Senators Kelley, Benson, Brochin, Colburn, Edwards, Forehand, Kittleman, Montgomery, and Reilly

CONSTITUTIONAL AMENDMENT

AN ACT concerning

General Assembly – Legislative Redistricting – Plans to be Introduced as a Bill

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 937 – Senator Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Willards Lions Club

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 938 – Senator Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Tri-County Multi-Purpose Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 939 – Senator Shank

AN ACT concerning

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

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 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 Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 941 – Senator Dyson

AN ACT concerning

**Transportation – Advertising Signs on State Highways for Agricultural
Businesses Authorized**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 942 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Industry

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 943 – Senators Brochin and Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Towson High School Stadium

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 944 – Senator Shank

AN ACT concerning

Family Law – Controlled Dangerous Substance Use During Pregnancy and Substance-Exposed Newborns – Reporting

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 945 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern High Softball Field Improvements

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 947 – Senators Young and Shank

AN ACT concerning

Real Property – Blighted Property – Nuisance Abatement

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 948 – Senator Young

AN ACT concerning

**Creation of a State Debt – Frederick County – Governor Thomas Johnson
High School Stadium**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 949 – Senators Young and Brinkley

AN ACT concerning

**Creation of a State Debt – Frederick County – Barbara Hauer Fritchie
Foundation Facility**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 950 – Senator Feldman

AN ACT concerning

**Consumer Protection – Monitoring Consumer Behavior and Shopping Habits
– Required Notice**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 953 – Senator Gladden

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 954 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Casey Community Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 955 – Senator Forehand

AN ACT concerning

**Creation of a State Debt – Montgomery County – Family Services, Inc.
Expansion**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 956 – Senator Pinsky

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Prince George’s County
– Historic Greenbelt Theater**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 957 – Senator Forehand

AN ACT concerning

**Creation of a State Debt – Montgomery County – Metropolitan Ballet Theatre
Relocation and Expansion**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 958 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Rockville Science Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 960 – Senator Ferguson

AN ACT concerning

Environment – Cox Creek Citizens Oversight Committee – Composition

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 961 – Senator Ferguson

AN ACT concerning

Baltimore City Residential Retention Act

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 962 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Leadenhall Community Outreach Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 964 – Senator Kelley

AN ACT concerning

Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 965 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Prince Hall Grand Lodge

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 966 – Senators Dyson and Middleton

AN ACT concerning

Calvert County, Charles County, and St. Mary's County – Deer Hunting

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 967 – Senator Jones-Rodwell

AN ACT concerning

Baltimore City – Orphans' Court Judges – Salary and Pension

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 968 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Leadership Through Athletics

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 969 – Senators Middleton, Kittleman, and Miller

AN ACT concerning

Department of Veterans Affairs – Opioid Time Lock Dispenser Pilot Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 971 – Senators Jones-Rodwell, Conway, and McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Arena Players Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 974 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Hershey, Jennings, Klausmeier, Middleton, Reilly, Simonaire, and Stone

AN ACT concerning

Public Safety – Regulated Firearms – Transport Through State

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

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

AN ACT concerning

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

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 976 – Senator Klausmeier

AN ACT concerning

Higher Education – Loan Repayment Program for Home Buyers in Distressed Areas – Establishment

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 977 – Senator Feldman

AN ACT concerning

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

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 980 – Senator Conway

AN ACT concerning

Anesthesia Services – Assignment of Billing Rights and Fees for Management Services – Prohibition

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 981 – Senator Jennings

AN ACT concerning

Baltimore County – Property Tax Credit – Homes Near a Refuse Disposal System

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 982 – Senator Conway

AN ACT concerning

Maryland Affordable Housing Trust – Award Criteria – Preference for Multijurisdictional Applicants

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 983 – Senator Manno

AN ACT concerning

Creation of a State Debt – Montgomery County – Second Chance Wildlife Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 984 – Senators Manno, Feldman, Forehand, Frosh, King, and Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Silver Spring Learning
Center Expansion**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 985 – Senator Frosh

AN ACT concerning

Maryland Clean Energy Financing and Risk Management Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 987 – Senator Stone

AN ACT concerning

**Local Government Tort Claims Act – Injury From Lead-Based Paint –
Application of Notice Requirement**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 988 – Senator Pugh

AN ACT concerning

**State Department of Education – Assessment Report for Broadband
Capabilities in Public Schools**

The bill was re-referred to the Committee on Education, Health, and Environmental
Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 990 – Senator Feldman

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –
Warren Historical Site – Loving Charity Hall**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 992 – Senators Brinkley and Young

AN ACT concerning

Creation of a State Debt – Frederick County – Forgerman’s House Renovation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 993 – Senators Brinkley and Young

AN ACT concerning

**Frederick County – Transition to Charter Government – Corrections to
References in the Annotated Code of Maryland**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 995 – Senator Ramirez

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Redevelopment of 4510
41st Avenue and 4516 41st Avenue**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 996 – Senator Gladden

AN ACT concerning

**Creation of a State Debt – Baltimore City – Gaudenzia’s Park Heights Facility
Renovation**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 997 – Senators Conway, Ferguson, Gladden, Jones-Rodwell,
McFadden, and Pugh**

AN ACT concerning

**Baltimore City Sheriff’s Office – Deputy Sheriff Majors – Number of
Appointments**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 999 – Senator Pugh

AN ACT concerning

Insurance – Reinsurance – Certification of Reinsurers

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1001 – Senator Mathias

AN ACT concerning

Vehicle Laws – Divided Highways – Speed Limits and Crosswalks

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1002 – Senator Mathias

AN ACT concerning

Health Insurance – Uniform Claims Form – Electronic Submission by Insured

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1003 – Senator Muse

AN ACT concerning

Business Regulation – Pet Cemeteries – Establishment and Operational Requirements

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1004 – Senator Muse

AN ACT concerning

Family Law – Children’s Civil Rights – Equal Parenting Time

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1005 – Senator Forehand

AN ACT concerning

Courts and Judicial Proceedings – Crime Victims and Witnesses Funds – Court Costs

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1006 – Senator Conway

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Baltimore City –
The Miles Washington Family Support Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1008 – Senator Astle

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Anne Arundel County –
Charles Carroll House**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1009 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Captain Avery Museum
Window Repair and Restoration**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1010 – Senators Benson and Stone

AN ACT concerning

**Domestic Animals – Sterilization and Life-Sustaining Care of Cats –
Determination of Dangerousness**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1011 – Senator Kasemeyer

AN ACT concerning

Maryland Estate Tax – Exclusion – Deceased Spousal Unused Exclusion Amount

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1012 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Arts Realty Corporation (BARCO) North Avenue Arts Building

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1014 – Senator Astle

AN ACT concerning

Developmental Disabilities – Residential Programs – Reimbursement for Visitation Absence Days

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1015 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1016 – Senator Benson

AN ACT concerning

Maryland Kinesiology Act

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1019 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – East Baltimore Historical Library

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1024 – Senator Brinkley

AN ACT concerning

Public Ethics Law – Prestige of Office – Prohibited Use

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1031 – Senator Ferguson

AN ACT concerning

**Creation of a State Debt – Baltimore City – Digital Harbor Foundation (DHF)
Tech Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1036 – Senator Edwards

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Garrett County –
Adventure Sports Center International**The bill was re-referred to the Committee on Budget and Taxation.**SPECIAL ORDERS**

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

Senate Bill 437 – Senator Frosh

AN ACT concerning

**Nonresident Recreational Fishing and Crabbing Licenses – Oyster
Restoration Surcharge**STATUS OF BILL: QUESTION IS ON THE AMENDMENTS (2) OFFERED FROM
THE FLOOR BY SENATOR HERSHEY.

FLOOR AMENDMENT

SB0437/223621/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 437

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 8 down through “activities” in line 9 and substitute “the oyster committee of the county in which the nonresident recreational fishing and crabbing license is sold, subject to a certain exception; requiring certain surcharges collected under this Act to be credited to the Oyster Recovery Partnership under certain circumstances”.

AMENDMENT NO. 2

On page 4, in line 1, strike “**ALL**” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL**”; and strike beginning

with “FISHERIES” in line 2 down through “RESTORATION” in line 4 and substitute “OYSTER COMMITTEE OF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD.”

(2) IF THE COUNTY IN WHICH THE NONRESIDENT RECREATIONAL FISHING AND CRABBING LICENSE IS SOLD DOES NOT HAVE AN OYSTER COMMITTEE, ALL SURCHARGES COLLECTED UNDER THIS SECTION BY THAT COUNTY SHALL BE CREDITED TO THE OYSTER RECOVERY PARTNERSHIP”.

The preceding 2 amendments were read only.

Senator Pinsky moved, duly seconded, to recommit the Bill.

The motion was adopted.

Senate Bill 288 – Senator Zirkin

AN ACT concerning

Public Schools – Smoking on School Property – Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0288/683326/1

BY: Senator Forehand

AMENDMENT TO SENATE BILL 288

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Zirkin” and substitute “Senators Zirkin and Forehand”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0288/933823/1

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “on” insert “the Grounds of”; in lines 4 and 6, in each instance, after “on” insert “the grounds of”; and in line 4, strike “a penalty” and substitute “certain penalties”.

AMENDMENT NO. 2

On page 1, in line 19, after “ON” insert “THE GROUNDS OF”; and in lines 21 and 22, strike “A CIVIL PENALTY OF \$50 FOR EACH VIOLATION” and substitute “THE FOLLOWING PENALTIES:”

(1) FOR A FIRST OFFENSE, THE ISSUANCE OF A WARNING THAT INFORMS THE OFFENDER OF THE REQUIREMENTS OF THIS SECTION; AND

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A CIVIL PENALTY OF \$50 FOR EACH VIOLATION”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 283)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

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 – 47 Negative – 0 (See Roll Call No. 284)

The Bill was then sent to the House of Delegates.

Senate Bill 207 – Senator Kelley

AN ACT concerning

Condominiums – Warranty Claims

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

Affirmative – 36 Negative – 11 (See Roll Call No. 285)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 286)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 287)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 288)

ADJOURNMENT

At 10:40 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 20, 2014.

Annapolis, Maryland
Thursday, February 20, 2014
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Reverend Todd Gaddy, The Life Church, guest of Senator Brochin.

(See Exhibit A of Appendix III)

The Journal of February 19, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 290)

INTRODUCTION OF BILLS

Senate Bill 1060 – Senator Middleton

AN ACT concerning

Homeowner's Insurance – Required Notices

FOR the purpose of requiring an insurer that issues, sells, or delivers a homeowner's insurance policy, at the time of application and at each renewal, to provide an applicant or a policyholder with a certain written notice; specifying the information that must be included in the notice; requiring the notice to be clear and specific; providing that the notice is not part of the policy or contract of insurance; providing that, notwithstanding the notice, all rights, duties, and obligations are controlled by the policy or contract of insurance; providing that the notice does not create a private right of action; authorizing the Maryland Insurance Commissioner to adopt regulations that prescribe the form that insurers are required to use to provide the notice; authorizing the Commissioner to allow an insurer to use a certain form to provide the required notice under certain circumstances; altering the notice that an insurer that adopts a certain underwriting standard is required to provide to policyholders; altering the

notice that an insurer that offers a certain premium discount is required to provide to policyholders; repealing and restating certain provisions of law relating to a certain annual statement that summarizes the coverages and exclusions under a certain policy, a certain notice about losses from flood, a certain notice about policies that do not provide coverage for losses caused by specific breeds or specific mixed breeds of dogs, a certain notice about additional optional coverage available from an insurer, a certain notice about the ability of an insurer to cancel or refuse coverage under certain circumstances, and a certain notice about an anti-concurrent causation clause; providing for the application of this Act; providing for a delayed effective date; and generally relating to notices provided to applicants and policyholders under policies of homeowner's insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–202
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing
Article – Insurance
Section 19–205, 19–206, 19–206.1, 19–207, 19–214, and 19–215
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article – Insurance
Section 19–205
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–209 and 19–210
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1061 – Senator Pugh

AN ACT concerning

Truant Students – System of Active Intervention – Requirements

FOR the purpose of requiring the system of active intervention for certain truant students developed by each county board of education to include an

Individualized Reengagement Plan for each truant student, coordination and collaboration with State and municipal agencies to deliver certain services, creation of a certain database to track truant students, and a specific plan for each public school to reengage truant students; requiring the Individualized Reengagement Plan to be developed by certain individuals using a certain process and requiring the Plan to be customized to the student; defining certain terms; and generally relating to requirements for a system of active intervention for truant students.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–302.2
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1062 – Senator Kelley

AN ACT concerning

Education – Baltimore County School Board Nominating Commission

FOR the purpose of establishing the Baltimore County School Board Nominating Commission; providing for the membership, duties, terms, and staffing of the Commission; requiring the Governor to designate a chair of the Commission; requiring the Governor to make appointments to the Baltimore County Board of Education from a list of nominees submitted to the Governor by the Commission; providing that a member's appointment to the Baltimore County Board of Education is subject to approval or rejection by the registered voters of Baltimore County at the general election following the appointment; and generally relating to the Baltimore County School Board Nominating Commission and appointments to the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108 and 3–109
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1063 – Senator Colburn

AN ACT concerning

Business Regulation – Pawnbrokers – Required Records for Currency

FOR the purpose of providing that certain provisions of law apply to certain transactions involving coins; authorizing counties and municipal corporations to regulate certain activities involving coins; requiring certain pawnbrokers to make a certain written record on a business transaction that involves currency, including coins; making certain provisions of law relating to holding and tagging of items purchased in a pawn transaction applicable to currency, including coins; and generally relating to required records for currency by pawnbrokers.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102 and 12–301
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1064 – Senator Jones–Rodwell

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Baltimore City – PMO
Community Youth Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to authorize the required matching fund for a certain grant for the PMO Community Youth Center to include real property; extending the deadline for the Board of Directors of Payne Memorial Outreach, Inc. to present evidence of a certain matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(W)

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

Senate Bill 1065 – Senator Conway

AN ACT concerning

Task Force on Community Health Workers

FOR the purpose of establishing the Task Force on Community Health Workers; 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 conduct a certain study, develop certain training and practice standards, and develop certain recommendations; requiring the Task Force to submit certain reports to certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force on Community Health Workers.

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

THE COMMITTEE ON RULES REPORT #6

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1041 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Sparrows Point Steel Mill Remembrance Monument

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1042 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Chesapeake High Stadium

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1045 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Maryland Food Bank Creating Capacity While Serving Communities Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1047 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Family and Youth Services Bureau Facility Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1050 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Camp Whippoorwill Living Shoreline Project

The bill was re-referred to the Committee on Budget and Taxation.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #4

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #4
February 20, 2014

Automobile Insurance Fund, Board of Trustees of the Maryland

1. Karenthia A. Barber District 43
1504 Fernley Road
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2018

2. Yolanda Maria Martinez District 42
10370 Pot Spring Road
Lutherville, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2016

3. Bradley D. Montgomery District 4
11096 San Andrew Drive
New Market, MD 21774

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2015

4. Timothy J. Murphy, Esq. District 28
108 La Grange Avenue
La Plata, MD 20646

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2018

5. Ryan Carroll O'Doherty District 46
109 East Montgomery Street
Baltimore, MD 21230

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2017

6. Lynda M. Perry District 42
501 Wyngate Road
Timonium, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2015

7. Lonnie R. Robbins, Esq. District 9
10121 Saddle Brook Farm Trail
Woodstock, MD 21163

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term to expire September 30, 2016

8. Enor R. Williams, Jr. District 27
9406 Pine View Lane
Clinton, MD 20735

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term to expire September 30, 2017

Budget of the State Workers' Compensation Commission, Advisory Committee on the

9. Adrienne M. Ray District 10
3524 Corn Stream Road
Randallstown, MD 21133

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2012

Handgun Roster Board

10. Peter Eliadis District 36
249 Mattapex Plantation Lane
Stevensville, MD 21666

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012

Infants and Toddlers, Interagency Coordinating Council for

11. Natasha Fields, MSW District 11
662 Saint Georges Station Road
Reisterstown, MD 21136

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2013

Morgan State University Board of Regents

12. Glenn A. George, II District 8
5 Fernsell Court, Apt. 36
Baltimore, MD 21237

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2013

Parole Commission, Maryland

13. Frank R. Weathersbee, Esq. District 33
834 Valentine View
Crownsville, MD 21032

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2013

Physicians, State Board of

14. Alexis J. Carras, M.D. District 9
3768 Plum Hill Court
Ellicott City, MD 21042

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

Police Training Commission

15. Barbara L. Duncan District 38
699 W. Salisbury Parkway
Salisbury, MD 21801

Member of the Police Training Commission; appointed to serve remainder of a term of three years from June 1, 2010

Potomac River Fisheries Commission

16. Phil L. Langley District 29
50126 Dove Cove Road
Dameron, MD 20628

Member of the Potomac River Fisheries Commission; appointed to serve a term of four years from January 1, 2013

Procurement Advisory Council

17. Phillip C. Martien District 5
3510 Lawndale Road
Finksburg, MD 21048

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

18. H. Louis Stettler, III, Ph.D. District 30
675 Genessee Street
Annapolis, MD 21401

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

Professional Standards and Teacher Education Board

19. Bryan D. Powell District 43
1212 Argonne Drive
Baltimore, MD 21218

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2013

Psychologists, State Board of

20. Christopher L. Bishop, Psy.D. District 23
13803 Resin Court
Bowie, MD 20720

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2013

21. James F. Gormally, Ph.D. District 20
806 E. Franklin Avenue
Silver Spring, MD 20901

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2013

Public Defender, Office of the Board of Trustees of the

22. Stephen H. Kehoe, Esq. District 37
603 Winter Street
Easton, MD 21601

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2012

Public Service Commission

23. Anne E. Hoskins, Esq. District 43
5423 Purlington Way
Baltimore, MD 21212

Member of the Public Service Commission; appointed to serve remainder of a term of five years from July 1, 2011

Racing Commission, State

24. Tammy L. Lafferty, Esq. District 27
3220 Holland Cliffs Road
Huntingtown, MD 20639

Member of the State Racing Commission; appointed to serve a term of four years from July 1, 2013

Real Estate Commission, State

25. William J. Neary, Jr. District 37
28480 Wedgeway Court
Easton, MD 21601

Member of the State Real Estate Commission; appointed to serve a term of four years from June 1, 2013

Uninsured Employers Fund Board

26. John E. Gates District 1
422 Greene Street
Cumberland, MD 21502

Member of the Uninsured Employers Fund Board; appointed to serve remainder of a term of four years from July 1, 2011

Veterans' Home Commission, Maryland

27. Maxine Canty District 43
4305 Marble Hall Road, Apt. 119
Baltimore, MD 21218

Member of the Maryland Veterans' Home Commission; appointed to serve remainder of a term of five years from July 1, 2011

Washington Suburban Transit Commission

28. Michael F. Goldman, Esq. District 15
10030 Carmelita Drive
Potomac, MD 20854

Member of the Washington Suburban Transit Commission; appointed to serve remainder of a term to expire June 30, 2013 and a term of four years from July 1, 2013

Youth Camp Safety, Advisory Council on

29. Monika Piccardi, R.N. District 45
3305 Lerch Drive
Baltimore, MD 21214

Member of the Advisory Council on Youth Camp Safety; appointed to serve remainder of a term of three years from July 1, 2011

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Podiatric Medical Examiners, State Board of

- S-1. Jay H. Boyar District 20
104 Indian Spring Drive
Silver Spring, MD 20901

Member of the State Board of Podiatric Medical Examiners; reappointed to serve a term of four years from July 1, 2013

Potomac River Fisheries Commission

- S-2. William L. Rice, Sr. District 28
11400 Tucker Farm Place
Faulkner, MD 20632

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2013

Procurement Advisory Council

- S-3. Nancy C. West, Esq. District 42
905 Fairway Drive
Towson, MD 21286

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

Professional Standards and Teacher Education Board

- S-4. Merlyn M. Bell District 10
6703 Yataruba Drive
Gwynn Oak, MD 21207

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-5. Louise E. DeJesu District 30
520 Bay Dale Court
Arnold, MD 21012

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-6. Donna Newcomer, Ed.D. District 2
1412 Hamilton Boulevard
Hagerstown, MD 21742

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-7. Carl D. Roberts, Ed.D. District 34
1641 Ingleside Avenue
Perryville, MD 21903

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-8. Karen L. Roe District 8
9124 Snyder Lane
Perry Hall, MD 21128

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

S-9. Jamelyn C. Tobery-Nystrom, Ed.D. District 2
19902 Fairmont Court
Hagerstown, MD 21742

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2013

Psychologists, State Board of

S-10. Neal R. Morris, Ed.D. District 16
4615 Chestnut Street
Bethesda, MD 20814

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2013

Public Defender, Office of the Board of Trustees of the

S-11. James V. Anthenelli, Esq. District 38
5298 James Landing Road
Salisbury, MD 21801

Member of the Board of Trustees of the Office of the Public Defender; reappointed to serve a term of three years from June 1, 2012

S-12. Erek L. Barron, Esq. District 25
1949 Beecham Court
Mitchellville, MD 20721

Member of the Board of Trustees of the Office of the Public Defender; reappointed to serve a term of three years from June 1, 2013

S-13. Victor M. Del Pino, Esq. District 19
5 Horizon Court
Derwood, MD 20855

Member of the Board of Trustees of the Office of the Public Defender; reappointed to serve a term of three years from June 1, 2013

S-14. Arthur Schneider, Esq. District 2
13212 Woodbine Lane
Hagerstown, MD 21742

Member of the Board of Trustees of the Office of the Public Defender; reappointed to serve a term of three years from June 1, 2012

Racing Commission, State

- S–15. Ernest R. Grecco District 5
914 Cindy Lane
Westminster, MD 21157

Member of the State Racing Commission; reappointed to serve a term of four years from July 1, 2013

Real Estate Appraisers and Home Inspectors, State Commission of

- S–16. Nathaniel W. Hauser District 9
3729 Chatham Road
Ellicott City, MD 21042

Member of the State Commission of Real Estate Appraisers and Home Inspectors; reappointed to serve a term of three years from January 1, 2014

- S–17. Denise M. Herndon District 30
3816 Pine Drive
Edgewater, MD 21037

Member of the State Commission of Real Estate Appraisers and Home Inspectors; reappointed to serve a term of three years from January 1, 2014

Retirement and Pension Systems, Board of Trustees for the Maryland State

- S–18. F. Patrick Hughes District 42
907 Rolandvue Road
Towson, MD 21204

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; reappointed to serve a term of four years from July 1, 2013

Youth Camp Safety, Advisory Council on

- S–19. Margaret C. Kaufman, R.N. District 36
405 Watson Road
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2013

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

College of Southern Maryland, Board of Trustees of the

- L-1. Dorothea Holt Smith District 28
3365 Forest Road
Waldorf, MD 20601

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2013

Frederick Community College Board of Trustees

- L-2. David Farmer Bufter District 3
5382 Stone Road
Frederick, MD 21703

Member of the Frederick Community College Board of Trustees; reappointed to serve a term of five years from July 1, 2013

- L-3. Gary V. Fearnow District 3
1001 Riverwalk Place, Apt. 242
Frederick, MD 21701

Member of the Frederick Community College Board of Trustees; appointed to serve remainder of a term of five years from July 1, 2012

- L-4. Myrna R. Whitworth District 4
9721 Woodcliff Court
New Market, MD 21774

Member of the Frederick Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

- L-5. Roger A. Wilson District 3
1816 Rivermist Court
Frederick, MD 21701

Member of the Frederick Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

Garrett College Board of Trustees

- L-6. Donald Morin District 1
2325 Accident Friendsville Road
Accident, MD 21520

Member of the Garrett College Board of Trustees; reappointed to serve a term of

six years from July 1, 2013

Prince George's Community College Board of Trustees

- L-7. Floyd E. Wilson, Jr. District 23
13103 Vicar Woods Lane
Bowie, MD 20720

Member of the Prince George's Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

Prince George's County Board of License Commissioners

- L-8. Earl J. Howard District 24
3706 Baskerville Drive
Mitchellville, MD 20721

Member of the Prince George's County Board of License Commissioners; reappointed to serve a term of three years from June 1, 2013

- L-9. Shaihi Mwalimu District 27
9544 Victoria Drive
Upper Marlboro, MD 20772

Member of the Prince George's County Board of License Commissioners; reappointed to serve a term of three years from June 1, 2013

Queen Anne's County Board of County Commissioners

- L-10. James J. Moran District 36
329 Wye Harbour Drive
Queenstown, MD 21658

Member of the Queen Anne's County Board of County Commissioners; appointed to serve remainder of a term of four years from the General Election of November, 2010

Somerset County Board of License Commissioners

- L-11. Ralph F. Lusk District 38
26743 Rumbley Road
Westover, MD 21871

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

L-12. Van B. Muir, Jr. District 38
30742 Perry Road
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

L-13. Robert W. Murphey District 38
12010 Sherree Lane
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

Wicomico County Liquor Control Board

L-14. Donald E. Ewalt, Jr. District 38
203 Creekside Drive
Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

L-15. Herman Stewart Haemel District 38
1702 South Kaywood Drive
Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

L-16. David A. MacLeod District 38
603 Hunting Park Drive
Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

Wor-Wic Community College Board of Trustees

L-17. William H. Kerbin District 38
610 Homewood Drive
Pocomoke City, MD 21851

Member of the Wor-Wic Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Worcester County Board of License Commissioners

L-18. William E. Esham, Jr.
8611 Saddle Creek Drive
Berlin, MD 21811

District 38

Member of the Worcester County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2013

L-19. John F. Hess, Sr.
74 Chatham Court
Berlin, MD 21811

District 38

Member of the Worcester County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2013

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 21, 2014.

The motion was adopted.

SPECIAL ORDERS

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

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0229/378473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 229

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Homeowners Associations”; in line 3, strike “or Lot”; strike beginning with “limiting” in line 5 down through “information;” in line 7;

in line 8, strike “or a lot located in a certain development”; and in line 16, strike “and 11B-106”.

AMENDMENT NO. 2

On page 4, in line 3, strike “\$50” and substitute “\$100”.

AMENDMENT NO. 3

On pages 4 through 7, strike in their entirety the lines beginning with line 23 on page 4 through line 22 on page 7, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 291)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 447 – ~~Senator Conway~~ Senators Conway and Dyson

AN ACT concerning

**Public Ethics – Members of the General Assembly – Presumption of a Conflict
– Clients**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the House of Delegates.

Senate Bill 467 – Senators Glassman and Middleton

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Government
Transparency Requirements**

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

Affirmative – 34 Negative – 12 (See Roll Call No. 293)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 294)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 295)

ADJOURNMENT

At 10:36 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 21, 2014.

Annapolis, Maryland
Friday, February 21, 2014
11:00 A.M. Session

The Senate met at 11:08 A.M.

Prayer by Reverend Doctor William Gilroy, St. John Lutheran Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 20, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Miller, DeGrange, Hershey, Kasemeyer, Muse and Rosapepe be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 41 Members present.

(See Roll Call No. 297)

INTRODUCTION OF BILLS

Senate Bill 1066 – Senator Raskin

AN ACT concerning

Fairness in Negotiations Act – Sunset Repeal

FOR the purpose of repealing the termination date of certain provisions relating to the Public School Labor Relations Board; and generally relating to the Public School Labor Relations Board.

BY repealing and reenacting, with amendments,
Chapter 325 of the Acts of the General Assembly of 2010
Section 6

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

Senate Bill 1067 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Bestgate Park

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

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

Senate Bill 1068 – Senators Brinkley and Kittleman

AN ACT concerning

Procurement – Prevailing Wage – School Construction

FOR the purpose of increasing to a certain amount the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies; altering certain definitions; and generally relating to the application of the Prevailing Wage Law to elementary or secondary school construction.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 17–201(a), 17–210(a) and (c), and 17–214
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–201(i) and (j)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1069 – Senator Ramirez

AN ACT concerning

Education – Youth Wellness Leadership Pilot Program

FOR the purpose of establishing the Youth Wellness Leadership Pilot Program in the State Department of Education; requiring the Department, after consultation with the Department of Health and Mental Hygiene, to implement the Program for a certain number of students in public high school in Prince George's County and a certain number of students in public high school in another county; authorizing the State Department of Education to collaborate with certain local community organizations; specifying the purpose of the Program; defining a certain term; requiring the State Department of Education to report annually to certain committees of the General Assembly; providing for the termination of this Act; and generally relating to the Youth Wellness Leadership Pilot Program.

BY adding to

Article – Education

Section 7–415.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

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**

FOR the purpose of altering the amount of a subtraction modification under the State income tax for certain qualifying volunteer fire, rescue, and emergency medical services members; and generally relating to a subtraction modification under the State income tax for certain qualifying volunteer fire, rescue, and emergency medical services members.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–208(i–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1071 – Senator Colburn

AN ACT concerning

Montgomery County and Prince George’s County Fair Share Act of 2014

FOR the purpose of requiring the Washington Suburban Sanitary Commission each year to impose on certain ratepayers a sewage and sludge remediation charge; requiring the Montgomery County Council and the Prince George’s County Council to meet each year to determine the amount of the sewage and sludge remediation charge; requiring the county councils to consider certain anticipated costs when determining the amount of the sewage and sludge remediation charge; authorizing the charge to be changed by a certain amount in certain years; providing that if the county councils do not agree on the amount of the charge, the amount of the charge imposed in the previous year shall continue in effect for the following fiscal year; requiring that, if the charge is less than a certain amount, the Commission shall identify the part of the cost of certain remediation that will be paid by certain ratepayers as a percentage of a certain rate increase and the annual monetary amount on a certain customer’s annual water and sewer bill; requiring the Commission to deposit certain funds into a Sewage and Sludge Remediation Charge Fund; providing that the Fund is a special fund that may not revert to the general funds of the Commission; specifying that the Commission may only use certain funds in the Fund in a certain manner; and generally relating to sewage and sludge remediation in the Washington Suburban Sanitary District.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 16–101(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to
Article – Public Utilities
Section 25–107 and 25–108
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

**House Bill 12 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Bay Restoration Fund – Authorized Uses – Local Entities

FOR the purpose of authorizing certain fee revenue collected for the Bay Restoration Fund to be used by certain local entities to implement certain on-site sewage disposal system regulations; and generally relating to authorized uses of the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(h)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

**House Bill 13 – Chair, Health and Government Operations Committee (By
Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Office of Cemetery Oversight – Perpetual Care Trust Funds and Preneed
Trust Accounts – Regulation**

FOR the purpose of clarifying that realized capital gains are not income of a perpetual care trust fund and shall be deposited in the trust fund as principal; providing that a certain restriction on the use of perpetual care trust funds to make loans or investments in the real property of a cemetery applies to certain buildings and structures; clarifying that realized capital gains are income of a preneed trust account; prohibiting a trustee from using certain preneed trust funds to purchase an interest in certain contracts or agreements or to make certain loans or investments; providing that certain distributions of preneed trust funds by the trustee shall include a certain share of certain realized capital gains; and generally relating to perpetual care trust funds and preneed trust accounts.

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 5–603, 5–604, 5–707, 5–708, and 5–709
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 31 – Delegates McDermott and Smigiel

AN ACT concerning

Sentencing Procedures – Statement by Victim or Victim’s Representative (Alex’s Law)

FOR the purpose of requiring a court in a sentencing or disposition hearing to allow a victim or the victim’s representative to address the court under oath before the imposition of sentence or other disposition under certain circumstances; and generally relating to a certain statement by a victim or the victim’s representative in a sentencing or disposition hearing.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–401 and 11–403(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–403(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 147 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Maryland Tort Claims Act – Human Services Torts MC 13–14

FOR the purpose of clarifying that, under certain circumstances, Montgomery County acts as a unit of the State and, for the purposes of certain tort claims, the State shall be named as the proper defendant and damages shall be limited in a certain manner; altering certain procedures; altering a certain definition; ~~providing for the application of this Act;~~ and generally relating to the Maryland

Tort Claims Act and claims arising out of human services administered by Montgomery County.

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–103.2 and 12–106
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–304
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)~~

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

**House Bill 174 – Chair, Judiciary Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

Public Safety – Internal Investigative Unit – Name Change and Duties

FOR the purpose of changing the name of the Internal Investigative Unit in the Department of Public Safety and Correctional Services to the Intelligence and Investigative Division; requiring the Intelligence and Investigative Division to oversee and coordinate intelligence efforts within the Department, subject to the authority of the Secretary of Public Safety and Correctional Services; and generally relating to changing the name and duties of the Internal Investigative Unit in the Department of Public Safety and Correctional Services.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 10–701, 10–901(f), 10–905(a), (b), (m), and (n), 10–907(a), and 10–912(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(18)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–213(a)(3)(xi) and 18–213.2(a)(8)(x)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702(b)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–201(e)(2)(iii)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201(a)(20), 26–202(b)(1)(xvii), 26–203.1(e)(1), and 26–203.3(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 205 – Delegates K. Kelly, Anderson, Beitzel, Donoghue, and Frush

AN ACT concerning

Vehicle Laws – Electric Bicycle – Definition

FOR the purpose of altering the definition of “bicycle” for the purposes of the Maryland Vehicle Law to include an electric bicycle; defining the term “electric bicycle”; establishing that the definitions of “moped”, “motorized minibike”, and “motor vehicle”, ~~and “dirt bike” do~~ do not include an electric bicycle; and generally relating to electric bicycles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104, 11–134.1, 11–134.4, ~~11–135, and 21–1128(a)~~ and 11–135
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Transportation
Section ~~11–118.1~~ 11–117.1
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section ~~21-1202~~ 13-102(7), 13-104(a), 16-101(a), 17-104.1, and 21-1207.1
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 206 – Talbot County Delegation

EMERGENCY BILL

AN ACT concerning

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

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to alter the matching fund requirements of a certain grant; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BW)

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

House Bill 228 – Delegate Dumais

AN ACT concerning

Estates and Trusts – Registers of Wills – Records

FOR the purpose of providing that a register of wills may comply with certain provisions of law by retaining certain files under certain circumstances; requiring a register, in consultation with certain parties, to develop certain standards; making stylistic changes; and generally relating to the registers of wills.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2-209
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 238 – Delegate Cane

EMERGENCY BILL

AN ACT concerning

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

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to alter the matching fund requirements of a certain grant; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BV) and Item ZA03(BJ)

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

House Bill 256 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Horse Industry Board – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Maryland Horse Industry Board in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; ~~repealing a certain restriction on the use of certain funds generated by commercial equine feed assessments~~; requiring that an evaluation of the Board be performed on or before a certain date; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Horse Industry Board.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2-719 ~~and 6-107.2~~
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture
Section 6-107.2

Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(26)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 346 – Chair, Environmental Matters Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Historical Trust – Review of Capital Projects – Duties of Director

FOR the purpose of clarifying certain duties of the Director of the Maryland Historical Trust with respect to the review of certain capital projects; clarifying the applicability of certain review requirements to certain categories of capital projects; making stylistic changes; and generally relating to the duties of the Director of the Maryland Historical Trust in reviewing capital projects.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–325 and 5A–326
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 364 – Delegate Dumais

AN ACT concerning

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

FOR the purpose of altering the definition of “prosecutor” to include the State Prosecutor or Deputy State Prosecutor under provisions of law related to compulsory witness testimony and witness immunity under certain circumstances; making a stylistic change; and generally relating to immunity for witnesses in proceedings before a court or grand jury.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–123
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

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**

FOR the purpose of increasing the penalty for a certain violation of the Illegal Dumping and Litter Control Law; requiring a court to notify the Motor Vehicle Administration of a certain violation of the Illegal Dumping and Litter Control Law; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish certain procedures; requiring a certain number of driver’s license points to be assessed against an individual who is convicted of ~~a violation~~ certain violations of the Illegal Dumping and Litter Control Law under certain circumstances; making a certain conforming change; and generally relating to illegal dumping and litter control.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–110(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402(a) and 26–305(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 529 – Delegate Malone

AN ACT concerning

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

FOR the purpose of requiring, rather than authorizing, the Motor Vehicle Administration to make a certain notation on a driver’s license or identification card of an applicant who selects designation as an organ donor; requiring the Administration to notify applicants who select designation as a donor that the designation will remain effective until the applicant requests that the designation be removed and that the designation may be removed by the applicant through specified means; altering the manner in which a donor designation may be removed from a driver’s license or identification card; requiring the Administration to note an applicant’s designation as a donor on certain subsequently issued documents under certain circumstances; making certain stylistic and conforming changes; and generally relating to the designation of organ donor status on drivers’ licenses and identification cards.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–303
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 545 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$20,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or

redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

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

House Bill 555 – Delegates Malone ~~and Parrott~~, Parrott, Carr, Fraser-Hidalgo, Frush, McMillan, Norman, Stein, Wilson, Beitzel, Glenn, K. Kelly, A. Miller, Myers, and Healey

AN ACT concerning

Vehicle Laws – Maximum Speed Limits on Highways

FOR the purpose of increasing the maximum speed limit that may be established on certain highways in the State; and generally relating to maximum speed limits on highways.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–801.1(b) and (d)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–801.1(e)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 575 – Delegates Jacobs, Afzali, Arentz, Bates, Beitzel, Cane, Conway, Eckardt, Elliott, Fisher, Glass, Haddaway-Riccio, Hogan, Holmes, Kach, Kipke, Krebs, McDermott, McIntosh, Mitchell, O'Donnell, Otto, S. Robinson, Rudolph, Smigiel, Stifler, Vitale, and Weir

EMERGENCY BILL

AN ACT concerning

Farm Area Motor Vehicles – Registration and Authorized Use

FOR the purpose of increasing the radius from a farm within which a person may operate on a highway a motor vehicle registered as a farm area motor vehicle; requiring an applicant for registration of a farm area motor vehicle to submit with the application certain documentation of active farming status; altering a certain definition; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the registration and authorized use of farm area motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–935
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #13**

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

Senate Bill 306 – Montgomery County Senators

AN ACT concerning

Montgomery County – Barbershops – Restriction on Operation Repealed

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 440 – Senator Mathias

AN ACT concerning

**Somerset County – Service Award Program for Emergency Medical Services
and Fire and Rescue Personnel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 552 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Liquor Control Board – Alcoholic Beverages Licenses

SB0552/794634/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 552

(First Reading File Bill)

On page 1, in line 9, after “holder” insert “of”; and strike lines 20 through 29 in their entirety.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(n)(6), 8–213.1(e), 10–103(b)(18), and 15–112(n)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)”

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8–213.1(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)”.

The preceding amendment was read and adopted.

Senator Glassman moved, duly seconded, to make the Bill and Report a Special Order for February 25, 2014.

The motion was adopted.

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

Senate Bill 560 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – License Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 618 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Country Inn Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 619 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Organizational Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #14**

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

Senate Bill 472 – Senators Edwards, Shank, and Young

AN ACT concerning

Allegany County, Garrett County, and Washington County – Sunday Hunting

SB0472/414238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 472

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, in each instance, after “game” insert “bird or game”; in line 5, after “mammal” insert “, except wild waterfowl.”; and in line 6, after “mammal;” insert “making certain conforming changes.”.

AMENDMENT NO. 2

On page 2, in line 18, strike “Allegany,”; in the same line, strike “Garrett,”; in line 19, strike “Washington,”; strike beginning with “Except” in line 23 down through “(vi)” in line 26; and in line 29, strike “(vii)” and substitute “**(VI)**”.

On page 3, in line 26, in each instance, after “**GAME**” insert “**BIRD OR GAME**”; in the same line, after “**MAMMAL**” insert “**, EXCEPT WILD WATERFOWL.**”; and in line 30, after “**FOR**” insert “**SUNDAY**”.

The preceding 2 amendments were read only.

Senator Stone moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 473 – Senators Edwards, Shank, and Young

AN ACT concerning

**Allegany County, Garrett County, and Washington County – Deer Hunting –
Sundays**

SB0473/744335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 473

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Allegany County,” insert “Frederick County.”; in line 5, after “County,” insert “Frederick County.”; and in line 6, after “law,” insert “making conforming changes.”.

AMENDMENT NO. 2

On page 2, in line 18, strike “Frederick,”.

On page 3, in line 26, after the first “**COUNTY,**” insert “**FREDERICK COUNTY,**”.

On page 4, in line 1, after “**FOR**” insert “**SUNDAY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 564 – Senator Simonaire

AN ACT concerning

Environment – Water Pollution Control – Penalty

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Joint Resolution 4 – Senator Simonaire

A Senate Joint Resolution concerning

Conowingo Dam – Sediment – Dredging

SJ0004/334537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 4

(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike “Senator Simonaire” and substitute “Senators Simonaire, Montgomery, Jennings, Young, Conway, Dyson, and Pinsky”.

The preceding amendment was read only.

Senator Jacobs moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #15**

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

Senate Bill 203 – Senator Middleton

AN ACT concerning

Charles County – Board of Education – Salaries and Expenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 477 – Senator Colburn

AN ACT concerning

Education – Talbot County Board of Education – Lease of Public School Facility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #16

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

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

SB0379/954636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 379

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 22 down through the semicolon in line 24.

AMENDMENT NO. 2

On page 3, in line 22, strike “(1)”; and strike in their entirety lines 25 and 26.

On page 4, in line 16, strike “(1)”; and strike in their entirety lines 19 and 20.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 380 – Senator Conway

AN ACT concerning

State Board of Podiatric Medical Examiners – Cease and Desist Orders and Fines

SB0380/754735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 380

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike the first comma and substitute “to assess certain fines”; and strike beginning with the second comma in line 6 down through “Fund” in line 8.

AMENDMENT NO. 2

On page 2, in line 17, strike “, IN” and substitute “ASSESSED BY THE BOARD IN”; and strike beginning with the colon in line 18 down through “FUND” in line 21.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 448 – Senator Conway

AN ACT concerning

**State Board of Professional Counselors and Therapists – Cease and Desist
Orders and Penalties for Misrepresentation and Practicing Without a
License**

SB0448/554232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 448

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 12 down through “Fund;” in line 13.

AMENDMENT NO. 2

On page 5, in line 5, strike “(1)”; and strike in their entirety lines 9 through 11, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 587 – Senator Conway

AN ACT concerning

**State Board of Examiners in Optometry – Cease and Desist Orders,
Injunctive Relief, and Penalties**

SB0587/734937/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 587

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “Fund;” in line 12; and in line 12, after “of” insert “certain provisions of”.

AMENDMENT NO. 2

On page 2, in line 6, strike “AN” and substitute “:

(1) AN”;

in line 7, after “ARTICLE” insert “;OR

**(2) AN INDIVIDUAL SUPERVISED BY AN INDIVIDUAL LICENSED
UNDER TITLE 14, SUBTITLE 3 OF THIS ARTICLE”.**

On page 4, in line 1, strike “AN” and substitute “:

(I) AN”;

in line 2, after “ARTICLE” insert “;OR

(II) AN INDIVIDUAL SUPERVISED BY AN INDIVIDUAL LICENSED UNDER TITLE 14, SUBTITLE 3 OF THIS ARTICLE”;

strike in their entirety lines 7 through 9, inclusive; and in line 11, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 321 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fred Lazarus
in recognition of

your retirement after 36 years of dedicated service as President of the Maryland Institute College of Art and your leadership in the advancement and integration of the arts, education and community development.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 21st day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 41 Negative – 0 (See Roll Call No. 298)

THE COMMITTEE ON FINANCE REPORT #11

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

Senate Bill 249 – Senators Pugh, Astle, Conway, Currie, Feldman, Forehand, Jones–Rodwell, Kelley, King, Montgomery, Muse, and Stone

AN ACT concerning

Commission on Maryland Cybersecurity Innovation and Excellence – Duties

SB0249/707573/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 249

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez”; in line 2, after “Duties” insert “and Membership”; strike beginning with “study” in line 4 down through “use” in line 5 and substitute “work, in a certain manner, to develop certain strategies to enable organizations that adopt telemedicine to practice certain techniques for a certain purpose; altering the membership of the Commission; requiring that, to the extent practicable, certain members of the Commission reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State”; and in line 6, strike “duties of the”.

AMENDMENT NO. 2

On page 2, in line 14, strike “and”; after line 14, insert:

“(IX) THE CHAIR OF THE MARYLAND HEALTH CARE COMMISSION, OR THE CHAIR’S DESIGNEE; AND”;

in line 15, strike “(ix)” and substitute “**(X)**”; after line 27, insert:

“(2) TO THE EXTENT PRACTICABLE, THE MEMBERS APPOINTED BY THE GOVERNOR SHALL REASONABLY REFLECT THE GEOGRAPHIC, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE STATE.”;

and in line 28, strike “(2)” and substitute “**(3)**”.

On page 5, strike beginning with “STUDY” in line 1 down through “APPROPRIATE” in line 9 and substitute “WORK, IN COLLABORATION WITH THE MARYLAND HEALTH CARE COMMISSION AND OTHER STAKEHOLDERS, TO DEVELOP STRATEGIES TO ENABLE ORGANIZATIONS THAT ADOPT TELEMEDICINE TO PRACTICE SAFE SECURITY TECHNIQUES TO MINIMIZE SUCCESSFUL CYBER ATTACKS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 338 – The President (By Request – Administration)

AN ACT concerning

Public Safety – Statewide Interoperability Radio Control Board – Established

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 479 – Senators Klausmeier, Colburn, Kittleman, and Robey

AN ACT concerning

Chesapeake Employers’ Insurance Company – Rates and Board Structure

SB0479/287571/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 479

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Currie, Middleton, Feldman, Glassman, Kelley, Mathias, Pugh, and Ramirez”; in line 4, strike “for certain purposes” and substitute “subject to certain requirements and under certain circumstances; specifying a certain condition of being an authorized insurer”; in line 5, after “Board” insert “for the Chesapeake Employers’ Insurance Company”; in the same line after the semicolon, insert “requiring, to the extent practicable, that the Board reflect a certain diversity of the State;”; and in line 10, after “misconduct;” insert “authorizing the Board to remove certain members under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 22, strike “on and after October 1, 2013” and substitute “AS A CONDITION OF BEING AN AUTHORIZED INSURER”.

On page 3, in line 5, strike “THE” and substitute “SUBJECT TO THE REQUIREMENTS OF TITLE 7 OF THIS ARTICLE, THE”; in the same line, strike “, OWN, OR CONTROL” and substitute “OR ACQUIRE”; in line 6, strike “FOR ANY LAWFUL PURPOSE” and substitute “IF THE SUBSIDIARY:

(1) IS WHOLLY OWNED BY THE COMPANY;

(2) ENGAGES IN A BUSINESS ACTIVITY THAT IS ANCILLARY TO THE WORKERS’ COMPENSATION INSURANCE BUSINESS; AND

(3) IS OPERATED FOR THE PURPOSE OF BENEFITING THE COMPANY;

and in line 20, after “(3)” insert “TO THE EXTENT PRACTICABLE, THE BOARD SHALL REFLECT THE GEOGRAPHIC AND DEMOGRAPHIC, INCLUDING RACE AND GENDER, DIVERSITY OF THE STATE.

(4)”.

On page 4, in line 18, after “(E)” insert “(1)”; and after line 19, insert:

“(2) THE BOARD MAY REMOVE A MEMBER WHO HAS BEEN SELECTED BY THE POLICYHOLDERS FOR MISCONDUCT, INCOMPETENCE, OR DERELICTION OF DUTIES.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 583 – Senators Kelley and Middleton

AN ACT concerning

Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 603 – Senators DeGrange, Astle, Benson, Colburn, Currie, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jennings, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Peters, Pugh, Ramirez, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Cybersecurity Investment Fund

SB0603/477279/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 603

(First Reading File Bill)

On page 2, in line 28, strike “COMPUTERS” and substitute “NETWORKED DEVICES”.

On page 3, in line 4, strike “EARLY-STAGE, SEED” and substitute “SEED AND EARLY-STAGE”; in line 7, strike “TO ENABLE” and substitute “BY SUPPORTING”; in line 8, after “COMPANIES” insert “TO ENABLE CORPORATE GROWTH AND”; in line 11, strike “TO CREATE ADDITIONAL” and substitute “BY TAKING ADVANTAGE OF”; in line 18, after the first “OF” insert “CAPITAL OR”; and strike beginning with “A” in line 18 down through “MADE” in line 19 and substitute “ANY DEBT OR EQUITY INVESTMENTS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #4

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #4
February 20, 2014

Automobile Insurance Fund, Board of Trustees of the Maryland

1. Karenthia A. Barber District 43
1504 Fernley Road
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2018

2. Yolanda Maria Martinez District 42
10370 Pot Spring Road
Lutherville, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2016
3. Bradley D. Montgomery District 4
11096 San Andrew Drive
New Market, MD 21774

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2015
4. Timothy J. Murphy, Esq. District 28
108 La Grange Avenue
La Plata, MD 20646

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2018
5. Ryan Carroll O'Doherty District 46
109 East Montgomery Street
Baltimore, MD 21230

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2017
6. Lynda M. Perry District 42
501 Wyngate Road
Timonium, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2015
7. Lonnie R. Robbins, Esq. District 9
10121 Saddle Brook Farm Trail
Woodstock, MD 21163

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;
appointed to serve a term to expire September 30, 2016
8. Enor R. Williams, Jr. District 27
9406 Pine View Lane
Clinton, MD 20735

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;

appointed to serve a term to expire September 30, 2017

Budget of the State Workers' Compensation Commission, Advisory Committee on the

9. Adrienne M. Ray District 10
3524 Corn Stream Road
Randallstown, MD 21133

Member of the Advisory Committee on the Budget of the State Workers' Compensation Commission; appointed to serve a term of three years from July 1, 2012

Handgun Roster Board

10. Peter Eliadis District 36
249 Mattapex Plantation Lane
Stevensville, MD 21666

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012

Infants and Toddlers, Interagency Coordinating Council for

11. Natasha Fields, MSW District 11
662 Saint Georges Station Road
Reisterstown, MD 21136

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2013

Morgan State University Board of Regents

12. Glenn A. George, II District 8
5 Fernsell Court, Apt. 36
Baltimore, MD 21237

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2013

Parole Commission, Maryland

13. Frank R. Weathersbee, Esq. District 33
834 Valentine View
Crownsville, MD 21032

Member of the Maryland Parole Commission; appointed to serve a term of six

years from January 1, 2013

Physicians, State Board of

14. Alexis J. Carras, M.D. District 9
3768 Plum Hill Court
Ellicott City, MD 21042

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2013

Police Training Commission

15. Barbara L. Duncan District 38
699 W. Salisbury Parkway
Salisbury, MD 21801

Member of the Police Training Commission; appointed to serve remainder of a term of three years from June 1, 2010

Potomac River Fisheries Commission

16. Phil L. Langley District 29
50126 Dove Cove Road
Dameron, MD 20628

Member of the Potomac River Fisheries Commission; appointed to serve a term of four years from January 1, 2013

Procurement Advisory Council

17. Phillip C. Martien District 5
3510 Lawndale Road
Finksburg, MD 21048

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

18. H. Louis Stettler, III, Ph.D. District 30
675 Genessee Street
Annapolis, MD 21401

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

Professional Standards and Teacher Education Board

19. Bryan D. Powell District 43
1212 Argonne Drive
Baltimore, MD 21218

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2013

Psychologists, State Board of

20. Christopher L. Bishop, Psy.D. District 23
13803 Resin Court
Bowie, MD 20720

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2013

21. James F. Gormally, Ph.D. District 20
806 E. Franklin Avenue
Silver Spring, MD 20901

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2013

Public Defender, Office of the Board of Trustees of the

22. Stephen H. Kehoe, Esq. District 37
603 Winter Street
Easton, MD 21601

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2012

Public Service Commission

23. Anne E. Hoskins, Esq. District 43
5423 Purlington Way
Baltimore, MD 21212

Member of the Public Service Commission; appointed to serve remainder of a term of five years from July 1, 2011

Racing Commission, State

24. Tammy L. Lafferty, Esq. District 27
3220 Holland Cliffs Road
Huntingtown, MD 20639

Member of the State Racing Commission; appointed to serve a term of four years from July 1, 2013

Real Estate Commission, State

25. William J. Neary, Jr. District 37
28480 Wedgeway Court
Easton, MD 21601

Member of the State Real Estate Commission; appointed to serve a term of four years from June 1, 2013

Uninsured Employers Fund Board

26. John E. Gates District 1
422 Greene Street
Cumberland, MD 21502

Member of the Uninsured Employers Fund Board; appointed to serve remainder of a term of four years from July 1, 2011

Veterans' Home Commission, Maryland

27. Maxine Canty District 43
4305 Marble Hall Road, Apt. 119
Baltimore, MD 21218

Member of the Maryland Veterans' Home Commission; appointed to serve remainder of a term of five years from July 1, 2011

Washington Suburban Transit Commission

28. Michael F. Goldman, Esq. District 15
10030 Carmelita Drive
Potomac, MD 20854

Member of the Washington Suburban Transit Commission; appointed to serve remainder of a term to expire June 30, 2013 and a term of four years from July 1, 2013

Youth Camp Safety, Advisory Council on

29. Monika Piccardi, R.N. District 45
3305 Lerch Drive
Baltimore, MD 21214

Member of the Advisory Council on Youth Camp Safety; appointed to serve remainder of a term of three years from July 1, 2011

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Podiatric Medical Examiners, State Board of

- S-1. Jay H. Boyar District 20
104 Indian Spring Drive
Silver Spring, MD 20901

Member of the State Board of Podiatric Medical Examiners; reappointed to serve a term of four years from July 1, 2013

Potomac River Fisheries Commission

- S-2. William L. Rice, Sr. District 28
11400 Tucker Farm Place
Faulkner, MD 20632

Member of the Potomac River Fisheries Commission; reappointed to serve a term of four years from January 1, 2013

Procurement Advisory Council

- S-3. Nancy C. West, Esq. District 42
905 Fairway Drive
Towson, MD 21286

Member of the Procurement Advisory Council; reappointed to serve a term of two years from May 6, 2013

Professional Standards and Teacher Education Board

- S-4. Merlyn M. Bell District 10
6703 Yataruba Drive
Gwynn Oak, MD 21207

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-5. Louise E. DeJesu District 30
520 Bay Dale Court
Arnold, MD 21012

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-6. Donna Newcomer, Ed.D. District 2
1412 Hamilton Boulevard
Hagerstown, MD 21742

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-7. Carl D. Roberts, Ed.D. District 34
1641 Ingleside Avenue
Perryville, MD 21903

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-8. Karen L. Roe District 8
9124 Snyder Lane
Perry Hall, MD 21128

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2013

- S-9. Jamelyn C. Tobery-Nystrom, Ed.D. District 2
19902 Fairmont Court
Hagerstown, MD 21742

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2013

Psychologists, State Board of

- S-10. Neal R. Morris, Ed.D. District 16
4615 Chestnut Street
Bethesda, MD 20814

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2013

Public Defender, Office of the Board of Trustees of the

S-11. James V. Anthenelli, Esq. District 38
5298 James Landing Road
Salisbury, MD 21801

Member of the Board of Trustees of the Office of the Public Defender;
reappointed to serve a term of three years from June 1, 2012

S-12. Erek L. Barron, Esq. District 25
1949 Beecham Court
Mitchellville, MD 20721

Member of the Board of Trustees of the Office of the Public Defender;
reappointed to serve a term of three years from June 1, 2013

S-13. Victor M. Del Pino, Esq. District 19
5 Horizon Court
Derwood, MD 20855

Member of the Board of Trustees of the Office of the Public Defender;
reappointed to serve a term of three years from June 1, 2013

S-14. Arthur Schneider, Esq. District 2
13212 Woodbine Lane
Hagerstown, MD 21742

Member of the Board of Trustees of the Office of the Public Defender;
reappointed to serve a term of three years from June 1, 2012

Racing Commission, State

S-15. Ernest R. Grecco District 5
914 Cindy Lane
Westminster, MD 21157

Member of the State Racing Commission; reappointed to serve a term of four
years from July 1, 2013

Real Estate Appraisers and Home Inspectors, State Commission of

S-16. Nathaniel W. Hauser District 9
3729 Chatham Road
Ellicott City, MD 21042

Member of the State Commission of Real Estate Appraisers and Home

Inspectors; reappointed to serve a term of three years from January 1, 2014

S-17. Denise M. Herndon District 30
3816 Pine Drive
Edgewater, MD 21037

Member of the State Commission of Real Estate Appraisers and Home Inspectors; reappointed to serve a term of three years from January 1, 2014

Retirement and Pension Systems, Board of Trustees for the Maryland State

S-18. F. Patrick Hughes District 42
907 Rolandvue Road
Towson, MD 21204

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; reappointed to serve a term of four years from July 1, 2013

Youth Camp Safety, Advisory Council on

S-19. Margaret C. Kaufman, R.N. District 36
405 Watson Road
Centreville, MD 21617

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2013

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

College of Southern Maryland, Board of Trustees of the

L-1. Dorothea Holt Smith District 28
3365 Forest Road
Waldorf, MD 20601

Member of the Board of Trustees of the College of Southern Maryland; reappointed to serve a term of five years from July 1, 2013

Frederick Community College Board of Trustees

L-2. David Farmer Buffer District 3
5382 Stone Road
Frederick, MD 21703

Member of the Frederick Community College Board of Trustees; reappointed to serve a term of five years from July 1, 2013

- L-3. Gary V. Fearnow District 3
1001 Riverwalk Place, Apt. 242
Frederick, MD 21701

Member of the Frederick Community College Board of Trustees; appointed to serve remainder of a term of five years from July 1, 2012

- L-4. Myrna R. Whitworth District 4
9721 Woodcliff Court
New Market, MD 21774

Member of the Frederick Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

- L-5. Roger A. Wilson District 3
1816 Rivermist Court
Frederick, MD 21701

Member of the Frederick Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

Garrett College Board of Trustees

- L-6. Donald Morin District 1
2325 Accident Friendsville Road
Accident, MD 21520

Member of the Garrett College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Prince George's Community College Board of Trustees

- L-7. Floyd E. Wilson, Jr. District 23
13103 Vicar Woods Lane
Bowie, MD 20720

Member of the Prince George's Community College Board of Trustees; appointed to serve a term of five years from July 1, 2013

Prince George's County Board of License Commissioners

- L-8. Earl J. Howard District 24
3706 Baskerville Drive
Mitchellville, MD 20721

Member of the Prince George's County Board of License Commissioners; reappointed to serve a term of three years from June 1, 2013

- L-9. Shaihi Mwalimu District 27
9544 Victoria Drive
Upper Marlboro, MD 20772

Member of the Prince George's County Board of License Commissioners; reappointed to serve a term of three years from June 1, 2013

Queen Anne's County Board of County Commissioners

- L-10. James J. Moran District 36
329 Wye Harbour Drive
Queenstown, MD 21658

Member of the Queen Anne's County Board of County Commissioners; appointed to serve remainder of a term of four years from the General Election of November, 2010

Somerset County Board of License Commissioners

- L-11. Ralph F. Lusk District 38
26743 Rumbley Road
Westover, MD 21871

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

- L-12. Van B. Muir, Jr. District 38
30742 Perry Road
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

- L-13. Robert W. Murphey District 38
12010 Sherree Lane
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2013

Wicomico County Liquor Control Board

- L–14. Donald E. Ewalt, Jr. District 38
203 Creekside Drive
Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

- L–15. Herman Stewart Haemel District 38
1702 South Kaywood Drive
Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

- L–16. David A. MacLeod District 38
603 Hunting Park Drive
Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2013

Wor–Wic Community College Board of Trustees

- L–17. William H. Kerbin District 38
610 Homewood Drive
Pocomoke City, MD 21851

Member of the Wor–Wic Community College Board of Trustees; reappointed to serve a term of six years from July 1, 2013

Worcester County Board of License Commissioners

- L–18. William E. Esham, Jr. District 38
8611 Saddle Creek Drive
Berlin, MD 21811

Member of the Worcester County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2013

- L–19. John F. Hess, Sr. District 38
74 Chatham Court
Berlin, MD 21811

Member of the Worcester County Board of License Commissioners; reappointed to serve a term of four years from July 1, 2013

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of Nominee #23, were all confirmed by roll call vote as follows:

Affirmative – 40 Negative – 0 (See Roll Call No. 299)

Senator Madaleno moved, duly seconded, to make Nominee No. 23, Anne E. Hoskins, Esq., a Special Order for February 25, 2014.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 40 Members present.

(See Roll Call No. 300)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 288 – ~~Senator Zirkin~~ Senators Zirkin and Forehand

AN ACT concerning

Public Schools – Smoking on the Grounds of School Property – Prohibition

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

Affirmative – 32 Negative – 8 (See Roll Call No. 301)

The Bill was then sent to the House of Delegates.

**The Senate of Maryland honors Senator Norman Stone for his 52 years of
Service by Senator Brian Frosh**

Honoring Norman Stone
Senator from District 6

My good friend, our good friend. If you know him you'll like him. He's the nicest person I've ever met. In the 1990s or 2002 there was an analysis prepared for the Republican Caucus concerning different races in the Senate of Maryland. The analysis of District 6 stated "The Stone age isn't over yet". He is the longest serving elected official in the state of Maryland ever, longest consistently serving elected official. Now in his 52nd year in the general assembly, four years in House of Delegates, his 48th year in the Maryland Senate. He has won 26 elections in a row, been elected 13 times in a row to the general assembly, been awarded the First Citizen Award, served in a variety of roles and important capacities in the Senate as President Pro Tem, Chaired the Ethics Committee, Chairman of the Economic and Environmental Affairs Committee. He serves on the Committee at the Court of Appeals. An extremely important committee and extremely important position that puts together the rules for our courts.

His background is obviously something that has formed his character. He grew up in a large family, very large family on his mother's side. One of his relatives, Thomas Stone was one of the signers of the Declaration Of Independence. He grew up in a working class family and he wanted to go to City College. It cost a dime to ride the bus to get to City College. He had to work on his dad for a long time to get him to agree to make the investment of the ten cents a day so that Norman Stone could go to City College. When it came time for him to go to college to law school he had to work to pay the tuition. He worked as a bricklayer in the morning. He went to school in the afternoon. He played gigs on the saxophone and the clarinet in the evenings, in large part for fun but also to help earn the money to put himself through school. He is a terrific musician. If you want to hear him maybe we can get him to play again at the JPR Committee party this year. He is a superb Saxophone player. He got involved in politics because he volunteered in 1960 in the John F. Kennedy campaign for President. After he did that he was tapped by the Democratic Party to run for delegate. He ran in 1962. He won. He has been elected over and over and over ever since. He has a number of important accomplishments, too many to name but just a couple. He is the author of the legislation that created the Sex Offender Registry in Maryland. He is the author of laws that have strengthened prevailing wage, minimum wage, things for working class people in the state of Maryland whom he represents and who are the backbone of our economy and the backbone of his district especially. He is devoted to his family. We see his wife JoAnne here all the time. We also see his dog Gracie all the time. She is one of the two official Judicial Proceedings dogs. He has four extraordinarily successful kids. One is a developer, one is an accountant, one is a judge, one is a cardiologist. He is a terrific role model, very devoted to his family.

His term in the Senate is coming to an end. The "Stone Age" won't be over when he retires. You'll see him in court. You'll see him if you can find him out on the Chesapeake Bay fishing for flounder. He has been a great role model for all of us. It is a great honor for me to be able to offer these words of tribute to him. Thank you very much for your service, Senator.

QUORUM CALL

The presiding officer announced a quorum call, showing 39 Members present.

(See Roll Call No. 302)

ADJOURNMENT

At 12:23 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 24, 2014.

Annapolis, Maryland
Monday, February 24, 2014
8:00 P.M. Session

The Senate met at 8:10 P.M.

Prayer by Reverend Michael E. Erickson, Professor at Capital Bible Seminary and Chaplain for Boy Scouts of America, guest of Senator Glassman.

(See Exhibit A of Appendix III)

The Journal of February 21, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 304)

INTRODUCTION OF BILLS

Senate Bill 1072 – Senator Klausmeier

AN ACT concerning

**Creation of a State Debt – Baltimore County – Kingsville Volunteer Fire
Company**

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

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

Senate Bill 1073 – Senator Forehand

AN ACT concerning

**Creation of a State Debt – Montgomery County – F. Scott Fitzgerald Theater
ADA Parking and Access Improvements**

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

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

Senate Bill 1074 – Senator Edwards

AN ACT concerning

Allegany County – Deputy Sheriffs – Meals on Duty

FOR the purpose of repealing a certain provision of law entitling an Allegany County deputy sheriff to free meals while on duty in addition to the deputy sheriff's salary; and generally relating to deputy sheriffs in Allegany County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

Senate Bill 1075 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Public Safety – Hotels – Carbon Monoxide Alarms

FOR the purpose of requiring certain hotels to install a certain carbon monoxide alarm in a central location inside of each guest room within the hotel or, under certain circumstances, within a certain distance from carbon monoxide-producing fixtures and equipment within the hotel; defining a certain term; making this Act an emergency measure; and generally relating to carbon monoxide alarms.

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 12–1101, 12–1102, and 12–1104
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–1103, 12–1105, and 12–1106
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1076 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Olde Mill Community
and Teaching Center**

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

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

Senate Bill 1077 – Senator Muse

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Prince George’s County
– Southern Area Indoor Aquatic Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to extend the deadline for the Maryland–National Capital Park and Planning Commission to present evidence of certain matching funds for certain grants; altering the location of a certain project; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(BN) and Item ZA03(AY)

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

Senate Bill 1078 – Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Silver Spring Volunteer Fire Department Station #16

FOR the purpose of authorizing the creation of a State Debt in the amount of \$2,500,000, the proceeds to be used as a grant to the Board of Trustees of the Silver Spring Volunteer Fire Department, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1079 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages Licenses – Town of Berlin

FOR the purpose of authorizing the Worcester County Board of License Commissioners to issue a certain alcoholic beverages license within the corporate limits of the Town of Berlin; making a clarifying change; and generally relating to the issuance of alcoholic beverages licenses in Worcester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–401(y)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(y)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1080 – Senator Pugh

AN ACT concerning

Harness Racing – Purses – Deductions Paid to an Organization

FOR the purpose of requiring that a certain organization representing certain standardbred owners and trainers set a certain amount to be deducted from certain purses and paid to a certain organization; defining a certain term; and generally relating to standardbred racing purses.

BY adding to

Article – Business Regulation

Section 11–607

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 413 – Senator Allan H. Kittleman:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Terry McAulay
in recognition of
working as a referee for the National Football League for 13 years and receiving the
highest honor afforded an NFL official by officiating in three Super Bowl games,
including Super Bowl XLVII.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 24th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 305)

Senate Resolution No. 414 – Senator Bobby A. Zirkin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
St. Paul’s School Football Team
in recognition of
your winning the 2013 MIAA B Football Championship.
We applaud your outstanding season and wish

you many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 24th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 306)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 100 – Delegate Kipke

AN ACT concerning

Dental Hygienists – Practice in Long-Term Care Facilities – Repeal of Termination Date

FOR the purpose of repealing the termination date of certain provisions of law relating to the authority of a dental hygienist to practice dental hygiene under general supervision in a long-term care facility; and generally relating to the practice of dental hygiene.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 4-308(m)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 733 of the Acts of the General Assembly of 2010
Section 3

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

**House Bill 106 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene) and Delegates
Bromwell, Costa, Cullison, Elliott, Hubbard, Kach, A. Kelly, Kipke,
Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks,
Pena-Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

FOR the purpose of extending the termination date of the Senior Prescription Drug Assistance Program; altering the period of time during which the subsidy required under the Program may not exceed a certain amount; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–106(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 153 of the Acts of the General Assembly of 2002, as amended by
Chapter 282 of the Acts of the General Assembly of 2005, Chapter 345 of
the Acts of the General Assembly of 2006, Chapter 509 of the Acts of the
General Assembly of 2007, Chapter 558 of the Acts of the General
Assembly of 2008, Chapter 119 of the Acts of the General Assembly of
2010, and Chapter 27 of the Acts of the General Assembly of 2012
Section 13

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

**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**

FOR the purpose of requiring the Governor to remove a member of a certain board, commission, or council under the Department of Labor, Licensing, and Regulation if the member does not attend at least a certain number of meetings during the prior year while the member was serving on the board, commission, or council, subject to a certain exception; requiring certain notice to be provided to the Governor; requiring the Governor to appoint a successor under certain circumstances; making stylistic and technical changes; and generally relating to the removal of appointed members of boards, commissions, and councils under the Department of Labor, Licensing, and Regulation.

BY renumbering
Article – Public Safety
Section 12–904(e) through (i), respectively

to be Section 12–904(f) through (j), respectively
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 2–202(a) and (b) and 21–202(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–202(g), 3–202(h), 4–202(g), 5–202(g), 6–202(h), 6.5–202(g), 7–202(h),
8–202(j), 9–202(g), 11–202(g), 12–202(f), 14–202(h), 15–202(f), 16–202(f),
17–202(g), and 21–202(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–304(d), 4–202(d), 7–202(f), 9A–202(g), and 11–202(f)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–202(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to
Article – Labor and Employment
Section 11–403(c), 11–505(g), and 11–901(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Public Safety
Section 12–820(c) and 12–904(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–501
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 229 – ~~Delegate Hubbard~~ Delegates Hubbard, Bromwell, Cullison, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Tarrant, and V. Turner

AN ACT concerning

**Public Health – Child Care Products Containing Flame-Retardant Chemicals
– TDCPP – Prohibition**

FOR the purpose of prohibiting a person from importing, selling, or offering for sale certain child care products containing certain flame-retardant chemicals; authorizing the Secretary of Health and Mental Hygiene to suspend implementation of certain provisions of this Act if the Secretary makes a certain determination; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; defining a certain term; and generally relating to child care products containing flame-retardant chemicals known as TDCPP.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24-306
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 251 – Delegates Nathan-Pulliam, Eckardt, Hubbard, Jones, A. Kelly, Murphy, Oaks, Pena-Melnyk, Tarrant, and V. Turner

AN ACT concerning

State Board of Nursing – Electrology Practice Committee – Membership

FOR the purpose of altering the membership of the Electrology Practice Committee within the State Board of Nursing; providing for the elimination of the positions of certain members of the Committee; and generally relating to the membership of the Electrology Practice Committee within the State Board of Nursing.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 8-6B-05(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6B–05(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 308 – The Speaker (By Request – Administration)

AN ACT concerning

Public Safety – Statewide Interoperability Radio Control Board – Established

FOR the purpose of establishing the Statewide Interoperability Radio Control Board in the Department of Information Technology; providing for the membership, appointment, terms, staggering of terms, chair, meetings, and staffing of the Board; establishing that members of the Board may not receive a certain compensation but are entitled to a certain reimbursement; establishing certain duties and responsibilities of the Board; defining certain terms; specifying the terms of the initial members of the Board; specifying the intent of the General Assembly; and generally relating to the Statewide Public Safety Interoperability Radio System and the Statewide Interoperability Radio Control Board.

BY adding to
Article – Public Safety
Section 1–501 through 1–503 to be under the new subtitle “Subtitle 5. Statewide Interoperability Radio Control Board”
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 398 – Delegates Murphy, Costa, Cullison, Donoghue, Hubbard, A. Kelly, Krebs, Oaks, Reznik, and V. Turner

AN ACT concerning

State Board of Pharmacy – Election of Officers

FOR the purpose of repealing the requirement that the election of certain officers of the State Board of Pharmacy be from among the pharmacist members of the Board; and generally relating to the election of officers of the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 12–203
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

**House Bill 399 – Delegates Murphy, Bromwell, Costa, Cullison, Donoghue, Hubbard, A. Kelly, Oaks, Pena–Melnyk, Reznik, ~~and V. Turner~~
V. Turner, Hammen, Nathan–Pulliam, and Pendergrass**

AN ACT concerning

Public Health – Medical Records Charges – Medicaid Enrollees

FOR the purpose of prohibiting a health care provider from charging a certain person who requests a copy of a medical record of an individual enrolled in the Maryland Medical Assistance Program a fee that exceeds a certain dollar amount; and generally relating to medical records charges for Maryland Medical Assistance Program enrollees.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–304(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–304(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

**House Bill 451 – Chair, Environmental Matters Committee (By Request –
Departmental – Housing and Community Development)**

AN ACT concerning

**Neighborhood Business Development Program – Financial Assistance for
Food Desert Areas ~~Deserts~~**

FOR the purpose of altering the ~~purpose~~ purposes of the Neighborhood Business Development Program to include ~~help-creating~~ helping to create certain small businesses and other food–related enterprises in food deserts; requiring the

Business Development Program in the Neighborhood Business Development Program to provide financial assistance to projects in food deserts; authorizing certain entities to apply for financial assistance for a project in a food desert under certain circumstances; establishing the Interagency Food Desert Advisory Committee; establishing the membership, chair, staffing, and duties of the Advisory Committee; authorizing the Secretary of Housing and Community Development, on the recommendation of the Advisory Committee, to designate an area as a food desert after considering certain factors; requiring the Department of Housing and Community Development to adopt certain regulations; authorizing a certain entity to originate and administer financial assistance to a food desert project under certain circumstances; authorizing the Department to provide financial assistance in a certain manner when an approved entity originates or provides financial assistance for a food desert project under certain circumstances; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date each year; defining a certain term; and generally relating to the Neighborhood Business Development Program and food deserts.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–301, 6–303, 6–304, 6–305, and 6–308
Annotated Code of Maryland
(2006 Volume and 2013 Supplement)

BY adding to
Article – Housing and Community Development
Section 6–308.2, 6–308.3, and 6–308.4
Annotated Code of Maryland
(2006 Volume and 2013 Supplement)

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

House Bill 488 – Delegates Pena–Melnyk, Braveboy, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Morhaim, Murphy, Oaks, Reznik, Tarrant, ~~and V. Turner~~ V. Turner, and Nathan–Pulliam

AN ACT concerning

Joint Committee on Access to Mental Health Services – Name Change

FOR the purpose of changing the name of the Joint Committee on Access to Mental Health Services to the Joint Committee on Access to Behavioral Health Services; altering the duties of the Committee by requiring it to monitor access to certain behavioral health services and certain medically necessary services; altering the information that must be included in a certain report to the Governor and the General Assembly; and generally relating to changing the name of the Joint Committee on Access to Mental Health Services.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–05
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 564 – Delegate Olszewski

AN ACT concerning

Commercial Law – Maryland Uniform Commercial Code – Funds Transfers

FOR the purpose of altering the applicability of provisions of the Maryland Uniform Commercial Code governing funds transfers; providing that the provisions apply to a certain remittance transfer except under certain circumstances; establishing that, in the event of an inconsistency between an applicable provision of the Maryland Uniform Commercial Code governing funds transfers and an applicable provision of the federal Electronic Fund Transfer Act, the federal law governs to the extent of the inconsistency; and generally relating to funds transfers under the Maryland Uniform Commercial Code.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 4A–101, 4A–102, and 4A–104
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 4A–108
Annotated Code of Maryland
(2013 Replacement Volume)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 472 – Senators Edwards, Shank, and Young

AN ACT concerning

Allegany County, Garrett County, and Washington County – Sunday Hunting

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

SB0472/414238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 472

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 6, in each instance, after “game” insert “bird or game”; in line 5, after “mammal” insert “, except wild waterfowl.”; and in line 6, after “mammal;” insert “making certain conforming changes.”.

AMENDMENT NO. 2

On page 2, in line 18, strike “Allegany,”; in the same line, strike “Garrett,”; in line 19, strike “Washington,”; strike beginning with “Except” in line 23 down through “(vi)” in line 26; and in line 29, strike “(vii)” and substitute “**(VI)**”.

On page 3, in line 26, in each instance, after “GAME” insert “**BIRD OR GAME**”; in the same line, after “MAMMAL” insert “, **EXCEPT WILD WATERFOWL**.”; and in line 30, after “FOR” insert “**SUNDAY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Joint Resolution 4 – Senator Simonaire

A Senate Joint Resolution concerning

Conowingo Dam – Sediment – Dredging

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SJ0004/334537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 4

(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike “Senator Simonaire” and substitute “Senators Simonaire, Montgomery, Jennings, Young, Conway, Dyson, and Pinsky”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SJ0004/233922/1

BY: Senator Jacobs

AMENDMENT TO SENATE JOINT RESOLUTION 4, AS AMENDED

In the Education, Health, and Environmental Affairs Committee Amendment (SJ0004/334537/1), in line 2, strike “and Pinsky” and substitute “Pinsky, and Jacobs”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SJ0004/363023/1

BY: Senator Hershey

AMENDMENT TO SENATE JOINT RESOLUTION 4, AS AMENDED

In the Education, Health, and Environmental Affairs Committee Amendment (SJ0004/334537/1), in line 2, strike “and Pinsky” and substitute “Pinsky, and Hershey”.

The preceding amendment was read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendment a Special Order for February 25, 2014.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #5

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

Senate Bill 419 – Senators Manno, Astle, Feldman, Forehand, Frosh, King, Montgomery, Ramirez, Raskin, Robey, Shank, and Stone

AN ACT concerning

Libraries – Maryland Library for the Blind and Physically Handicapped – Funding

SB0419/839735/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 419

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, Colburn, Currie, DeGrange, Edwards, Getty, Jones–Rodwell, Kasemeyer, Madaleno, and Peters”; and in line 7, after “year” insert “beginning in a certain fiscal year”.

AMENDMENT NO. 2

On page 3, in line 8, 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.

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

Senate Bill 430 – Senators King and Miller

AN ACT concerning

**Libraries – Regional Resource Centers and County Public Libraries –
Funding**

SB0430/649634/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 430

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Miller” and substitute “, Miller, Colburn, Currie, DeGrange, Edwards, Getty, Jones–Rodwell, Kasemeyer, Madaleno, Manno, Peters, and Robey”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 481 – Senators Klausmeier, Colburn, DeGrange, and Robey

AN ACT concerning

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

SB0481/659331/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Currie, and Montgomery”; in line 7, strike “solely”; in line 24, strike “prohibiting” and substitute “authorizing”; in the same line, strike “from establishing” and substitute “to establish”; and in line 12, after “citation;” insert “requiring that the citation contain certain information;”.

AMENDMENT NO. 2

On page 3, in line 4, strike “SOLELY”; and strike beginning with “(V)” in line 29 down through “ALLOWED;” in line 30.

AMENDMENT NO. 3

On page 4, in lines 1, 3, and 5, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively.

AMENDMENT NO. 4

On page 6, in line 6, strike “NOT”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

State Retirement and Pension System – Code Simplification and Clarification

SB0575/779332/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 575

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, strike “a special” and substitute “an accidental”.

AMENDMENT NO. 2

On page 4, in line 27, strike “ROLLOVER” and substitute “RETIREMENT”.

AMENDMENT NO. 3

On page 6, in line 3, strike “and is rehired into” and substitute “IN”; and in line 5, strike “REHIRING”.

AMENDMENT NO. 4

On page 8, in line 5, strike “elects to receive” and substitute “IS GRANTED”; and on page 9, in line 27, strike “elects to receive a” and substitute “IS GRANTED AN ACCIDENTAL”.

AMENDMENT NO. 5

On page 12, in line 1, strike “Regular” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, REGULAR”; strike in their entirety lines 4 through 15, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE.”;

and in line 28, strike “Regular” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, REGULAR”.

On pages 12 and 13, strike in their entirety the lines beginning with line 31 on page 12 through line 3 on page 13, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE.”.

On page 13, in lines 5, 14, and 23, in each instance, strike “Regular” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, REGULAR”; strike in their entirety lines 8 through 12, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE.”;

strike in their entirety lines 17 through 21, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE.”;

and strike in their entirety lines 29 through 33, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 3 OF THIS ARTICLE.”.

On page 14, in line 2, strike “Regular” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, REGULAR”; and strike in their entirety lines 7 through 11, inclusive, and substitute:

“(B) NO FURTHER INTEREST SHALL BE PAID ON MEMBER CONTRIBUTIONS AFTER MEMBERSHIP ENDS IF THE FORMER MEMBER IS NOT ELIGIBLE TO RECEIVE A VESTED ALLOWANCE UNDER TITLE 29, SUBTITLE 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.

THE COMMITTEE ON FINANCE REPORT #12

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

Senate Bill 296 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**Prescription Drug Monitoring Program – Sunset Extension and Program
Evaluation**

SB0296/847675/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 296

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 12 down through “to” in line 13 and substitute “authorizing”; in lines 13 and 14, strike “review requests for” and substitute “to disclose”; in line 14, strike “before the Program discloses the information”; in line 15, strike “a”; in the same line, strike “person” and substitute “persons under certain circumstances”; in line 21, after “21–2A–06(b)” insert “, (g), and (h)”; in the same line, after “21–2A–07(a)” insert “and (b)”; and in line 26, strike “21–2A–07(b).”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(III) THE NUMBER OF DISCLOSURES MADE TO FEDERAL LAW ENFORCEMENT AGENCIES OR STATE OR LOCAL LAW ENFORCEMENT AGENCIES;”;

and in lines 20 and 23, strike “(III)” and “(IV)”, respectively, and substitute “(IV)” and “(V)”, respectively.

AMENDMENT NO. 3

On page 3, in line 22, after “(c)” insert “(1)”; in line 23, strike the brackets; in lines 24, 25, and 28, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and after line 29, insert:

“(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE PROGRAM MAY DISCLOSE INFORMATION TO THE AUTHORIZED ADMINISTRATOR OF ANOTHER STATE’S PRESCRIPTION DRUG MONITORING PROGRAM FOR DISCLOSURE TO THE PERSONS LISTED IN SUBSECTION (B)(1),

(2), AND (6) OF THIS SECTION WITHOUT THE REVIEW, CLINICAL GUIDANCE, AND INTERPRETATION OF THE TECHNICAL ADVISORY COMMITTEE.

(g) The Program may provide prescription monitoring data to another state's prescription drug monitoring program only if the other state's prescription drug monitoring program agrees to use the prescription monitoring data in a manner consistent with the provisions of this subtitle.

(h) The Program may:

(1) Request and receive prescription monitoring data from another state's prescription drug monitoring program and use the prescription monitoring data in a manner consistent with the provisions of this subtitle; and

(2) Develop the capability to transmit prescription monitoring data to and receive prescription monitoring data from other prescription drug monitoring programs employing the standards of interoperability.”.

On page 4, in line 3, strike the brackets.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 399 – Senator Shank

AN ACT concerning

Security Systems Services – Complaint Investigations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 527 – Chair, Finance Committee

AN ACT concerning

Maryland Horse Racing Act – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 307)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #29**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 – 45 Negative – 2 (See Roll Call No. 308)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 309)

ADJOURNMENT

At 8:48 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 25, 2014.

**Annapolis, Maryland
Tuesday, February 25, 2014
10:00 A.M. Session**

The Senate met at 10:13 A.M.

Prayer by Reverend Doctor Thomas P. Williamsen, Gloria Dei Lutheran Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of February 24, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 311)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 415 – Senator Delores G. Kelley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Alpha Kappa Alpha Sorority, Incorporated
in recognition of
106 years of global support of human rights, educational opportunity, environmental
justice and health care parity for underserved populations on AKA Day in Annapolis.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 25th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 312)

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #8

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

Senate Bill 321 – Senator Getty

AN ACT concerning

Estates and Trusts – Personal Representatives and Guardians – Standards

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 391 – Senator Frosh

AN ACT concerning

Estates and Trusts – Registers of Wills – Records

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 411 – Senators Raskin, Benson, Colburn, Feldman, Ferguson, Forehand, Frosh, Jacobs, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Robey, Rosapepe, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Rape Survivor Family Protection Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Peace Orders and Protective Orders – Extensions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 475 – Senators Jacobs, Glassman, and Jennings

AN ACT concerning

Harford County – State’s Attorney – Annual Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 556 – Carroll County Senators

AN ACT concerning

Carroll County – Orphans’ Court Judges – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #9

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

Senate Bill 136 – Senators Brochin and Stone

AN ACT concerning

Criminal Law – Second-Degree Murder – Penalty

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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

SB0205/558476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 205

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert “providing that a State correctional officer who receives an emergency suspension without pay after being charged with a certain contraband violation shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored under certain circumstances;”; and in line 21, strike “9–412, 9–415, 9–416,” and substitute “9–416”.

AMENDMENT NO. 2

On page 2, in line 22, strike “**§ 9–412, § 9–415, § 9–416,**” and substitute “**§ 9–416**”; and in line 29, after “felony” insert “**OR THE VIOLATION OF § 9–416 OR § 9–417 OF THE CRIMINAL LAW ARTICLE**”.

On page 3, strike in their entirety lines 9 through 31, inclusive.

The preceding 2 amendments were read only.

Senator Simonaire moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 221 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Farm Area Motor Vehicles – Registration and Authorized Use

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 223 – Senator Muse

AN ACT concerning

Crimes – Threat of Mass Violence

SB0223/328477/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 223

(First Reading File Bill)

On page 1, strike beginning with “are” in line 5 down through “consequences” in line 6 and substitute “is a certain result”.

On page 2, strike beginning with “THE” in line 15 down through “CONSEQUENCE” in line 16 and substitute “AS A RESULT”; in line 17, strike “CONSEQUENCE OCCURS, IS THAT” and substitute “THREAT IS CARRIED OUT,”; in line 19, strike “OR”; and in line 21, after “PLACE” insert “;”

(3) REQUIRED TO MOVE TO A DESIGNATED AREA WITHIN A DWELLING, STOREHOUSE, OR PUBLIC PLACE; OR

(4) REQUIRED TO REMAIN IN A DESIGNATED SAFE AREA WITHIN A DWELLING, STOREHOUSE, OR PUBLIC PLACE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 246 – Anne Arundel County Senators

AN ACT concerning

Public Safety – Anne Arundel Community College Police Force

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 344 – Senator Middleton

AN ACT concerning

Charles County – Sunday Car Sales – Blue Law Exemption

SB0344/598576/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 344

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sales –” and substitute “Sales”; in the same line, after “Exemption” insert “– Enabling Authority”; in line 3, after “authorizing” insert “the Charles County Commissioners, after a public hearing, to adopt an ordinance authorizing”; and in line 5, after “to” insert “enabling authority for”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**CHARLES,**”; in line 7, strike the second “and” and substitute a comma; in the same line, after “(h)” insert “**, AND (I)**”; and after line 21, insert:

“(I) IN CHARLES COUNTY, THE COUNTY COMMISSIONERS, AFTER A PUBLIC HEARING, MAY ADOPT AN ORDINANCE AUTHORIZING A NEW OR USED CAR DEALER TO SELL, BARTER, DELIVER, GIVE AWAY, SHOW, OR OFFER FOR SALE A MOTOR VEHICLE OR CERTIFICATE OF TITLE FOR A MOTOR VEHICLE ON SUNDAY.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 428 – Senator King

AN ACT concerning

Criminal Law – Gaming – Home Games

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 471 – Senator Edwards

AN ACT concerning

Sideling Hill and Sideling Hill Wildlife Management Area – Off-Road and Off-Highway Recreational Vehicles – Prohibition

Senator Edwards moved, duly seconded, to make the Bill and Report a Special Order for February 26, 2014.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #13

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

Senate Bill 198 – Senators Pugh, Benson, Conway, Forehand, Jones–Rodwell, King, Manno, Mathias, Montgomery, Muse, Peters, and Pinsky

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

SB0198/277574/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “telemedicine” in line 4 and substitute “requiring, to the extent authorized by federal law or regulation, certain provisions of law relating to coverage of and reimbursement for health care services delivered through telemedicine to apply to the Maryland Medical Assistance Program and managed care organizations in a certain manner; authorizing the Department of Health and Mental Hygiene to allow coverage of and reimbursement for health care services delivered in a certain manner under certain circumstances; authorizing the Department to specify by regulation the types of health care providers eligible to receive certain reimbursement”; in line 6, after “reimbursement;” insert “defining certain terms;”; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with the first bracket in line 1 down through “available” in line 12 and substitute “(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(II) “HEALTH CARE PROVIDER” MEANS A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION OR IN AN APPROVED EDUCATION OR TRAINING PROGRAM.

(III) 1. “TELEMEDICINE” MEANS, AS IT RELATES TO THE DELIVERY OF HEALTH CARE SERVICES, THE USE OF INTERACTIVE AUDIO, VIDEO, OR OTHER TELECOMMUNICATIONS OR ELECTRONIC TECHNOLOGY:

A. BY A HEALTH CARE PROVIDER TO DELIVER A HEALTH CARE SERVICE THAT IS WITHIN THE SCOPE OF PRACTICE OF THE HEALTH CARE PROVIDER AT A SITE OTHER THAN THE SITE AT WHICH THE PATIENT IS LOCATED; AND

B. THAT ENABLES THE PATIENT TO SEE AND INTERACT WITH THE HEALTH CARE PROVIDER AT THE TIME THE HEALTH CARE SERVICE IS PROVIDED TO THE PATIENT.

2. “TELEMEDICINE” DOES NOT INCLUDE:

A. AN AUDIO-ONLY TELEPHONE CONVERSATION BETWEEN A HEALTH CARE PROVIDER AND A PATIENT;

B. AN ELECTRONIC MAIL MESSAGE BETWEEN A HEALTH CARE PROVIDER AND A PATIENT; OR

C. A FACSIMILE TRANSMISSION BETWEEN A HEALTH CARE PROVIDER AND A PATIENT.

(2) TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, THE PROVISIONS OF § 15-139(C) THROUGH (F) OF THE INSURANCE ARTICLE RELATING TO COVERAGE OF AND REIMBURSEMENT FOR HEALTH CARE SERVICES DELIVERED THROUGH TELEMEDICINE SHALL APPLY TO THE PROGRAM AND MANAGED CARE ORGANIZATIONS IN THE SAME MANNER THEY APPLY TO CARRIERS.

(3) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET AND TO THE EXTENT AUTHORIZED BY FEDERAL LAW OR REGULATION, THE DEPARTMENT MAY AUTHORIZE COVERAGE OF AND REIMBURSEMENT FOR HEALTH CARE SERVICES THAT ARE DELIVERED THROUGH STORE AND FORWARD TECHNOLOGY OR REMOTE PATIENT MONITORING.

(4) THE DEPARTMENT MAY SPECIFY BY REGULATION THE TYPES OF HEALTH CARE PROVIDERS ELIGIBLE TO RECEIVE REIMBURSEMENT FOR HEALTH CARE SERVICES PROVIDED TO PROGRAM RECIPIENTS UNDER THIS SUBSECTION”;

in line 13, strike “(3)” and substitute “**(5)**”; in line 14, strike the bracket; and strike in their entirety lines 15 through 28, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 456 – Senator Pugh

AN ACT concerning

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

SB0456/777673/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 456
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Vehicle” insert “Driving”; in the same line, after “Record” insert “Report”; strike beginning with the comma in line 5 down through the first “for” in line 7; in line 7, strike “and a fee for” and substitute “report fee and”; and in line 8, after “report” insert “fee”.

AMENDMENT NO. 2

On page 2, in line 3, in each instance, strike the bracket; in line 5, after “fee,” insert “DRIVING RECORD REPORT FEE, ACCIDENT HISTORY REPORT FEE,”; and strike beginning with “; AND” in line 5 down through “REPORT” in line 9.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 552 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Liquor Control Board – Alcoholic Beverages Licenses

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Executive Nominations

Nominee No. 23 from Senate Executive Nominations Committee Report #4, Anne E. Hoskins, Esq., appointed to serve as a member of the Public Service Commission

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATION OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 313)

Senate Joint Resolution 4 – Senator Simonaire

A Senate Joint Resolution concerning

Conowingo Dam – Sediment – Dredging

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR HERSHEY.

FLOOR AMENDMENT

SJ0004/363023/1

BY: Senator Hershey

AMENDMENT TO SENATE JOINT RESOLUTION 4, AS AMENDED

In the Education, Health, and Environmental Affairs Committee Amendment (SJ0004/334537/1), in line 2, strike “and Pinsky” and substitute “Pinsky, and Hershey”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SJ0004/813423/2

BY: Senator Hershey

AMENDMENT TO SENATE JOINT RESOLUTION 4, AS AMENDED

In Senator Jacobs’ Amendment (SJ0004/233922/1), in line 2, strike “Pinsky, and Jacobs” and substitute “Pinsky, Jacobs, Colburn, Glassman, Hershey, Kittleman, and Mathias”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 314)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 249 – Senators Pugh, Astle, Conway, Currie, Feldman, Forehand, Jones–Rodwell, Kelley, King, Montgomery, Muse, ~~and Stone~~ Stone, Glassman, Kittleman, Klausmeier, Mathias, Middleton, and Ramirez

AN ACT concerning

Commission on Maryland Cybersecurity Innovation and Excellence – Duties and Membership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 315)

The Bill was then sent to the House of Delegates.

Senate Bill 306 – Montgomery County Senators

AN ACT concerning

Montgomery County – Barbershops – Restriction on Operation Repealed

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

Affirmative – 47 Negative – 0 (See Roll Call No. 316)

The Bill was then sent to the House of Delegates.

Senate Bill 440 – Senator Mathias

AN ACT concerning

**Somerset County – Service Award Program for Emergency Medical Services
and Fire and Rescue Personnel**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 317)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 1 (See Roll Call No. 318)

The Bill was then sent to the House of Delegates.

**Senate Bill 479 – Senators Klausmeier, Colburn, Kittleman, ~~and Robey,~~
Robey, Currie, Middleton, Feldman, Glassman, Kelley, Mathias, Pugh,
and Ramirez**

AN ACT concerning

Chesapeake Employers' Insurance Company – Rates and Board Structure

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

Affirmative – 47 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the House of Delegates.

Senate Bill 560 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages – License Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the House of Delegates.

Senate Bill 564 – Senator Simonaire

AN ACT concerning

Environment – Water Pollution Control – Penalty

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

Affirmative – 47 Negative – 0 (See Roll Call No. 321)

The Bill was then sent to the House of Delegates.

Senate Bill 603 – Senators DeGrange, Astle, Benson, Colburn, Currie, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jennings, Jones–Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Peters, Pugh, Ramirez, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Cybersecurity Investment Fund

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

Affirmative – 46 Negative – 0 (See Roll Call No. 322)

The Bill was then sent to the House of Delegates.

Senate Bill 618 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Country Inn Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 323)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 324)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #31**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 – 47 Negative – 0 (See Roll Call No. 325)

The Bill was then sent to the House of Delegates.

Senate Bill 338 – The President (By Request – Administration)

AN ACT concerning

Public Safety – Statewide Interoperability Radio Control Board – Established

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

Affirmative – 47 Negative – 0 (See Roll Call No. 326)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 327)

The Bill was then sent to the House of Delegates.

Senate Bill 380 – Senator Conway

AN ACT concerning

State Board of Podiatric Medical Examiners – Cease and Desist Orders and Fines

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

Affirmative – 47 Negative – 0 (See Roll Call No. 328)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 329)

The Bill was then sent to the House of Delegates.

Senate Bill 448 – Senator Conway

AN ACT concerning

State Board of Professional Counselors and Therapists – Cease and Desist Orders and Penalties for Misrepresentation and Practicing Without a License

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

Affirmative – 47 Negative – 0 (See Roll Call No. 330)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 331)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 332)

The Bill was then sent to the House of Delegates.

Senate Bill 583 – Senators Kelley and Middleton

AN ACT concerning

**Financial Institutions – Interest Payable on Escrow Accounts and Specific
Purpose Savings Accounts**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 333)

The Bill was then sent to the House of Delegates.

Senate Bill 587 – Senator Conway

AN ACT concerning

**State Board of Examiners in Optometry – Cease and Desist Orders,
Injunctive Relief, and Penalties**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 334)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 335)

ADJOURNMENT

At 11:12 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 26, 2014.

Annapolis, Maryland
Wednesday, February 26, 2014
10:00 A.M. Session

The Senate met at 10:08 A.M.

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

(See Exhibit A of Appendix III)

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

QUORUM CALL

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

(See Roll Call No. 337)

INTRODUCTION OF BILLS

Senate Bill 1081 – Senator Raskin

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Montgomery County –
Pyramid Atlantic Art Center Space at the Silver Spring Library**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2013 to alter the name and location of certain grants for the Pyramid Atlantic Art Center; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2013.

BY repealing and reenacting, with amendments,
Chapter 424 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BA) and Item ZA03(AM)

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

Senate Bill 1082 – Senator Madaleno

AN ACT concerning

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

FOR the purpose of authorizing a member of the State Reformed Contributory Employees' Pension System or the State Reformed Contributory Teachers' Pension System who meets certain requirements to combine certain prior eligibility service in the Employees' Pension System or the Teachers' Pension System with the member's current service; making certain clarifying changes; and generally relating to prior eligibility service for members of the State Reformed Contributory Employees' Pension System and the State Reformed Contributory Teachers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–303.1
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1083 – Senator Klausmeier

AN ACT concerning

State Boat Act – Dealer's License – Lienholder Exemption

FOR the purpose of exempting a certain lienholder, including an auctioneer and a lien and recovery company, from certain licensing requirements for certain dealers under the State Boat Act; and generally relating to the regulation of dealers under the State Boat Act.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–701(a) and (c)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–710(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Senate Bill 1084 – Baltimore County Senators

AN ACT concerning

**Baltimore County – Stormwater Remediation Fee – Application and
Limitation**

FOR the purpose of requiring that certain property owned by Baltimore County be charged a certain stormwater remediation fee under certain circumstances; prohibiting a certain stormwater remediation fee charged to a commercial property in Baltimore County from exceeding a certain percentage of the county property tax assessed on the property; prohibiting a certain stormwater remediation fee charged to a residential property in Baltimore County from being increased above a certain amount; and generally relating to stormwater remediation fees in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Environment

Section 4–202.1(a), (b), (c), and (d)

Annotated Code of Maryland

(2013 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–202.1(e)

Annotated Code of Maryland

(2013 Replacement Volume)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

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

FOR the purpose of designating certain areas of the State as State wildlands; authorizing the Department of Natural Resources to take certain actions in certain State wildlands; and generally relating to wildland areas in the State.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1203(a) and (e–1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1203(b), (c), (d), (g), (l), (q), (r), (v), (w), (x), (z), (aa), (cc), and (ff)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY adding to
Article – Natural Resources
Section 5–1203(gg) through (oo)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 453 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Housing and Community Development – Multifamily Rental Housing Programs Efficiency Act

FOR the purpose of repealing certain provisions of law governing the Elderly Rental Housing Program, the Nonprofit Rehabilitation Program, and the Rental Housing Production Program and establishing a new Rental Housing Program in the Department of Housing and Community Development; consolidating certain loan programs within the Department into a single program; providing for certain types of financing and repayment terms; establishing certain uses for loan proceeds; clarifying certain standards for multifamily loans; requiring the Department to provide notice of certain projects to certain local jurisdictions; altering certain standards for the Department's consultation with local jurisdictions on certain projects; requiring the Department to establish certain regulations; transferring authority over a certain fund from the Community Development Administration to the Department; repealing a certain finding relating to a proper public purpose for public money; authorizing the Department to make loans directly or through the Administration under certain

circumstances; altering the circumstances under which the Department may approve the use of partnership rental housing funds under certain circumstances; authorizing funds provided under the Partnership Rental Housing Program to be made available as a deferred payment loan under certain circumstances; defining certain terms; making conforming and technical changes; and generally relating to the Rental Housing Program and the Partnership Rental Housing Program in the Department of Housing and Community Development.

BY repealing

Article – Housing and Community Development

Section 4–401 through 4–409 and the subtitle “Subtitle 4. Elderly Rental Housing Program”; 4–929; and 4–1501 through 4–1511 and the subtitle “Subtitle 15. Rental Housing Production Program”

Annotated Code of Maryland

(2006 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 2–102(a)(9), 4–101, 4–103, 4–213, 4–504, 4–901, 4–903, 4–905, 4–906, 4–907, 4–918, 4–921, 4–923, 4–1205, 4–1207, and 4–1208

Annotated Code of Maryland

(2006 Volume and 2013 Supplement)

BY adding to

Article – Housing and Community Development

Section 4–401 through 4–411 to be under the new subtitle “Subtitle 4. Rental Housing Program”

Annotated Code of Maryland

(2006 Volume and 2013 Supplement)

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

House Bill 583 – Delegate Davis

AN ACT concerning

~~**Maryland Small Business Development Financing Authority – Investment
and Recovery Limits**~~

**Economic Development – Equity Participation Investment Program – Small
Businesses**

FOR the purpose of repealing the definitions of “franchise” and “technology–based business”; making certain conforming changes to certain findings of the General Assembly, the purpose of the Equity Participation Investment Program, the authority of the Maryland Small Business Development Financing Authority,

and the contents of a certain business plan; repealing certain distinctions in the amount the Authority may invest in certain enterprises using equity participation financing; altering the amount the Authority may invest using equity participation financing; repealing certain distinctions in the time period over which the Authority's investment is recoverable; altering the circumstances under which the value of a certain business entity is determined after obtaining a certain independent appraisal; and generally relating to ~~the Maryland Small Business Development Financing Authority~~ small businesses and the Equity Participation Investment Program.

BY repealing and reenacting, with amendments,
 Article – Economic Development
 Section 5–549, 5–550, 5–553, 5–556, and 5–557(a)
 Annotated Code of Maryland
 (2008 Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
 Article – Economic Development
 Section 5–551, 5–552, and 5–554
 Annotated Code of Maryland
 (2008 Volume and 2013 Supplement)

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

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 183 (Emergency Bill)	The President	Annual Curative Bill
SB 184 (Emergency Bill)	The President	Annual Corrective Bill

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills 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**

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

SB0205/558476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 205

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert “providing that a State correctional officer who receives an emergency suspension without pay after being charged with a certain contraband violation shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored under certain circumstances;”; and in line 21, strike “9–412, 9–415, 9–416,” and substitute “9–416”.

AMENDMENT NO. 2

On page 2, in line 22, strike “§ 9–412, § 9–415, § 9–416,” and substitute “§ 9–416”; and in line 29, after “felony” insert “OR THE VIOLATION OF § 9–416 OR § 9–417 OF THE CRIMINAL LAW ARTICLE”.

On page 3, strike in their entirety lines 9 through 31, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0205/973723/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 205, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

In the Judicial Proceedings Committee Amendments (SB0205/558476/1), in line 5 of Amendment No. 1, strike “9–415, 9–416,”; and in the same line, strike “9–416”.

AMENDMENT NO. 2

In the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 2, strike “§ 9–415, § 9–416,”; in lines 1 and 2, strike “§ 9–416”; and in line 2, strike “§ 9–416” and substitute “§ 9–415, § 9–416,”.

AMENDMENT NO. 3

On page 3 of the bill, after 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.”.

The preceding 3 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for February 27, 2014.

The motion was adopted.

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 439 – Senator Paul G. Pinsky:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Greenbelt Middle School
in recognition of
receiving the 2013 Maryland Excellence in
Gifted and Talented Education Award.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 26th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 338)

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #10

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

Senate Bill 212 – Senators Madaleno, Raskin, Manno, Benson, Conway, Currie, Feldman, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Young, and Zirkin

AN ACT concerning

Fairness for All Marylanders Act of 2014

SB0212/718878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 212

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “employment;” insert “altering the applicability of certain provisions of law prohibiting discrimination in places of public accommodation;”; in line 8, after “facilities;” insert “altering the applicability of certain”

provisions of law prohibiting discrimination in employment;” in line 16, strike “making certain legislative findings and declarations;” and in line 26, strike “and 20-102”.

On page 2, in line 5, strike “and 20-303”; in line 10, after “20-302,” insert “20-303,”; and in the same line, after “20-603,” insert “20-604.”

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 through 30, inclusive, and substitute:

“(E) “GENDER IDENTITY” MEANS A PERSISTENT, BONA FIDE GENDER-RELATED IDENTITY AND THE CONSISTENT, PUBLIC MANIFESTATION OF THAT IDENTITY IN THE GENDER-RELATED APPEARANCE OF AN INDIVIDUAL REGARDLESS OF THE INDIVIDUAL’S ASSIGNED SEX AT BIRTH.”

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 23 on page 3, inclusive.

AMENDMENT NO. 4

On page 4, in line 18, before “This” insert “**(A)**”; and after line 30, insert:

“(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “EQUIVALENT PRIVATE SPACE” MEANS A SPACE THAT IS FUNCTIONALLY EQUIVALENT TO THE SPACE MADE AVAILABLE TO USERS OF A PRIVATE FACILITY.

(III) “PRIVATE FACILITY” MEANS A FACILITY:

1. THAT IS DESIGNED TO ACCOMMODATE ONLY A PARTICULAR SEX;

2. THAT IS DESIGNED TO BE USED SIMULTANEOUSLY BY MORE THAN ONE USER OF THE SAME SEX; AND

3. IN WHICH IT IS CUSTOMARY TO DISROBE IN VIEW OF OTHER USERS OF THE FACILITY.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THIS SUBTITLE APPLIES, WITH RESPECT TO GENDER IDENTITY, TO ALL FACILITIES IN A PLACE OF PUBLIC ACCOMMODATION.

(3) THIS SUBTITLE DOES NOT APPLY, WITH RESPECT TO GENDER IDENTITY, TO A PRIVATE FACILITY, IF THE PLACE OF PUBLIC ACCOMMODATION IN WHICH THE PRIVATE FACILITY IS LOCATED MAKES AVAILABLE, FOR THE USE OF PERSONS WHOSE GENDER IDENTITY IS DIFFERENT FROM THEIR ASSIGNED SEX AT BIRTH, AN EQUIVALENT PRIVATE SPACE.”.

AMENDMENT NO. 5

On page 6, after line 24, insert:

“20–604.

This subtitle does not apply to:

(1) an employer with respect to the employment of aliens outside of the State; or

(2) a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion [or], sexual orientation, OR GENDER IDENTITY to perform work connected with the activities of the religious entity.”.

The preceding 5 amendments were read only.

Senator Pugh moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

FLOOR AMENDMENT

SB0247/493827/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 247

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 14 and 15, in each instance, strike “Personal Injury or Death” and substitute “Injury, Death, or Loss”; in lines 2 and 3, strike “– Rebuttable Presumption”; strike beginning with “certain” in line 4 down through “verdict” in line 7 and substitute “the owner of a dog is liable for injury, death, or loss to person or property caused by the dog; establishing certain exceptions”; in line 10, after “Assembly;” insert “defining a certain term;”; and in line 11, strike “personal injury or death” and substitute “injury, death, or loss”.

AMENDMENT NO. 2

On page 1, in line 21, strike “**PERSONAL INJURY OR DEATH**” and substitute “**INJURY, DEATH, OR LOSS**”.

On page 2, strike in their entirety lines 1 through 8, inclusive, and substitute:

“(A) (1) IN THIS SECTION, “OWNER OF A DOG” MEANS A PERSON WHO HAS A PROPERTY RIGHT IN A DOG OR WHO KEEPS OR HARBORS A DOG.

“(2) “OWNER OF A DOG” DOES NOT INCLUDE A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, OR A PET SHOP, OR AN EMPLOYEE OF A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN

ANIMAL SHELTER, OR A PET SHOP, AS TO A DOG BEING TREATED, BOARDED, SHELTERED, OR OFFERED FOR ADOPTION OR SALE.

(B) (1) THE OWNER OF A DOG IS LIABLE FOR ANY INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY THAT IS CAUSED BY THE DOG, UNLESS THE INJURY, DEATH, OR LOSS WAS CAUSED TO THE BODY OR PROPERTY OF A PERSON WHO WAS:

(I) COMMITTING OR ATTEMPTING TO COMMIT A TRESPASS OR OTHER CRIMINAL OFFENSE ON THE PROPERTY OF THE OWNER OF THE DOG;

(II) COMMITTING OR ATTEMPTING TO COMMIT A CRIMINAL OFFENSE AGAINST ANY PERSON; OR

(III) TEASING, TORMENTING, ABUSING, OR PROVOKING THE DOG.

(2) IN AN ACTION AGAINST AN OWNER OF A DOG UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SPECIFIC BREED OR HERITAGE OF A DOG IS NOT RELEVANT TO THE DETERMINATION OF LIABILITY.”;

in lines 9 and 14, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 10, strike “PERSONAL INJURY OR DEATH” and substitute “INJURY, DEATH, OR LOSS”; in line 11, strike “AGAINST HUMANS”; and in line 12, strike “AS TO THE PERSON”.

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

Affirmative – 22 Negative – 25 (See Roll Call No. 339)

FLOOR AMENDMENT

SB0247/513321/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 247

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “persons;” insert “establishing that the owner of a dog is liable for injury, death, or loss to person or property that is caused by the dog while the dog is running at large; establishing certain exceptions;”.

AMENDMENT NO. 2

On page 2, in line 14, after “(C)” insert “**THE OWNER OF A DOG IS LIABLE FOR ANY INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY THAT IS CAUSED BY THE DOG, WHILE THE DOG IS RUNNING AT LARGE, UNLESS THE INJURY, DEATH, OR LOSS WAS CAUSED TO THE BODY OR PROPERTY OF A PERSON WHO WAS:**

(I) COMMITTING OR ATTEMPTING TO COMMIT A TRESPASS OR OTHER CRIMINAL OFFENSE ON THE PROPERTY OF THE OWNER;

(II) COMMITTING OR ATTEMPTING TO COMMIT A CRIMINAL OFFENSE AGAINST ANY PERSON; OR

(III) TEASING, TORMENTING, ABUSING, OR PROVOKING THE DOG.

(D)”.

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

Affirmative – 23 Negative – 24 (See Roll Call No. 340)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #11

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

Senate Bill 58 – Senator Pugh

AN ACT concerning

Education – School Vehicles – Authorized Riders

Favorable report adopted.

FLOOR AMENDMENT

SB0058/338376/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 58

(First Reading File Bill)

On page 2, in line 14, strike “PLAN, 504 PLAN” and substitute “PROGRAM, 504 PLAN UNDER THE FEDERAL REHABILITATION ACT OF 1973”.

The preceding amendment was read and 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 471 – Senator Edwards

AN ACT concerning

Sideling Hill and Sideling Hill Wildlife Management Area – Off-Road and Off-Highway Recreational Vehicles – Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

SB0471/883823/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 471

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sideling Hill and Sideling Hill Wildlife Management Area” and substitute “Washington County”; in lines 2 and 3, strike “and

Off-Highway Recreational Vehicles” and substitute “Vehicle Trails”; in line 3, after “Prohibition” insert “of Establishment on Sideling Hill”; strike beginning with “prohibiting” in line 4 down through the semicolon in line 5; in line 5, after “prohibiting” insert “the Department of Natural Resources from establishing”; in the same line, strike “recreational”; in line 6, strike “from being used” and substitute “trail”; and in line 7, after “County” insert “, including the Sideling Hill Wildlife Management Area and certain other areas; requiring the Department to review and evaluate, as to its suitability for certain preservation, the Sideling Hill Wildlife Management Area and State-owned property in the areas of Sideling Hill”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike “The” and substitute “**SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE**”; in line 17, after the semicolon insert “**OR**”; strike beginning with the semicolon in line 20 down through “**AREA**” in line 22; and after line 22, insert:

“(III) THE DEPARTMENT MAY NOT ESTABLISH AN OFF-ROAD VEHICLE TRAIL ON STATE-OWNED PROPERTY LOCATED IN SIDELING HILL IN WASHINGTON COUNTY, INCLUDING:

1. THE SIDELING HILL WILDLIFE MANAGEMENT AREA; AND

2. THE AREAS OF SIDELING HILL THAT ARE LOCATED TO THE NORTH AND SOUTH OF INTERSTATE 68.”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 13 on page 4, inclusive.

AMENDMENT NO. 4

On page 4, in line 14, after “That” insert “the Department of Natural Resources shall review and evaluate as to its suitability for preservation as State wildlands under Title 5, Subtitle 2 of the Natural Resources Article the Sideling Hill Wildlife”.

Management Area and State-owned property in the areas of Sideling Hill that are located to the north and south of Interstate 68.

SECTION 3. AND BE IT FURTHER ENACTED, That”.

The preceding 4 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 341)

RECONSIDERATION

Senator Raskin moved, duly seconded, to place **Senate Bill 247** back on second reading for the purpose of reconsidering amendments.

The motion was adopted.

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

STATUS OF THE BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

Senator Raskin moved, duly seconded, to reconsider the vote by which Floor Amendments (513321/1) were rejected.

The preceding motion was read and adopted by a roll call vote as follows:

Affirmative – 25 Negative – 21 (See Roll Call No. 342)

FLOOR AMENDMENT

SB0247/513321/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 247

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “persons;” insert “establishing that the owner of a dog is liable for injury, death, or loss to person or property that is caused by the dog while the dog is running at large; establishing certain exceptions;”.

AMENDMENT NO. 2

On page 2, in line 14, after “(C)” insert “THE OWNER OF A DOG IS LIABLE FOR ANY INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY THAT IS CAUSED BY THE DOG, WHILE THE DOG IS RUNNING AT LARGE, UNLESS THE INJURY, DEATH, OR LOSS WAS CAUSED TO THE BODY OR PROPERTY OF A PERSON WHO WAS:

(I) COMMITTING OR ATTEMPTING TO COMMIT A TRESPASS OR OTHER CRIMINAL OFFENSE ON THE PROPERTY OF THE OWNER;

(II) COMMITTING OR ATTEMPTING TO COMMIT A CRIMINAL OFFENSE AGAINST ANY PERSON; OR

(III) TEASING, TORMENTING, ABUSING, OR PROVOKING THE DOG.

(D)”.

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

Affirmative – 25 Negative – 22 (See Roll Call No. 343)

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #32**Senate Bill 296 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

Prescription Drug Monitoring Program – Sunset Extension and Program Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 344)

The Bill was then sent to the House of Delegates.

Senate Bill 399 – Senator Shank

AN ACT concerning

Security Systems Services – Complaint Investigations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 345)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 346)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 2 (See Roll Call No. 348)

The Bill was then sent to the House of Delegates.

**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 – 47 Negative – 0 (See Roll Call No. 349)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 350)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

State Retirement and Pension System – Code Simplification and Clarification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 351)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 352)

ADJOURNMENT

At 12:35 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 27, 2014.

Annapolis, Maryland
Thursday, February 27, 2014
10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Reverend Doctor S. Todd Yeary, Sr., Douglas Memorial Community Church, guest of Senator Jones–Rodwell.

(See Exhibit A of Appendix III)

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

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

QUORUM CALL

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

(See Roll Call No. 354)

INTRODUCTION OF RESOLUTIONS

General Assembly Resolution No. 55 – The President and All Members:

Be it hereby known to all that
The Maryland General Assembly
offers its sincerest congratulations to
Albert L. Blumberg, MD, FACR
in recognition of
his lifelong dedication and contributions to the field of medicine and his recent
appointment as president of the American College of Radiology from Maryland.
The entire membership extends best wishes on
this memorable occasion and directs this resolution to be
presented on this 27th day of February, 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 355)

INTRODUCTION OF BILLS**Senate Bill 1085 – Senator Conway**

AN ACT concerning

Baltimore City – State’s Attorney and Police Department – Sharing Cause of Death Determinations

FOR the purpose of requiring the State’s Attorney for Baltimore City, the State’s Attorney’s representative, or a representative of the Baltimore City Police Department, within a certain period of time after receiving a certain record of an examination or autopsy, to consult with one another to determine which entity will meet with the family of the decedent; requiring the State’s Attorney or the State’s Attorney’s representative or a representative of the Baltimore City Police Department to meet with the family of the decedent or a representative chosen by the family to share the cause of death determination of the Medical Examiner; and generally relating to sharing of cause of death determinations, the State’s Attorney for Baltimore City, and the Baltimore City Police Department.

BY adding to

Article – Criminal Procedure
Section 15–403.1
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to

Article – Public Safety
Section 3–509
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1086 – Senator Benson

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2011 – Prince George’s County – Capitol Heights Seat Pleasant Boys and Girls Club Initiative

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to add additional grantees to certain grants; expanding the authorized uses of certain grants; extending the deadline for certain grantees to provide evidence of certain matching funds; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by
Chapter 430 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BJ) and Item ZA03(AW)

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

Senate Bill 1087 – Senator Mathias

AN ACT concerning

Creation of a State Debt – Delmar Public Library

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

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

Senate Bill 1088 – Senator Gladden

AN ACT concerning

Criminal Procedure – Programs for Survivors of Homicide Victims

FOR the purpose of requiring the Governor's Office of Crime Control and Prevention to help establish and expand programs for survivors of homicide victims in the State; requiring the programs to serve survivors of homicide victims in all parts of the State; requiring the programs to include certain elements; authorizing the Office to award certain grants; requiring the Office to regularly consult, collaborate with, and consider the recommendations of certain service providers on certain matters; requiring money for the programs for survivors of homicide victims to be as provided in the annual State budget and to be used to supplement, but not supplant, money that the programs receive from other sources; requiring the Executive Director of the Office to include a report on the programs for survivors of homicide victims in a certain annual report submitted to the General Assembly; establishing certain findings of the General Assembly; and generally relating to programs for survivors of homicide victims.

BY adding to

Article – Criminal Procedure
Section 11–1006

Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 9 – Senators Brinkley, Colburn, Edwards, Getty, Glassman, Hershey, Jacobs, Jennings, Kittleman, Reilly, Shank, and Simonaire

A Senate Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

FOR the purpose of rejecting, in accordance with the provisions of Article III, Section 15 of the Maryland Constitution, items included in the Resolution of the General Assembly Compensation Commission submitted and transmitted to the General Assembly during the regular session of the General Assembly in 2014 relating to salaries for all members of the General Assembly, the per diem allowance for meals, reimbursement for lodging expenses, and travel allowances and reimbursements; providing that items of the Resolution of the General Assembly Compensation Commission submitted and transmitted to the General Assembly during the regular session of the General Assembly in 2014 relating to salaries for all members of the General Assembly, the per diem allowance for meals, reimbursement for lodging expenses, and travel allowances and reimbursements shall be void and provisions related to salaries, allowances, and reimbursements shall be as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, as amended by Joint Resolution 4 of 2010; and generally relating to the Resolution of the General Assembly Compensation Commission submitted and transmitted to the General Assembly during the regular session of the General Assembly in 2014.

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

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

Reassigned to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON RULES REPORT #7

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 946 – Senator Astle

AN ACT concerning

Anne Arundel County – Orphans’ Court Judges – Salary and Pension

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 952 – Senator Astle

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy Contracts – Payments

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 978 – Senators Raskin and Feldman

AN ACT concerning

Maryland Benefit Corporations – Purposes, Duties of Directors, and Liability

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1007 – Senator Klausmeier

AN ACT concerning

State Board of Education – Financial Literacy Curriculum – Graduation Requirement

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1017 – Montgomery County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Chief Executive Officer or County Executive – Special Election to Fill a Vacancy in Office

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1022 – Senator Shank

AN ACT concerning

Law Enforcement Officers’ Bill of Rights – Administrative Charges Prohibited – Use of Force Consistent With Training

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1025 – Montgomery County Senators

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Residency Requirement
Exemption**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 1026 – Senators Kasemeyer, DeGrange, Madaleno, Manno, Peters,
and Robey**

AN ACT concerning

Maryland State Fair – Funding Extension

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1030 – Senators Muse and Conway

AN ACT concerning

Forfeiture of Bail Bonds

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1032 – Senator Ferguson

AN ACT concerning

Election Law – Political Party – Retention of Status

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1033 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Alcoholic Beverages – Wine Sampling or Tasting

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1034 – Senator Hershey

AN ACT concerning

Queen Anne’s County Board of Education – Filling a Vacancy in Membership

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1035 – Senators Hershey and Jacobs

AN ACT concerning

Maryland Transit Administration – MARC Penn Line Extension

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1038 – Senators Hershey, Klausmeier, Shank, and Zirkin

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Programs – Authorized in All Counties

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1040 – Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission – Sunset Extension

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1043 – Senator Getty

AN ACT concerning

Election Law – Campaign Finance Entities – Inactive Status

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1044 – Senator Middleton

AN ACT concerning

**Public Service Commission – Competitive Retail Electricity and Gas Supply –
Consumer Protection – Report**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1046 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Sheriff and County Commissioners – Salaries

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1048 – Senator Stone

AN ACT concerning

Crimes – Robbery or Theft of Property – Controlled Dangerous Substances

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1049 – Senator Getty**EMERGENCY BILL**

AN ACT concerning

Education – Required Number of School Days

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1051 – Senator Kasemeyer

AN ACT concerning

Business and Economic Development – Film Production Activity Tax Credit Program

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1053 – Senator Glassman

AN ACT concerning

Maryland Building Performance Standards – Energy Codes – Local Authority

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1054 – Senator Pugh

AN ACT concerning

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

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1055 – Senator DeGrange

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and
Records – Time Period**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1056 – Senators Raskin and Jones-Rodwell

AN ACT concerning

Maryland Second Chance Act of 2014

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1057 – Senator Astle

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Anne Arundel County –
Southern Middle School and Southern High School Improvements**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1059 – Senator DeGrange

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2010, 2012, and 2013 –
Maryland Historical Trust Easements**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1060 – Senator Middleton

AN ACT concerning

Homeowner’s Insurance – Required Notices

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1061 – Senator Pugh

AN ACT concerning

Truant Students – System of Active Intervention – Requirements

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1062 – Senator Kelley

AN ACT concerning

Education – Baltimore County School Board Nominating Commission

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1063 – Senator Colburn

AN ACT concerning

Business Regulation – Pawnbrokers – Required Records for Currency

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1064 – Senator Jones–Rodwell

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Baltimore City – PMO
Community Youth Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1067 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Bestgate Park

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1068 – Senators Brinkley and Kittleman

AN ACT concerning

Procurement – Prevailing Wage – School Construction

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1069 – Senator Ramirez

AN ACT concerning

Education – Youth Wellness Leadership Pilot Program

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

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**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1071 – Senator Colburn

AN ACT concerning

Montgomery County and Prince George’s County Fair Share Act of 2014

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDERS

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

**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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS
(3) OFFERED FROM THE FLOOR BY SENATOR SIMONAIRE.

FLOOR AMENDMENT

SB0205/973723/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 205, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

In the Judicial Proceedings Committee Amendments (SB0205/558476/1), in line 5 of Amendment No. 1, strike “9-415, 9-416,”; and in the same line, strike “9-416”.

AMENDMENT NO. 2

In the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 2, strike “§ 9-415, § 9-416,”; in lines 1 and 2, strike “§ 9-416”; and in line 2, strike “§ 9-416” and substitute “§ 9-415, § 9-416,”.

AMENDMENT NO. 3

On page 3 of the bill, after 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.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 23 Negative – 23 (See Roll Call No. 356)

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 212 – Senators Madaleno, Raskin, Manno, Benson, Conway, Currie, Feldman, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Young, and Zirkin

AN ACT concerning

Fairness for All Marylanders Act of 2014

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0212/718878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 212

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “employment;” insert “altering the applicability of certain provisions of law prohibiting discrimination in places of public accommodation;”; in line 8, after “facilities;” insert “altering the applicability of certain provisions of law prohibiting discrimination in employment;”; in line 16, strike “making certain legislative findings and declarations;”; and in line 26, strike “and 20–102”.

On page 2, in line 5, strike “and 20–303”; in line 10, after “20–302,” insert “20–303,”; and in the same line, after “20–603,” insert “20–604,”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 through 30, inclusive, and substitute:

“(E) “GENDER IDENTITY” MEANS A PERSISTENT, BONA FIDE GENDER-RELATED IDENTITY AND THE CONSISTENT, PUBLIC MANIFESTATION OF THAT IDENTITY IN THE GENDER-RELATED APPEARANCE OF AN INDIVIDUAL REGARDLESS OF THE INDIVIDUAL’S ASSIGNED SEX AT BIRTH.”

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 31 on page 2 through line 23 on page 3, inclusive.

AMENDMENT NO. 4

On page 4, in line 18, before “This” insert “(A)”; and after line 30, insert:

“(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “EQUIVALENT PRIVATE SPACE” MEANS A SPACE THAT IS FUNCTIONALLY EQUIVALENT TO THE SPACE MADE AVAILABLE TO USERS OF A PRIVATE FACILITY.

(III) “PRIVATE FACILITY” MEANS A FACILITY:

1. THAT IS DESIGNED TO ACCOMMODATE ONLY A PARTICULAR SEX;

2. THAT IS DESIGNED TO BE USED SIMULTANEOUSLY BY MORE THAN ONE USER OF THE SAME SEX; AND

3. IN WHICH IT IS CUSTOMARY TO DISROBE IN VIEW OF OTHER USERS OF THE FACILITY.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THIS SUBTITLE APPLIES, WITH RESPECT TO GENDER IDENTITY, TO ALL FACILITIES IN A PLACE OF PUBLIC ACCOMMODATION.

(3) THIS SUBTITLE DOES NOT APPLY, WITH RESPECT TO GENDER IDENTITY, TO A PRIVATE FACILITY, IF THE PLACE OF PUBLIC ACCOMMODATION

IN WHICH THE PRIVATE FACILITY IS LOCATED MAKES AVAILABLE, FOR THE USE OF PERSONS WHOSE GENDER IDENTITY IS DIFFERENT FROM THEIR ASSIGNED SEX AT BIRTH, AN EQUIVALENT PRIVATE SPACE.”

AMENDMENT NO. 5

On page 6, after line 24, insert:

“20–604.

This subtitle does not apply to:

(1) an employer with respect to the employment of aliens outside of the State; or

(2) a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion [or], sexual orientation, OR GENDER IDENTITY to perform work connected with the activities of the religious entity.”

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0212/783326/1

BY: Senator Pugh

AMENDMENT TO SENATE BILL 212, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (SB0212/718878/1), in Amendment No. 2, strike beginning with “**AND**” in line 3 down through “**INDIVIDUAL**” in line 4 and substitute a comma.

The preceding amendment was read only.

Senator Jacobs moved, duly seconded, to make the Bill and Amendment a Special Order for February 28, 2014.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 357)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #33

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 – 46 Negative – 0 (See Roll Call No. 358)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 359)

The Bill was then sent to the House of Delegates.

Senate Bill 411 – Senators Raskin, Benson, Colburn, Feldman, Ferguson, Forehand, Frosh, Jacobs, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Robey, Rosapepe, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Rape Survivor Family Protection Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 360)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 361)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the House of Delegates.

Senate Bill 475 – Senators Jacobs, Glassman, and Jennings

AN ACT concerning

Harford County – State’s Attorney – Annual Salary

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

Affirmative – 46 Negative – 0 (See Roll Call No. 363)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 364)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 365)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 4 – ~~Senator Simonaire~~ Senators Simonaire, Montgomery, Jennings, Young, Conway, Dyson, and Pinsky Pinsky, and Jacobs Pinsky, Jacobs, Colburn, Glassman, Hershey, Kittleman, and Mathias

A Senate Joint Resolution concerning

Conowingo Dam – Sediment – Dredging

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

Affirmative – 46 Negative – 0 (See Roll Call No. 366)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 136 – Senators Brochin and Stone

AN ACT concerning

Criminal Law – Second–Degree Murder – Penalty

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

Affirmative – 46 Negative – 0 (See Roll Call No. 367)

The Bill was then sent to the House of Delegates.

**Senate Bill 198 – Senators Pugh, Benson, Conway, Forehand, Jones–Rodwell,
King, Manno, Mathias, Montgomery, Muse, Peters, and Pinsky**

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

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

Affirmative – 46 Negative – 0 (See Roll Call No. 368)

The Bill was then sent to the House of Delegates.

Senate Bill 221 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Farm Area Motor Vehicles – Registration and Authorized Use

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

Affirmative – 46 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 370)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 371)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the House of Delegates.

Senate Bill 344 – Senator Middleton

AN ACT concerning

Charles County – Sunday Car ~~Sales~~ – Sales Blue Law Exemption – Enabling Authority

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

Affirmative – 45 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the House of Delegates.

Senate Bill 428 – Senator King

AN ACT concerning

Criminal Law – Gaming – Home Games

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

Affirmative – 46 Negative – 0 (See Roll Call No. 374)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 375)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 376)

ADJOURNMENT

At 11:12 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 28, 2014.

Annapolis, Maryland
Friday, February 28, 2014
11:00 A.M. Session

The Senate met at 11:07 A.M.

Prayer by Reverend Paul C. Sparklin, St. Elizabeth Ann Seton Catholic Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 27, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 378)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 443 – Senator David R. Brinkley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Middletown High School Varsity Football Team
in recognition of
your winning the 2013 Class 2A Maryland State Football Championship. We applaud
your outstanding season and wish you many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 379)

Senate Resolution No. 1645 – Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fort Hill Sentinels Girls' Volleyball Team and Coaches
in recognition of
winning the Maryland Class 1A Girls' Volleyball State
title following an undefeated season.

Good job and congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 16th day of November 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 380)

Senate Resolution No. 1722 – Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fort Hill Sentinels Football Team and Coaches
in recognition of
winning the Maryland Class 1A State Football Championship following an undefeated
season.

Good job and Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of December 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 381)

Senate Resolution No. 445 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland State Education Association &
National Education Association
in recognition of
the celebration of Dr. Seuss' Birthday and
Read Across America Day. We commend your
contributions to promote reading and adult
involvement in the education of our youth.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of February 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 382)

INTRODUCTION OF BILLS

Senate Bill 1089 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern Middle School and Southern High School Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1090 – Prince George’s County Senators

AN ACT concerning

Prince George’s County – Circuit Court – Attorney Appearance Fee

FOR the purpose of altering a certain attorney appearance fee payable to the Clerk of the Circuit Court for Prince George’s County; altering the purposes for which certain appearance fees collected may be used to include the general purposes of the jury office; and generally relating to attorney appearance fees in the Circuit Court for Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–204(a)(1) and (q)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 7–204(a)(6)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

Senate Bill 1091 – Senator Klausmeier

AN ACT concerning

Financial Institutions – Transitional Mortgage Loan Originator Licenses

FOR the purpose of authorizing the Commissioner of Financial Regulation to issue a transitional mortgage loan originator license to certain individuals under certain circumstances; requiring an applicant for a license to submit a certain application to the Commissioner and comply with certain conditions and provisions of the application; requiring an applicant for a license to pay a certain fee; specifying the content of a certain application; requiring an applicant for a license to comply with certain fingerprinting, criminal history records check, and surety bond requirements; prohibiting the Commissioner from issuing a license unless the Commissioner makes certain findings; providing that a license issued by the Commissioner under certain provisions of this Act authorizes an individual to act as a mortgage loan originator for a certain transitional period, is limited to a certain term, and may not be renewed or extended by the Commissioner; defining a certain term; and generally relating to the regulation of mortgage loan originators.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 11–601
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11–602
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article – Financial Institutions
Section 11–605.1
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Senate Bill 1092 – Senator Jennings

AN ACT concerning

Health General – Milk Products – Direct-to-Consumer Sale of Raw Milk

FOR the purpose of excluding certain sales of raw milk from certain State regulation of milk products; creating an exception to the prohibition against the sale of raw milk; authorizing the sale of raw milk directly to the consumer in accordance with certain requirements; restricting the authorization to sell raw milk directly to the consumer to certain persons; requiring a milk producer that sells raw milk directly to the consumer to register with the Department of Health and Mental Hygiene and the Department of Agriculture; prohibiting the sale of raw milk unless a certain contract is executed; requiring certain disclosures in the contract; prohibiting certain sales of raw milk unless certain labeling requirements are satisfied; prohibiting the sale of abnormal raw milk; requiring certain testing of certain animals; prohibiting certain animals from being a part of a herd under certain circumstances; requiring certain raw milk samples to be taken; requiring certain testing of raw milk samples; requiring the results of the raw milk sample testing to be reported to certain departments; prohibiting the sale of raw milk when certain tests exceed certain levels; requiring the Department of Health and Mental Hygiene to adopt certain regulations for raw milk sample testing; requiring a certain milk producer to record certain testing information; requiring a raw milk producer to milk certain animals last or with separate equipment; requiring a raw milk producer to discard certain raw milk; establishing certain sanitary requirements for raw milk production; requiring a raw milk producer to keep a dairy farm and its immediate surroundings in a clean and sanitary condition; requiring milking to be done in a certain environment; requiring the brushing of animals to occur before milking; prohibiting wet-hand milking; requiring certain individuals to wear certain clothes while milking animals; requiring a certain individual's hands to be washed at certain times during the milking process; prohibiting certain individuals from participating in certain raw milk production tasks; requiring certain equipment to be cleaned and sanitized; requiring raw milk to be stored in a certain manner; requiring raw milk to be stored at certain temperatures; requiring raw milk to be bottled on the farm where the raw milk is produced; requiring the raw milk producer to keep certain records for a certain period of time; defining certain terms; and generally relating to direct-to-consumer sales of raw milk.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21-403 and 21-434

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health – General

Section 21–501 through 21–516 to be under the new subtitle “Subtitle 5.

Direct-to-Consumer Sale of Raw Milk”

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 25 – Delegate George

AN ACT concerning

Local Government – Municipal Elections – No-Excuse Absentee Voting

FOR the purpose of prohibiting a municipality from requiring an individual to provide a certain reason in order to vote by absentee ballot; and generally relating to absentee voting in municipal elections.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 4–108

Annotated Code of Maryland

(2013 Volume)

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

House Bill 45 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Maryland Register – Publication of Court Documents – Exception

FOR the purpose of providing for a certain exception to a requirement that certain court documents be published in the Maryland Register; and generally relating to certain court documents posted on the Web site of the Maryland Judiciary.

BY repealing and reenacting, with amendments,

Article – State Government

Section 7–206(a)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 125 – Delegates Rosenberg, Parrott, Barve, Cardin, Ivey, and Summers

AN ACT concerning

Election Law – Petitions – Prohibited Actions

FOR the purpose of prohibiting a person from willfully and knowingly preventing, hindering, or delaying another person from signing a petition by certain means; and generally relating to prohibited actions relating to petitions.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–401
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 165 – Delegate Stein

AN ACT concerning

Financial Education and Capability Commission – Membership and Duties

FOR the purpose of altering the membership of the Financial Education and Capability Commission to include the Secretary of Higher Education, or the Secretary's designee, rather than a member of the Higher Education Commission; altering the duties of the Commission to require the Commission to ~~coordinate certain~~ encourage financial education events and activities to highlight a certain month as Financial Education Month; and generally relating to the membership and duties of the Financial Education and Capability Commission.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–803(a) and 9–804(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 172 – Delegates Mitchell, Lafferty, Guzzone, Anderson, Clippinger, Glenn, Hammen, Hogan, Jones, Kach, Malone, McIntosh, Niemann, Norman, O'Donnell, Olszewski, Pena-Melnyk, Rosenberg, Stein, M. Washington, and Zucker

AN ACT concerning

Economic Development – Baltimore Region – Baltimore Metropolitan Council and Advisory Board and Baltimore Region Transportation Board

FOR the purpose of ~~clarifying the purpose~~ altering the purposes of the Baltimore Metropolitan Council; altering the membership of the Council; ~~altering the membership of~~ requiring the Council to make a certain annual report; repealing provisions of law that establish the Baltimore Metropolitan Council Advisory Board; establishing the Baltimore Region Transportation Board; providing for the purpose and composition of the ~~Transportation Board; specifying that all members of the Transportation Board are voting members;~~ and generally relating to the Baltimore Metropolitan Council and Advisory Board and the Baltimore Region Transportation Board.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 13–301, 13–304, 13–305, 13–306, and 13–308
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–302, 13–303, ~~13–307, and 13–309~~ and 13–307
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY repealing
Article – Economic Development
Section 13–309
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY adding to
Article – Economic Development
Section ~~13–310~~ 13–309
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

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

House Bill 175 – Delegate Guzzone (Chair, Special Joint Commission on Public Safety and Security in State and Local Correctional Facilities) and Delegate Cluster

AN ACT concerning

Criminal Law – Contraband – Telecommunication Devices and Accessories – Penalty

FOR the purpose of prohibiting a person from attempting to deliver ~~a telecommunication device to a person detained or confined in a certain place of confinement~~ or possessing with the intent to deliver certain telecommunication devices or accessories to a person detained or confined in a certain place of confinement; prohibiting a person from depositing or concealing certain telecommunication devices or accessories in or about a place of confinement; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving certain telecommunication devices or accessories; increasing and applying the penalty for certain violations relating to delivering, possessing, or receiving a telecommunication device in a place of confinement; requiring a certain sentence to be served consecutive to another sentence; and generally relating to the prohibition against telecommunication devices in a place of confinement.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–417
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 176 – Delegate Guzzone (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

FOR the purpose of authorizing the appointing authority of a State correctional facility to impose on a correctional officer an emergency suspension of correctional powers without pay if the correctional officer is charged with a certain contraband violation; 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; requiring the Secretary of Public Safety and Correctional Services to direct the Department of Public Safety and Correctional Services, in collaboration with a certain person, to study certain issues on or before a certain date; requiring the Secretary to adopt certain regulations, provide a certain schedule, and make a certain report to the Governor and General Assembly on or before a certain date; and generally relating to public safety and security in State and local correctional facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 10–913
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section ~~9–412~~, 9–415, 9–416, and 9–417
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 243 – Delegates Anderson, Arora, Aumann, Barnes, Branch, Braveboy, Burns, Cane, Carr, Carter, Cluster, Conaway, Conway, Cullison, Dumais, Glass, Glenn, Guzzone, Harper, Haynes, Hough, Huckler, A. Kelly, K. Kelly, Lafferty, Lee, Luedtke, McDonough, McHale, McIntosh, Mizeur, Morhaim, Nathan–Pulliam, Oaks, Otto, Pena–Melnyk, Proctor, Ready, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Smigiel, Sophocleus, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Vallario, Vitale, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Vehicle Laws – Unauthorized Use of Rented Motor Vehicle – Repeal

FOR the purpose of repealing a provision of law that prohibits a person who rents a motor vehicle under a certain agreement from permitting another person to drive the vehicle; repealing a provision of law specifying that if a person rents a motor vehicle under a certain agreement, no other person may drive the vehicle without the consent of the lessor or the agent of the lessor; repealing a certain penalty; and generally relating to the use of rented motor vehicles.

BY repealing
Article – Transportation
Section 18–106 and 27–101(c)(14)

Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 246 – ~~Delegate Malone~~ Delegates Malone, Fraser-Hidalgo, Frush, McMillan, Norman, Stein, and Wilson

AN ACT concerning

Motor Vehicles – Inspection Certificates for Used Vehicles – Procedures

FOR the purpose of ~~repealing the requirement that the Automotive Safety Enforcement Division of the Department of State Police prepare certain inspection certificates for used motor vehicles and provide the certificates without charge to licensed motor vehicle inspection stations;~~ requiring the Automotive Safety Enforcement Division of the Department of State Police to establish the manner and format for the submission of an inspection certificate for the transfer of a used motor vehicle; ~~authorizing the Division to require~~ establishing that the Division may authorize electronic submission of an inspection certificate for a used motor vehicle; requiring the Division to authorize the use of inspection certificate forms for the submission of an inspection certificate; repealing certain provisions of law governing the required issuance and use of written inspection certificates for used motor vehicles; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; altering a certain definition; making a certain technical correction; and generally relating to procedures applicable to inspection certificates for used motor vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 23–101(a), (b), and (f) ~~and 23–103(a)~~, 23–103(a), and 23–108

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 23–101(e), 23–103(b), 23–106, 23–107(a)(1), and 23–109(h) through (k)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing

Article – Transportation

Section ~~23–108 and~~ 23–109(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Transportation

Section ~~23-108~~ 23-108.1

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 265 – Delegates Hixson, Ivey, Kaiser, Luedtke, A. Miller, Serafini, F. Turner, Walker, and A. Washington

AN ACT concerning

Task Force to Study How to Improve Student Achievement in Middle School

FOR the purpose of establishing the Task Force to Study How to Improve Student Achievement in Middle School; 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 a certain report 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 How to Improve Student Achievement in Middle School.

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

House Bill 355 – Delegate Rosenberg

AN ACT concerning

Criminal Procedure – Programs for Survivors of Homicide Victims

FOR the purpose of requiring the Governor's Office of Crime Control and Prevention to help establish and expand programs for survivors of homicide victims in the State; requiring the programs to serve survivors of homicide victims in all parts of the State; requiring the programs to include certain elements; authorizing the Office to award certain grants; requiring the Office to regularly consult, collaborate with, and consider the recommendations of certain service providers on certain matters; requiring money for the programs for survivors of homicide victims to be as provided in the annual State budget and to be used to supplement, but not supplant, money that the programs receive from other sources; requiring the Executive Director of the Office to include a report on the programs for survivors of homicide victims in a certain annual report submitted

to the General Assembly; establishing certain findings of the General Assembly; and generally relating to programs for survivors of homicide victims.

BY adding to

Article – Criminal Procedure

Section 11–1006

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 416 – Delegates Cardin, Bobo, Eckardt, Glenn, Haddaway–Riccio, Morhaim, Murphy, B. Robinson, and Valderrama

AN ACT concerning

~~Courts~~ Criminal Procedure – Limited Immunity – Alcohol– or Drug–Related
Overdose Incidents Medical Emergencies

FOR the purpose of providing ~~a certain person who seeks medical assistance for a person experiencing an alcohol– or a drug–related overdose certain immunity from civil liability or criminal prosecution under certain circumstances; providing that a certain person who seeks medical assistance for a person experiencing an alcohol– or a drug–related overdose may not be detained on or prosecuted in connection with a certain warrant under certain circumstances; providing a certain person experiencing an alcohol– or a drug–related overdose certain immunity from criminal prosecution under certain circumstances; providing that a certain person experiencing an alcohol– or a drug–related overdose may not be detained on or prosecuted in connection with a certain warrant under certain circumstances; providing that the act of seeking medical assistance for a certain person may be used as a mitigating factor in a certain criminal prosecution~~ that a person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; providing that a person who experiences a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; establishing that the act of providing or assisting with the provision of medical assistance can be used as a certain mitigating factor; making clarifying changes; and generally relating to limited immunity for alcohol– or drug–related ~~overdose incidents~~ medical emergencies.

~~BY adding to~~

~~Article – Courts and Judicial Proceedings~~

~~Section 5–642~~

~~Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 1–210

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 420 – Delegate Myers

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

FOR the purpose of ~~prohibiting an off-road vehicle from being used in the Sideling Hill Wildlife Management Area;~~ prohibiting the Department of Natural Resources from establishing an off-highway recreational off-road vehicle from being used trail on State-owned property located in Sideling Hill in Washington County, including the Sideling Hill Wildlife Management Area and certain other areas; requiring the Department to review and evaluate, as to its suitability for certain preservation, the Sideling Hill Wildlife Management Area and State-owned property in the areas of Sideling Hill; making stylistic changes; and generally relating to off-road vehicles.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–209(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–410(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Transportation~~

~~Section 11–101 and 11–140.1~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2013 Supplement)~~

~~BY adding to~~

~~Article – Transportation
Section 21-104.2
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)~~

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

House Bill 428 – Delegate Luedtke

AN ACT concerning

Children – Maryland Infants and Toddlers Program – Eligibility

FOR the purpose of altering the eligibility requirements for the Maryland Infants and Toddlers Program by allowing a child to participate until the beginning of the school year after the child turns a certain age; and generally relating to the Maryland Infants and Toddlers Program.

BY repealing and reenacting, with amendments,

Article – Education
Section 8-416(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 439 – Delegates Summers, Anderson, Arora, Ivey, Kramer, Niemann, Stukes, Swain, Valentino-Smith, Vallario, and Zucker

AN ACT concerning

Courts – Jury Service – Excusal

FOR the purpose of providing that ~~a certain primary caregiver of a certain minor or a~~ certain parent may be excused from jury service under certain circumstances; and generally relating to jury service and excusals from jury service.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 8-402
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

**House Bill 454 – Chair, Ways and Means Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Emergency Suspension of License

FOR the purpose of authorizing the State Lottery and Gaming Control Commission to suspend a certain gaming license on an emergency basis under certain circumstances; requiring the Commission to schedule promptly a certain hearing and provide certain notice under certain circumstances; authorizing the Commission to delegate certain authority to the Director of the State Lottery and Gaming Control Agency; and generally relating to the State Lottery and Gaming Control Commission and the regulation of gaming in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–04(a)(4) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

**House Bill 460 – Chair, Ways and Means Committee (By Request –
Departmental – Lottery and Gaming Control Agency)**

AN ACT concerning

Gaming – Background Investigations

FOR the purpose of requiring the State Lottery and Gaming Control Commission, rather than the Department of State Police, to conduct certain background investigations in connection with certain gaming licenses; and generally relating to the regulation of gaming in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–07(d) and 9–1A–20
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

**House Bill 461 – Chair, Ways and Means Committee (By Request –
Departmental – Education)**

AN ACT concerning

State Early Childhood Advisory Council

FOR the purpose of establishing the State Early Childhood Advisory Council; providing for the composition, chair, and staffing of the Council; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; providing for the purposes of the Council; requiring the Council to hold certain meetings at least a certain number of times per year and to maintain minutes of meetings; authorizing the Council to adopt certain procedures and bylaws; providing for the automatic resignation of a Council member, subject to a certain waiver, under certain circumstances; requiring the Council to take certain actions, including developing a strategic plan to improve the school readiness skills of young children and generally providing an infrastructure of continuous program improvement for the State's early learning and development programs; requiring the Council to provide a certain statewide strategic report to the Governor and the General Assembly on or before a certain date; requiring the Council to meet periodically after a certain report is submitted to review implementation of the report's recommendations and any changes in State and local need; defining a certain term; and generally relating to the State Early Childhood Advisory Council.

BY adding to

Article – Education

Section 7–1601 through 7–1608 to be under the new subtitle “Subtitle 16. State Early Childhood Advisory Council”

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 552 – Delegate Schuh (Chair, Anne Arundel County Delegation)

AN ACT concerning

Public Safety – Anne Arundel Community College Police Force

FOR the purpose of establishing a police force for the Anne Arundel Community College; specifying the powers of an Anne Arundel Community College police officer; requiring the Board of Trustees of the Anne Arundel Community College to adopt certain standards and regulations; including a member of the police force of the Anne Arundel Community College in the defined term “police officer” in connection with provisions of law relating to the authority to make arrests; including a member of the police force of the Anne Arundel Community College in the defined term “law enforcement officer” in connection with provisions of law relating to the Maryland Police Training Commission and the Law Enforcement Officers’ Bill of Rights; and generally relating to the police force of the Anne Arundel Community College.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(24) and (25)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–101(c)(26)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Education
Section 16–407.2
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(e)(1)(ii)23.
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(1)(ii)24. and 25. and 3–201(e)(1)(ii)20. and 21.
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article – Public Safety
Section 3–101(e)(1)(ii)26. and 3–201(e)(1)(ii)22.
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 641 – Delegate Simmons

AN ACT concerning

**Courts and Judicial Proceedings – Communications Between Patient or
Client and Health Care Professional – Exceptions to Privilege**

FOR the purpose of creating an exception to the privilege of communications of a certain patient or client if the disclosure is necessary to prove a charge in a certain criminal proceeding against the patient, former patient, client, or former client; creating an exception to the privilege of certain communications of a certain patient or client if the disclosure is necessary to obtain certain relief in a certain peace order proceeding; providing for the application of this Act; and generally relating to communications between a patient or client and health care professional.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–109, 9–109.1, and 9–121
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

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

House Bill 660 – Delegates Myers, Afzali, Beitzel, Elliott, Glass, Hogan, Hough, Impallaria, K. Kelly, Krebs, Luedtke, W. Miller, Parrott, Ready, Schulz, Serafini, and Stocksdale

AN ACT concerning

**Forests and Parks – Public Recreation on Private and State–Owned Land –
Off–Highway Vehicles**

FOR the purpose of expanding a certain liability exemption for a landowner who agrees to the use of a defined part of the landowner’s property for cross–country skiing or snowmobiling in Garrett County to apply to the use of an off–highway vehicle in the State; defining a certain term; making conforming changes; and generally relating to public recreation on private and State–owned land.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1101 and 5–1109
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1108
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

THE COMMITTEE ON FINANCE REPORT #14

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

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

SB0126/227479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 126

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 7, strike “as correctional officers”; in line 10, after “changes;” insert “requiring the Department of Public Safety and Correctional Services to submit a certain report to certain committees of the General Assembly on or before a certain date;”; and in line 11, strike “correctional officers” and substitute “individuals employed in a State correctional facility”.

AMENDMENT NO. 2

On page 2, after line 23, insert:

“(V) AS AN EMPLOYEE OF A STATE CORRECTIONAL FACILITY OR IN ANY OTHER CAPACITY THAT INVOLVES DIRECT PERSONAL CONTACT WITH AN INMATE IN A STATE CORRECTIONAL FACILITY;”

and in lines 24, 27, and 30, strike “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(VI)”, “(VII)”, and “(VIII)”, respectively.

AMENDMENT NO. 3

On page 3, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 30, 2016, the Department of Public Safety and Correctional Services shall report to the Senate Finance Committee and the House Judiciary Committee, in accordance with § 2-1246 of the State Government Article, on the number of polygraph examinations submitted to or taken by correctional officers and employees of a State correctional facility, and the number of grievances filed or complaints made in response to polygraph examinations submitted to or taken by correctional officers and employees of a State correctional facility.”;

and in line 20, 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.

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

Senate Bill 624 – Senator Feldman

AN ACT concerning

Insurance – Title Insurers – Title Insurance Commitment and Binders

SB0624/957272/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 624

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “or report of title”; and in line 10, after “documents;” insert “requiring a certain title insurance commitment or sample form to contain a certain statement;”.

AMENDMENT NO. 2

On page 3 in line 28, and on page 4 in lines 20 and 21 and 23, in each instance, strike “**OR A REPORT OF TITLE**”.

On page 4, after line 26, insert:

“(C) A TITLE INSURANCE COMMITMENT OR SAMPLE OF THE FORM OF POLICY INTO WHICH THE CONTINGENCIES AND CONDITIONS FOR INSURING WILL BE INSERTED SHALL CONTAIN THE FOLLOWING STATEMENT:

“THIS DOCUMENT CONSTITUTES A STATEMENT OF THE TERMS AND CONDITIONS ON WHICH A TITLE INSURER IS WILLING TO ISSUE A POLICY OF TITLE INSURANCE IF THE TITLE INSURER ACCEPTS THE PREMIUM FOR THE POLICY. IT IS NOT A REPRESENTATION AS TO THE STATE OF TITLE AND DOES NOT CONSTITUTE AN ABSTRACT OF TITLE.””.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 763 – Senator Colburn

AN ACT concerning

Talbot County – Child Support Enforcement Administration – Transfer of Personnel

SB0763/827679/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 763

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Administration”; in line 4, strike “the functions, powers, duties, and personnel of the” and substitute “certain employees of”; strike beginning with “Department” in line 5 down through “of” in line 6 and substitute “who served as employees of the child support division of the Talbot County State’s Attorney’s Office as of a certain date to”; strike beginning with “providing” in line 7 down through “law;” in line 8; in line 16, strike “to the Child Support Enforcement

Administration of” and substitute “of Talbot County to”; and strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “That” in line 24 on page 1 down through “ENACTED,” in line 28 on page 2.

On page 2, in line 29, strike “the”; strike beginning with “Department” in line 29 down through “Enforcement” in line 30 and substitute “who served as employees of the child support division of the Talbot County State’s Attorney’s Office as of September 30, 2013.”; strike beginning with “the” in line 30 down through “of” in line 31; and strike beginning with “in” in line 31 down through “Article” in line 32.

On page 3, in line 28, strike “4.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 881 – Senator Kelley

AN ACT concerning

Title Insurers – Statutory or Unearned Premium Reserve for Escrow Losses

SB0881/297071/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 881

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Reserve for Escrow Losses” and substitute “Reserves”; strike beginning with “altering” in line 6 down through “insurer;” in line 25; in line 25, strike “stylistic and conforming changes” and substitute “a clarifying”

change”; and strike beginning with “providing” in line 27 down through “Act;” in line 28.

On page 2, strike in their entirety lines 5 through 25, inclusive.

AMENDMENT NO. 2

On page 3, in line 9, after “for” insert “**THE RETAINED LIABILITY FOR**”.

On pages 4 through 7, strike in their entirety the lines beginning with line 17 on page 4 through line 24 on page 7, inclusive.

On page 7, in lines 25 and 30, strike “3.” and “5.”, respectively, and substitute “2.” and “3.”, respectively; in line 25, strike “Section 1 of”; strike in their entirety lines 28 and 29; and in lines 30 and 31, strike “, except as provided in Section 4 of this Act,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 886 – Senators Feldman, Kelley, and Middleton

AN ACT concerning

Legal Mutual Liability Insurance Society of Maryland – Conservatorship and Transfer

SB0886/667678/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 886

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 383)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 58 – Senator Pugh

AN ACT concerning

Education – School Vehicles – Authorized Riders

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

Affirmative – 46 Negative – 0 (See Roll Call No. 384)

The Bill was then sent to the House of Delegates.

**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 – 45 Negative – 0 (See Roll Call No. 385)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 386)

The Bill was then sent to the House of Delegates.

PETITIONS, MEMORIALS AND OTHER PAPERS**Tribute to Senator Brian Frosh**

by Senator Joan Carter-Conway

I rise on behalf of my dear friend and colleague Senator Brian Frosh. When I came to the Senate I was a mid-termer. I came in in 1997. At that time I was assigned to the Education, Health and Environmental Affairs Committee. Three Senators befriended me. Senator Frosh, Senator Dyson and Senator Pinsky. Brian is the most gentle individual. He is calm and many of us know Joey Butler, the Iceman. He was so talented. He would just stand there. He didn't dance. He didn't sing. But he is just always calm and that's Brian. He is a remarkable individual. You could not find a better friend. I don't talk to Brian everyday. Sometimes weeks will go by and he'll call or I'll text him. But in the fact that Brian will be leaving the chamber for bigger and better things, I will definitely miss Brian because he is just so calm. I told him the other day when everything was going on and so hectic, he has always been my voice of reason. It can be as contentious and conflicted and he'll say "Joan". He has a calming effect. I think in the eighteen sessions that I've been here we have only differed on two votes. So just to have known Senator Brian Frosh has really meant a very lot to me. And I know Marcie, and Elana and Alexandria you could not have a better father. Now we all know that Brian is very bright. He is almost brilliant. He is a brilliant individual. We'll talk about issues back and forth. He'll say "I'll go check on it". Then he'll come back and say yes you have the answer. But he a brilliant individual, he cares. We have all the cliché "To whom much is given much is required". And Brian is a caring person. He cares about the under underprivileged. He cares about the environment. He cares about the underserved. And he is also a remarkable worrier.

I would like to read some of the numerous accomplishments of Senator Frosh, to mention just a few. He was First Citizen. He made many contributions to the Maryland Legal Service Corporation, the Sierra Club, the Maryland Bar Association, Common Cause, Maryland Consumer Rights Coalition, the Maryland League of Conservation Voters, the Maryland Access to Justice Commission, the American Lung

Association of Maryland and the Maryland Fraternal Order of Police. I could go on and on and on, but I will not.

He has been a mentor. He has been a consoler. I will always consider him a dear friend. I wish you much, much success in all your endeavors.

SPECIAL ORDERS

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

Senate Bill 212 – Senators Madaleno, Raskin, Manno, Benson, Conway, Currie, Feldman, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Young, and Zirkin

AN ACT concerning

Fairness for All Marylanders Act of 2014

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR PUGH.

FLOOR AMENDMENT

SB0212/783326/1

BY: Senator Pugh

AMENDMENT TO SENATE BILL 212, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (SB0212/718878/1), in Amendment No. 2, strike beginning with “AND” in line 3 down through “INDIVIDUAL” in line 4 and substitute a comma.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0212/903721/2

BY: Senator Getty

AMENDMENT TO SENATE BILL 212, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (SB0212/718878/1), in Amendment No. 2, strike beginning with “A” in line 2 down through “BIRTH” in line 5 and substitute “THE GENDER-RELATED IDENTITY, APPEARANCE, EXPRESSION, OR BEHAVIOR OF A PERSON, REGARDLESS OF THE PERSON’S ASSIGNED SEX AT BIRTH, WHICH MAY BE DEMONSTRATED BY:”

(1) CONSISTENT AND UNIFORM ASSERTION OF THE PERSON’S GENDER-IDENTITY; OR

(2) ANY OTHER EVIDENCE THAT THE GENDER IDENTITY IS SINCERELY HELD AS PART OF THE PERSON’S CORE IDENTITY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 387)

ADJOURNMENT

At 12:35 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 8:00 P.M. on Monday, March 3, 2014.

Annapolis, Maryland
Monday, March 3, 2014
8:00 P.M. Session

The Senate met at 8:07 P.M.

Prayer by Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 28, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Dyson and Muse be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 389)

INTRODUCTION OF BILLS

Senate Bill 1093 – Senator Conway

AN ACT concerning

**State Finance and Procurement – Legal Services Delivery Organization to
Provide State–Mandated Legal Services**

FOR the purpose of requiring the procurement officer in certain executive departments of State government to procure legal services relating to certain individuals for certain purposes from a certain legal services delivery organization; providing for the application of this Act; defining certain terms; and generally relating to the procurement of certain legal services from a certain legal services organization by certain executive departments of State government.

BY adding to

Article – State Finance and Procurement
Section 13–112
Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

Senate Bill 1094 – Senators King, Forehand, and Manno

AN ACT concerning

**Capital Grant Program for Public School Systems
With Significant Enrollment Growth**

FOR the purpose of establishing the Capital Grant Program for Public School Systems With Significant Enrollment Growth; providing for the purpose of the Program and requiring the Interagency Committee on Public School Construction to implement and administer the Program; specifying certain requirements for grants awarded under the Program; requiring the Interagency Committee to award certain grants to certain county boards of education under the Program; requiring the Interagency Committee to develop certain eligibility requirements and certain procedures and processes for grants awarded under the Program; requiring the Interagency Committee to adopt certain procedures; requiring the Governor, beginning in a certain fiscal year, to provide a certain amount of money in the State budget for the Program each fiscal year; specifying that funding provided under the Program is supplemental to public school construction funding from other sources; defining certain terms; and generally relating to the Capital Grant Program for Public School Systems With Significant Enrollment Growth.

BY adding to

Article – Education

Section 5–313

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1095 – Senator Frosh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents

FOR the purpose of repealing certain provisions of law providing that the establishment of a lien is the remedy for nonpayment of a ground rent on certain residential property; prohibiting a certain landlord from receiving reimbursement for additional costs and expenses related to collection of back

rent under certain circumstances; altering the application of certain provisions of law requiring a certain landlord to give certain notice to certain persons when a certain ground rent is in arrears; authorizing the holder of a certain ground rent in arrears to be reimbursed for certain expenses under certain circumstances; altering the application of certain provisions of law authorizing a certain person to bring an action for possession of certain property; requiring service of process in a certain action for nonpayment of ground rent to be made in a certain manner; repealing certain provisions of law authorizing service in a certain action for nonpayment of ground rent to be made in a certain manner; providing that certain provisions of law authorizing a default judgment in rem for possession of certain property do not apply to certain actions for nonpayment of certain ground rent; altering the contents of certain notices required to be included in certain ground rent bills and contracts for the sale of certain residential property subject to a ground lease; making this Act an emergency measure; and generally relating to ground rents.

BY repealing

Article – Real Property

Section 8–402.3

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–111.1, 8–402.2, 14–108.1, 14–116.1, and 14–117(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–111.2

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Real Property

Section 8–402.3

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

Senate Bill 1096 – Senator Hershey

AN ACT concerning

Maryland Port Administration – Chesapeake and Delaware Canal – Dredged Material Containment Areas – Remediation Plan

FOR the purpose of requiring the Maryland Port Administration to develop and implement a plan for the remediation of drinking water supplies that have been adversely impacted by the placement of dredged material from the Chesapeake and Delaware Canal and the approach channels to the canal in containment areas; requiring, in conjunction with a certain application for a water quality certification, the Administration to submit to the Department of the Environment a certain remediation plan; stating the findings and declarations of the General Assembly; and generally relating to dredged material containment areas and the remediation of drinking water supplies.

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

Senate Bill 1097 – Senator Hershey

AN ACT concerning

Mental Hygiene Administration – Upper Shore Community Mental Health Center – Reopening and Maintenance

FOR the purpose of requiring that the Upper Shore Community Mental Health Center be maintained under the direction of the Mental Hygiene Administration; declaring the intent of the General Assembly for the State to reopen the Center and the Administration to maintain the Center in accordance with certain provisions of law; and generally relating to the Mental Hygiene Administration and the reopening and maintenance of the Upper Shore Community Mental Health Center.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–406(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

MOTION

Senator Frosh moved, duly seconded, to suspend Rule 32 to allow **Senate Bill 1095** to be referred to the appropriate committee.

The motion was adopted.

Senate Bill 1095 – Senator Frosh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents

The Bill was re-referred to the Committee on Judicial Proceedings.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 6 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Guaranty Fund – Claims

FOR the purpose of altering the maximum amount of a claim against the Home Improvement Guaranty Fund for which the Maryland Home Improvement Commission may issue a proposed order; altering the number of days, following certain notice by the Commission, after which the Commission may bring a certain action in court against a contractor who fails to reimburse the Fund in full for payment of a certain claim; and generally relating to the Maryland Home Improvement Commission and the Home Improvement Guaranty Fund.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–407 and 8–410
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

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–Melnik, 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

FOR the purpose of prohibiting a person from ~~knowingly disclosing a certain image or recording of another person whose intimate parts are exposed or who is engaged in a certain act without the consent of the other person and with the intent to cause serious emotional distress~~ intentionally causing serious emotional distress to another by intentionally placing on the Internet a certain reproduction of the image of the other person knowing that the other person did not consent to the placement of the image on the Internet under certain circumstances; establishing penalties for a violation of this Act; defining certain terms; establishing the scope of this Act; and generally relating to harassment.

BY adding to

Article – Criminal Law

Section 3–809

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 104 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Department of Budget and Management – Budget Analysts – Qualifications

FOR the purpose of repealing certain provisions of law governing the experience, education, and other qualifications for individuals appointed as budget analysts by the Secretary of Budget and Management; and generally relating to budget analysts for the Department of Budget and Management.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3–203(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 105 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Commission – Powers – Authority to Award Funds and Make Agreements With Grantees and Payees

FOR the purpose of authorizing the Maryland Health Care Commission to award certain funds received from any person or government agency; authorizing the Commission to make agreements with certain grantees and payees; requiring the Commission, in awarding certain funds, to use a certain process and evaluate proposals for funding using a panel that consists of certain individuals; requiring the Commission to provide certain information on its Web site and submit a certain report to the General Assembly; and generally relating to the powers of the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–109(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health – General

Section 19–109(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 150 – Delegate Reznik

AN ACT concerning

Health Occupations – Maryland Behavior Analysts Act

FOR the purpose of establishing the Behavior Analyst Advisory Committee within the State Board of Professional Counselors and Therapists; requiring the ~~Board~~ Committee to adopt certain regulations and a certain code of ethics; requiring the ~~Board~~ Committee to set certain fees for services provided by the ~~Board~~ Committee to behavior analysts; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees to the Board; requiring the fees to be used to cover certain costs; providing for the composition, appointment, and terms of the Committee members; establishing certain powers and duties of the Committee; requiring certain persons to be licensed by the ~~Board~~ Committee as behavior analysts before performing certain work in the State except under certain circumstances; establishing certain education and experience requirements to qualify for a license; establishing certain application fees and requirements for obtaining a license; establishing certain terms and procedures for the renewal and reinstatement of a license; requiring the ~~Board~~ Committee to issue a license to certain applicants;

specifying the contents of a license; prohibiting the ~~Board~~ Committee from issuing a license if certain information has not been received; ~~requiring the Board to maintain a certain roster~~; requiring the ~~Board~~ Committee to place a licensee on inactive status under certain circumstances; prohibiting a licensee from surrendering a license under certain circumstances; requiring a licensee to notify the ~~Board~~ Committee of a change of name or address in a certain manner and within a certain time period; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; establishing certain requirements for reinstatement of a revoked license; providing for certain criminal, civil, and administrative penalties; establishing certain hearing and appeal procedures for behavior analysts; authorizing the Board to issue a cease and desist order under certain circumstances; authorizing a certain action to be maintained to enjoin the unauthorized practice of behavior analysis or certain conduct; providing for a certain behavior analyst rehabilitation ~~committee~~ subcommittee; specifying the functions of the behavior analyst rehabilitation ~~committee~~ subcommittee; providing that the proceedings, records, and files of the behavior analyst rehabilitation ~~committee~~ subcommittee are not discoverable or admissible in evidence in certain actions under certain circumstances; providing that a certain person is not civilly liable for certain action as a member of a behavior analyst rehabilitation ~~committee~~ subcommittee; prohibiting a person from practicing, attempting to practice, or offering to practice behavior analysis in the State unless licensed by the ~~Board~~ Committee except under certain circumstances; prohibiting a person from representing to the public that the person is a licensed behavior analyst or using certain titles, abbreviations, signs, cards, or other representations except under certain circumstances; requiring the Board to pay certain penalties into the State Board of Professional Counselors and Therapists Fund; establishing a certain short title; providing that the Committee is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Committee and statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; specifying the terms of the initial members of the ~~Board~~ Committee; providing for the termination of certain provisions of this Act; and generally relating to the licensing and regulation of behavior analysts and the Behavior Analyst Advisory Committee.

BY renumbering

Article – State Government

Section 8–403(b)(8) through (56), respectively

to be Section 8–403(b)(9) through (57), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 17–6A–01 through ~~17–6A–23~~ 17–6A–31 to be under the new subtitle
“Subtitle 6A. Behavior Analysts”

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(8)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 203 – Delegates Conway, Cane, Eckardt, Otto, ~~and Rudolph Rudolph, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, Reznik, Tarrant, and V. Turner~~

AN ACT concerning

State ~~Government~~ and County Governments – Display of the POW/MIA Flag on State and County Building Grounds

FOR the purpose of requiring a county to cause the POW/MIA flag to be flown on the grounds of a certain county building whenever the flag of the United States is flown; requiring the Secretary of General Services and the Secretary of Transportation to cause the POW/MIA flag to be flown on the grounds of certain buildings whenever the flag of the United States is flown; ~~requiring that the POW/MIA flag be flown from the State House as provided in a certain provision of law; making conforming changes;~~ providing for the application of this Act; defining a certain term; and generally relating to the display of the POW/MIA flag on the grounds of State and county buildings.

BY adding to
Article – Local Government
Section 9–114
Annotated Code of Maryland
(2013 Volume)

BY adding to
Article – State Finance and Procurement

Section 4–210
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, with amendments,
Article – State Government
Section 13–204 and 13–205
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)~~

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

House Bill 255 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Prescription Drug Monitoring Program – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Prescription Drug Monitoring Program in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Program; requiring the Department of Legislative Services to conduct a certain evaluation of the Program on or before a certain date and to prepare and submit a certain report in accordance with certain statutory requirements; requiring the Program to submit a certain report to the Governor, the General Assembly, and the Department of Legislative Services on or before a certain date; ~~repealing the requirement that the technical advisory committee to~~ authorizing the Program review requests for to disclose certain information before the Program discloses the information to a certain person persons under certain circumstances; requiring the Advisory Board on Prescription Drug Monitoring to include certain information in a certain report; repealing an obsolete reporting requirement; and generally relating to the Prescription Drug Monitoring Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–2A–05(a), 21–2A–06(b), (g), and (h), and 21–2A–07(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–2A–05(f)(3), 21–2A–06(c), ~~21–2A–07(b)~~, and 21–2A–10

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 315 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

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

FOR the purpose of altering the jurisdiction of an equity court to include ~~a certain petition to award~~ custody or guardianship of an immigrant child ~~that is filed with~~ pursuant to a certain motion; defining a certain term under certain circumstances; and generally relating to equity court jurisdiction over immigrant children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 1–201
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 467 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment – Employment of Minors

FOR the purpose of repealing certain provisions of law regarding the issuance of a work permit by the Commissioner of Labor and Industry or a county superintendent of schools; authorizing a parent or guardian of a minor to apply for a work permit by completing a certain online application; authorizing the Commissioner to issue a work permit under certain circumstances; making conforming changes; and generally relating to the employment of minors and the Commissioner of Labor and Industry.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–206
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

**House Bill 475 – Delegates Arora, Barve, A. Miller, Lee, ~~and Valderrama~~
Valderrama, Hammen, Pendergrass, Bromwell, Costa, Cullison,
Donoghue, Hubbard, Kach, A. Kelly, Kipke, Morhaim, Murphy,
Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner**

AN ACT concerning

General Provisions – Commemorative Days – South Asian American Heritage Day

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

BY renumbering

Article – General Provisions

Section 7–410 through 7–412, respectively

to be Section 7–411 through 7–413, respectively

Annotated Code of Maryland

(As enacted by Chapter ____ (4lr1244)(S.B. ___/H.B. 270) of the Acts of the General Assembly of 2014)

BY adding to

Article – General Provisions

Section 7–410

Annotated Code of Maryland

(As enacted by Chapter ____ (4lr1244)(S.B. ___/H.B. 270) of the Acts of the General Assembly of 2014)

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

House Bill 476 – Frederick County Delegation

AN ACT concerning

Frederick County – Payment of Wages

FOR the purpose of authorizing Frederick County to pay the wages of ~~an~~ a county employee by debit card and to require ~~an~~ a county employee to elect to receive the payment of wages by debit card or by direct deposit as a condition of employment; requiring the county, under certain circumstances, to provide

certain employees with a certain statement; and generally relating to the payment of wages by debit card by Frederick County.

BY adding to

Article – Local Government
Section 12–109
Annotated Code of Maryland
(2013 Volume)

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

House Bill 480 – Delegates Davis, Ivey, Barnes, Braveboy, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Niemann, Proctor, Summers, Swain, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, ~~and A. Washington~~ A. Washington, A. Kelly, Nathan–Pulliam, Oaks, Pena–Melnyk, and Reznik

AN ACT concerning

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

FOR the purpose of requiring the Office of the Attorney General to establish a consumer affairs satellite office in Prince George’s County; providing for the purpose of establishing the consumer affairs satellite office; requiring the consumer affairs satellite office to provide consumers with certain resources; requiring the Office of the Attorney General to give priority to a certain site in determining where to locate the consumer affairs satellite office; requiring the Office of the Attorney General, on or before a certain date, to report to the Governor and the General Assembly on the operations of the consumer affairs satellite office; and generally relating to the establishment by the Office of the Attorney General of a consumer affairs satellite office in Prince George’s County.

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

House Bill 487 – Delegate Reznik

AN ACT concerning

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

FOR the purpose of repealing the termination provision of a certain provision of law relating to the definition of “small business” as used for the purposes of the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, with amendments,
Chapter 539 of the Acts of the General Assembly of 2012
Section 2

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

House Bill 530 – Delegate Malone

AN ACT concerning

Vehicle Laws – Bicycles and Motor Scooters – Operation on Roadways

FOR the purpose of creating an exception to the prohibition against a person operating a bicycle or a motor scooter on a roadway where the posted maximum speed limit exceeds a certain speed; authorizing a person who is lawfully operating a bicycle or a motor scooter on a shoulder adjacent to a roadway for which the posted maximum speed limit exceeds a certain speed to enter the roadway only if making or attempting to make a left turn, if crossing through an intersection, or if the shoulder is overlaid with certain directional markings; and generally relating to the operation of bicycles and motor scooters on roadways.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1205.1(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 556 – Delegate Hammen

AN ACT concerning

Developmental Disabilities Administration – Low Intensity Support Services – Funding

FOR the purpose of lowering the funding cap on low intensity support services provided to certain individuals each fiscal year through the Low Intensity Support Services Program in the Developmental Disabilities Administration; and generally relating to the funding cap on low intensity support services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–717
Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 617 – Delegates McConkey, Costa, Cullison, Elliott, Frank, Gutierrez, Hubbard, Krebs, Murphy, Nathan–Pulliam, Parrott, Pena–Melnik, Ready, Stocksdale, Tarrant, and V. Turner

AN ACT concerning

State Government – Refund of Fees – Policy

FOR the purpose of stating the policy of the State regarding the refund of fees paid to a unit; defining a certain term; and generally relating to the policy of the State regarding the refund of fees.

BY adding to

Article – State Government

Section 1–102

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 628 – Delegates S. Robinson, Luedtke, A. Kelly, and A. Miller

AN ACT concerning

Board of Public Works – Relocatable Classrooms – Indoor Air Quality Requirements

FOR the purpose of requiring the Board of Public Works, in consultation with certain departments, to adopt regulations that include certain specifications, relating to indoor air quality for the occupants of relocatable classrooms constructed after a certain date that are purchased or leased using State funds; and generally relating to indoor air quality requirements for relocatable classrooms and the Board of Public Works.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–301(b–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 704 – Delegates Vaughn, Howard, Mitchell, Swain, F. Turner, and Valentino-Smith

AN ACT concerning

Commercial Law – Debt Settlement Services – Sunset and Reporting Extension

FOR the purpose of extending to a certain date a certain reporting requirement of a registered debt settlement services provider; extending the deadline for certain reporting requirements of the Office of the Commissioner of Financial Regulation in the Department of Labor, Licensing, and Regulation and the Consumer Protection Division in the Office of the Attorney General; extending the termination date for the Maryland Debt Settlement Services Act; extending the expiration of certain registrations or renewal of registrations for a debt settlement services provider; and generally relating to debt settlement services and debt settlement services providers.

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2011
Section 2(a), 3, and 4

BY repealing and reenacting, with amendments,
Chapter 281 of the Acts of the General Assembly of 2011
Section 2(a), 3, and 4

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–1009
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 765 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Authority to Set Compensation

FOR the purpose of altering certain provisions of law that authorize certain State officials or certain units of State government to take certain personnel actions and set the compensation of certain employees, staff, or positions in State government; authorizing certain State officials or certain units of State government to set the compensation of certain employees in certain positions; requiring the Secretary of Budget and Management, in consultation with the

officials or units, to determine the positions for which the officials or units may set compensation; repealing the authority of certain officials or units to take certain personnel actions or set the compensation of certain employees, staff, or positions; providing that certain appointments, personnel actions, and setting of compensation be in accordance with the State budget; making stylistic and conforming changes; and generally relating to State personnel, hiring authority, and the authority to set compensation for certain State employees in State government.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–206
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 2–115
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1604
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–107(d) and 19–206(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–204(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–105, 14–503(g), and 31–105(c), (d), and (e)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment

Section 8–305(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 3–206
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–108(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1057 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – University of Maryland, College Park Bus Service – Motor Carrier Permit Exemption – Removal of Sunset PG 403–14

FOR the purpose of removing the termination provision applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; and generally relating to bus service provided by the University of Maryland, College Park to its students and to the residents of a certain municipal corporation.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 9–201
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 346 of the Acts of the General Assembly of 2008, as amended by
Chapter 373 of the Acts of the General Assembly of 2011
Section 3

BY repealing and reenacting, with amendments,
Chapter 347 of the Acts of the General Assembly of 2008, as amended by
Chapter 373 of the Acts of the General Assembly of 2011
Section 3

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

House Bill 1147 – Delegates McHale, Clippinger, Hammen, and Olszewski

AN ACT concerning

Public Utilities – Fixed Charges for Taxicab Services – Baltimore City

FOR the purpose of authorizing a taxicab permit holder to make a fixed charge for any trip by taxicab between certain locations in Baltimore City or between points within Baltimore City as approved by the Public Service Commission; requiring that a fixed charge made under this Act be calculated on a mileage basis approved by the Commission; and generally relating to fixed charges for taxicab services.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 10–210
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #12

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

Senate Bill 283 – Senators Jennings, Brochin, Hershey, Jacobs, Klausmeier, and Shank

AN ACT concerning

Public Safety – Handgun Permit Background Check – Armored Car Company Employees

SB0283/568478/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 283

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Check” and substitute “Investigation”; in line 5, strike “checks” and substitute “investigations”; and in line 8, strike “checks” and substitute “investigations”.

AMENDMENT NO. 2

On page 2, in lines 21, 24, and 27, in each instance, before “**BACKGROUND**” insert “**CRIMINAL**”; in lines 22, 24, and 27, in each instance, strike “**CHECK**” and substitute “**INVESTIGATION**”; and in line 22, strike “**BY**” and substitute “**ON BEHALF OF**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 512 – Senator Gladden

AN ACT concerning

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

SB0512/958070/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 512

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Gladden” and substitute “Senators Gladden and Muse”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

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

Senate Bill 867 – Senator Benson

AN ACT concerning

Correctional Services – Revocation of Parole – Repeal of Sunset

SB0867/818472/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 867

(First Reading File Bill)

In line 19, strike “October” and substitute “June”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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 FINANCE REPORT #15

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

Senate Bill 216 – Senator Klausmeier

AN ACT concerning

Workers' Compensation – Workers' Compensation Commission – Issuance of Subpoenas

SB0216/407970/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 216

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Middleton, Kittleman, Glassman, Kelley, Mathias, Pugh, and Ramirez”; in lines 4 and 5, strike “authorize the issuance of” and substitute “issue”; and in line 5, after “circumstances;” insert “authorizing the Commission to assess certain costs and fees against a certain party under certain circumstances; making a stylistic change;”.

AMENDMENT NO. 2

On page 1, in line 18, strike “pertinent” and substitute “RELEVANT”; in lines 19, 20, and 21, in each instance, strike the bracket; strike beginning with “CLAIM” in line 19 down through “PENDING” in line 20; in line 21, strike “AUTHORIZE THE ISSUANCE OF A SUBPOENA”; and strike in its entirety line 23.

On page 2, in lines 1 and 2, strike “(2)” and “(3)”, respectively, and substitute “(1)” and “(2)”, respectively; in line 2, after “party” insert “, AS AUTHORIZED UNDER § 9-719 OF THIS TITLE”; after line 2, insert:

“(C) ON A REQUEST OF A PARTY TO A CLAIM ON WHICH ISSUES ARE CURRENTLY PENDING, THE COMMISSION SHALL ISSUE A SUBPOENA FOR RELEVANT DOCUMENTATION TO BE PRODUCED AT THE OFFICE OF THE

REQUESTING PARTY AND DISTRIBUTED TO ALL PARTIES TO THE CLAIM IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION.

(D) IF THE COMMISSION, AFTER AN EVIDENTIARY HEARING, DETERMINES THAT A SUBPOENA WAS REQUESTED IN BAD FAITH, THE COMMISSION MAY ASSESS AGAINST THE REQUESTING PARTY THE WHOLE COST OF THE PROCEEDING, INCLUDING REASONABLE ATTORNEY’S FEES.”;

in line 3, strike “(c)” and substitute “(E)”; and in line 7, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 641 – Senators Mathias, Pugh, and Raskin

AN ACT concerning

Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014

SB0641/187677/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 641

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Ramirez”; and in line 7, strike “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 21, inclusive; and in line 24, strike “2015” and substitute “2016”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senate Bill 1098 – Senator Conway

AN ACT concerning

Public Institutions of Higher Education – Sale of Textbooks – Audits

FOR the purpose of requiring the Office of Legislative Audits to conduct an annual audit of certain institutions of higher education to ensure compliance with certain provisions of law relating to the sale of textbooks; requiring a certain audit to include certain information; requiring the Legislative Auditor to report certain findings of an audit to the Maryland Higher Education Commission and the General Assembly on or before a certain date each year; specifying a certain time period for a certain audit; requiring the Legislative Auditor to report certain findings of an initial audit to the Maryland Higher Education Commission and the General Assembly on or before a certain date; and generally relating to audits of the sale of textbooks by public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–112

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1099 – Senators Manno and Miller

AN ACT concerning

Workers' Compensation – Occupational Disease Presumptions – Paid Emergency Medical Services Providers

FOR the purpose of extending the presumption of compensability under the workers' compensation law to include, under certain conditions, paid emergency medical services providers who suffer from heart disease, hypertension, or lung disease resulting in partial or total disability or death; extending the presumption of compensability under the workers' compensation law to include, under certain

conditions, paid emergency medical services providers who suffer from certain cancers under certain circumstances; providing for the application of this Act; and generally relating to compensability of paid emergency medical services providers under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

Senate Bill 1100 – Senator Kasemeyer

AN ACT concerning

**Creation of a State Debt – Baltimore County – Arbutus Recreation Center
Project**

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

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

Senate Bill 1101 – Senator McFadden

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2008 and 2011 – Baltimore City
– Mary Harvin Transformation Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2008 and 2011 to alter the authorized uses of certain grants for the Mary Harvin Transformation Center; specifying the amount of a certain grant; altering the amount required to be provided or expended for a certain matching fund; extending the deadline for a certain grantee to present evidence of a certain matching fund; providing that a certain grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2008 and 2011.

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA01)(V)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by
Chapter 430 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(R)

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

QUORUM CALL

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

(See Roll Call No. 390)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #36

**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 – 45 Negative – 0 (See Roll Call No. 391)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #37

**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 – 45 Negative – 0 (See Roll Call No. 392)

The Bill was then sent to the House of Delegates.

Senate Bill 624 – Senator Feldman

AN ACT concerning

Insurance – Title Insurers – Title Insurance Commitment and Binders

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

Affirmative – 45 Negative – 0 (See Roll Call No. 393)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 394)

The Bill was then sent to the House of Delegates.

Senate Bill 881 – Senator Kelley

AN ACT concerning

**Title Insurers – Statutory or Unearned Premium Reserve for Escrow Losses
Reserves**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 395)

The Bill was then sent to the House of Delegates.

Senate Bill 886 – Senators Feldman, Kelley, ~~and Middleton~~ Middleton, Glassman, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Legal Mutual Liability Insurance Society of Maryland – Conservatorship and Transfer

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

Affirmative – 45 Negative – 0 (See Roll Call No. 396)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 397)

ADJOURNMENT

At 8:30 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, March 4, 2014.

**Annapolis, Maryland
Tuesday, March 4, 2014
10:00 A.M. Session**

The Senate met at 10:08 A.M.

Prayer by Reverend George Tuttle, St. Mark's Lutheran Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of March 3, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 399)

THE COMMITTEE ON FINANCE REPORT #16

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

Senate Bill 483 – Senators Klausmeier, Feldman, and King

AN ACT concerning

**Labor and Employment – Health Care Facilities – Workplace Violence
Prevention Program**

SB0483/277676/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 483

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Employment –” insert “Nursing Homes and”; in lines 2 and 3, strike “Violence Prevention” and substitute “Safety Assessment and Safety”; in line 4, after “of” insert “requiring certain nursing homes to assign to a certain committee the task of conducting an annual assessment of workplace safety issues and making certain recommendations; requiring, in conducting a certain annual assessment, a certain committee to consult certain employees of the nursing home;”; in lines 5, 5 and 6, 6, and 7, strike “violence prevention” and substitute “safety”; in line 8, after “components;” insert “providing for the application of certain provisions of this Act;”; in line 9, strike “violence prevention” and substitute “safety assessments and safety”; in the same line, after “of” insert “nursing homes and”; after line 9, insert:

“BY adding to

Article – Health – General

Section 19–1410.2

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

in line 13, strike “Violence Prevention” and substitute “Safety”; in line 17, strike “Violence” and substitute “Risk of injury”; strike beginning with “and” in line 18 down through “risk” in line 19; strike in their entirety lines 20 through 22, inclusive; and in line 23, strike “violence” and substitute “injury”.

On page 2, in line 1, strike “Violence against health” and substitute “Health”; in the same line, after “workers” insert “being injured on the job”; in line 6, strike “violence has” and substitute “injuries have”; in line 8, strike “assaults” and substitute “injury”; in the same line, strike “threats of assault” and substitute “risk of injury”; in line 10, strike “effects of violence” and substitute “risk of injury”; and in line 11, strike “violence prevention” and substitute “workplace safety”.

AMENDMENT NO. 2

On page 2, after line 13, insert:

“Article – Health – General

19–1410.2.

(A) IN THIS SECTION, “WORKPLACE SAFETY” MEANS THE PREVENTION OF ANY PHYSICAL ASSAULT OR THREATENING BEHAVIOR AGAINST AN EMPLOYEE IN A NURSING HOME.

(B) THIS SECTION APPLIES TO NURSING HOMES THAT ARE LICENSED FOR 45 BEDS OR MORE.

(C) EACH NURSING HOME SHALL ASSIGN TO AN APPROPRIATE COMMITTEE THE TASK OF:

(1) CONDUCTING AN ANNUAL ASSESSMENT OF WORKPLACE SAFETY ISSUES; AND

(2) MAKING RECOMMENDATIONS TO THE NURSING HOME FOR REDUCING WORKPLACE INJURIES.

(D) IN CONDUCTING AN ANNUAL ASSESSMENT OF WORKPLACE SAFETY ISSUES, THE COMMITTEE ASSIGNED TO CONDUCT THE ASSESSMENT UNDER SUBSECTION (C)(1) OF THIS SECTION SHALL CONSULT WITH GERIATRIC NURSING ASSISTANTS AND OTHER EMPLOYEES OF THE NURSING HOME WHO ARE INVOLVED IN ASSISTING RESIDENTS WITH ACTIVITIES OF DAILY LIVING.”;

in lines 15 and 16, strike “**VIOLENCE PREVENTION**” and substitute “**SAFETY**”; in line 20, after “**(B)**” insert “**(1)**”; in the same line, strike “**A**” and substitute “**:**”

(I) A;

in lines 20 and 21, strike “**OR RELATED INSTITUTION**” and substitute “**; OR**”

(II) A STATE RESIDENTIAL CENTER.

(2) “HEALTH CARE FACILITY” INCLUDES:

(I) A SUBACUTE CARE UNIT OF A HOSPITAL; AND

(II) A STATE-OPERATED HOSPITAL”;

and strike in their entirety lines 26 and 27 and substitute:

“(E) “STATE RESIDENTIAL CENTER” HAS THE MEANING STATED IN § 7-101 OF THE HEALTH – GENERAL ARTICLE.”;

and in line 28, strike “VIOLENCE” and substitute “SAFETY”; in the same line, after “MEANS” insert “THE PREVENTION OF”; in the same line, strike the comma and substitute “OR”; strike beginning with “, OR” in line 29 down through “FACILITY” in line 30; in line 30, after “WORKER” insert “IN A HEALTH CARE FACILITY”.

On page 3, in lines 2, 3, 4, 9, 10, 12, and 23, in each instance, strike “VIOLENCE PREVENTION” and substitute “SAFETY”; in line 15, strike “SECURITY” and substitute “SAFETY”; in lines 18, 20, and 22, in each instance, strike “VIOLENCE” and substitute “INJURIES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 585 – Senator Middleton

AN ACT concerning

Commercial Law – Patent Infringement – Assertions Made in Bad Faith

SB0585/537679/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 585

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh”; 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 18, 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 4, in line 29, strike “11-1603.” and substitute “11-1604.”.

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 606 – Senators Robey, Kasemeyer, Manno, McFadden, and Peters

AN ACT concerning

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

SB0606/237874/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 606

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Peters” and substitute “Peters, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 614 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Payment of Wages

SB0614/737177/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 614

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, in each instance, strike “an” and substitute “a county”; in line 4, after “employee” insert “to elect”; and in line 5, after “or” insert “, subject to certain provisions of law.”.

AMENDMENT NO. 2

On page 1, in line 19, strike “AN” and substitute “A COUNTY”; in lines 19 and 20, strike “AS PROVIDED IN SUBSECTION (B) OF THIS SECTION”; and strike beginning with “REQUIRE” in line 21 down through “EMPLOYMENT” in line 22 and substitute “REQUIRE A COUNTY EMPLOYEE, AS A CONDITION OF EMPLOYMENT, TO ELECT TO RECEIVE THE PAYMENT OF WAGES BY DEBIT CARD OR, SUBJECT TO § 1-205(B) AND (C) OF THIS ARTICLE, BY DIRECT DEPOSIT”.

On page 2, strike beginning with “IF” in line 1 down through “CARD,” in line 3 and substitute “IF A COUNTY EMPLOYEE ELECTS TO RECEIVE THE PAYMENT OF WAGES BY DEBIT CARD, THE COUNTY SHALL PROVIDE TO THE EMPLOYEE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 882 – Senator Pugh

AN ACT concerning

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

SB0882/207671/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 882

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Pugh” and substitute “Senators Pugh and Kelley”; and strike beginning with “Assertive” in line 2 down through “Services” in line 3 and substitute “Department of Health and Mental Hygiene – Continuity of Care Advisory Panel”.

On pages 1 and 2, strike beginning with “establishing” in line 4 on page 1 down through “Supplement)” in line 23 on page 2 and substitute “requiring the Secretary of Health and Mental Hygiene to reconvene the Continuity of Care Advisory Panel; requiring the Panel to examine certain matters, develop a certain proposal, consult with certain individuals for a certain purpose, and recommend certain draft legislation; requiring the Secretary to submit a certain report to certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to the Continuity of Care Advisory Panel.”.

AMENDMENT NO. 2

On page 2, in line 25, strike “the Laws of Maryland read as follows”.

On pages 2 through 12, strike in their entirety the lines beginning with line 26 on page 2 through line 6 on page 12, inclusive, and substitute:

“(a) The Secretary of Health and Mental Hygiene shall reconvene the Continuity of Care Advisory Panel.”

(b) (1) The Continuity of Care Advisory Panel shall:

(i) examine the development and implementation of an assisted outpatient treatment program in the State; and

(ii) develop a proposal for an assisted outpatient treatment program that:

1. respects the civil liberties of individuals to be served;
2. addresses the potential for racial bias and health disparities in program implementation;
3. is based on evidence of the effectiveness of assisted outpatient treatment programs in other jurisdictions;
4. includes a data–monitoring strategy;
5. promotes parity between public and private insurers;
6. addresses the potential for variance in program implementation among urban and rural jurisdictions; and
7. assesses the cost of the program to the Department of Health and Mental Hygiene and other State agencies, including the feasibility of securing federal funding for services provided by the program.

(2) The proposal required under this subsection shall include an analysis of the development and implementation of alternatives to assisted outpatient treatment, including assertive community treatment.

(c) The Continuity of Care Advisory Panel shall:

(1) consult with representatives of the Maryland Judiciary and other stakeholders in developing the proposal required under subsection (b) of this section; and

(2) recommend draft legislation necessary to implement an assisted outpatient treatment program or any alternatives included in the proposal.

(d) On or before November 1, 2014, the Secretary of Health and Mental Hygiene, in accordance with § 2-1246 of the State Government Article, shall submit a report of the Continuity of Care Advisory Panel that includes the proposal required under subsection (b) of this section to the Senate Finance Committee and the House Health and Government Operations Committee.”.

On page 12, in line 8, strike “October” and substitute “July”; and in the same line, after “2014.” insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 474 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
National Multiple Sclerosis Society
in recognition of
Multiple Sclerosis Awareness Week.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 400)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #6

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

Senate Bill 141 – Senator Conway

AN ACT concerning

Tax Sales – Environmental Violations – Liens on Real Property

SB0141/449033/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 141

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Tax” insert “Baltimore City –”; in the same line, strike “Environmental Violations – Liens on Real Property” and substitute “Nonpayment of Environmental Citations”; strike beginning with “requiring” in line 3 down through “under” in line 10 and substitute “altering a certain prohibition against tax sales in Baltimore City for nonpayment of certain environmental citations to apply the prohibition only if the total amount of unpaid environmental citations is less than”; and strike in their entirety lines 12 through 26, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (19)(b)

(2007 Replacement Volume, as amended December 31, 2006)”.

AMENDMENT NO. 2

On pages 2 though 6, strike in their entirety the lines beginning with line 3 on page 2 through line 28 on page 6, inclusive, and substitute:

“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:

(19)

(b) Real property may not be offered for sale in a Baltimore City tax sale solely for nonpayment of environmental citations issued under Article 1, Subtitle 40 of the Baltimore City Code **IF THE TOTAL AMOUNT OF UNPAID ENVIRONMENTAL CITATIONS IS LESS THAN \$1,000.**

On page 6, in line 31, strike “the Environment Article” and substitute “Article 1, Subtitle 40 of the Baltimore City Code”.

The preceding 2 amendments were read only.

Senator Hershey moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 332 – The President (By Request – Administration) and Senators King, Ferguson, Astle, Benson, Conway, Currie, Klausmeier, Miller, Peters, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Prekindergarten Expansion Act of 2014

SB0332/359232/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 332

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Colburn, DeGrange, Dyson, Edwards, Getty, Jones–Rodwell, Kasemeyer, Madaleno, Manno, McFadden, Montgomery, and Pinsky”; and in line 19, after “purposes;” insert “requiring a certain qualified vendor to receive a grant in a certain year under certain circumstances;”.

AMENDMENT NO. 2

On page 11, after line 6, insert:

“(5) A QUALIFIED VENDOR THAT HAS RECEIVED A PREKINDERGARTEN EXPANSION GRANT IN THE CURRENT YEAR SHALL BE AWARDED A GRANT IN THE NEXT YEAR IF THE QUALIFIED VENDOR CONTINUES TO SATISFY THE REQUIREMENTS ESTABLISHED UNDER THIS SECTION.”

On page 14, in line 15, after the first “of” insert “3-year-old and”; in lines 15 and 16, strike “economically disadvantaged” and substitute “3-year-old and”; and in line 16, after “children” insert “from an economically disadvantaged background”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0332/513428/1

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 332, AS AMENDED

In the Budget and Taxation Committee Amendments (SB0332/359232/1), in line 2 of Amendment No. 1, after “Kasemeyer,” insert “Kittleman,”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Homestead Tax Credit – Eligibility – Definition of Legal Interest**SB0572/129836/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 572

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 6 down through “Act;” in line 7.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 14 through 16, inclusive; and in line 17, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 605 – Senator Edwards

AN ACT concerning

**Property Tax Credit – Upper Stories of Commercial Structures –
Rehabilitation**

SB0605/969634/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 605

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Upper Stories of”; and in lines 7 and 8 and 12, in each instance, strike “of the upper stories”.

AMENDMENT NO. 2

On page 1, in line 25, strike “AN UPPER STORY OF”.

On page 2, in line 16, strike “**THE UPPER STORIES OF**”.

AMENDMENT NO. 3

On page 2, in line 18, strike “**SHALL BE**” and substitute “**MAY**”; in line 19, strike “**EQUAL TO**” and substitute “**NOT EXCEED**”; and in line 21, strike “**GRANTED FOR**” and substitute “**BE GRANTED FOR UP TO**”.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 26 through 29, inclusive; and in line 30, strike “**(2)**” and substitute “**(1)**”.

On page 3, in lines 1, 2, and 4, strike “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(2)**”, “**(3)**”, and “**(4)**”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 615 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Gaming Permits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

Senate Bill 653 – Senator Astle

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program

SB0653/319032/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 653

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Astle” and substitute “Senators Astle, Jones–Rodwell, Shank, Young, Kasemeyer, Colburn, Currie, DeGrange, Edwards, Getty, King, Madaleno, Manno, McFadden, Peters, and Robey”; in line 3, strike “requiring all counties” and substitute “authorizing certain counties”; in line 4, after “warrants;” insert “requiring certain counties that elect to participate in the program to notify the Comptroller on or before a certain date;”; in line 11, after “Section” insert “1–101(a) and (f).”; in the same line, strike “13–935” and substitute “13–935.”; in the same line, strike “13–938” and substitute “13–937”; and in line 16, strike “and 13–937”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“1–101.

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

(f) “County” means a county of the State and, unless expressly provided otherwise, Baltimore City.”;

in line 17, after “(a)” insert “**(1)**”; in lines 18 and 19, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 18, strike the brackets; in the same line, strike “**THE STATE**” and substitute “**OR A COUNTY THAT PARTICIPATES IN THE PROGRAM UNDER THIS PART**”; in line 19, strike the brackets; in lines 19 and 20, strike “**ANY COUNTY IN THE STATE**” and substitute “**OR A COUNTY THAT PARTICIPATES IN THE PROGRAM UNDER THIS PART.**”

(2) THE GOVERNING BODY OF A COUNTY MAY ELECT, BY LOCAL LAW, TO PARTICIPATE IN THE PROGRAM UNDER THIS PART.

(3) IF A COUNTY ELECTS TO PARTICIPATE IN THE PROGRAM UNDER THIS PART, THE COUNTY SHALL NOTIFY THE COMPTROLLER OF THE COUNTY’S INTENTION TO PARTICIPATE ON OR BEFORE OCTOBER 1 OF THE TAXABLE YEAR FOR WHICH THE COUNTY INTENDS TO PARTICIPATE”;

in line 26, strike the brackets; and in the same line, strike “**SHALL**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #17**

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

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

AN ACT concerning

Education – Children With Disabilities – Parent Surrogates

SB0120/584933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 120

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “disabled;” insert “requiring that, for purposes of a request for appointment of a parent surrogate, efforts to identify certain parents be made over a certain period of time and that documentation of those efforts include certain searches and letters sent by certified mail.”.

AMENDMENT NO. 2

On page 4, in line 3, after “made” insert “OVER THE COURSE OF 15 BUSINESS DAYS”; and in line 4, after “unavailable” insert “THAT INCLUDE, AT A MINIMUM:

(I) A SEARCH OF TELEPHONE DIRECTORIES; AND

(II) LETTERS SENT BY CERTIFIED MAIL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #18**

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

Senate Bill 413 – Senator Dyson

AN ACT concerning

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

SB0413/704431/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 413

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prepare and”; in line 6, strike “personally prepares and”; and in line 23, strike “12–102(h),” and substitute “12–102(c), (h),”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“(c) (1) THIS SUBSECTION DOES NOT APPLY TO A LICENSED DENTIST WHO OBTAINS A PERMIT FROM THE STATE BOARD OF DENTAL EXAMINERS UNDER SUBSECTION (H) OF THIS SECTION.

(2) This title does not prohibit:

[(1)] (I) A licensed veterinarian from personally preparing and dispensing the veterinarian’s prescriptions;

[(2)] (II) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

[(i)] 1. The dentist, physician, or podiatrist:

[1.] A. Has applied to the board of licensure in this State which licensed the dentist, physician, or podiatrist;

[2.] B. Has demonstrated to the satisfaction of that board that the dispensing of prescription drugs or devices by the dentist, physician, or podiatrist is in the public interest;

[3.] C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; and

[4.] D. Posts a sign conspicuously positioned and readable regarding the process for resolving incorrectly filled prescriptions or includes written information regarding the process with each prescription dispensed;

[(ii)] 2. The person for whom the drugs or devices are prescribed is a patient of the prescribing dentist, physician, or podiatrist;

[(iii)] 3. The dentist, physician, or podiatrist does not have a substantial financial interest in a pharmacy; and

[(iv)] 4. The dentist, physician, or podiatrist:

[1.] A. Complies with the dispensing and labeling requirements of this title;

[2.] B. Records the dispensing of the prescription drug or device on the patient's chart;

[3.] C. Allows the Division of Drug Control to enter and inspect the dentist's, physician's, or podiatrist's office at all reasonable hours and in accordance with § 12-102.1 of this subtitle;

[4.] D. On inspection by the Division of Drug Control, signs and dates an acknowledgment form provided by the Division of Drug Control relating to the requirements of this section;

[5.] E. Except for starter dosages or samples without charge, provides the patient with a written prescription, maintains prescription files in accordance with § 12-403(b)(13) of this title, and maintains a separate file for Schedule II prescriptions;

[6.] F. Does not direct patients to a single pharmacist or pharmacy in accordance with § 12-403(b)(8) of this title;

[7.] G. Does not receive remuneration for referring patients to a pharmacist or pharmacy;

[8.] H. Complies with the child resistant packaging requirements regarding prescription drugs under Title 22, Subtitle 3 of the Health – General Article;

[9.] I. Complies with drug recalls;

[10.] J. Maintains biennial inventories and complies with any other federal and State record–keeping requirements relating to controlled dangerous substances;

[11.] K. Purchases prescription drugs from a pharmacy or wholesale distributor who holds a permit issued by the Board of Pharmacy, as verified by the Board of Pharmacy;

[12.] L. Annually reports to the respective board of licensure whether the dentist, physician, or podiatrist has personally prepared and dispensed prescription drugs within the previous year; and

[13.] M. Completes ten continuing education credits over a 5–year period relating to the preparing and dispensing of prescription drugs, offered by the Accreditation Council for Pharmacy Education (ACPE) or as approved by the Secretary, in consultation with each respective board of licensure, as a condition of permit renewal; or

[(3)] (III) A hospital–based clinic from dispensing prescriptions to its patients.”;

in line 14, strike “PERSONALLY PREPARING AND”; in line 17, strike “AND”; and in line 20, after “PATIENT” insert “; AND

(3) THE LICENSED DENTIST AFFIXES A LABEL ON THE PRODUCT OR RINSE CONTAINER THAT INCLUDES:

(I) THE NAME OF THE PATIENT; AND

(II) UNLESS ALREADY PRINTED ON THE CONTAINER:

1. THE EXPIRATION DATE OF THE PRODUCT OR RINSE; AND

2. THE INSTRUCTIONS FOR USING THE PRODUCT OR RINSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 438 – Senator Mathias

AN ACT concerning

Municipal Elections – Inclusion of Offices and Questions on the State Ballot

SB0438/204330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 438

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “requiring a municipality to file a certain request with the State Board on or before a certain date; requiring a municipality to include a certain certification as part of a certain request; requiring the municipal attorney or, in certain circumstances, the clerk of the circuit court in the county in which the municipal corporation is located, to prepare and certify, by a certain date, each municipal question to be voted on at a certain election; requiring the State Board to make a determination within a certain time period whether to include a municipal question on the ballot; requiring certain questions certified for the ballot to be assigned a certain identifier;”; in line 6, after the semicolon insert “providing for the application of certain provisions of the State election law; requiring a municipality

to reimburse the State Board and the applicable local board of elections for certain costs incurred by the State Board or the local board;”; after line 8, insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 7–103 and 13–101

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)”;

and after line 15, insert:

“Article – Election Law

7–103.

(a) **(1) In this section THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) [, “county attorney”] “COUNTY ATTORNEY” means:

[(1) (I) the attorney or law department established by a county charter or local law to represent the county generally, including its legislative and executive officers; or

[(2) (II) if the county charter or local laws provide for different attorneys to represent the legislative and executive branches of county government, the attorney designated to represent the county legislative body.

(3) “MUNICIPAL ATTORNEY” MEANS:

(I) THE ATTORNEY OR LAW DEPARTMENT ESTABLISHED BY A MUNICIPAL CHARTER OR LOCAL LAW TO REPRESENT THE MUNICIPAL CORPORATION GENERALLY, INCLUDING ITS LEGISLATIVE AND EXECUTIVE OFFICERS; OR

(II) IF THE MUNICIPAL CHARTER OR LOCAL LAWS PROVIDE FOR DIFFERENT ATTORNEYS TO REPRESENT THE LEGISLATIVE AND EXECUTIVE

BRANCHES OF MUNICIPAL GOVERNMENT, THE ATTORNEY DESIGNATED TO REPRESENT THE MUNICIPAL LEGISLATIVE BODY.

(b) Each question shall appear on the ballot containing the following information:

(1) a question number or letter as determined under subsection (d) of this section;

(2) a brief designation of the type or source of the question;

(3) a brief descriptive title in boldface type;

(4) a condensed statement of the purpose of the question; and

(5) the voting choices that the voter has.

(c) (1) The Secretary of State shall prepare and certify to the State Board, not later than the third Monday in August, the information required under subsection (b) of this section, for all statewide ballot questions and all questions relating to an enactment of the General Assembly which is petitioned to referendum.

(2) The State Board shall prepare and certify to the appropriate local board, not later than the second Monday in August, the information required under subsection (b) of this section for all questions that have been referred to the voters of one county or part of one county pursuant to an enactment of the General Assembly.

(3) (i) The county attorney of the appropriate county shall prepare and certify to the appropriate local board, not later than the third Monday in August, the information required under subsection (b) of this section for each question to be voted on in a single county or part of a county, except a question covered by paragraph (1) or paragraph (2) of this subsection.

(ii) If the information required under subsection (b) of this section has not been timely certified under subparagraph (i) of this paragraph, the clerk of the circuit court for the jurisdiction shall prepare and certify that information to the local board not later than the fourth Monday in August.

(iii) A local board shall provide a copy of each certified question to the State Board within 48 hours after receipt of the certification from the certifying authority.

(4) (I) THE MUNICIPAL ATTORNEY OF THE APPROPRIATE MUNICIPAL CORPORATION SHALL PREPARE AND CERTIFY TO THE STATE BOARD, NOT LATER THAN THE THIRD MONDAY IN AUGUST, THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION FOR EACH QUESTION TO BE VOTED ON IN THE MUNICIPAL CORPORATION, EXCEPT A QUESTION COVERED BY PARAGRAPHS (1) THROUGH (3) OF THIS SUBSECTION.

(II) IF THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION HAS NOT BEEN TIMELY CERTIFIED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE MUNICIPAL CORPORATION IS LOCATED SHALL PREPARE AND CERTIFY THAT INFORMATION TO THE STATE BOARD NOT LATER THAN THE FOURTH MONDAY IN AUGUST.

(III) A MUNICIPAL CORPORATION SHALL PROVIDE A COPY OF EACH CERTIFIED QUESTION TO THE STATE BOARD WITHIN 48 HOURS AFTER RECEIPT OF THE CERTIFICATION FROM THE CERTIFYING AUTHORITY.

(d) (1) Each statewide question and each question relating to an enactment of the General Assembly which is petitioned to referendum shall be assigned a numerical identifier in the following order:

(i) by years of sessions of the General Assembly at which enacted; and

(ii) for each such session, by chapter numbers of the Session Laws of that session.

(2) A question that has been referred to the voters of one county or part of one county pursuant to an enactment of the General Assembly shall be assigned an alphabetical identifier in an order established by the State Board.

(3) Questions certified under subsection (c)(3)(i) or (ii) OR (C)(4)(I) OR (II) of this section shall be assigned an alphabetical OR ALPHANUMERIC identifier in

an order established by the certifying authority IN CONSULTATION WITH THE STATE BOARD TO GUARD AGAINST DUPLICATION OR CONFUSION, consistent with and following the questions certified by the State Board.

13-101.

(a) This title applies to each election conducted in accordance with this article.

(b) This title does not apply to:

(1) campaign activity required to be governed solely by federal law; OR

(2) AN ELECTION CONDUCTED AT THE REQUEST OF A MUNICIPALITY UNDER § 4-108.1 OF THE LOCAL GOVERNMENT ARTICLE.”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“(C) A MUNICIPALITY THAT MAKES A REQUEST UNDER SUBSECTION (B) OF THIS SECTION SHALL:

(1) FILE THE REQUEST WITH THE STATE BOARD ON OR BEFORE THE DAY THAT IS 18 MONTHS BEFORE THE DEADLINE DATE APPLICABLE FOR INDIVIDUALS WHO ARE REQUIRED TO FILE A CERTIFICATE OF CANDIDACY AS REQUIRED UNDER § 5-303 OF THE ELECTION LAW ARTICLE; AND

(2) CERTIFY AS PART OF THE REQUEST THAT THE CHARTER OF THE MUNICIPALITY REQUIRES, AND THE MUNICIPALITY HAS ESTABLISHED, DEADLINES AND PROCEDURES FOR THE ADMINISTRATION OF MUNICIPAL ELECTIONS FOR THE MUNICIPALITY THAT ARE CONSISTENT WITH THE DEADLINES AND PROCEDURES FOR STATE AND COUNTY ELECTIONS ESTABLISHED BY THE STATE BOARD WITH REGARD TO:

(I) THE FILING OF CERTIFICATES OF CANDIDACY;

(II) THE FILLING OF A VACANCY IN OFFICE;

(III) THE FILING OF A PETITION; AND**(IV) THE CERTIFICATION OF A BALLOT QUESTION.”;**

in line 4, strike “(C)” and substitute “**(D) (1)**”; in line 5, after “SECTION” insert “**AND SATISFIES THE REQUIREMENTS UNDER SUBSECTION (C) OF THIS SECTION**”; in the same line, strike “SHALL” and substitute “**, IN CONSULTATION WITH THE LOCAL BOARD IN THE COUNTY WHERE THE MUNICIPALITY IS LOCATED, SHALL REVIEW AND NOTIFY THE MUNICIPALITY OF ITS INTENT TO**”; in lines 6 and 8, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; after line 9, insert:

“(2) WITHIN 30 DAYS AFTER RECEIPT OF THE REQUEST, THE STATE BOARD SHALL NOTIFY THE MUNICIPALITY OF ITS DECISION WHETHER TO INCLUDE THE OFFICES AND QUESTIONS TO BE VOTED ON IN THE MUNICIPAL ELECTION ON THE BALLOT.

(E) A MUNICIPALITY SHALL REIMBURSE THE STATE BOARD AND THE APPLICABLE LOCAL BOARD FOR ANY ADDITIONAL COSTS INCURRED BY THE STATE BOARD OR LOCAL BOARD ON ACCOUNT OF INCLUDING THE OFFICES AND QUESTIONS TO BE VOTED ON IN A MUNICIPAL ELECTION ON THE BALLOT.”;

and in line 11, strike “July” and substitute “October”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 525 – Senators Shank and Benson

AN ACT concerning

Commission on African American History and Culture – Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 700 – Senator Manno

AN ACT concerning

Registration of Pesticides – Fee Increase – Disposition of Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 849 – Senator Conway

AN ACT concerning

State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensing, Certification, Regulation, Violations, and Penalties

SB0849/424836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 6 down through “date;” in line 8; strike beginning with “requiring” in line 14 down through “Fund;” in line 15; in line 23, strike “8–6A–05(c).”; and in the same line, strike “and (k)”.

AMENDMENT NO. 2

On pages 18 and 19, strike in their entirety the lines beginning with line 17 on page 18 through line 31 on page 19, inclusive.

On pages 20 and 21, strike in their entirety the lines beginning with line 5 on page 20 through line 6 on page 21, inclusive.

AMENDMENT NO. 3

On page 36, strike beginning with “**THE**” in line 21 down through “**(D)**” in line 23.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 854 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Interns

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #19**

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

**Senate Bill 503 – Senators Pugh, Forehand, Gladden, Madaleno, Manno,
McFadden, Montgomery, Stone, and Zirkin**

AN ACT concerning

**Public Schools – Cardiopulmonary Resuscitation and Automated External
Defibrillator Instruction – Graduation Requirement
(Breanna’s Law)**

SB0503/274739/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 503
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, and Jennings”; in line 3, strike “– Graduation Requirement”; in line 5, after “complete” insert “, as part of certain curricula,”; in line 9, after “provide” insert “, as part of certain curricula,”; in lines 6 and 9, in each instance, after “resuscitation” insert “that includes hands-only cardiopulmonary resuscitation”; in line 7, strike “to graduate from high school”; and in lines 18 and 19, strike “and high school graduation requirements”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**TO GRADUATE FROM A PUBLIC HIGH SCHOOL,**”; in line 10, after “**COMPLETE**” insert “, AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM,”; in line 13, after “**PROVIDE**” insert “, AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM,”; in lines 10 and 13, in each instance, after “**RESUSCITATION**” insert “THAT INCLUDES HANDS-ONLY CARDIOPULMONARY RESUSCITATION”; and in line 15, strike “**7**” and substitute “**9**”.

On page 3, in line 5, strike “**LICENSED**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 610 – Senator Jennings

AN ACT concerning

National Guard – Tuition Assistance – Members of Disbanded Units

SB0610/754336/1

BY: Education, Health, and Environmental Affairs Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Jennings” and substitute “Senators Jennings, Benson, Conway, Dyson, Ferguson, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young”.

AMENDMENT NO. 2

On page 3, in line 3, after “DISBANDED” insert “ON OR AFTER SEPTEMBER 1, 2013,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 666 – Senators Pinsky, Benson, Conway, Ferguson, Frosh, Madaleno, Montgomery, and Rosapepe

AN ACT concerning

Teaching Fellows for Maryland Scholarship Program

SB0666/594031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 666

(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;”; in line 12, strike “under this Act; requiring certain awards to be made”; in line 13, after “years;” insert “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 9, strike "public" and substitute ":

(1) PUBLIC SENIOR HIGHER EDUCATION";

strike beginning with "of" in line 9 down through "education" in line 10; in line 11, 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 15, strike "elementary or secondary"; in the same line, after "school" insert "OR A PUBLIC PREKINDERGARTEN PROGRAM"; in line 23, 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 “mandatory fees” insert “, AND ROOM AND BOARD”; in line 26, strike “ON OR BEFORE MARCH 1, 2015” and substitute “FOR THE 2015–2016 ACADEMIC YEAR”; in line 28, strike “ON OR BEFORE MARCH 1, 2016” and substitute “FOR THE 2016–2017 ACADEMIC YEAR”; and in line 30, strike “ON OR BEFORE MARCH 1, 2017” and substitute “FOR THE 2017–2018 ACADEMIC YEAR”.

On page 7, in line 1, strike “ON OR BEFORE MARCH 1, 2018” and substitute “FOR THE 2018–2019 ACADEMIC YEAR”; and in the same line, after “EACH” insert “ACADEMIC”.

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.

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

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

SB0701/424237/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 701

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “parents” insert “or guardian”.

AMENDMENT NO. 2

On page 1, in line 16, after “PARENTS” insert “OR GUARDIAN”.

On page 2, in line 5, after “PARENT’S” insert “OR GUARDIAN’S”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 747 – Senator Astle

AN ACT concerning

Anne Arundel County – Superintendent of Schools – Compensation

SB0747/634234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 747

(First Reading File Bill)

On page 2, in line 5, after “BENEFITS” insert “EARNED”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 401)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #38

Senate Bill 212 – Senators Madaleno, Raskin, Manno, Benson, Conway, Currie, Feldman, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Young, and Zirkin

AN ACT concerning

Fairness for All Marylanders Act of 2014

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

Affirmative – 32 Negative – 15 (See Roll Call No. 402)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 403)

ADJOURNMENT

At 11:20 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, March 5, 2014.

Annapolis, Maryland
Wednesday, March 5, 2014
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Senator Jennings.

(See Exhibit A of Appendix III)

The Journal of March 4, 2014 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 405)

INTRODUCTION OF BILLS

Senator Jones–Rodwell moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1102 – Senator Jones–Rodwell

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Baltimore City –
Franklin Entrepreneurial and Apprenticeship Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the type of matching fund that may be provided by the Board of Directors of the Druid Heights Community Development Corporation for certain grants; extending the deadline for a certain grantee to present evidence of certain matching funds for certain grants; providing that certain grants may not

terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(L) and Item ZA03(L)

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

Senator Jones–Rodwell moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1103 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Alcoholic Beverages – Class C Licenses

FOR the purpose of authorizing the Board of Liquor License Commissioners for Baltimore City to issue a Class C beer, wine and liquor license in ward 5, precinct 1 of the 44th alcoholic beverages district in Baltimore City; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–204.1(a), (b), (c), and (d)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–204.1(d)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 240 – Delegate Lafferty

AN ACT concerning

Environment – Solid Waste Management Practices – Maryland Recycling and Landfill Diversion Task Force

FOR the purpose of ~~requiring~~ authorizing each county and the Department of the Environment to adopt a certain solid waste management hierarchy; declaring the intent of the General Assembly that the State undertake certain actions relating to recycling and landfill disposal rates; establishing the Maryland Recycling and Landfill Diversion Task Force; providing for the composition, cochairs, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to determine the aspirational statewide recycling goal and a recycling and landfill diversion portfolio standard that will reduce the amount of solid waste being sent to landfills; specifying certain duties of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of the Task Force; specifying certain findings of the General Assembly; making conforming changes; and generally relating to the establishment of a recycling and landfill diversion portfolio standard and the establishment of the Maryland Recycling and Landfill Diversion Task Force.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–504
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

House Bill 401 – Delegate Cullison

AN ACT concerning

Health Occupations – Chiropractors, Massage Therapists, Physical Therapists, and Physical Therapist Assistants – Criminal History Records Checks Required

FOR the purpose of requiring certain applicants to the State Board of Chiropractic and Massage Therapy Examiners and the State Board of Physical Therapy Examiners to submit to a certain criminal history records check; requiring certain applicants to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of

Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward to certain boards and certain applicants certain criminal history record information; authorizing certain boards to accept certain alternate methods of criminal history records checks under certain circumstances; providing that certain information is confidential, may not be disseminated, and may be used only for certain purposes; authorizing certain individuals to contest the contents of certain statements issued by the Central Repository under certain circumstances; requiring the submission of certain evidence to a certain board as part of a certain application for licensure; requiring certain boards to consider certain factors in determining whether to grant certain licenses or registrations on receipt of certain criminal history record information; prohibiting certain boards from issuing certain licenses or registrations under certain circumstances; authorizing certain boards to deny certain licenses or registrations, reprimand or place on probation certain licensees, or suspend or revoke certain licenses or registrations under certain circumstances; defining a certain term; and generally relating to requiring criminal history records checks for chiropractors, massage therapists, physical therapists, and physical therapist assistants.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 3–302(a), 3–303(a)(4) and (5), 3–306(a), 3–313(27) and (28), 3–5A–06(a)(4) and (5) and (b)(3) and (4), 3–5A–09, 3–5A–11(a)(20) and (21), 13–302(a), 13–305, 13–308(a), and 13–316(24) and (25)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 3–302.1, 3–303(a)(6), 3–306(c), 3–313(29), 3–5A–06(a)(6) and (b)(5), 3–5A–11(a)(22), 13–302.1, 13–308(d), and 13–316(26)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 740 – Delegates Beidle, Barnes, Barve, Bobo, Bohanan, Branch, Braveboy, Bromwell, Busch, Cane, Carter, Clagett, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Frush, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Hubbard, James, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Love, Luedtke, Malone, McHale, McIntosh, A. Miller, Niemann, Oaks, Olszewski, Pena–Melnik, Pendergrass, Proctor, B. Robinson, Rudolph, Sophocleus, Stein, F. Turner, V. Turner, Vallario, Waldstreicher, Walker, Weir, and Zucker

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –
Cybersecurity Investment Fund**

FOR the purpose of establishing the Cybersecurity Investment Fund in the Maryland Technology Development Corporation as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Corporation 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; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; requiring the Corporation to provide certain reports that include certain information; defining certain terms; and generally relating to economic development, commercialization of technology in the State, and the Cybersecurity Investment Fund.

BY adding to

Article – Economic Development

Section 10–463 through 10–465 to be under the new part “Part VI.
Cybersecurity Investment Fund”

Annotated Code of Maryland

(2008 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 Finance.

LAI D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 141 – Senator Conway

AN ACT concerning

Tax Sales – Environmental Violations – Liens on Real Property

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

SB0141/449033/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 141

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Tax” insert “Baltimore City –”; in the same line, strike “Environmental Violations – Liens on Real Property” and substitute “Nonpayment of Environmental Citations”; strike beginning with “requiring” in line 3 down through “under” in line 10 and substitute “altering a certain prohibition against tax sales in Baltimore City for nonpayment of certain environmental citations to apply the prohibition only if the total amount of unpaid environmental citations is less than”; and strike in their entirety lines 12 through 26, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (19)(b)

(2007 Replacement Volume, as amended December 31, 2006)”.

AMENDMENT NO. 2

On pages 2 though 6, strike in their entirety the lines beginning with line 3 on page 2 through line 28 on page 6, inclusive, and substitute:

“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:

(19)

(b) Real property may not be offered for sale in a Baltimore City tax sale solely for nonpayment of environmental citations issued under Article 1, Subtitle 40 of the Baltimore City Code IF THE TOTAL AMOUNT OF UNPAID ENVIRONMENTAL CITATIONS IS LESS THAN \$1,000.”.

On page 6, in line 31, strike “the Environment Article” and substitute “Article 1, Subtitle 40 of the Baltimore City Code”.

The preceding 2 amendments were read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendments a Special Order for March 6, 2014.

The motion was adopted.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 440 – Senator Douglas J. J. Peters:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland Vietnam Era Veterans
in recognition of
Maryland veterans of the Vietnam Era, and their families, for their service and
sacrifice on behalf of the United States.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 5th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 407)

PETITIONS, MEMORIALS AND OTHER PAPERS

TRIBUTE TO MARYLAND FALLEN HEROES BY SENATOR PETERS

Mr. President, Ladies and Gentleman of the Senate, Veterans and Guests – It is indeed an honor to host the annual tribute to our Maryland Fallen Heroes – the men and women who have paid the ultimate price. Our hearts go out to the families whose lives have been altered by events of war. We offer you our prayers and support. Additionally, in our Chamber we have the honor to have with us Veteran's of the Vietnam War Era and their families.

Read and ordered journalized.

VIETNAM VETERANS RECOGNITION BY SENATOR ASTLE

Mr. President, ladies and gentlemen of the senate, honored guests and my brothers in arms – I am truly honored to be speaking today on behalf of all the Vietnam vets in Maryland. I guess I got the nod because I am the only Vietnam vet in the senate. We do have some Vietnam era vets but only one who served in RVN.

Many of us were born during WW2 and others in the late 40s. We all had family members who served in the military during that war. I think we all can remember the parades honoring those men and women who had won a war on 2 fronts. It was a war that the whole country was committed to. So as we began to come of age it was assumed in many communities that we would serve. I know that was how it was in the community that I grew up in. It was considered the honorable thing to do.

We had a vision of what war was like. We had heard the stories from our older family members. Of course these were told in such a way that their activities seemed glorious. So that was the mindset that many of us had as we got off the plane and stepped onto the soil of Vietnam. We were quickly to discover that war is not glorious. It is a very ugly thing filled with fear, death, destruction and deep emotions as we lost friends. One of the first things to go is patriotism and mom and apple pie. What replaces it is an intense loyalty to one's friends. We had a little saying, "better dead than look bad". Letting down one's friends was just not done and often people would do very courageous things to protect friends.

While we were there engaged in what for many of us was a life and death struggle, there were changes going on back home – young men burning their draft card and mass demonstration where they chanted "hell no, we won't go". Young men leaving to go live in Canada – it was difficult for us to understand because it wasn't the country that we had left. I remember hearing that students were picketing a Dow Chemical recruiter on a campus because Dow made Napalm. We knew nape was a

terrible weapon but it worked to save many American lives. We also had to operate under rules of engagement. That seemed a little crazy. Here we are engaging an enemy who doesn't operate with those rules and we felt it put us at a disadvantage.

Having endured and survived, we came back to a country that blamed the war on us. People called us baby killers and worse. In some places we were shunned. I got home feeling that I had accomplished something with my life. I had served my fellow Marines and saved lives. As I was walking in uniform along the concourse of the LA airport I was spit on by a woman. I wanted very much to smack her in the face but that would not have looked good on the part of a Marine officer. So for a long time we dealt with our memories, with our scars both physical and emotional. We did alone or in small groups of friends who had shared the same experience. But for the country as a whole we were forgotten. That is what makes this recognition ceremony so special because all of us are being recognized for what we accomplished.

I want to close with this. While we were there fighting and many young men were doing their best to avoid the military there was some push back on the part of many of the vets.

There is a saying that is engraved on brass plaques that I'm sure are hanging in many homes today – I know it hangs in my home. It goes like this – War is an ugly thing, but not the ugliest of things: The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. A man who has nothing for which he is willing to fight; nothing he cares about more than his own personal safety; is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself.

My brothers, we are those better men. Welcome Home!

Read and ordered journalized.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 216 – ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Kittleman, Glassman, Kelley, Mathias, Pugh, and Ramirez

AN ACT concerning

Workers' Compensation – Workers' Compensation Commission – Issuance of Subpoenas

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

Affirmative – 46 Negative – 0 (See Roll Call No. 408)

The Bill was then sent to the House of Delegates.

**Senate Bill 283 – Senators Jennings, Brochin, Hershey, Jacobs, Klausmeier,
and Shank**

AN ACT concerning

**Public Safety – Handgun Permit Background ~~Check~~ Investigation – Armored
Car Company Employees**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 409)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 410)

The Bill was then sent to the House of Delegates.

Senate Bill 617 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Sheriff – Salary

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

Affirmative – 45 Negative – 1 (See Roll Call No. 411)

The Bill was then sent to the House of Delegates.

Senate Bill 641 – Senators Mathias, Pugh, ~~and Raskin~~ Raskin, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Ramirez

AN ACT concerning

Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014

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

Affirmative – 46 Negative – 0 (See Roll Call No. 412)

The Bill was then sent to the House of Delegates.

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 – 42 Negative – 4 (See Roll Call No. 413)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 414)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #20**

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

Senate Bill 298 – Montgomery County Senators

AN ACT concerning

Alcoholic Beverages – Montgomery County – Beer Festivals

SB0298/684633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 298

(First Reading File Bill)

On page 2, in line 25, strike “OR”; and in the same line, after “MICRO-BREWERY” insert “LICENSE, OR A STATE CLASS 8 FARM BREWERY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 302 – Montgomery County Senators

AN ACT concerning

**Montgomery County – City of Takoma Park – Alcoholic Beverages – Class B
On- and Off-Sale License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 307 – Montgomery County Senators

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor
Licenses**

SB0307/364036/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 307

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “removing” in line 4 down through “County;” in line 5 and substitute “authorizing the Montgomery County Board of License Commissioners to issue a Class B beer, wine and liquor license to an operator of a restaurant or hotel; requiring, as a prerequisite for the initial issuance of a Class B beer, wine and liquor license, an operator of a restaurant or hotel to attest to a certain proportion of future food and alcoholic beverage sales based on gross receipts; requiring, as a prerequisite for each renewal of a Class B beer, wine and liquor license, an operator of a restaurant or hotel to attest to a certain proportion of food and alcoholic beverage sales based on gross receipts from sales during a certain period of time; repealing a prohibition on the serving or consumption of alcoholic beverages at any bar, counter without seats, or certain other areas of a restaurant or hotel for which a Class B beer, wine and liquor license is issued; repealing a certain limit on the number of seats in a cocktail area of a restaurant or hotel for which a Class B beer, wine and liquor license is issued; repealing a prohibition on the display of certain signs in connection with a restaurant or hotel for which a Class B beer, wine and liquor license is issued;”; strike beginning with “authorizing” in line 7 down through “receive” in line 11 and substitute “authorizing a person to hold a certain maximum number of Class B beer, wine and liquor licenses, with an exception allowing a licensee to obtain an additional license for a public hotel under certain conditions”; in line 13, after “circumstances;” insert “repealing certain definitions;”; in line 14, after “change;” insert “clarifying language;”; and in line 18, strike “8-216(a)(1)” and substitute “8-216(a)(1), (d)(1), (e), and (f)”.

AMENDMENT NO. 2

On page 2, in lines 10, 12, and 15, in each instance, strike the bracket; and in lines 10, 17, and 21, in each instance, after “owner” insert “OR OPERATOR”.

On page 3, strike beginning with the comma in line 10 down through “facilities” in line 15; strike in their entirety lines 16 through 19, inclusive; in line 20, strike “(v)” and substitute “(IV)”; and in line 31, strike “subsection” and substitute “SUBSECTIONS (D), (E), AND”.

On pages 3 and 4, strike beginning with the colon in line 37 on page 3 down through “A” in line 2 on page 4 and substitute “A”.

On page 4, strike beginning with the colon in line 5 down through “A” in line 7 and substitute “A”.

On page 6, strike beginning with the colon in line 10 down through “A” in line 12 and substitute “A”; and strike in their entirety lines 14 through 16, inclusive, and substitute:

“(d) (1) The Montgomery County Board of License Commissioners may issue, renew, and transfer and otherwise provide for 8 classes of alcoholic beverages licenses in the City of Takoma Park as follows:

(i) Class B (on-sale) beer and light wine, hotel and restaurant licenses;

(ii) Class H (on-sale) beer and light wine, hotel and restaurant licenses;

(iii) Class B (on-sale) beer, wine and liquor, hotel and restaurant licenses;

(iv) Class H-TP (on-sale) beer license;

(v) Class D-TP (on- and off-sale) beer and light wine license;

(vi) Class A-TP (off-sale) beer, wine and liquor license;

(vii) Class C-TP (on-sale) beer, wine and liquor license; and

(viii) Beer and wine sampling or tasting (BWST) licenses issued under § 8-408.2 of this title.

(e) The Board of License Commissioners may issue, renew, and transfer and otherwise provide a maximum of 2 Class H (on-sale) beer and light wine, hotel and restaurant licenses for use in the town of Laytonsville provided that:

(1) No license may be issued to any restaurant in which pool tables, billiard tables, shuffleboards, dart boards, video games, pinball machines, or recreational devices are used; and

(2) Alcoholic beverages served by a licensee may only be consumed by patrons while patrons are seated.

(f) The Montgomery County Board of License Commissioners may issue, renew, and transfer and otherwise provide Class H (on-sale) beer and light wine, hotel, and restaurant licenses for use in Damascus (12th election district) provided that:

(1) A license may not be issued to any restaurant in which pool tables, billiard tables, shuffleboards, dart boards, video games, pinball machines, or recreational devices are used; and

(2) Alcoholic beverages served by a licensee may be consumed by a patron only while the patron is seated.”.

On page 7, strike in their entirety lines 5 through 13, inclusive; in line 14, strike “(d) (1)” and substitute “**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY HOLD A MAXIMUM OF 10 LICENSES.**”

(2) (I);

in line 16, strike “(2)” and substitute “**(II)**”; in line 17, strike “(i)” and substitute “**1.**”; and in line 20, strike “(ii)” and substitute “**2.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 310 – Montgomery County Senators

AN ACT concerning

Montgomery County – Micro-Brewery Licenses and Class D Beer and Light Wine Licenses

SB0310/664732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 310
(First Reading File Bill)

On page 3, in lines 16 and 17, in each instance, strike the bracket.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 311 – Montgomery County Senators

AN ACT concerning

Montgomery County – Alcoholic Beverages – Special BWL Community Performing Arts Facility License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 459 – Montgomery County Senators

AN ACT concerning

Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor (Clubhouse/Lodge) License

SB0459/244632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 459
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “the” in line 5 down through “which” in line 6 and substitute “that”; and in line 7, after “license” insert “only to a certain person for use by a certain facility”.

AMENDMENT NO. 2

On page 3, in line 30, after “TO” insert “THE EXECUTIVE DIRECTOR OF THE MONTGOMERY COUNTY REVENUE AUTHORITY, OR THE EXECUTIVE DIRECTOR’S DESIGNEE, FOR USE BY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #21**

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

Senate Bill 339 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – License Applications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 340 – Calvert County Senators

AN ACT concerning

**Calvert County – Alcoholic Beverages – Unlicensed Establishments –
Prohibitions**

SB0340/754131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 340

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “prohibiting” insert “, subject to a certain exception.”.

AMENDMENT NO. 2

On page 2, in line 3, strike “AN” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN**”; and after line 6, insert:

“(2) A VOLUNTEER FIRE DEPARTMENT, RESCUE SQUAD, OR EMERGENCY MEDICAL SERVICES ORGANIZATION MAY CONDUCT NO MORE THAN FOUR EVENTS EACH YEAR TO WHICH INDIVIDUALS MAY BRING ALCOHOLIC BEVERAGES TO BE CONSUMED ON THE PREMISES OR ON PREMISES UNDER THE CONTROL OR POSSESSION OF THE VOLUNTEER FIRE DEPARTMENT, RESCUE SQUAD, OR EMERGENCY MEDICAL SERVICES ORGANIZATION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 420 – Senator Edwards

AN ACT concerning

Alcoholic Beverages – Garrett County – Beer Festival Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 495 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Premises Inspections

SB0495/604630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 495

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, after “Inspections” insert “and Penalties”; in line 6, after “months;” insert “authorizing the Board of License Commissioners for Calvert County to impose certain fines or suspend an alcoholic beverages license under certain circumstances; authorizing the Board to impose certain penalties if an alcoholic beverages licensee or an employee of the licensee sells alcoholic beverages to a person under the age of 21 years; specifying that certain money collected be deposited into the general fund of the county; requiring the Board to consider certain factors in determining the length of a certain suspension to be imposed; requiring the Board to impose a fine in accordance with a certain provision of law;”; and after line 12, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 16–507(f)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

After line 19, insert:

“16–507.

(F) (1) THIS SUBSECTION APPLIES ONLY IN CALVERT COUNTY.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY:

(I) EXCEPT FOR A VIOLATION REGARDING A BOTTLE CLUB, IMPOSE A FINE NOT EXCEEDING:

1. \$2,500 FOR A VIOLATION OF STATE LAW; OR
2. \$500 FOR A VIOLATION OF THE RULES AND REGULATIONS OF THE BOARD; OR

(II) SUSPEND AN ALCOHOLIC BEVERAGES LICENSE FOR A VIOLATION OF ANY ALCOHOLIC BEVERAGES LAW THAT APPLIES IN THE COUNTY.

(3) IF AN ALCOHOLIC BEVERAGES LICENSEE OR AN EMPLOYEE OF AN ALCOHOLIC BEVERAGES LICENSEE SELLS ALCOHOLIC BEVERAGES TO A PERSON UNDER THE AGE OF 21 YEARS, THE BOARD MAY:

(I) FOR A FIRST OFFENSE, SUSPEND THE LICENSE FOR NOT MORE THAN 3 DAYS OR IMPOSE A FINE NOT EXCEEDING \$500 OR BOTH; AND

(II) FOR AN OFFENSE OCCURRING WITHIN 5 YEARS AFTER A PRIOR OFFENSE, SUSPEND THE LICENSE FOR NOT MORE THAN 30 DAYS OR IMPOSE A FINE NOT EXCEEDING \$2,500 OR BOTH.

(4) MONEY COLLECTED UNDER THIS SUBSECTION SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE COUNTY.

(5) IN DETERMINING THE LENGTH OF A SUSPENSION UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION, THE BOARD SHALL CONSIDER THE CLASS OF LICENSE AND THE ECONOMIC IMPACT THE SUSPENSION WILL HAVE ON THE BUSINESS OF THE LICENSEE.

(6) THE BOARD SHALL IMPOSE A FINE UNDER THIS SUBSECTION IN ACCORDANCE WITH § 10-1001 OF THE STATE GOVERNMENT ARTICLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 496 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Organizational Licenses

SB0496/774936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 496

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “or civic”; in the same line, after “organization” insert “, volunteer fire department, or volunteer rescue squad”.

AMENDMENT NO. 2

On page 2, in lines 2 and 3, strike “OR CIVIC”; in line 3, after the first “ORGANIZATION” insert “, VOLUNTEER FIRE DEPARTMENT, OR VOLUNTEER RESCUE SQUAD”; and in the same line, after the second “ORGANIZATION” insert “, FIRE DEPARTMENT, OR RESCUE SQUAD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 548 – Calvert County Senators

AN ACT concerning

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

SB0548/614639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 548

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “License” and substitute “Permit”; in line 5, strike the first “license” and substitute “permit”; and in lines 6, 10, and 12, in each instance, strike “license” and substitute “permit”.

AMENDMENT NO. 2

On page 2, in line 2, strike “LICENSE” and substitute “PERMIT”; in line 4, strike the first “LICENSE” and substitute “PERMIT”; and in lines 7, 14, and 18, in each instance, strike “LICENSE” and substitute “PERMIT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 611 – Calvert County Senators

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #22**

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

Senate Bill 161 – Senators Conway and Reilly

AN ACT concerning

Alcoholic Beverages – Hard Cider – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 250 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Micro-Brewery Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 341 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Refillable Container Permit

SB0341/604631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 341

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 14, in each instance, after “County” insert “and St. Mary’s County”; in line 4, strike “Board of License Commissioners” and substitute “boards of license commissioners for the counties”; in lines 5 and 13, in each instance, strike “Board” and substitute “boards”; and in line 17, after “8–205” insert “and 8–219.1”.

AMENDMENT NO. 2

On page 3, after line 23, insert:

“8–219.1.

(A) THIS SECTION APPLIES ONLY IN ST. MARY’S COUNTY.

(B) IN THIS SECTION, “BOARD” MEANS THE BOARD OF LICENSE COMMISSIONERS.

(C) (1) THERE IS A REFILLABLE CONTAINER PERMIT.

(2) 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.

(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A REFILLABLE CONTAINER PERMIT ENTITLES THE PERMIT HOLDER TO SELL DRAFT BEER FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER WITH A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES.

(4) TO BE USED AS A REFILLABLE CONTAINER UNDER PARAGRAPH (3) OF THIS SUBSECTION, A CONTAINER SHALL:

(I) BE SEALABLE;

(II) BE BRANDED WITH AN IDENTIFYING MARK OF THE PERMIT HOLDER WHO SELLS THE CONTAINER;

(III) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

(IV) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(V) BEAR A LABEL STATING THAT:

1. CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

2. THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITH 48 HOURS AFTER PURCHASE.

(5) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT:

(I) THE APPLICANT SHALL:

1. COMPLETE THE FORM THAT THE BOARD PROVIDES; AND

2. PAY AN ANNUAL PERMIT FEE OF:

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; AND

(II) AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING-OF-NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE LICENSE THAT THE APPLICANT HOLDS.

(6) THE TERM OF A REFILLABLE CONTAINER PERMIT ISSUED TO A SUCCESSFUL APPLICANT IS THE SAME AS THAT OF THE LICENSE THAT THE APPLICANT HOLDS.

(7) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT:

(I) BEGIN AT THE SAME TIME AS THOSE FOR THE LICENSE ALREADY HELD BY THE PERSON TO WHOM THE REFILLABLE CONTAINER PERMIT IS ISSUED; AND

(II) END AT MIDNIGHT.

(8) A PERMIT HOLDER MAY REFILL ONLY A REFILLABLE CONTAINER THAT WAS BRANDED BY A PERMIT HOLDER.

(9) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 458 – Senators Pugh and Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Micro-Brewery Licenses

SB0458/734731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 458

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “locations” insert “, under certain circumstances”; in the same line, after the semicolon insert “requiring a holder of a Class 7 license to submit a certain application to the State Comptroller; requiring the State Comptroller to make a certain determination and consider a certain factor; prohibiting a holder of a Class 7 license from serving or selling beer at a certain location”.

AMENDMENT NO. 2

On page 4, in line 25, strike “IN” and substitute “(I) SUBJECT TO SUBPARAGRAPHS (II), (III), AND (IV) OF THIS PARAGRAPH, IN”; in lines 27 and 29, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 30, strike “(I)” and substitute “1”; and after line 31, insert:

“(II) THE HOLDER OF A CLASS 7 LICENSE MAY BREW IN TWO LOCATIONS USING THE SAME LICENSE IF THE LICENSE HOLDER:

1. REQUESTS PERMISSION BY SUBMITTING A WRITTEN APPLICATION TO THE STATE COMPTROLLER; AND

2. OBTAINS WRITTEN APPROVAL FROM THE STATE COMPTROLLER.

(III) BEFORE AUTHORIZING A HOLDER OF A CLASS 7 LICENSE TO BREW IN TWO LOCATIONS USING THE SAME LICENSE, THE STATE COMPTROLLER SHALL:

1. MAKE A DETERMINATION THAT A SECOND LOCATION TO BREW ADDITIONAL CAPACITY IS NECESSARY DUE TO INSUFFICIENT SPACE AT THE EXISTING CLASS 7 LICENSE LOCATION; AND

2. CONSIDER ANY OTHER FACTOR RELEVANT TO APPROVAL OF THE APPLICATION.

(IV) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A HOLDER OF A CLASS 7 LICENSE MAY NOT SERVE OR SELL BEER FOR ON-PREMISES OR OFF-PREMISES CONSUMPTION AT THE SECOND BREWING LOCATION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 657 – Montgomery County Senators

AN ACT concerning

Montgomery County – Alcoholic Beverages – Beer, Wine and Liquor Licenses

SB0657/124430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 657

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “sales” insert “during certain hours”; in line 8, strike “future”; in line 9, after the first “sales” insert “during certain hours”; in line 17, after “Sunday,” insert “altering the hours that a holder of a Class B–BWL or Class B–BWL (H–M) license may sell alcoholic beverages on Monday, Tuesday, Wednesday, Thursday, and certain Sundays;”; and in line 21, strike “Friday, Saturday, and certain Sundays” and substitute “certain days”.

AMENDMENT NO. 2

On page 2, in line 33, after “BEVERAGES” insert “:

1. FROM 9 A.M. TO 9 P.M. ON MONDAY, TUESDAY, WEDNESDAY, THURSDAY, FRIDAY, AND SATURDAY; AND

2. FROM 10 A.M. TO 9 P.M. ON SUNDAY”.

On page 3, in line 4, after “BEVERAGES” insert “:

1. FROM 9 A.M. TO 9 P.M. ON MONDAY, TUESDAY, WEDNESDAY, THURSDAY, FRIDAY, AND SATURDAY; AND

2. FROM 10 A.M. TO 9 P.M. ON SUNDAY”.

On page 4, in line 28, strike “1 A.M.” and substitute “2 A.M.”.

On page 5, in line 12, strike “1 A.M.” and substitute “2 A.M.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 692 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Alcoholic Beverages – Restaurant Seating Capacity

SB0692/874636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 692

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “reducing” and substitute “setting”; and in line 4, after “restaurants” insert “and Class P alcoholic beverages (on-sale) restaurants”.

AMENDMENT NO. 2

On page 2, in line 2, strike “[75] 50 persons; and” and substitute “:

A. 75 PERSONS FOR A CLASS B ALCOHOLIC BEVERAGES (ON-SALE) LICENSE; OR

B. 50 PERSONS FOR A CLASS P ALCOHOLIC BEVERAGES (ON-SALE) LICENSE; AND

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 764 – Senators Colburn and Hershey

AN ACT concerning

Caroline County – Volunteer Fire Companies – Storage of Alcoholic Beverages

SB0764/714934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 764

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “during” in line 11 down through “day” in line 12 and substitute “as provided under a certain provision of law”.

AMENDMENT NO. 2

On page 3, in line 11, after “A” insert “**SPECIALLY IDENTIFIED**”; in line 13, after “HOURS” insert “**FOR LICENSED EVENT PURPOSES**”; and strike beginning with the colon in line 28 down through “EVENT” in line 31 and substitute “**AS PROVIDED UNDER § 16-405 OF THIS ARTICLE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

RECONSIDERATION

Senator Dyson moved, duly seconded, to reconsider the vote by which **Senate Bill 611** passed Second Reading.

The motion was adopted.

Senate Bill 611 – Calvert County Senators

AN ACT concerning

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

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Dyson moved, duly seconded, to make the Bill a Special Order for March 6, 2014.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #23**

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

Senate Bill 412 – Senator Dyson

AN ACT concerning

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

SB0412/444532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 412

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prepare and”; and in line 5, strike “personally preparing and”.

AMENDMENT NO. 2

On page 2, in line 10, strike “PERSONALLY PREPARING AND”; in line 13, strike “AND”; and in line 15, after “CHART” insert “;AND”

(4) THE LICENSED DENTIST AFFIXES A LABEL ON THE ANTIBIOTIC CONTAINER THAT INCLUDES:

(i) THE NAME OF THE PATIENT; AND

(ii) UNLESS ALREADY PRINTED ON THE CONTAINER:

1. THE EXPIRATION DATE OF THE ANTIBIOTIC; AND

2. THE INSTRUCTIONS FOR TAKING THE ANTIBIOTIC”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 455 – Senator Reilly

AN ACT concerning

Higher Education – Unaccompanied Homeless Youth – Tuition Exemption

SB0455/834631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 455

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Reilly” and substitute “Senators Reilly, Conway, Dyson, Ferguson, Montgomery, and Rosapepe”; strike beginning with “authorizing” in line 5 down through “available” in line 7 and substitute “requiring a certain administrator to verify that certain youth qualify as certain students under a certain federal act”; and in line 7, after “to” insert “a”.

AMENDMENT NO. 2

On page 2, in line 21, strike “1.”; and strike beginning with the semicolon in line 22 down through the colon in line 24 and substitute “.”

(B) WHEN DETERMINING WHETHER A YOUTH IS AN UNACCOMPANIED HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR SHALL VERIFY THAT THE YOUTH QUALIFIES AS AN INDEPENDENT STUDENT UNDER THE FEDERAL COLLEGE COST REDUCTION AND ACCESS ACT, 20 U.S.C. § 1087VV(D)(1)(H).”

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 7 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 32, insert:

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

(a) on or before June 30, 2017, each public institution of higher education in the State shall report to the Maryland Higher Education Commission regarding the number of unaccompanied homeless youth that receive a tuition exemption under § 15–106.1 of the Education Article, as enacted by Section 1 of this Act, in the preceding 3 years; and

(b) on or before September 1, 2017, the Maryland Higher Education Commission shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Ways and Means Committee regarding the information collected under subsection (a) of this section.”;

and in line 33, 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.

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

Senate Bill 716 – Senators Ferguson, King, Montgomery, and Pinsky

AN ACT concerning

Child Care Centers – Healthy Eating and Physical Activity Act

SB0716/634336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 716

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pinsky” and substitute “Pinsky, Conway, Benson, Jennings, and Rosapepe”; and 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) REQUIRING COMPLIANCE WITH THE UNITED STATES FOOD AND DRUG ADMINISTRATION CHILD AND ADULT CARE FOOD PROGRAM STANDARDS FOR BEVERAGES SERVED TO CHILDREN, INCLUDING 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.

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

Senate Bill 857 – Senators Kasemeyer and Conway

AN ACT concerning

Task Force to Study a Funding Formula for Corollary Athletic Programs

SB0857/994338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 857

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Physical Education and Athletic Programs for Students With Disabilities – Funding”; strike beginning with

“establishing” in line 3 down through “Programs” in line 11 and substitute “requiring the State Board of Education and certain county boards of education to ensure that certain types of physical education and athletic programs are funded in a certain manner; and generally relating to the funding of certain physical education and athletic programs”.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,
Article – Education
Section 7-4B-02
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 12, after “That” insert “the Laws of Maryland read as follows”; and after line 12, insert “Article – Education”.

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 18 on page 3 and substitute:

“7-4B-02.

(a) Subject to subsection (b) of this section, the State Board and each county board shall:

(1) Ensure that students with disabilities have an equal opportunity to:

(i) Participate in mainstream physical education programs; and
(ii) Try out for and, if selected, participate in mainstream athletic programs;

(2) Ensure the provision of reasonable accommodations necessary to provide students with disabilities equal opportunity to participate, to the fullest extent possible, in mainstream physical education and mainstream athletic programs; and

(3) Ensure that adapted, allied, or unified physical education and athletic programs are available AND ADEQUATELY FUNDED BY THE COUNTY BOARD.

(b) An exception to the requirements under subsection (a) of this section may be made when the inclusion of a student:

(1) Presents an objective safety risk to the student or to others, based on an individualized assessment of the student; or

(2) Fundamentally alters the nature of the school's mainstream physical education or mainstream athletic program.

(c) The provision of adapted, allied, or unified programs for students with disabilities does not mitigate the duty of a county board to provide an individual student with a disability an equal opportunity to be fully included in mainstream physical education and mainstream athletic programs.”.

On page 3, strike beginning with “It” in line 20 down through “effect.” in line 22.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #8

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1052 – Senator Jennings

AN ACT concerning

Creation of a State Debt – Harford County – Ladew Topiary Gardens

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1072 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Kingsville Volunteer Fire Company

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1073 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – F. Scott Fitzgerald Theater ADA Parking and Access Improvements

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1076 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Olde Mill Community and Teaching Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1077 – Senator Muse

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2012 – Prince George’s County – Southern Area Indoor Aquatic Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1078 – Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Silver Spring Volunteer Fire Department Station #16

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1087 – Senator Mathias

AN ACT concerning

Creation of a State Debt – Delmar Public Library

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1089 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern Middle School and Southern High School Improvements

The bill was re-referred to the Committee on Budget and Taxation.

QUORUM CALL

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

(See Roll Call No. 415)

ADJOURNMENT

At 11:35 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Thursday, March 6, 2014.

**Annapolis, Maryland
Thursday, March 6, 2014
10:00 A.M. Session**

The Senate met at 10:15 A.M.

Prayer by Reverend Doctor Alvin C. Hathaway, Union Baptist Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of March 5, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Jennings, Shank and Zirkin be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 417)

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #13

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

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**

SB0248/608672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 248
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “providing that a person who violates” and substitute “extending the statute of limitations for a certain time period for a violation of”; strike beginning with “is” in line 5 down through “misdemeanor” in line 6; in line 8, after “felony” insert “and statutes of limitations”; after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 5–106(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–106(dd)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)”;

and in line 9, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“Article – Courts and Judicial Proceedings

5–106.

(a) Except as provided by this section and § 1–303 of the Environment Article, a prosecution for a misdemeanor shall be instituted within 1 year after the offense was committed.

(DD) A PROSECUTION FOR AN OFFENSE UNDER § 4–204 OF THE CRIMINAL LAW ARTICLE RELATING TO THE USE OF A FIREARM IN THE COMMISSION OF A CRIME OF VIOLENCE OR FELONY SHALL BE INSTITUTED WITHIN 3 YEARS AFTER THE OFFENSE WAS COMMITTED.”.

On page 2, strike in their entirety lines 15 and 16.

The preceding 2 Committee amendments were withdrawn.

SB0248/608672/2

BY: Judicial Proceedings Committee

SUBSTITUTE COMMITTEE AMENDMENTS TO SENATE BILL 248
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “providing that a person who violates” and substitute “extending the statute of limitations for a violation of”; strike beginning with “is” in line 5 down through “misdemeanor” in line 6; in line 8, after “felony” insert “and statutes of limitations”; after line 8, insert:

“BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–106(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)”

BY adding to

Article – Courts and Judicial Proceedings
Section 5–106(dd)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)”;

and in line 9, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“Article – Courts and Judicial Proceedings

5–106.

(a) Except as provided by this section and § 1–303 of the Environment Article, a prosecution for a misdemeanor shall be instituted within 1 year after the offense was committed.

(DD) THE STATUTE OF LIMITATIONS FOR THE PROSECUTION OF AN OFFENSE UNDER § 4-204 OF THE CRIMINAL LAW ARTICLE RELATING TO THE USE OF A FIREARM IN THE COMMISSION OF A CRIME OF VIOLENCE OR FELONY IS THE SAME AS THE STATUTE OF LIMITATIONS FOR THE UNDERLYING CRIME.

On page 2, strike in their entirety lines 15 and 16.

The preceding 2 substitute committee floor amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 378 – Senator Conway

AN ACT concerning

Vehicle Laws – Electric Bicycle – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 389 – Senator Robey

AN ACT concerning

Motor Vehicles – Inspection Certificates for Used Vehicles – Procedures

SB0389/978370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 389
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “stations;” in line 6; in line 6, after “the” insert “Automotive Safety Enforcement”; in line 7, after “Division” insert “of the Department of State Police”; in lines 8 and 9, strike “authorizing the Division to require” and substitute “establishing that the Division”

may authorize”; in line 10, after “vehicle;” insert “requiring the Division to authorize the use of inspection certificate forms for the submission of an inspection certificate;”; in the same line, after “the” insert “required”; in line 11, after “vehicles;” insert “requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;”; in line 16, strike “and 23–103(a)” and substitute “, 23–103(a), and 23–108”; and in line 26, strike “23–108 and”.

On page 2, in line 3, strike “23–108” and substitute “23–108.1”.

AMENDMENT NO. 2

On page 4, in lines 29 and 32, in each instance, strike the bracket; and in line 33, strike “**23–108.**” and substitute “23–108.1”.

AMENDMENT NO. 3

On page 5, in line 3, strike “AND”; in line 4, strike “**REQUIRE**” and substitute “AUTHORIZE”; and in line 5, after “**CERTIFICATE**” insert “; AND”

(3) SHALL AUTHORIZE THE USE OF AN INSPECTION CERTIFICATE FORM FOR THE SUBMISSION OF THE INSPECTION CERTIFICATE;

in line 22, after “That” insert “on or before December 1, 2016, the Department of State Police shall submit to the Senate Judicial Proceedings Committee and the House Environmental Matters Committee, in accordance with § 2–1246 of the State Government Article, a report describing the procedures the Department establishes for the submission of used vehicle inspection certificates and, on a monthly basis, the number of times each authorized procedure is used.”

SECTION 3. AND BE IT FURTHER ENACTED, That;

and in line 23, after “2014.” insert “It shall remain effective for a period of 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 3 amendments were read only.

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

The motion was adopted.

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

Senate Bill 607 – Senators Shank, Forehand, Jacobs, Raskin, and Stone

AN ACT concerning

Child Abuse and Neglect – Failure to Report and Training

SB0607/448172/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 607

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Child” insert “Health Occupations –”; in the same line, strike “Failure to Report and”; strike beginning with “requiring” in line 3 down through “facility;” in line 6; and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 17, inclusive.

AMENDMENT NO. 3

On page 3, in lines 16 and 19, in each instance, strike “**HUMAN BEINGS**” and substitute “MINORS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 811 – Senator Raskin

AN ACT concerning

Corporations and Associations – Maryland Securities Act – Registration and Filing Exemptions

SB0811/788075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “a” in line 4 down through “resident” in line 5 and substitute “an entity formed, organized, or existing under the laws”; strike beginning with “requiring” in line 6 down through “date” in line 9 and substitute “requiring a person required to submit a filing in accordance with a certain exemption to pay a certain fee for each filing”; and in line 19, after “(16)” insert “and 11-506”.

AMENDMENT NO. 2

On page 4, after line 3, insert:

“11-506.

(a) Except as provided in § 11-510.1 of this subtitle, a person filing an application to register securities shall pay a fee of 0.1 percent of the maximum aggregate offering price at which the securities are to be offered in this State, but the fee may not be less than \$500 or more than \$1,500.

(b) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A person required to submit a filing in accordance with an exemption granted under this title shall pay a fee of \$400 for each filing.

(2) A PERSON REQUIRED TO SUBMIT A FILING IN ACCORDANCE WITH THE EXEMPTION GRANTED UNDER § 11-601(16) OF THIS TITLE SHALL PAY A FEE OF \$100 FOR EACH FILING.

[(2)] (3) A person required to submit a notice of the offer or sale of federal covered securities under § 11-503.1(c) of this subtitle shall pay a fee of \$100 for each filing.

(c) The Commissioner shall retain the fee, if:

- (1) An application to register securities is withdrawn before the effective date;
- (2) A notice of the offer or sale of a federal covered security is withdrawn; or
- (3) A preeffective stop order is entered under §§ 11-511 through 11-513 of this subtitle.”.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 16 on page 4 through line 11 on page 5, inclusive, and substitute:

“(16) TO THE EXTENT THE COMMISSIONER BY RULE OR ORDER MAY PERMIT, ANY SECURITY ISSUED BY AN ENTITY FORMED, ORGANIZED, OR EXISTING UNDER THE LAWS OF THE STATE IF:

(I) THE OFFERING OF THE SECURITY IS CONDUCTED IN ACCORDANCE WITH § 3(A)(11) OF THE SECURITIES ACT OF 1933 AND RULE 147 ADOPTED UNDER THE SECURITIES ACT OF 1933;

(II) THE OFFER AND SALE OF THE SECURITY ARE MADE ONLY TO RESIDENTS OF THE STATE;

(III) THE AGGREGATE PRICE OF SECURITIES IN AN OFFERING UNDER THIS ITEM DOES NOT EXCEED \$100,000;

(IV) THE TOTAL CONSIDERATION PAID BY ANY PURCHASER OF SECURITIES IN AN OFFERING UNDER THIS ITEM DOES NOT EXCEED \$100;

(V) NO COMMISSION OR OTHER REMUNERATION IS PAID IN CONNECTION WITH AN OFFERING OF SECURITIES UNDER THIS ITEM TO ANY PERSON WHO IS NOT REGISTERED AS REQUIRED UNDER THIS TITLE;

(VI) NEITHER THE ISSUER NOR ANY OF ITS RELATED PERSONS IS SUBJECT TO A DISQUALIFICATION AS DEFINED BY THE COMMISSIONER BY RULE OR ORDER; AND

(VII) THE SECURITY IS SOLD IN AN OFFERING CONDUCTED IN COMPLIANCE WITH ANY CONDITIONS ESTABLISHED BY RULE OR ORDER OF THE COMMISSIONER, WHICH MAY INCLUDE:

1. RESTRICTIONS ON THE NATURE OF THE ISSUER;
2. LIMITATIONS ON THE NUMBER AND MANNER OF OFFERINGS;
3. REQUIRED DISCLOSURES TO INVESTORS, INCLUDING RISK FACTORS RELATED TO THE ISSUER AND THE OFFERING; AND
4. REQUIRED FILING WITH THE COMMISSIONER OF NOTICES AND OTHER MATERIALS RELATED TO THE OFFERING; AND”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 18 through 23, inclusive; and in line 24, strike “3.” and substitute “2.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 936 – Cecil County Senators

AN ACT concerning

Cecil County – Salary of the Sheriff

SB0936/668578/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 936

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Salary of the”; in the same line, after “Sheriff” insert “and Orphans’ Court Judges – Salary”; in line 4, after “year;” insert “increasing the salary of each judge of the Orphans’ Court for Cecil County;”; in line 5, after “Sheriff” insert “and judges of the Orphans’ Court”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–108(i)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“Article – Estates and Trusts

2–108.

(i) (1) Each of the judges of the Court for Cecil County shall receive an annual compensation of [\$5,500]:

(I) \$5,500 FOR FISCAL YEAR 2015;

(II) \$6,500 FOR FISCAL YEAR 2016;

(III) \$7,500 FOR FISCAL YEAR 2017; AND

(IV) \$8,750 FOR FISCAL YEAR 2018 AND EACH SUBSEQUENT FISCAL YEAR.

(2) Each judge shall also receive an allowance for traveling expenses of \$780 annually, to be paid quarterly by the County Commissioners.”;

and in lines 7 and 9, in each instance, after “Sheriff” insert “or judges of the Orphans’ Court”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #9

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1100 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Arbutus Recreation Center Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1101 – Senator McFadden

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2008 and 2011 – Baltimore City – Mary Harvin Transformation Center

The bill was re-referred to the Committee on Budget and Taxation.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #5
March 6, 2014

Administrative Hearings, Office of

1. Thomas E. Dewberry District 12

Judge of the Office of Administrative Hearings; reappointed to serve a term of six years from January 1, 2014

District Court, Talbot County (District 3)

2. William H. Adkins, III District 37

Judge of the District Court of Maryland, District 3, Talbot County; reappointed to serve a term of ten years from January 30, 2014

Natural Resources, Department of

3. Joseph P. Gill, Esq. District 33

Secretary of Department of Natural Resources; appointed to serve at the pleasure of the Governor

Airport Zoning Appeals Board

4. Dawn R. Brinkley District 12
223 Green Fern Way
Landsdowne, MD 21227

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2013

Architects, State Board of

5. Gary Richard Ey District 7
3718 Goodwill Court
Abingdon, MD 21009

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2013

Center for School Safety, Governing Board of the Maryland

6. Lorig Charkoudian, Ph.D. District 20
425 Ethan Allen Avenue
Takoma Park, MD 20912

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

Civil Rights, Commission on

7. Shawn M. Wright, Esq. District 23
302 Tamarack Court
Upper Marlboro, MD 20774

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2013

Economic Development Corporation Board of Directors, Maryland

8. Frederik M. Riefkol District 30
3 Chester Avenue
Annapolis, MD 21403

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2011

Emergency Number Systems Board

9. Scott L. Brillman District 46
213 Grindall Street
Baltimore, MD 21230

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2010

Health and Mental Hygiene, Board of Review of the Department of

10. Judith A. Arnold District 40
1428 John Street
Baltimore, MD 21217

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2011

Health Care Commission, Maryland

11. Michael S. McHale District 33
1137 St. Stephens Church Road
Crownsville, MD 21032

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2010

Port Commission, Maryland

12. Donald C. Fry District 35
1716 Edwin Avenue
Bel Air, MD 21015

Member of the Maryland Port Commission; reappointed to serve a term of three years from July 1, 2013

Residential Child Care Program Administrators, State Board for Certification of

13. Jennifer Younker District 1
12808 Divide Ridge Road
Little Orleans, MD 21766

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve a term of four years from July 1, 2013

Social Work Examiners, State Board of

14. Angela D. Anderson-Smith District 43
2815 Goodwood Road
Baltimore, MD 21214

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2012

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Amusement Ride Safety Advisory Board, State

S-1. Glenn Dale Fishack District 2
13134 Bikle Road, P.O. Box 118
Smithsburg, MD 21783

Member of the State Amusement Ride Safety Advisory Board; reappointed to serve a term of four years from July 1, 2014

Architectural Review, State Board of

S-2. James Louviere, Sr. District 18
9911 Markham Street
Silver Spring, MD 20901

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

Chesapeake Conservation Corps Program Board

S-3. Maureen Eccleston District 43
6014 Bellona Avenue
Baltimore, MD 21201

Member of the Chesapeake Conservation Corps Program Board; reappointed to serve a term of four years from July 1, 2013

Civil Rights, Commission on

S-4. Naima Said, Esq. District 12
12112 Blue Paper Trail
Columbia, MD 21044

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2013

Contract Appeals, Maryland State Board of

- S-5. Ann Marie Doory District 43
112 Taplow Road
Baltimore, MD 21212

Member of the Maryland State Board of Contract Appeals; reappointed to serve a term of five years from February 1, 2014

Elevator Safety Review Board

- S-6. Edward M. Hord District 42
1220 Copper Hill Road
Baltimore, MD 21209

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-7. Richard J. Lowman District 18
2445 Lyttonsville Road, #217
Silver Spring, MD 20910

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-8. Charles E. Meeks, Jr. District 38
601 South Pacific Avenue
Ocean City, MD 21842

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-9. Michael William Moran District 33
1434 St. Stephens Church Road
Crownsville, MD 21032

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-10. Robert F. Yeatman, Jr. District 33
5872 Swap Circle Road, P.O. Box 232
Deale, MD 20757

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

Health Care Commission, Maryland

S–11. Diane Stollenwerk District 43
3957 Cloverhill Road
Baltimore, MD 21218

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2013

S–12. Adam J. Weinstein, M.D. District 36
411 Wallman Way
Stevensville, MD 21666

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2013

Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of

S–13. Allen B. Clinedinst, III District 5
1912 Ridgewood Court
Hampstead, MD 21074

Member of the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2013

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 7, 2014.

The motion was adopted.

MESSAGE FROM THE EXECUTIVE

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

March 5, 2014

The Honorable Thomas V. Mike Miller, Jr.
President
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, § 13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Governor

AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Janet Sims–Wood, Ph.D. 2102 Keating Street Temple Hills, Maryland 20748 Prince George's/26	Appointment Member Term of 4 years from July 1, 2013
APPEALS, MARYLAND COURT OF SPECIAL	
Hon. Andrea M. Leahy 361 Rowe Boulevard Annapolis, Maryland 21401 Howard/09	Appointment Judge Term of 10 years
Hon. Michael Wilson Reed 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore City/43	Appointment Judge Term of 10 years
Hon. Kevin Francis Arthur 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore City/41	Appointment Judge Term of 10 years
APPRENTICESHIP AND TRAINING COUNCIL	
Brian S. Cavey 138 Virginia Avenue Pasadena, Maryland 21122 Anne Arundel/31	Appointment Employee Organization Remainder of a term of 4 years from July 1, 2013
ARCHITECTS, STATE BOARD OF	
Cynthia E. Shonaiya 6401 Clifton Forge Circle Catonsville, Maryland 21228 Baltimore County/10	Appointment Architect Term of 5 years from July 1, 2013
AVIATION COMMISSION, MARYLAND	
Gregory V. Billups 12822 Meadowbrook Lane Waldorf, Maryland 20601	Reappointment Member Term of 3 years from October 1, 2012

Charles/28	
Gerry L. Brewster 14520 Cuba Road Cockeysville, Maryland 21030 Baltimore County/05	Reappointment Member Term of 3 years from October 1, 2012
Michele K. Ryan 910 Boom Way Annapolis, Maryland 21401 Anne Arundel/33	Reappointment Member Term of 3 years from October 1, 2012
William P. Wentworth, Jr. 7 Trinity Place Berlin, Maryland 21811 Worcester/38	Reappointment Member Term of 3 years from October 1, 2011
Anwer Hasan 6548 Ballymore Lane Clarksville, Maryland 21029 Howard/13	Appointment Member Term of 3 years from October 1, 2011
Maurice A. Bellan, Esq. 4450 Cross Country Drive Ellicott City, Maryland 21042 Howard/09	Reappointment Member Term of 3 years from October 1, 2011
Erwin L. Greenberg 3448 Butler Road Glyndon, Maryland 21031 Baltimore County/05	Reappointment Member Term of 3 years from October 1, 2013
Raymond C. Nichols 11810 Porfin Drive Berlin, Maryland 21811 Worcester/38	Reappointment Member Term of 3 years from October 1, 2013
BLIND INDUSTRIES AND SERVICES OF MARYLAND, BOARD OF TRUSTEES	
Melba J. Taylor 11902 Frost Drive Bowie, Maryland 20720 Prince George's/23	Appointment Member Term of 3 years from July 1, 2013
George H. Littrell, Jr. 5209 Reels Mill Road Frederick, Maryland 21704 Frederick/03	Reappointment Member Term of 3 years from July 1, 2013
BOILER RULES, BOARD OF	
Brian M. Wodka 808 Walker Station Court Parkton, Maryland 21120 Baltimore County/05	Reappointment Stationary Engineer Term of 4 years from January 1, 2014
Eric Harvey 9851 Bantry Road Easton, Maryland 21601	Reappointment Owner/User of Agricultural, Model or Historical Steam Engine Equipment

Talbot/37	Term of 4 years from January 1, 2014
CHESAPEAKE EMPLOYERS' INSURANCE COMPANY, BOARD FOR THE	
Charles H. Dankmeyer, Jr. 908 Burnett Avenue Arnold, Maryland 21012 Anne Arundel/30	Reappointment Member Term of 5 years from June 1, 2013
Joseph Merryman Coale, III 1317 Boyce Avenue Towson, Maryland 21204 Baltimore County/42	Reappointment Member Term of 5 years from June 1, 2013
Paul V. Gill, Sr. 1107 Haverhill Road Baltimore, Maryland 21229 Baltimore City/44	Reappointment Member Term of 5 years from June 1, 2014
Lewis C. Powell 5750 Cabinwood Court Indian Head, Maryland 20640 Charles/28	Reappointment Member Term of 5 years from June 1, 2014
CIVIL RIGHTS, COMMISSION ON	
DeWayne Wickham 9825 Mill Centre Drive, Apt. 443 Owings Mills, Maryland 21117 Baltimore County/11	Appointment Member Term of 6 years from July 1, 2013
DISTRICT COURT OF MARYLAND – DISTRICT 1 – BALTIMORE CITY	
Hon. Diana E. Smith 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Appointment Judge Term of 10 years
Hon. Flynn M. Owens 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/46	Appointment Judge Term of 10 years
Hon. Joyce Maezeppa Baylor–Thompson 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Appointment Judge Term of 10 years
Hon. James Green 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Appointment Judge Term of 10 years
Hon. David Brian Aldouby 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Judge Term of 10 years
DISTRICT COURT OF MARYLAND – DISTRICT 4 – CALVERT, CHARLES AND ST. MARY'S COUNTIES	

Hon. Andrea R.S. Watkins 11 Washington Avenue La Plata, Maryland 20646 Charles/28	Appointment Judge – Charles County Term of 10 years
DISTRICT COURT OF MARYLAND – DISTRICT 6 – MONTGOMERY COUNTY	
Hon. Eric J. Nee 191 E. Jefferson Street Rockville, Maryland 20850 Montgomery/14	Appointment Judge Term of 10 years
Hon. Margaret Marie Schweitzer 191 E. Jefferson Street Rockville, Maryland 20850 Montgomery/17	Appointment Judge Term of 10 years
ELECTIONS, STATE BOARD OF	
Patrick J. Hogan 18804 Keiffer Way Montgomery Village, Maryland 20886 Montgomery/39	Appointment Majority Party Term of 4 years from July 1, 2013
EMERGENCY NUMBER SYSTEMS BOARD	
E. Colton O'Donoghue 3141 Fox Valley Drive West Friendship, Maryland 21794 Howard/09	Appointment Telephone Utility Remainder of a term of 4 years from July 1, 2011
HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND	
Barrie Parsons Tilghman 1009 Monitor Court Salisbury, Maryland 21801 Wicomico/38	Appointment Member Term of 4 years from July 1, 2012
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY, MARYLAND	
Carla A. Nealy 15 Menteith Court Nottingham, Maryland 21236 Baltimore County/08	Appointment Member Remainder of a term of 5 years from July 1, 2009
LABOR RELATIONS BOARD, PUBLIC SCHOOL	
Ronald S. Boozer 3005 Manhattan Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Org. Rep. Public School Employees within the State other than Majority Org. Remainder of a term of 4 years from July 1, 2010
LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF	
Gareth Diedrick 412 Bloomfield Lane Upper Marlboro, Maryland 20774 Prince George's/23	Appointment Consumer Term of 3 years from July 1, 2013
RURAL LEGACY BOARD, ADVISORY COMMITTEE TO THE	
James W. Constable	Appointment

2300 Shepperd Road Monkton, Maryland 21111 Baltimore County/05	Maryland Environmental Trust Remainder of a term of 3 years from July 1, 2011 and a term of 3 years from July 1, 2014
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Maria Arcia-Hird 13502 Autumn End Terrace Laurel, Maryland 20707 Prince George's/21	Appointment Health Term of 3 years from October 1, 2012
WOMEN, MARYLAND COMMISSION FOR	
Lorna P. Forde 7 Town Commons Court Germantown, Maryland 20874 Montgomery/15	Appointment Member Remainder of a term of 4 years from July 1, 2010 and a term of 4 years from July 1, 2014
Cara E. Tenenbaum 4831 Flanders Avenue Kensington, Maryland 20895 Montgomery/18	Reappointment Member Term of 4 years from July 1, 2014
Homayara Haque Aziz, M.D. 2514 Symphony Lane Gambrills, Maryland 21054 Anne Arundel/33	Appointment Member Remainder of a term of 4 years from July 1, 2010 and a term of 4 years from July 1, 2014
WORKERS' COMPENSATION COMMISSION, ADVISORY COMMITTEE ON THE BUDGET OF THE	
Mary C. Larkin 7310 Abbingdon Drive Oxon Hill, Maryland 20745 Prince George's/26	Appointment Member Term of 3 years from July 1, 2011 and a term of 3 years from July 1, 2014
BALTIMORE CITY ORPHANS' COURT	
Stephan W. Fogleman, Esq. 726 S. Clinton Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Judge Remainder of a term of 4 years from the General Election of 2010
GARRETT COUNTY LIQUOR CONTROL BOARD	
Michael Jay Fratz 7119 Sang Run Road McHenry, Maryland 21541 Garrett/01	Reappointment Other – Dem. Term of 6 years from June 1, 2014
QUEEN ANNE'S COUNTY BOARD OF ELECTIONS	
Juanita L. Carter 304 Walnut Street Centreville, Maryland 21617 Queen Anne's/36	Appointment Majority Party – Substitute Remainder of a term of 4 years from June 6, 2011
QUEEN ANNE'S COUNTY ORPHANS' COURT	

Thomas M. Walsh, M.D. 113 River Run Queenstown, Maryland 21658 Queen Anne's/36	Appointment Judge Remainder of a term of 4 years from the General Election of 2010
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The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

SPECIAL ORDERS

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

Senate Bill 141 – Senator Conway

AN ACT concerning

Tax Sales – Environmental Violations – Liens on Real Property

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

SB0141/449033/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 141

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Tax” insert “Baltimore City –”; in the same line, strike “Environmental Violations – Liens on Real Property” and substitute “Nonpayment of Environmental Citations”; strike beginning with “requiring” in line 3 down through “under” in line 10 and substitute “altering a certain prohibition against tax sales in Baltimore City for nonpayment of certain environmental citations to apply the prohibition only if the total amount of unpaid environmental citations is less than”; and strike in their entirety lines 12 through 26, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (19)(b)

(2007 Replacement Volume, as amended December 31, 2006)”.

AMENDMENT NO. 2

On pages 2 though 6, strike in their entirety the lines beginning with line 3 on page 2 through line 28 on page 6, inclusive, and substitute:

“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:

(19)

(b) Real property may not be offered for sale in a Baltimore City tax sale solely for nonpayment of environmental citations issued under Article 1, Subtitle 40 of the Baltimore City Code **IF THE TOTAL AMOUNT OF UNPAID ENVIRONMENTAL CITATIONS IS LESS THAN \$1,000.**”.

On page 6, in line 31, strike “the Environment Article” and substitute “Article 1, Subtitle 40 of the Baltimore City Code”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0141/523821/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 141, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after “amount;” insert “authorizing tax sales in Baltimore City for nonpayment of certain environmental citations only after exhaustion of certain rights of appeal;”.

AMENDMENT NO. 2

On page 2 of the Budget and Taxation Committee Amendments (SB0141/449033/1), in line 4 of Amendment No. 2, after “property” insert “:

(1)”;

and in line 7, after “\$1,000” insert “;AND

(2) MAY ONLY BE OFFERED FOR SALE IN A BALTIMORE CITY TAX SALE SOLELY FOR NONPAYMENT OF ENVIRONMENTAL CITATIONS ISSUED UNDER ARTICLE 1, SUBTITLE 40 OF THE BALTIMORE CITY CODE AFTER EXHAUSTION OF ALL ADMINISTRATIVE AND JUDICIAL RIGHTS OF APPEAL”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 611 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Special Event (Charity) Beer, Wine and Liquor License

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Dyson moved, duly seconded, to make the Bill a Special Order for March 7, 2014.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 418)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #40

**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 – 44 Negative – 0 (See Roll Call No. 419)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 420)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 421)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 422)

The Bill was then sent to the House of Delegates.

Senate Bill 525 – Senators Shank and Benson

AN ACT concerning

Commission on African American History and Culture – Duties

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

Affirmative – 44 Negative – 0 (See Roll Call No. 423)

The Bill was then sent to the House of Delegates.

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

Senator Conway moved, duly seconded, to make the Bill a Special Order for March 7, 2014.

The motion was adopted.

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 – 44 Negative – 0 (See Roll Call No. 424)

The Bill was then sent to the House of Delegates.

Senate Bill 700 – Senator Manno

AN ACT concerning

Registration of Pesticides – Fee Increase – Disposition of Fees

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

Affirmative – 37 Negative – 6 (See Roll Call No. 425)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 481 – Senator Jamie Raskin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Sanford J. Ungar
President of Goucher College
in recognition of

his extraordinary academic leadership in 13 years as President of Goucher College. We commend his dedication to diversity and commitment to higher education.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 6th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 426)

THIRD READING CALENDAR (SENATE BILLS) #40

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 – 44 Negative – 0 (See Roll Call No. 427)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 428)

The Bill was then sent to the House of Delegates.

Senate Bill 849 – Senator Conway

AN ACT concerning

State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensing, Certification, Regulation, Violations, and Penalties

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

Affirmative – 44 Negative – 0 (See Roll Call No. 429)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 430)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #41

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 – 44 Negative – 0 (See Roll Call No. 431)

The Bill was then sent to the House of Delegates.

Senate Bill 483 – Senators Klausmeier, Feldman, and King

AN ACT concerning

Labor and Employment – Nursing Homes and Health Care Facilities – Workplace Violence Prevention Safety Assessment and Safety Program

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

Affirmative – 44 Negative – 0 (See Roll Call No. 432)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 433)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 434)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 435)

The Bill was then sent to the House of Delegates.

**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 – 44 Negative – 0 (See Roll Call No. 436)

The Bill was then sent to the House of Delegates.

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 – 43 Negative – 1 (See Roll Call No. 437)

The Bill was then sent to the House of Delegates.

Senate Bill 614 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Payment of Wages

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

Affirmative – 44 Negative – 0 (See Roll Call No. 438)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 439)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 440)

The Bill was then sent to the House of Delegates.

**Senate Bill 653 – ~~Senator Astle~~ Senators Astle, Jones–Rodwell, Shank, Young,
Kasemeyer, Colburn, Currie, DeGrange, Edwards, Getty, King,
Madaleno, Manno, McFadden, Peters, and Robey**

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program

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

Affirmative – 44 Negative – 0 (See Roll Call No. 441)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 442)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 389 – Senator Robey

AN ACT concerning

Motor Vehicles – Inspection Certificates for Used Vehicles – Procedures

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0389/978370/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 389

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “stations;” in line 6; in line 6, after “the” insert “Automotive Safety Enforcement”; in line 7, after “Division” insert “of the Department of State Police”; in lines 8 and 9, strike “authorizing the Division to require” and substitute “establishing that the Division may authorize”; in line 10, after “vehicle;” insert “requiring the Division to authorize the use of inspection certificate forms for the submission of an inspection certificate;”; in the same line, after “the” insert “required”; in line 11, after “vehicles;” insert “requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act;”; in line 16, strike “and 23-103(a)” and substitute “, 23-103(a), and 23-108”; and in line 26, strike “23-108 and”.

On page 2, in line 3, strike “23-108” and substitute “23-108.1”.

AMENDMENT NO. 2

On page 4, in lines 29 and 32, in each instance, strike the bracket; and in line 33, strike “**23-108.**” and substitute “**23-108.1.**”.

AMENDMENT NO. 3

On page 5, in line 3, strike “AND”; in line 4, strike “**REQUIRE**” and substitute “**AUTHORIZE**”; and in line 5, after “**CERTIFICATE**” insert “**; AND**”

(3) SHALL AUTHORIZE THE USE OF AN INSPECTION CERTIFICATE FORM FOR THE SUBMISSION OF THE INSPECTION CERTIFICATE”;

in line 22, after “That” insert “on or before December 1, 2016, the Department of State Police shall submit to the Senate Judicial Proceedings Committee and the House Environmental Matters Committee, in accordance with § 2-1246 of the State Government Article, a report describing the procedures the Department establishes for the submission of used vehicle inspection certificates and, on a monthly basis, the number of times each authorized procedure is used.”

SECTION 3. AND BE IT FURTHER ENACTED, That”;

and in line 23, after “2014.” insert “It shall remain effective for a period of 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 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 44 Members present.

(See Roll Call No. 443)

ADJOURNMENT

At 11:00 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Friday, March 7, 2014.

**Annapolis, Maryland
Friday, March 7, 2014
11:00 A.M. Session**

The Senate met at 11:09 A.M.

Prayer by Reverend Manuel Baerga, Bay Area Community Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of March 6, 2014 was read and approved.

QUORUM CALL

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

(See Roll Call No. 445)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 511 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Tisha Edwards
in recognition of
the leadership demonstrated during your tenure as the Interim Chief Executive
Officer of the Baltimore City
Public Schools and your dedication to ensure all children in Baltimore City have
access to the highest quality education.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 7th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 446)

INTRODUCTION OF BILLS

Senator Middleton moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1104 – Senators Middleton and Ramirez

AN ACT concerning

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

FOR the purpose of requiring the Board of Directors of the University of Maryland Medical System Corporation to establish a nonprofit subsidiary to operate all or a part of the University of Maryland Medical Center, to the extent approved by the University of Maryland in the annual contract, in order to bring certain Medical Center employees within the jurisdiction of the National Labor Relations Act; requiring the subsidiary to have certain powers and be formed in a certain manner to meet the jurisdictional requirements of the National Labor Relations Board; authorizing the Medical System Corporation, on or after a certain date, to amend its articles of incorporation to add certain voting members to the Board of Directors; establishing a certain process for adding certain voting members to the Board of Directors; clarifying that certain provisions of law that apply to employees of the Medical System Corporation apply to certain employees of a subsidiary established to operate all or a part of the Medical Center; establishing the intent of the General Assembly; providing for the construction of certain provisions of this Act; and generally relating to the governance of the University of Maryland Medical System Corporation and the employees of the University of Maryland Medical Center.

BY repealing and reenacting, with amendments,

Article – Education

Section 13–302, 13–303(k), 13–304(b), and 13–305(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 13–304(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Senator Manno moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1105 – Senators Manno and Robey

AN ACT concerning

Temporary Cash Assistance – Termination of Benefits and Case Closure – Timing

FOR the purpose of authorizing the Secretary of Human Resources, during a certain period of time, to suspend payment of temporary cash assistance to a recipient who is found to be in noncompliance with certain income eligibility standards due to a certain child support payment; prohibiting the Secretary from terminating the temporary cash assistance or closing the case of the recipient during a certain period of time; authorizing the Secretary to terminate the temporary cash assistance and close the case of a recipient at the end of a certain time period if the recipient's household income continues to exceed certain eligibility standards; and generally relating to child support and the termination of temporary cash assistance benefits.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 5–301(a), (b), (d), and (e)
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–312
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

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

Senator Feldman moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1106 – Senator Feldman

AN ACT concerning

Business Occupations – Real Estate Appraisers – Criminal History Records Checks

FOR the purpose of requiring applicants for a license to provide real estate appraisal services and applicants for a certificate to provide certified real estate appraisal services to apply in a certain manner for a national and State criminal history records check, submit certain fingerprints, and pay certain fees for the records checks; requiring the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services to provide the records and a certain receipt to the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; providing that certain information obtained by the Commission is confidential; requiring the Commission to deny a real estate appraisal license or certificate to an applicant under certain circumstances; defining a certain term; providing for a delayed effective date; and generally relating to criminal history records checks for real estate appraisers.

BY renumbering

Article – Business Occupations and Professions
Section 16–101(d) through (s), respectively
to be Section 16–101(e) through (t), respectively
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 16–101(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 16–303, 16–306, 16–505, 16–508, and 16–701
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 4 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Vaportinis and Similar Devices – Prohibited

FOR the purpose of expanding the definition of “AWOL machine” to include a Vaportini or any similar device, so as to prohibit a Vaportini or any similar device from being used to inhale alcohol vapor or otherwise introduce alcohol in any form into the human body; and generally relating to devices that may be used to inhale alcohol vapor or otherwise introduce alcohol into the human body.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–505.1
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 27 – Delegates M. Washington, A. Kelly, and B. Robinson

AN ACT concerning

Correctional Services – Healthy Births for Incarcerated Women Act

FOR the purpose of prohibiting the use of a physical restraint on an inmate while the inmate is in labor or during delivery except under certain circumstances; requiring the medical professional responsible for the care of a certain inmate to determine when the inmate’s health allows the inmate to be returned to a correctional facility after giving birth; prohibiting, with certain exceptions, a physical restraint from being used on a certain inmate; ~~requiring a correctional facility to document certain use of a physical restraint~~; requiring the Department of Public Safety and Correctional Services and the managing official of a local correctional facility or the managing official of a certain transport agency to develop a certain policy for use at each correctional facility; requiring the managing official of a local correctional facility to take certain actions when a certain representation concerning an inmate is made; requiring the Department of Juvenile Services to adopt certain regulations relating to the use of physical restraints on certain individuals; requiring the Secretary of Public Safety and Correctional Services and the managing official of each local correctional facility to provide a certain report to the Governor and the General Assembly on or before a certain date; ~~declaring the findings of the General Assembly~~; defining certain terms; and generally relating to pregnant inmates and the use of physical restraints.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 9–601
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Correctional Services
Section 11–206
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 9–237(a)
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–237(c)
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

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

**House Bill 127 – Chair, Ways and Means Committee (By Request –
Departmental – Budget and Management)**

AN ACT concerning

**Central Collection Unit – Debt Certification – Withholding of Income Tax
Refunds**

FOR the purpose of altering the date by which the Central Collection Unit is required to provide a certain certification to the Comptroller of certain debts owed to the State; and generally relating to the withholding of certain debts owed to the State from certain income tax refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–915(a)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 151 – Delegates Jones, Anderson, Arora, Barkley, Braveboy, Carter, Cluster, Dumais, Gaines, Gutierrez, Hucker, Lee, McComas, McHale, Oaks, Proctor, Rosenberg, Rudolph, Valderrama, Valentino-Smith, M. Washington, and Wilson

AN ACT concerning

**Juvenile Services – Child in Need of Supervision Pilot Program – ~~Expansion~~
Reporting Requirement**

FOR the purpose of ~~requiring the Secretary of Juvenile Services to establish a Department of Juvenile Services Child in Need of Supervision Pilot Program in a certain number of counties each year until the Pilot Program is available in every county in the State; requiring the Secretary to determine which counties to add to the Pilot Program based on certain criteria; requiring the Secretary to submit a certain annual report to the General Assembly and the Department of Budget and Management on or before a certain date each year; altering a certain definition~~ altering a certain reporting requirement relating to a certain Child in Need of Supervision Pilot Program; altering a certain obsolete reference; and generally relating to the expansion of the Department of Juvenile Services Child in Need of Supervision Pilot Program.

BY repealing and reenacting, with amendments,
~~Article – Courts and Judicial Proceedings
Section 3 – SA 10.1
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)
Chapter 601 of the Acts of the General Assembly of 2005
Section 2~~

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

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

FOR the purpose of providing that the holders of certain alcoholic beverages manufacturing and retail licenses and refillable container permits may refill certain containers that are branded by a certain holder of a refillable container permit; renaming certain refillable container licenses to be refillable container

permits; authorizing the issuance of refillable container permits in certain jurisdictions to the holders of certain licenses for certain fees and subject to certain requirements; establishing certain provisions, procedures, and requirements for certain refillable container permits in certain jurisdictions; reorganizing certain provisions concerning refillable container permits; authorizing the Comptroller to establish certain standards and uses for certain refillable containers sold, filled, or refilled in the State; authorizing the holder of a refillable container permit to refill certain containers that meet certain standards; making other clarifying and stylistic changes; and generally relating to alcoholic beverages and refillable containers.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–206(d)(3) and (5), 5–201(q)(5) and (7), 5–401(q)(2)(iv) and (vi), 6–201(d)(1)(v)2., 7–101(l)(8), ~~(p–1)(11)(vi)~~ (p–1)(11), and (w)(3), 8–202(l), 8–202.2(d) and (h), 8–203(e), 8–210, 8–212(c)(4) and (5), 9–204.1(f)(8), and 12–113

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5–201(q)(1), 5–401(q)(1), 6–201(d)(1)(i), 7–101(l)(1), (p–1)(1), and (w)(1), 8–202(a), 8–202.2(a), 8–203(a), 8–212(a), and 9–204.1(b) and (f)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article 2B – Alcoholic Beverages~~

~~Section 7–101(p–1)(11)(iii)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2013 Supplement)~~

~~(As enacted by Chapter 117 of the Acts of the General Assembly of 2013)~~

BY adding to

Article 2B – Alcoholic Beverages

Section 8–103, 8–204.10, 8–207, 8–212(c)(5), 8–213.3, and 21–107

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 227 – Delegate Dumais

AN ACT concerning

Homestead Tax Credit – Eligibility – Definition of Legal Interest

FOR the purpose of altering the definition of “legal interest” to include an interest in a dwelling as a settlor, grantor, or beneficiary of a trust under certain circumstances so as to include certain settlors, grantors, or beneficiaries of trusts as eligible to apply for the homestead property tax credit; ~~providing for the application of this Act;~~ and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(a)(1), (5), and (7) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(a)(8)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 250 – Delegate McMillan

AN ACT concerning

Vehicle Laws – Definition of “Bicycle” – Mopeds

FOR the purpose of clarifying that a moped is a bicycle for the purposes of the Maryland Vehicle Law, subject to certain enumerated exceptions.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.1, 13–102(7), and 21–1103(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 261 – Delegates Minnick, Aumann, Barkley, Frank, W. Miller, Olszewski, Schulz, Stifler, Vaughn, and Wood

AN ACT concerning

Alcoholic Beverages – Hard Cider – Definition

FOR the purpose of altering the definition of hard cider to include certain beverages derived primarily from pears or pear concentrate and water; and generally relating to the definition of hard cider.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(9–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 306 – The Speaker (By Request – Administration) and Delegates Simmons, Anderson, Arora, Carr, Carter, Clippinger, Dumais, Fraser-Hidalgo, Frick, Glenn, Hixson, Jones, Kaiser, Lee, Luedtke, A. Miller, Reznik, Rosenberg, Swain, Valderrama, Valentino-Smith, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and Kramer

AN ACT concerning

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

FOR the purpose of prohibiting a person from committing a certain crime of violence ~~if the crime is a domestically related crime and~~ when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act; authorizing a court to impose an enhanced penalty if the State’s Attorney provides certain notice to the defendant in a certain manner and if certain elements have been proven beyond a reasonable doubt; authorizing the State to include a certain notice in a certain indictment or information; providing that a penalty imposed under this Act shall be separate from and consecutive to a sentence for any crime based on

the act establishing the violation of this Act; and generally relating to ~~crimes committed~~ the commission of crimes of violence in the presence of ~~a minor~~ minors.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 9–106(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law

Section 3–601.1

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a) and (c)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Criminal Procedure~~

~~Section 6–233~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2013 Supplement)~~

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

House Bill 307 – The Speaker (By Request – Administration) and Delegates Clippinger, Anderson, Arora, Busch, Carr, Dumais, Fraser–Hidalgo, Frick, Glenn, Hixson, Jones, Kaiser, Lee, Luedtke, A. Miller, Reznik, Rosenberg, Simmons, Swain, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Peace Orders and Protective Orders – Burden of Proof

FOR the purpose of altering the standard of proof by which a judge in certain peace order hearings must make certain findings before the judge may issue a final peace order or mutual peace orders; altering the standard of proof by which a judge in certain protective order hearings must make certain findings before the judge may grant a final protective order or mutual protective orders or extend the term of a protective order; and generally relating to the standard of proof in certain peace order and protective order hearings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1505(c)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(c) and 4–507(a)(3)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

**House Bill 309 – The Speaker (By Request – Administration) and Delegates
Dumais, Anderson, Arora, Busch, Carr, Carter, Clippinger,
Fraser–Hidalgo, Frick, Glenn, Hixson, Jones, Kaiser, Lee, Luedtke,
A. Miller, Reznik, Rosenberg, Simmons, Swain, Valderrama,
Valentino–Smith, Waldstreicher, M. Washington, and Zucker**

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

FOR the purpose of requiring a court to issue a permanent final protective order against an individual who is sentenced to serve, instead of who served, a certain term of imprisonment for certain crimes ~~under certain circumstances~~ and who has served a certain period of time; adding the crime of assault in the second degree to the list of crimes, the commission of which subjects an individual to the issuance of a permanent final protective order against the individual under certain circumstances; and generally relating to domestic violence and permanent final protective orders.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(k)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 337 – Delegates Schulz, Afzali, Arentz, Barkley, Barnes, Beitzel, Clagett, Cluster, Elliott, George, Hogan, Hough, Jacobs, Kach, Krebs, McComas, McDermott, Norman, Olszewski, Otto, Stocksdale, and Szeliga

AN ACT concerning

Farm Breweries – Location and Self-Distribution

FOR the purpose of authorizing the holder of a Class 8 farm brewery license to obtain a certain limited wholesaler's license for certain purposes; providing that a certain prohibition on location in certain areas of Frederick County does not apply to a Class 8 farm brewery license; and generally relating to beer and farm breweries.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–301(b) and 8–211(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 352 – Delegates Valentino–Smith, Arora, Beidle, Braveboy, Carter, Clippinger, DeBoy, Dumais, Eckardt, Frush, Haddaway–Riccio, Healey, Howard, Hubbard, Ivey, McDermott, Rosenberg, Swain, Valderrama, and Waldstreicher

AN ACT concerning

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

FOR the purpose of making certain violations for failing to comply with an interim, a temporary, or a final protective order a prior offense for the purposes of determining penalties for a second or subsequent offense for failing to comply with an interim, a temporary, or a final peace order; making certain violations for failing to comply with an interim, a temporary, or a final peace order a prior offense for the purposes of determining penalties for a second or subsequent offense for failing to comply with an interim, a temporary, or a final protective order; and generally relating to the penalties for second or subsequent offenses for violating peace orders and protective orders.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 3–1508
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–509
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

**House Bill 356 – Delegates Barkley, Schulz, Haddaway–Ricchio, Clagett,
Eckardt, Jameson, Olszewski, and Rudolph**

AN ACT concerning

Alcoholic Beverages – Class 8 Farm Breweries – Festival Licenses

FOR the purpose of authorizing the holder of a Class 8 farm brewery license to enter into a certain temporary delivery agreement with a certain distributor for certain purposes under certain circumstances; authorizing the boards of license commissioners of certain counties to issue certain festival licenses to certain holders of certain Class 8 farm brewery licenses for certain purposes; authorizing holders of certain Class 8 farm brewery licenses to participate in certain festivals; specifying that in Garrett County, a licensee may open on Sundays during certain hours for a certain purpose in a precinct in an election district where the voters, in a certain referendum, have approved Sunday sales at a farm; making a stylistic correction; and generally relating to farm breweries and beer festivals.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–209, 8–307(d), 8–801(d), 8–802(b), 8–803(d), 8–804(d), 8–805(d),
8–806(b), and 8–807(d) and (g)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–307(a), 8–801(b), 8–802(a), 8–803(a), 8–804(b), 8–805(a), 8–806(a),
and 8–807(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 359 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Maximum Alcohol Content

FOR the purpose of prohibiting a person from selling at retail an alcoholic beverage with an alcohol content of a certain percentage or more, with a certain exception; providing for a certain penalty; and generally relating to alcoholic beverages.

BY adding to

Article 2B – Alcoholic Beverages

Section 16–505.2

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 385 – Delegate Rosenberg

AN ACT concerning

**Privileged Communications – Dissemination of News or Information by
Certain Persons**

FOR the purpose of applying certain provisions of law that protect privileged communications with members of the news media to a person who is, or has been, an independent contractor ~~or agent~~ of the news media under certain circumstances; and generally relating to privileged communications with the news media.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 9–112

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

**House Bill 389 – Delegates Rudolph, James, ~~and Norman~~ Norman, McComas,
and Howard**

AN ACT concerning

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

FOR the purpose of requiring the Maryland Transportation Authority to ~~maintain at certain transportation facilities projects at least one cash toll lane and as many additional cash toll lanes as necessary to ensure that motorists are not unduly delayed in passing through the toll plaza; and generally relating to cash toll lanes at transportation facilities projects~~ complete a study and submit a report on the status of its initiative to implement all-electronic tolling; requiring the study to include certain matters; requiring the Authority to submit a report of its findings and recommendations to certain persons on or before a certain date; prohibiting the Authority from implementing all-electronic tolling at a certain facility before a certain date; and generally relating to all-electronic tolling.

~~BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–101(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)~~

~~BY adding to
Article – Transportation
Section 4–406
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)~~

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

House Bill 408 – Delegates S. Robinson and Barkley

AN ACT concerning

Real Property – Breach of Lease – Notice Requirements

FOR the purpose of authorizing the parties to a nonresidential lease to agree in writing to lengthen, shorten, or waive certain periods of notice that the tenant is in violation of the lease and the landlord desires to repossess the leased premises; and generally relating to nonresidential leases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402.1
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

**House Bill 413 – Delegates Luedtke, Kaiser, ~~and A. Washington~~
A. Washington, F. Turner, Howard, and Cardin**

AN ACT concerning

**Special Education – Individualized Education Program Parental Notice
Requirements and Service Models List**

FOR the purpose of requiring the parents of a child attending their initial individualized education program evaluation meeting to be provided a certain verbal and written explanation of their rights and responsibilities and a program procedural safeguards notice and providing the right for the parents to request this information at any meeting thereafter; requiring a certain verbal and written explanation to be given in plain language; requiring the State Department of Education to adopt certain regulations; requiring each county board of education to develop and publish on its Web site a certain list of special education service delivery models that includes a statement regarding how a child is placed; requiring a county board to provide a written copy of a certain list on request that includes certain information; and generally relating to information and requirements regarding special education programs.

BY repealing and reenacting, with amendments,

Article – Education

Section 8–405

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY adding to

Article – Education

Section 8–418

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 430 – Delegate Cardin

AN ACT concerning

Commercial Law – Patent Infringement – Assertions Made in Bad Faith

FOR the purpose of prohibiting a person from making certain assertions of patent infringement in bad faith; authorizing a court to consider certain factors as evidence of whether a person has made an assertion of patent infringement in bad faith or in good faith; providing that the Attorney General and the Division of Consumer Protection of the Office of the Attorney General have the same

authority to take certain actions as the Attorney General and the Division have under the Maryland Consumer Protection Act; authorizing certain individuals to bring a civil action in a certain court to recover for certain injuries or losses sustained as a result of a violation of this Act; authorizing a court to award certain damages and remedies under certain circumstances; defining certain terms; and generally relating to bad faith assertions of patent infringement.

BY adding to

Article – Commercial Law

Section 11–1601 through 11–1604 to be under the new subtitle “Subtitle 16. Bad Faith Assertions of Patent Infringement”

Annotated Code of Maryland
(2013 Replacement Volume)

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

House Bill 436 – Delegates Rudolph and Malone

AN ACT concerning

Vehicle Laws – Operation of Vehicle When Approaching a Tow Truck ~~or Service Vehicle~~

FOR the purpose of requiring drivers approaching ~~a tow truck or service vehicle that is~~ certain tow trucks that are stopped, standing, or parked on a highway and using certain visual signals, unless otherwise directed by a police officer or traffic control device, to make a lane change into an available lane not immediately adjacent to the tow truck ~~or service vehicle~~ under certain circumstances, or to slow to a reasonable and prudent speed that is safe for certain existing conditions under certain circumstances; and generally relating to the rules of the road when approaching tow trucks ~~or service vehicles~~.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–405(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 22–218(c)(6) and (11)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 440 – Delegates Pena–Melnyk, 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

FOR the purpose of prohibiting the driver of a school vehicle from allowing certain individuals to board or ride on the school vehicle subject to certain exceptions; authorizing certain individuals to board or ride on a school vehicle under certain circumstances; and generally relating to riders on school vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–816
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 464 – Delegates Schulz, Afzali, Arentz, Aumann, Barkley, Barnes, Beitzel, Clagett, Cluster, Eckardt, Elliott, George, Hogan, Hough, Jacobs, Kach, Krebs, McComas, McDermott, Norman, Olszewski, Otto, Ready, and Stocksdales

AN ACT concerning

**Alcoholic Beverages – Micro–Brewery Licenses –
Retail Sale – Prepackaged Beer**

FOR the purpose of authorizing the holder of a Class 7 micro–brewery (on– and off–sale) license to sell at retail beer brewed under the license to customers for consumption off the licensed premises as prepackaged beer in nonrefillable containers; and generally relating to the retail sale of beer brewed under a micro–brewery license for consumption off the licensed premises.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages

Section 2–208(d)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 546 – ~~Delegate Rosenberg~~ Delegates Rosenberg and Howard

AN ACT concerning

**Higher Education – Janet L. Hoffman Loan Assistance Repayment Program –
Modifications**

FOR the purpose of altering the requirements for certain regulations adopted by the Office of Student Financial Assistance in the Maryland Higher Education Commission relating to the implementation of the Janet L. Hoffman Loan Assistance Repayment Program; and generally relating to modification of the Janet L. Hoffman Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–1501 and 18–1502
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1503
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 600 – Delegates Luedtke, Barkley, Kaiser, and Zucker

AN ACT concerning

Alcoholic Beverages – Farmers’ Market Permit – Establishment

FOR the purpose of establishing a farmers’ market permit; authorizing the Office of the Comptroller to issue the permit to a holder of a certain license under certain circumstances; requiring the permit holder to provide certain notice to the local licensing board of a certain jurisdiction; specifying the places and times in which a permit holder may use a farmers’ market permit; prohibiting the Office of the Comptroller from issuing more than a certain number of permits for use

at each farmers' market; authorizing a permit holder to take certain actions in connection with the farmers' market permit; requiring that all wine offered for sale or sampling by the permit holder be the product of a certain class of winery; defining a certain term; and generally relating to the sale and sampling of alcoholic beverages at farmers' markets.

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(y)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 602 – Delegate Niemann

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

FOR the purpose of altering the types of damages for which the governing body of a common ownership community may foreclose on a lien for delinquent assessments against a unit owner or lot owner under certain circumstances; providing for the application of this Act; and generally relating to the foreclosure of liens by common ownership communities.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–204

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

House Bill 612 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Code Simplification and Clarification

FOR the purpose of making clarifying changes to a certain definition of “eligible retirement plan” and a certain definition of “eligible rollover distribution” as they relate to provisions on rollover distributions under the State pension laws; clarifying the manner in which a certain transfer of funds from the State Retirement Agency to an eligible rollover plan shall be made; clarifying that

certain distributions of funds to a designated spouse beneficiary may be paid to an eligible retirement plan in a direct rollover; clarifying that certain references to individual retirement accounts include traditional and Roth individual retirement accounts; clarifying that a member of the Employees' Pension System who resumes employment before a certain date may resume participation in the Alternate Contributory Pension Selection if the employer participates in the Alternate Contributory Pension Selection; clarifying that the Reformed Contributory Pension Benefit does not apply to employees of certain participating governmental units; repealing an option to continue participation in the Deferred Retirement Option Program in the State Police Retirement System if a member is granted a special disability retirement allowance; repealing an option to continue participation in the Deferred Retirement Option Program in the Law Enforcement Officers' Pension System if a member is granted ~~a special~~ an accidental disability retirement allowance; increasing the maximum average final compensation that retirees of the Local Fire and Police System must have at the time of retirement in order to be exempt from a certain reemployment earnings limitation; altering the number of years required after retirement for certain retirees of the Local Fire and Police System to be exempt from a certain reemployment earnings limitation; clarifying that certain former members of the State Retirement and Pension System shall have their accumulated contributions returned upon making a certain request; clarifying that certain former members of the State Retirement and Pension System who have their accumulated contributions returned are not entitled to further benefits; clarifying that regular interest may not be paid on certain member contributions after a certain time period under certain circumstances; altering the methods that certain members of the Teachers' Pension System may use to purchase certain service credit; providing for a delayed effective date for a certain provision of this Act; and generally relating to clarifying provisions that apply to the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–601, 21–602, 22–215, 23–213, 23–215.1, 23–225, 23–308(c), 24–206, 24–401.1(k), 25–204, 26–205, 26–401.1(k), 28–205, and 28–402(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 22–217, 24–401.1(a) and (g), 26–401.1(a) and (g), 29–302(a) and (f), and 29–303(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–303(h)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 621 – ~~Delegate Lafferty~~ Delegates Lafferty, Bobo, Carr, Fraser-Hidalgo, Healey, Hucker, and Niemann

AN ACT concerning

Registration of Pesticides – Fee Increase – Disposition of Fees

FOR the purpose of increasing certain pesticide registration fees; providing that at least a certain amount of certain pesticide registration fees may be used only for activities of the Department of Agriculture relating to the collection, analysis, and reporting of data on pesticide use in the State; specifying that money expended from the State Chemist Fund for a certain purpose is supplemental to and not intended to take the place of certain other funding; and generally relating to pesticide registration fees.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 5–105(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 5–105(d) and 6–501
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

House Bill 630 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

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

FOR the purpose of altering the amount a local school system or the Maryland School for the Deaf must pay as a penalty for failing to submit to the Board of Trustees for the State Retirement and Pension System and the State Department of Education within a certain period of time a certain certification regarding certain retirees of the Teachers' Retirement System or the Teachers' Pension

System who are employed by a local school system or the Maryland School for the Deaf and are exempt from a certain retirement allowance offset; and generally relating to the penalty for the failure to submit a certain certification regarding certain reemployed retirees in the teachers' retirement and pension systems.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(9) and 23–407(c)(9)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 636 – Delegates Arora, Anderson, ~~and McIntosh~~ McIntosh, and Howard

AN ACT concerning

Maryland Transit Administration – ~~Pretax~~ Commuter Benefits Program

FOR the purpose of requiring the Maryland Transit Administration to include as part of a plan to meet certain transit needs improvements to its fare payment systems; specifying that the plan allow the Administration to process fare media in electronic form and provide electronic fare media ~~to employers~~ for distribution to employees; ~~requiring the Administration to implement certain fare payment systems in a manner that allows employees to enroll in a commuter benefits program online and use certain pretax contributions to pay for the electronic fare media;~~ and generally relating to electronic fare payment systems for transit services and ~~the~~ an employee ~~pretax~~ commuter benefits program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 647 – Delegates Waldstreicher, Clippinger, Dumais, Gutierrez, Lee, and A. Miller

AN ACT concerning

Peace Orders and Protective Orders – Extensions

FOR the purpose of requiring the court, under certain circumstances, to hold a hearing on a certain motion to extend the term of a final peace order or a final protective order within a certain period of time after the motion is filed; requiring the court, under certain circumstances, to extend the order and keep the terms of the order in full force and effect until the hearing; and generally relating to peace orders and protective orders.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1506(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–507(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 653 – ~~Delegate Luedtke~~ Delegates Luedtke, Howard, and Cardin

AN ACT concerning

Education – Deaf Culture Digital Library

FOR the purpose of requiring the Division of Library Development and Services in the Department of Education to establish the Deaf Culture Digital Library; specifying the mission, duties, and responsibilities of the Deaf Culture Digital Library; and generally relating to the Deaf Culture Digital Library.

BY repealing and reenacting, with amendments,
Article – Education
Section 23–105
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY adding to
Article – Education
Section 23–108
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 679 – Delegates Barkley, Vitale, Love, and Schuh

AN ACT concerning

Insurance – Title Insurers – Title Insurance Commitment and Binders

FOR the purpose of altering the information that a title insurer is required to include in a certain notice; requiring a title insurer to disclose certain information relating to the effect of certain documents in a certain manner; providing that a certain title insurance commitment or sample form constitutes a certain written statement, is not a representation as to the state of title, and does not constitute a certain abstract ~~or report of title~~; providing that certain rights, duties, and responsibilities applicable to the preparation or issuance of certain documents do not apply to the issuance of certain other documents; requiring a certain title insurance commitment or sample form to contain a certain statement; defining certain terms; making certain conforming changes; providing for the application of this Act; and generally relating to title insurance and title insurance commitments.

BY renumbering

Article – Insurance

Section 22–101, 22–102, and 22–103, respectively
to be Section 22–102, 22–103, and 22–105, respectively
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Insurance

Section 22–101 and 22–104
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 22–103
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)
(As enacted by Section 1 of this Act)

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

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

FOR the purpose of requiring a licensee that engages in the business of money transmission to provide, on or before a certain date each year, certain training materials to certain agents on how to recognize financial abuse and financial exploitation of elder adults and how to respond appropriately to certain circumstances; requiring a licensee to provide the training materials to certain newly appointed agents within a certain period of time; ~~requiring certain agents to make a certain abuse report to certain persons in a certain manner under certain circumstances in which an elder adult may be the victim of financial abuse or financial exploitation; authorizing a licensee to make a certain report on behalf of a certain agent; requiring a licensee periodically to report certain information to the Commissioner of Financial Regulation;~~ requiring a licensee to include a certain fraud warning on certain forms used by individuals to send money to other individuals; requiring the fraud warning to include a certain telephone number for a certain purpose; requiring a licensee to monitor certain activities of its agents; requiring a licensee to allow an individual to voluntarily be disqualified from sending money transmissions from or receiving money transmissions in the State; providing that a licensee may require an individual to provide written notice of disqualification to the licensee at a certain address; specifying the effective period of a disqualification; authorizing an individual to extend or terminate a disqualification; requiring a licensee to retain certain records concerning certain training for a certain period of time; defining certain terms; providing for the application of certain provisions of this Act; making a stylistic change; and generally relating to ~~elder adults and money transmission~~ money transmission and protection from financial abuse, financial exploitation, and fraud.

BY repealing and reenacting, without amendments,

Article – Financial Institutions

Section 1–306(a)(1), (3), (4), and (5), 12–401(a), (c), and (m), 12–416(a), and 12–426

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 12–413, ~~12–416(a)~~, and 12–425(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Financial Institutions

Section 12–413.1

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 735 – Delegate Olszewski

AN ACT concerning

Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts

FOR the purpose of altering the interest rate payable by certain lending institutions on escrow accounts created in connection with loans secured by a first mortgage or first deed of trust on residential real property; altering the interest rate payable by certain banking institutions on interest bearing accounts instituted for a specific purpose; providing for the application of this Act; and generally relating to rates of interest payable on escrow accounts and savings accounts.

BY repealing and reenacting, without amendments,

Article – Commercial Law
Section 12–109(a) and 12–1026(a)
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 12–109(b) and 12–1026(b)
Annotated Code of Maryland
(2013 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Financial Institutions
Section 1–101(a) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions
Section 5–302(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 772 – Delegates George, James, McConkey, and Proctor

AN ACT concerning

Local Government Investments – Self-Insurance Funds and Trust Fund Accounts of Political Subdivisions

FOR the purpose of authorizing the trustees or other officers in charge of a trust fund account or fund for self-insurance purposes of a political subdivision of the State or a unit of a political subdivision to make certain investments in a certain manner; and generally relating to investments by local governments.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 17-102
Annotated Code of Maryland
(2013 Volume)

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

**House Bill 786 – Delegates A. Miller, A. Kelly, S. Robinson, ~~and A. Washington~~
A. Washington, Cardin, and Howard**

AN ACT concerning

**Sales and Use Tax – Tax-Free Weekend – Exemption for Light-Emitting
Diode (LED) Lights**

FOR the purpose of adding light-emitting diode (LED) light bulbs to the list of Energy Star products exempt from the sales and use tax during a certain tax-free weekend; providing for the termination of this Act; and generally relating to the sales and use tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11-226(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 834 – Delegates Frush and Hubbard

AN ACT concerning

Environment – Water Pollution Control – Penalty

FOR the purpose of increasing a certain penalty for certain violations of the water pollution control law; and generally relating to water pollution control.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9-342

Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

House Bill 882 – Delegate Malone

AN ACT concerning

Motor Vehicles – Low Speed Vehicles – Power Source

FOR the purpose of altering the definition of the term “low speed vehicle” as it applies to the Maryland Vehicle Law to mean a motor vehicle with a certain maximum speed capability regardless of how the vehicle is powered; and generally relating to authorized power sources for low speed vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–130.1
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–939.2, 21–1125, and 25–102(a)(17)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 928 – Delegates Rudolph and James

AN ACT concerning

**Public Service Commission – Competitive Retail Electricity and Gas Supply –
Consumer Protection – Report**

FOR the purpose of requiring the Public Service Commission to submit a certain report to the General Assembly on or before a certain date on the status of the Commission’s efforts to provide appropriate protections for consumers in connection with competitive retail electricity supply and retail gas supply and recommendations regarding ratepayer protections; specifying the contents of the report; requiring the Commission to convene a certain workgroup for a certain purpose; providing for the termination of this Act; and generally relating to consumer protection in connection with competitive retail electricity and gas supply.

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

House Bill 937 – Delegates Elliott, Arentz, Aumann, Bates, Beitzel, Cluster, Conway, Eckardt, Hogan, Hucker, Impallaria, Jameson, Kaiser, K. Kelly, Kipke, Krebs, McDermott, McDonough, McIntosh, Norman, Otto, Parrott, Ready, Reznik, Rudolph, Schulz, Serafini, Stocksdale, Vitale, and Wood

AN ACT concerning

Wastewater Treatment Facilities – Distribution of Financial Assistance

FOR the purpose of requiring the Maryland Water Quality Financing Administration in the Department of the Environment to ensure a certain distribution of certain financial assistance among certain wastewater treatment facilities; and generally relating to financial assistance to wastewater treatment facilities.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1601(a), (b), (c), (ii), and (jj)
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1604
Annotated Code of Maryland
(2007 Replacement Volume and 2013 Supplement)

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

House Bill 1004 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Modified Administration – Objection

FOR the purpose of clarifying that a modified administration of an estate shall be revoked by an interested person filing a written objection to modified administration; and generally relating to revocation of a modified administration of an estate.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 5–708(a)

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 1024 – Delegates McIntosh, Carr, Eckardt, Fraser-Hidalgo, Gilchrist, Haddaway-Riccio, Jacobs, Murphy, Niemann, Otto, Stein, Wilson, and Wood

AN ACT concerning

Rural Maryland Prosperity Investment Fund – Revisions and Extension of Termination Date

FOR the purpose of altering certain findings of the General Assembly regarding the Rural Maryland Prosperity Investment Fund; altering the fiscal year through which the Governor is authorized to include an appropriation in the budget bill for the Fund; altering the manner in which disbursements of money appropriated to the Fund are required to be made; requiring that any money received by a regional council under a certain provision of law be used for a certain purpose; altering a certain provision of law to require that only certain grants, rather than all grants, made by the Maryland Agricultural Education and Rural Development Assistance Board from the Fund be made on a competitive basis in accordance with a certain process; extending the termination date of the Fund; making conforming changes; making a technical correction; and generally relating to the Rural Maryland Prosperity Investment Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 2–207
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 621 of the Acts of the General Assembly of 2006
Section 2

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

House Bill 1045 – Delegate Arora

AN ACT concerning

Real Property – Lien Priority of Refinance Mortgages – Escrow Costs

FOR the purpose of including certain escrow costs in a certain calculation to determine whether a refinance mortgage shall have, on recordation, the same lien priority as the first mortgage or deed of trust that the refinance mortgage replaces; defining a certain term; providing for the application of this Act; and generally relating to lien priority and refinance mortgages.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–112
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 1046 – Prince George’s County Delegation

AN ACT concerning

City of College Park Employees – Participation in the Employees’ Pension System PG 404–14

FOR the purpose of requiring certain employees of the City of College Park to participate in the Employees’ Pension System of the State as of a certain date; providing that membership in the Employees’ Pension System is optional for certain employees of the City of College Park; requiring certain employees of the City of College Park to make a certain election on a certain date; requiring certain employees of the City of College Park, in order to elect to be a member of the Employees’ Pension System, to file a written application with the Board of Trustees for the State Retirement and Pension System; providing for certain employees of the City of College Park to receive service credit for certain prior service; providing that certain employees of the City of College Park who become members of the Employees’ Pension System after a certain date may not receive certain service credit; and generally relating to employees of the City of College Park participating in the Employees’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–201(a), 23–204(b), and 31–111
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 23–204(f) and 31–111.8
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1165 – Delegates Kramer, Barkley, Barnes, Braveboy, Burns, Clagett, Gaines, Glenn, Hucker, Love, McHale, Mitchell, Oaks, Olszewski, Vaughn, and A. Washington

AN ACT concerning

Jane E. Lawton Conservation Loan Program

FOR the purpose of altering the purpose of the Jane E. Lawton Conservation Loan Program; requiring an application for a loan under the Program to include certain information; requiring a borrower to document that certain anticipated energy cost savings according to a certain methodology after the completion of the project are greater than the total cost of the project to the borrower; repealing certain provisions relating to the deposit of a loan under the Jane E. Lawton Conservation Fund into a certain revolving loan fund of a county's economic development commission under certain circumstances; authorizing the Fund to be used to enhance the credit of financings offered by certain eligible banks and other financial institutions for projects; altering the period of time that the Maryland Energy Administration is required to reserve a certain portion of the money from the Fund for certain purposes; repealing certain provisions relating to the sale of excess electricity through certain markets generated by a certain project; authorizing the Administration to use the Fund to enhance the credit of a financing offered by a certain bank or other financial institution for a project; requiring that a certain credit enhancement be used for a certain purpose, facilitate the financing of a certain project, and be offered only to a certain bank or other financial institution; authorizing the Administration to assess a reasonable fee for a certain purpose; requiring the Administration to adopt certain regulations; altering certain definitions; repealing a certain definition; and generally relating to the Jane E. Lawton Conservation Fund.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20A–01, 9–20A–03, 9–20A–05(b), 9–20A–06, and 9–20A–07

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing

Article – State Government

Section 9–20A–09

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – State Government
Section 9–20A–09
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1184 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$12,650,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

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

AN ACT concerning

Legal Mutual Liability Insurance Society of Maryland – Conservatorship and Transfer

FOR the purpose of providing for the assumption and exercise of certain powers of the Legal Mutual Liability Insurance Society of Maryland by the Minnesota Lawyers Mutual Insurance Company (Minnesota Mutual) in a certain manner

for certain purposes; stating certain findings of the General Assembly; appointing Minnesota Mutual as conservator of the Society for a certain period for certain purposes; providing certain powers to Minnesota Mutual for certain purposes; requiring Minnesota Mutual to provide public notice in certain manners of its appointment as conservator, of certain processes and the transfer of certain policies, assets, and liabilities of the Society to the Property and Casualty Insurance Guaranty Corporation, of a certain bar date, and of certain effects of the conservatorship and transfer; authorizing the referral of certain claims to the Guaranty Corporation under certain circumstances after the occurrence of a certain event; authorizing the transfer of certain assets to the Guaranty Corporation in a certain manner as of a certain date; providing for the termination of the conservatorship; prohibiting Minnesota Mutual from receiving certain compensation for certain actions but authorizing the reimbursement of certain expenses; requiring Minnesota Mutual to report to the Maryland Insurance Commissioner on certain matters at a certain frequency; defining certain terms; providing for the construction of a portion of this Act; dissolving the Board of Directors of the Society and terminating the terms of the directors and officers of the Society as of a certain date; requiring the reimbursement of Minnesota Mutual for certain costs as of a certain date; requiring the transfer of certain assets and liabilities of the Society to the Guaranty Corporation on the earlier of certain dates; providing for the continuity of certain transactions, rights, duties, assets, liabilities, and causes of action; requiring Minnesota Mutual to study and report on certain matters to the Commissioner, the Guaranty Corporation, and certain committees of the General Assembly on or before a certain date; requiring Minnesota Mutual to consult with certain entities for a certain purpose; repealing provisions of law relating to the Society as of a certain date; providing that existing obligations or contract rights may not be impaired by this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Legal Mutual Liability Insurance Society of Maryland and its conservatorship.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 24–101 and 24–104

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing

Article – Insurance

Section 24–102

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article – Insurance

Section 24–102 and 24–110

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing

Article – Insurance

Section 24–101 through 24–110, inclusive, and the subtitle “Subtitle 1. Legal Mutual Liability Insurance Society of Maryland”

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

(As enacted by Section 1 of this Act)

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

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

FOR the purpose of authorizing the State Highway Administration to issue an exceptional milk hauling permit that authorizes certain axle configurations and certain increased weight limitations; establishing that the general exceptional hauling permit for farm products does not apply to the transportation of milk; providing for the repeal of certain provisions of this Act on a certain date; requiring the Administration to enter into an agreement with a certain entity to collect certain data; requiring certain data to be compiled in an annual report; requiring the Administration to meet annually with a certain entity to review the annual report; providing for the effective dates of this Act; and generally relating to the establishment of the exceptional milk hauling permit.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 24–113.2

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 24–113.2(b) and (c)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

(As enacted by Section 1 of this Act)

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

THE COMMITTEE ON FINANCE REPORT #17

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

Senate Bill 547 – Senator Ferguson

AN ACT concerning

Economic Development – Baltimore Region – Baltimore Metropolitan Council and Advisory Board and Baltimore Region Transportation Board

SB0547/207977/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 547

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Ferguson” and substitute “Senators Ferguson, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez”; in line 4, strike “clarifying the purpose” and substitute “altering the purposes”; in line 5, strike the second “altering the membership of” and substitute “requiring the Council to make a certain annual report; repealing provisions of law that establish”; in line 8, strike the first “Transportation”; strike beginning with “specifying” in line 8 down through the semicolon in line 9; in line 18, strike “13–307, and 13–309” and substitute “and 13–307”; after line 20, insert:

“BY repealing

Article – Economic Development

Section 13–309

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)”;

and in line 23, strike “13–310” and substitute “13–309”.

AMENDMENT NO. 2

On page 3, in line 9, after the semicolon insert “AND”; and strike beginning with “DEVELOP” in line 10 down through “REGION” in line 16 and substitute “FACILITATE”

COORDINATION AND COLLABORATION AMONG LOCAL JURISDICTIONS AND ORGANIZATIONS IN THE BALTIMORE REGION TO FOSTER ECONOMIC GROWTH AND DEVELOPMENT IN THE REGION IN AREAS THAT INCLUDE:

- (I) REGIONAL TRANSPORTATION;
- (II) HOUSING;
- (III) WORKFORCE DEVELOPMENT; AND
- (IV) RENEWABLE ENERGY PROJECTS AND USAGE”.

On page 4, in line 29, strike the brackets.

On page 5, in lines 16 and 17, in each instance, strike the bracket; and strike beginning with “Charter” in line 16 down through “subtitle” in line 17 and substitute “SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON:

- (1) THE STATUS OF THE COUNCIL’S EFFORTS; AND
- (2) RECOMMENDED POLICY GOALS, STRATEGIES, AND STATUTORY CHANGES TO IMPROVE REGIONAL COOPERATION AND THE LONG-TERM HEALTH OF THE REGION”.

On pages 5 and 6, strike in their entirety the lines beginning with line 21 on page 5 through line 14 on page 6, inclusive.

AMENDMENT NO. 3

On page 6, in line 15, strike “13-310.” and substitute “13-309.”; and in line 18, strike “PLANNING” and substitute “FUNDING”.

On page 7, in line 2, strike “AND”; in line 3, after “PLANNING” insert “; AND”

- (11) AS AUTHORIZED UNDER 23 U.S.C. §§ 134 AND 135:

(I) THE CHIEF EXECUTIVE OFFICER OR PRESIDENT OF THE BOARD OF COMMISSIONERS OF ANY OTHER JURISDICTION; AND

(II) THE SECRETARY OR CHIEF APPOINTED OFFICIAL OF ANY OTHER UNIT OF STATE GOVERNMENT”;

and strike line 4 in its entirety.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 875 – Senators Klausmeier and Feldman

AN ACT concerning

Jane E. Lawton Conservation Loan Program

SB0875/147474/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 875

(First Reading File Bill)

On page 8, in line 16, strike “October” and substitute “July”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1044 – Senator Middleton

AN ACT concerning

**Public Service Commission – Competitive Retail Electricity and Gas Supply –
Consumer Protection – Report**

SB1044/447876/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1044

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton and Benson”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #10

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1013 – Senator Klausmeier

AN ACT concerning

**Public Utilities – Billing for Noncommodity Products and Services –
Prohibition**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1020 – Senator Middleton

AN ACT concerning

Solar Farms – Construction Requirements – Exemptions

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1027 – Senator Kittleman

AN ACT concerning

**Criminal Law – Maryland Controlled Dangerous Substances Act –
Registration of Licensed Physicians**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1028 – Senator Zirkin

AN ACT concerning

**Creation of a State Debt – Baltimore County – Jewish Community Services
Alternative Living Units**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1029 – Senator Zirkin

AN ACT concerning

**Baltimore County Board of Education – Procurement for
Construction-Related Projects for Schools**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1074 – Senator Edwards

AN ACT concerning

Allegany County – Deputy Sheriffs – Meals on Duty

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1075 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Public Safety – Hotels – Carbon Monoxide Alarms

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1079 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages Licenses – Town of Berlin

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1081 – Senator Raskin

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2013 – Montgomery County –
Pyramid Atlantic Art Center Space at the Silver Spring Library**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1082 – Senator Madaleno

AN ACT concerning

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

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1083 – Senator Klausmeier

AN ACT concerning

State Boat Act – Dealer's License – Lienholder Exemption

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1085 – Senator Conway

AN ACT concerning

**Baltimore City – State's Attorney and Police Department – Sharing Cause of
Death Determinations**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1086 – Senator Benson

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Prince George's County
– Capitol Heights Seat Pleasant Boys and Girls Club Initiative**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1091 – Senator Klausmeier

AN ACT concerning

Financial Institutions – Transitional Mortgage Loan Originator Licenses

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1094 – Senators King, Forehand, and Manno

AN ACT concerning

**Capital Grant Program for Public School Systems
With Significant Enrollment Growth**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1096 – Senator Hershey

AN ACT concerning

**Maryland Port Administration – Chesapeake and Delaware Canal – Dredged
Material Containment Areas – Remediation Plan**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1097 – Senator Hershey

AN ACT concerning

**Mental Hygiene Administration – Upper Shore Community Mental Health
Center – Reopening and Maintenance**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1098 – Senator Conway

AN ACT concerning

Public Institutions of Higher Education – Sale of Textbooks – Audits

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1099 – Senators Manno and Miller

AN ACT concerning

**Workers' Compensation – Occupational Disease Presumptions – Paid
Emergency Medical Services Providers**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1102 – Senator Jones–Rodwell

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Baltimore City –
Franklin Entrepreneurial and Apprenticeship Center**

The bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #5

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

Senate Executive Nominations Committee
Report #5
March 6, 2014

Administrative Hearings, Office of

1. Thomas E. Dewberry District 12

Judge of the Office of Administrative Hearings; reappointed to serve a term of six years from January 1, 2014

District Court, Talbot County (District 3)

2. William H. Adkins, III District 37

Judge of the District Court of Maryland, District 3, Talbot County; reappointed to serve a term of ten years from January 30, 2014

Natural Resources, Department of

3. Joseph P. Gill, Esq. District 33

Secretary of Department of Natural Resources; appointed to serve at the pleasure of the Governor

Airport Zoning Appeals Board

4. Dawn R. Brinkley District 12
223 Green Fern Way
Landsdowne, MD 21227

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2013

Architects, State Board of

5. Gary Richard Ey District 7
3718 Goodwill Court
Abingdon, MD 21009

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2013

Center for School Safety, Governing Board of the Maryland

6. Lorig Charkoudian, Ph.D. District 20
425 Ethan Allen Avenue
Takoma Park, MD 20912

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

Civil Rights, Commission on

7. Shawn M. Wright, Esq. District 23
302 Tamarack Court
Upper Marlboro, MD 20774

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2013

Economic Development Corporation Board of Directors, Maryland

8. Frederik M. Riefkol District 30
3 Chester Avenue
Annapolis, MD 21403

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2011

Emergency Number Systems Board

9. Scott L. Brillman District 46
213 Grindall Street
Baltimore, MD 21230

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2010

Health and Mental Hygiene, Board of Review of the Department of

10. Judith A. Arnold District 40
1428 John Street
Baltimore, MD 21217

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2011

Health Care Commission, Maryland

11. Michael S. McHale District 33
1137 St. Stephens Church Road
Crownsville, MD 21032

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2010

Port Commission, Maryland

12. Donald C. Fry District 35
1716 Edwin Avenue
Bel Air, MD 21015

Member of the Maryland Port Commission; reappointed to serve a term of three years from July 1, 2013

Residential Child Care Program Administrators, State Board for Certification of

13. Jennifer Younker District 1
12808 Divide Ridge Road
Little Orleans, MD 21766

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve a term of four years from July 1, 2013

Social Work Examiners, State Board of

14. Angela D. Anderson-Smith District 43
2815 Goodwood Road
Baltimore, MD 21214

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2012

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Amusement Ride Safety Advisory Board, State

S-1. Glenn Dale Fishack District 2
13134 Bikle Road, P.O. Box 118
Smithsburg, MD 21783

Member of the State Amusement Ride Safety Advisory Board; reappointed to serve a term of four years from July 1, 2014

Architectural Review, State Board of

S-2. James Louviere, Sr. District 18
9911 Markham Street
Silver Spring, MD 20901

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

Chesapeake Conservation Corps Program Board

S-3. Maureen Eccleston District 43
6014 Bellona Avenue
Baltimore, MD 21201

Member of the Chesapeake Conservation Corps Program Board; reappointed to serve a term of four years from July 1, 2013

Civil Rights, Commission on

S-4. Naima Said, Esq. District 12
12112 Blue Paper Trail
Columbia, MD 21044

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2013

Contract Appeals, Maryland State Board of

- S-5. Ann Marie Doory District 43
112 Taplow Road
Baltimore, MD 21212

Member of the Maryland State Board of Contract Appeals; reappointed to serve a term of five years from February 1, 2014

Elevator Safety Review Board

- S-6. Edward M. Hord District 42
1220 Copper Hill Road
Baltimore, MD 21209

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-7. Richard J. Lowman District 18
2445 Lyttonsville Road, #217
Silver Spring, MD 20910

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-8. Charles E. Meeks, Jr. District 38
601 South Pacific Avenue
Ocean City, MD 21842

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-9. Michael William Moran District 33
1434 St. Stephens Church Road
Crownsville, MD 21032

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

- S-10. Robert F. Yeatman, Jr. District 33
5872 Swap Circle Road, P.O. Box 232
Deale, MD 20757

Member of the Elevator Safety Review Board; reappointed to serve a term of three years from October 1, 2013

Health Care Commission, Maryland

S–11. Diane Stollenwerk District 43
3957 Cloverhill Road
Baltimore, MD 21218

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2013

S–12. Adam J. Weinstein, M.D. District 36
411 Wallman Way
Stevensville, MD 21666

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2013

Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors, State Board of

S–13. Allen B. Clinedinst, III District 5
1912 Ridgewood Court
Hampstead, MD 21074

Member of the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2013

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive, with the exception of Nominee No. 3, were all confirmed by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 447)

The President of the Senate put the following question: “Will the Senate advise and consent to Nominee No. 3, Joseph P. Gill, Esq. of the Executive?”

The above nomination of the Executive, was confirmed by roll call vote as follows:

Affirmative – 40 Negative – 7 (See Roll Call No. 448)

Tribute to Senator Barry Glassman

by Senator Catherine Pugh

Let me just say Mr. President the person that I have the honor to recognize this morning really represents the character and temperament in which I was brought up. It's not about black or white. It's not about Democrat or Republican. It's really about relationships. And any of you who have had the opportunity to come to the General Assembly on what I call an off season or to fill a term, it's a different kind of welcoming. And I came to the House as a result of the death of Tony Fulton. And so I ended up in the House for one session. And I sat across from what I call a gentleman. I had no idea whether he was Democrat or Republican. It really didn't matter. I didn't understand what happened in the General Assembly. I came from the City Council. But there was a gentleman sitting across from me and I guess he could see from my face that I really didn't understand what was going on. And so at the end of each session he would come over and talk to me and ask me if I had any questions or if there were any issues. So I would tell him some of the problems that I was having. He would sorta kinda help me along. But what happened in the development of that relationship was that we found out that we had so much in common, we're runners. And I would say to people sometimes you know we get up in the morning and he lives around the corner from me and we meet on Main Street and we run and we have these wonderful conversations. I'll never forget when I first met his wife Debbie. She said, "I already know you." And that's because as much as I love him, my staff, my friends, and my family love him as well. And you know Mr. President he came in here into the Senate body in an off season and I said to the President I know that the gentleman coming over could make a great Finance Committee member. And I said that to my Chair as well. And so I've had the opportunity for the last seven years that he's been in these chambers, eight years to sit next to him again. But you should know that I believe that this person has always been slotted for leadership.

He's one of three siblings. He served in the Harford County Council for nine years. He was vice president of the Council. He served in the House of Delegates for ten years and also served as the Delegation Chair for seven years and that in itself was a feat when you think of all the women he was surrounded with; and keeping that body in order. He actually sat behind me in the House and so again I was able to get more advice.

I happen to have been at one of the fundraisers for this particular person that happened in my district. The press walked up to me and said "Why are you here? Don't you know he is a Republican?" And I said, "Excuse me. But he's my friend." And you can see on the flyer that we passed out that there's a picture of me and my staff. We went out to his announcement because we know that he is going to be a great Harford County Executive. But I can tell you there is no better person serving in this body than Barry Glassman. He is a gentleman. He is a friend. He's served over thirty different joint committees and caucuses since he's been in this body.

And Debbie knows and he knows that I love him. I'm going to miss him. I'm going to miss those morning runs. And the signals that we give each other when we are sitting

at dinners cause Barry doesn't like to eat late and I don't like to eat late either. Mr. Chair I know you see those signals when we get up at the same time and leave. He goes his way and I go mine. I want to thank you Barry for your friendship, your leadership, your kindness, just for being an all around great guy. We salute you, the Maryland State Senate.

SPECIAL ORDERS

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

Senate Bill 611 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Special Event (Charity) Beer, Wine and Liquor License

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0611/403226/1

BY: Senator Dyson

AMENDMENTS TO SENATE BILL 611

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certify” in line 10 down through “transferred” in line 11 and substitute “transfer”.

AMENDMENT NO. 2

On page 2, strike beginning with “CERTIFY” in line 21 down through “TRANSFERRED” in line 22 and substitute “TRANSFER”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 449)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #42

CONSENT CALENDAR #1

<u>BILL NO.</u>	<u>SPONSOR</u>	<u>CONTENT</u>	<u>COMMITTEE</u>
SB 161	Sen. Conway	Alcoholic Beverages – Hard Cider – Definition	EHE
SB 250	Sen. Mathias	Somerset County – Alcoholic Beverages – Micro–Brewery Licenses	EHE
SB 298	Montgomery Co. Sens	Alcoholic Beverages – Montgomery County – Beer Festivals	EHE
SB 302	Montgomery Co. Sens	Montgomery Co – City of Takoma Park – Alc Bevs – Class B On– and Off–Sale License MC 18–14	EHE
SB 307	Montgomery Co. Sens	Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor Licenses	EHE
SB 310	Montgomery Co. Sens	Montgomery County – Micro–Brewery Licenses and	EHE

		Class D Beer and Light Wine Licenses	
SB 311	Montgomery Co. Sens	Montgomery County – Alcoholic Beverages – Special BWL Community Performing Arts Facility License	EHE
SB 339	Calvert Co. Senators	Calvert County – Alcoholic Beverages – License Applications	EHE
SB 340	Calvert Co. Senators	Calvert County – Alcoholic Beverages – Unlicensed Establishments – Prohibitions	EHE
SB 341	Calvert Co. Senators	Calvert County – Alcoholic Beverages – Refillable Container Permit	EHE
SB 420	Sen. Edwards	Alcoholic Beverages – Garrett County – Beer Festival Licenses	EHE
SB 458	Sen. Pugh	Baltimore City – Alcoholic Beverages – Micro-Brewery Licenses	EHE
SB 459	Montgomery Co. Sens	Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor (Clubhouse/Lodge) License	EHE
SB 495	Calvert Co. Senators	Calvert County – Alcoholic Beverages – Premises Inspections and Penalties	EHE
SB 496	Calvert Co. Senators	Calvert County – Alcoholic Beverages – Organizational Licenses	EHE
SB 548	Calvert Co. Senators	Calvert County – Alcoholic Beverages – Special Event (Festival) Beer, Wine and Liquor Permit	EHE
SB 657	Montgomery Co. Sens	Montgomery County – Alcoholic	EHE

		Beverages – Beer, Wine and Liquor Licenses	
SB 692	Sen. Shank	Washington County – Alcoholic Beverages – Restaurant Seating Capacity	EHE
SB 764	Sen. Colburn	Caroline County – Volunteer Fire Companies – Storage of Alcoholic Beverages	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 1 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 450)

The Bills were then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 451)

THIRD READING CALENDAR (SENATE BILLS) #43

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 – 47 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 453)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 454)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 455)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Benson moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1107 – Senator Benson

AN ACT concerning

**Residential Child Care Programs – Statement of Need – Exception for
Temporary Relocation**

FOR the purpose of creating an exception to a certain statement of need requirement for the temporary relocation of an existing licensed residential child care program under certain circumstances; and generally relating to statements of need for residential child care programs in the State.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–703.1
Annotated Code of Maryland
(2007 Volume and 2013 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 456)

RECESS

At 12:40 P.M. on motion of Senator Robey, seconded, the Senate recessed until 8:00 P.M. on Monday, March 10, 2014 (Calendar Day) and March 7, 2014 (Legislative Day).

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 7, 2014
Calendar Day: Monday, March 10, 2014

At 8:10 P.M. the Senate resumed its session.

Prayer by: Reverend Harold “Chip” Wright, Calvary United Methodist Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 458)

INTRODUCTION OF BILLS

Senator Conway moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1108 – Senators Conway and Dyson

AN ACT concerning

**Sterile Compounding Permits – Exemptions – Sterile Compounding Facilities
That Compound Only for Immediate Use**

FOR the purpose of authorizing, under certain circumstances, the State Board of Pharmacy to exempt a certain sterile compounding facility from a certain permit requirement; providing that a sterile compounding facility that receives a certain exemption is subject to inspection by the Board; authorizing the Board to withdraw an exemption under certain circumstances; providing that, under certain circumstances, a sterile compounding facility that has received a certain exemption is subject to disciplinary action by the appropriate regulatory board;

defining a certain term; and generally relating to exemptions from the sterile compounding permit requirement.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–4A–02
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 512 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Frost Elementary School
Allegany County
in recognition of
having won the great honor of being a 2014 Blue Ribbon School. We are very proud of
your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Senate Resolution No. 513 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Linthicum Elementary School
Anne Arundel County
in recognition of
having won the great honor of being a
2014 Blue Ribbon School. We are very proud
of your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Senate Resolution No. 514 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland

offers its sincerest congratulations to
Western School of Technology &
Environmental Science High School
Baltimore County
in recognition of
having won the great honor of being a
2014 Blue Ribbon School. We are very proud
of your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Senate Resolution No. 515 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Northern Garrett High School
Garrett County
in recognition of
having won the great honor of being a
2014 Blue Ribbon School. We are very proud
of your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Senate Resolution No. 516 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Cashell Elementary School
Montgomery County
in recognition of
having won the great honor of being a
2014 Blue Ribbon School. We are very proud
of your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Senate Resolution No. 517 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to

Robert Goddard French Immersion School
Prince George's County
in recognition of
having won the great honor of being a
2014 Blue Ribbon School. We are very proud
of your achievements. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 459)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 518 – Senator James E. DeGrange, Sr.:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Annapolis Area Christian School Girls Softball Team
in recognition of
your winning your first Interscholastic Athletic Association of Maryland
Championship in 2013. We applaud your outstanding season and wish you many
more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 460)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 87 – ~~Delegate McMillan~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Superintendent of Schools – Compensation

FOR the purpose of prohibiting the Anne Arundel County Board of Education from paying monetary compensation to the county superintendent of schools for sick leave benefits earned in a certain manner; authorizing the county board to allow the county superintendent to use certain sick leave in a certain manner; and generally relating to the compensation for the Anne Arundel County superintendent of schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–202
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 112 – Delegate Hubbard

AN ACT concerning

State Board of Professional Counselors and Therapists – Cease and Desist Orders and Penalties for Misrepresentation and Practicing Without a License

FOR the purpose of authorizing the State Board of Professional Counselors and Therapists to issue cease and desist orders or obtain injunctive relief for violations of certain provisions of law; altering a certain penalty for practicing, attempting to practice, or offering to practice certain health occupations without a license issued by the State Board of Professional Counselors and Therapists; providing that a person who violates certain provisions of law is subject to a civil fine not exceeding a certain amount to be assessed by the Board in accordance with certain regulations; ~~requiring the Board to pay certain penalties into the State Board of Professional Counselors and Therapists Fund;~~ and generally relating to the State Board of Professional Counselors and Therapists and cease and desist orders and penalties for misrepresentation and practicing without a license.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 17–301 and 17–601 through 17–603
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–513 and 17–604
Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 198 – Delegates Mitchell, Cardin, Clippinger, Conaway, Glenn, Gutierrez, Luedtke, Valentino-Smith, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, Barve, Branch, Frick, Harper, Hixson, Howard, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington

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 Budget and Taxation.

House Bill 209 – Charles County Delegation

AN ACT concerning

Charles County – Board of Education – Salaries and Expenses

FOR the purpose of altering the compensation received by the chair, vice chair, and other nonstudent members of the Charles County Board of Education; providing that the chair, vice chair, and other nonstudent members of the county board may be reimbursed for certain expenses under certain circumstances; altering the requirements for reimbursement of certain expenses incurred by a student member of the county board; establishing a certain scholarship for a student member of the county board who fulfills a certain requirement; providing that

this Act does not apply to the salary or compensation of the chair and members of the county board during a certain term of office; making stylistic changes; and generally relating to the Charles County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–501(g), 3–502, and 3–503

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

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

FOR the purpose of specifying the State minimum wage rate that is in effect for certain time periods; ~~increasing, except under certain circumstances, the State minimum wage rate in effect for certain periods of time based on the annual growth in the Consumer Price Index; requiring the Commissioner of Labor and Industry, beginning on a certain date and each subsequent year, to determine and announce the growth in the Consumer Price Index, if any, and the new State minimum wage rate;~~ authorizing certain amusement and recreational establishments to pay certain employees a certain wage under certain circumstances; repealing the exemption from the Maryland Wage and Hour Law for certain individuals; ~~altering~~ repealing the certain exemptions from a certain provision of law related to the payment of overtime wages; altering the exemption from a certain provision of law related to the payment of overtime wages for certain amusement and recreational establishments; ~~altering the percentage of the minimum wage rate that may be included by~~ prohibiting the tip credit amount an employer as a tip credit amount may include as part of an employee's wage from exceeding a certain minimum wage less a certain dollar amount, rather than a certain percentage of the minimum wage; ~~altering the number of hours to be used by certain employers to compute overtime wages for certain employees; repealing the authorization for certain employers to use a~~

~~certain number of hours to compute overtime wages for certain employees;~~ requiring a court, under certain circumstances, to make a certain award to an employee; authorizing a court, under certain circumstances, to determine that liquidated damages should not be awarded or to award a lesser amount than required under a certain provision of this Act; requiring, rather than authorizing, a court, under certain circumstances, to award an employee certain fees and costs; ~~defining a certain term;~~ providing for the application of a certain provision of this Act; providing for a delayed effective date; and generally relating to the payment of wages under the Maryland Wage and Hour Law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–403, 3–413, 3–415(b), 3–419, ~~3–420~~, and 3–427

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–415(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 302 – Delegate Reznik

AN ACT concerning

State Board of Podiatric Medical Examiners – Cease and Desist Orders and Fines

FOR the purpose of authorizing the State Board of Podiatric Medical Examiners to issue cease and desist orders or obtain injunctive relief for a violation of certain provisions of law; requiring the Board, to assess certain fines in accordance with certain regulations, ~~to levy and pay certain fines into the State Board of Podiatric Medical Examiners Fund;~~ and generally relating to the State Board of Podiatric Medical Examiners and cease and desist orders and fines for practicing without a license.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 16–101(a) and (b) and 16–501

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations
Section 16–319.1
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 16–505
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 354 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Clippinger, Glenn, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

AN ACT concerning

Baltimore City – AIDS Prevention Sterile Needle and Syringe Exchange Program

FOR the purpose of repealing a requirement that the AIDS Prevention Sterile Needle and Syringe Exchange Pilot Program in Baltimore City provide for the exchange of used hypodermic needles and syringes for sterile hypodermic needles and syringes on a “one–for–one” basis; altering a requirement that the Program’s oversight committee provide advice to the Commissioner of Health and the Program Director on developing Program operating procedures for the exchange of hypodermic needles and syringes in a certain manner; repealing as obsolete a certain date by which the Director for the Program, with the advice and approval of a certain committee, is required to develop certain operating procedures; altering a requirement that Program operating procedures be developed to provide for the exchange of hypodermic needles and syringes to injecting users in a certain manner; requiring the Baltimore City Health Department, on or before a certain date each year, to report to the oversight committee, the Governor, and the General Assembly on the number of hypodermic needles and syringes exchanged as part of the Program; and generally relating to AIDS prevention and the use of hypodermic needles and syringes in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–802, 24–804(c), and 24–805(b), and 24–806
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 403 – Delegate Cullison

AN ACT concerning

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

FOR the purpose of authorizing the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to issue cease and desist orders or obtain injunctive relief for violations of certain provisions of law; authorizing an action to be maintained in the name of the State or the Board to enjoin certain unauthorized practice or conduct that is a ground for certain disciplinary action; authorizing a certain action to be brought by certain persons and in certain locations; providing that proof of certain damages is not required for a certain action; providing that a certain action is in addition to and not instead of certain criminal prosecution or disciplinary action; repealing authorization for the Board to sue to enforce certain provisions of law; and generally relating to the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists and cease and desist orders and injunctive relief.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 2–312
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 404 – Delegates Rosenberg, Braveboy, Busch, Reznik, and Schuh

AN ACT concerning

Department of Health and Mental Hygiene – State Facilities – Cemeteries

FOR the purpose of requiring ~~the State to maintain certain cemeteries in accordance with a certain definition~~ certain cemeteries to be provided perpetual care; requiring certain activities or projects to be undertaken in consultation with the Maryland Historical Trust in accordance with certain provisions of law; making certain provisions of State law that apply to property of cemeteries also apply to a cemetery owned by the State and located on the grounds of a State facility; requiring the Department of Health and Mental Hygiene, beginning on a

certain date and annually thereafter, to report on the implementation of certain provisions to certain legislative committees; defining a certain term; altering a certain definition; making a conforming change; and generally relating to cemeteries owned by the State and located on the grounds of a State facility.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 5-502 ~~and 5-601~~
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10-309
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 446 – Delegate Stukes

AN ACT concerning

Tax Sales – Reimbursement for Attorney’s Fees

FOR the purpose of providing that a plaintiff or the holder of a certificate of sale in a foreclosure action may be reimbursed up to a certain amount for reasonable attorney’s fees ~~for certain participation in a bankruptcy proceeding or~~ for opening an estate for certain purposes; providing that a plaintiff or holder of a certificate of sale in a foreclosure action may be reimbursed up to a certain amount for certain expenses incurred for opening an estate for certain purposes; and generally relating to tax sales of property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14-833(a) and (a-1)(1) and (3)(vi)4.
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14-843(a)(4)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

**House Bill 553 – Chair, Environmental Matters Committee (By Request –
Departmental – Housing and Community Development)**

AN ACT concerning

Housing – Energy–Efficient Homes Construction Loan Program

FOR the purpose of establishing the Energy–Efficient Homes Construction Loan Program; establishing the purpose of the Program; requiring and authorizing the Department of Housing and Community Development to perform certain duties; specifying the uses of a loan under the Program; setting certain requirements for a mortgage lien that secures a certain loan; requiring an applicant for a certain loan to submit certain documentation and information; prohibiting certain actions in connection with the Program; establishing certain penalties; establishing the Energy–Efficient Homes Construction Fund as a special, nonlapsing fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the ~~purpose~~ purposes for which the Fund may be used; providing for the investment of money in the Fund; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to construction financing for energy–efficient homes.

BY adding to

Article – Housing and Community Development

Section 4–2001 through 4–2006 to be under the new subtitle “Subtitle 20.
Energy–Efficient Homes Construction Loan Program”

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.

**House Bill 590 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

Maryland Medical Assistance Program – Waivers – Consolidation and Repeal

FOR the purpose of repealing the Living at Home Waiver Program; altering the requirements for applicants, financial eligibility criteria, and services to be included in the home– and community–based services waiver in the Department of Health and Mental Hygiene (DHMH); repealing the requirement that DHMH work with the Maryland Health Care Commission to convert a certain percentage of nursing facility beds to assisted living program waiver beds; repealing the requirement that certain waiver services be jointly administered by DHMH and the Department of Aging; repealing a requirement that DHMH adopt certain regulations within a certain time period; repealing certain obsolete language; repealing and altering certain definitions; and generally relating to home– and community–based services waivers under the Maryland Medical Assistance Program.

BY repealing

Article – Health – General

Section 15–801 through 15–809 and the subtitle “Subtitle 8. Living at Home Waiver Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–132

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 595 – Delegates Niemann, Beidle, Bobo, Braveboy, Carr, Fraser-Hidalgo, Frush, Gilchrist, Griffith, Gutierrez, Healey, Holmes, Lafferty, McComas, McIntosh, McMillan, A. Miller, Norman, S. Robinson, Stein, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Foreclosure of Residential Property – Certified Community Development Financial Institutions

FOR the purpose of ~~prohibiting a foreclosure sale of residential property before a secured party responds in a certain manner to a bona fide offer from~~ providing that no person may require, as a condition of a sale or transfer of

owner-occupied residential property to a certified community development financial institution to purchase the property, any affidavit, statement, agreement, or addendum that limits ownership or occupancy of the property by the immediately preceding mortgagor or grantor under certain circumstances; providing that any affidavit, statement, agreement, or addendum that limits ownership or occupancy of owner-occupied residential property by the immediately preceding mortgagor or grantor may not serve as a basis to avoid a sale or transfer of the property to a certified community development financial institution and is unenforceable against certain persons under certain circumstances; exempting a certified community development financial institution from the applicability of certain homeowners in foreclosure protection laws under certain circumstances; providing certain exemptions under the recordation tax and State transfer tax for an instrument of writing relating to a transfer from a certified community development financial institution under certain circumstances; defining a certain term; making this Act an emergency measure; and generally relating to the foreclosure of residential property and certified community development financial institutions.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7-105.1(a) and 7-302

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 7-105.1(m), (n), (p), (q), and (s)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Real Property

Section 7-105.1(n-1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Tax – Property

Section 12-108(ff) and 13-207(a)(24)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 13-207(a)(22) and (23)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 645 – Delegates Weir, Norman, Otto, and Stein

AN ACT concerning

Real Property – Landlord Defenses in Nuisance Actions

FOR the purpose of establishing a defense to any nuisance action brought under State or local law against a landlord if the tenant's actions are the sole basis for the action and the landlord provides certain evidence ~~that an action has been filed in the District Court for repossession of the leased premises;~~ and generally relating to landlord defenses in nuisance actions.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–402.1

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

House Bill 657 – Delegates Pena–Melnyk, Oaks, Cullison, Hubbard, Kach, A. Kelly, Krebs, Murphy, Ready, Reznik, and V. Turner

AN ACT concerning

State Board of Dental Examiners – Dentists and Dental Hygienists – Grounds for Discipline

FOR the purpose of authorizing the State Board of Dental Examiners to take certain disciplinary actions against applicants for a license to practice dentistry or dental hygiene, licensed dentists, or licensed dental hygienists if the applicant or licensee demonstrates a certain course of conduct or provides a certain service that is inconsistent with certain standards of care under certain circumstances; and generally relating to the discipline of applicants for licensure and licensees of the State Board of Dental Examiners.

BY renumbering

Article – Health Occupations

Section 4–315(a)(18) through (32) and (b)(11) through (18), respectively to be Section 4–315(a)(20) through (34) and (b)(13) through (20), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations
Section 4–315(a)(18) and (19) and (b)(11) and (12)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 661 – Delegates Myers and Krebs

AN ACT concerning

Health – Statistics and Records – Electronic Filing of Death Certificates

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, on or before a certain date, to establish a process by which ~~death and fetal~~ death certificates can be filed electronically and to educate physicians, physician assistants, and nurse practitioners regarding the process; and generally relating to the filing of death certificates.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4–203
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 692 – Delegates Pena–Melnyk, Costa, Cullison, Hubbard, Kach, A. Kelly, Krebs, Morhaim, Murphy, Oaks, Reznik, and V. Turner

AN ACT concerning

Maryland Perfusion Act – Revisions

FOR the purpose of altering the requirement that one of the members of the Perfusion Advisory Committee be a physician who performs cardiac or cardiothoracic surgery to allow the member to be a cardiac anesthesiologist; authorizing, under certain circumstances, a certain applicant to apply to the State Board of Physicians for an extension of the term of a certain license; requiring the Board to adopt regulations to carry out a certain provision of this Act; altering the circumstances under which the Board is required to reinstate a certain license issued by the Board; repealing the requirement that a licensed perfusionist display the perfusionist's license in a certain place; requiring a licensed perfusionist to keep a copy of the perfusionist's license in a certain file and

make the license available for inspection on request; altering certain penalty provisions; correcting the names of certain organizations referenced in the Maryland Perfusion Act; altering the circumstances under which certain entities are not required to report a certain licensed perfusionist to the Board; and generally relating to the Maryland Perfusion Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5E–06(a), 14–5E–09(c), 14–5E–10, 14–5E–13(f), 14–5E–14(b),
14–5E–18(b)(1)(i), and 14–5E–23

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 739 – The Speaker and Delegates Hixson, F. Turner, Beidle, Bohanan, Branch, Bromwell, Cane, Cardin, Clagett, Clippinger, Conway, Davis, DeBoy, Dumais, Frick, Gaines, Gilchrist, Griffith, Gutierrez, Guzzone, Hammen, Haynes, Healey, Holmes, Howard, Hubbard, Ivey, James, Jameson, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Malone, McHale, McIntosh, A. Miller, Mitchell, Murphy, Olszewski, Pendergrass, B. Robinson, Rudolph, Simmons, Stein, Stukes, Tarrant, Valderrama, Valentino-Smith, Vallario, Walker, ~~A. Washington~~, Wilson, ~~and Zucker~~ Zucker, Serafini, Afzali, Arentz, Aumann, Barve, Bates, Beitzel, Cluster, Dwyer, Eckardt, Elliott, Frank, George, Haddaway-Riccio, Hogan, Hough, Jacobs, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, Myers, Norman, Otto, Parrott, Ready, Schuh, Schulz, Stocksedale, and Szeliga

AN ACT concerning

Maryland Estate Tax – Unified Credit

FOR the purpose of altering the size of an estate required to file an estate tax return; altering a certain limit on the unified credit used for determining the Maryland estate tax; repealing a certain limit on the unified credit used for determining the Maryland estate tax for decedents dying after a certain date; altering a certain limitation on the amount of the Maryland estate tax; making a conforming change; and generally relating to the Maryland estate tax.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 7–309(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–305(b) and 7–309(b)(1), (2), and (3) and (c)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 798 – Delegates A. Kelly, Barnes, Barve, Bromwell, Burns, Carr, Cullison, Frick, Guzzone, Hubbard, Hucker, Ivey, Kach, Kaiser, Luedtke, McDonough, A. Miller, Pena–Melnyk, Reznik, S. Robinson, Stein, Summers, Valderrama, Valentino–Smith, A. Washington, ~~and Zucker~~ Zucker, and Fraser–Hidalgo

AN ACT concerning

Education – Children With Disabilities – Habilitative Services Information

FOR the purpose of requiring a local school system to provide to the parents or guardians of a child with a disability certain information about access to habilitative services at certain times; and generally relating to providing information on habilitative services for children with disabilities by a local school system.

BY adding to
Article – Education
Section 8–418
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 838 – Delegate James

AN ACT concerning

Task Force to Study Vocational and Technical Education Programs in Harford County

FOR the purpose of establishing the Task Force to Study Vocational and Technical Education Programs in Harford County; 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, in consultation with a certain committee, to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor, the

Harford County Executive, the Harford County Board of Education, 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 Vocational and Technical Education Programs in Harford County.

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

House Bill 988 – Chair, Ways and Means Committee and Delegates Barve, Boteler, Harper, Ivey, Luedtke, Stukes, and Walker

AN ACT concerning

Maryland Horse Racing Act – Sunset Extension and Program Evaluation

FOR the purpose of extending the date on which the Maryland Horse Racing Act terminates; requiring that an evaluation in accordance with the Maryland Program Evaluation Act (sunset law) be made of the State Racing Commission, the Maryland–Bred Race Fund Advisory Committee, and the Maryland Standardbred Race Fund Advisory Committee and the related statutes and regulations on or before a certain date; and generally relating to the Maryland Horse Racing Act.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–1101
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–1102
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(34), (47), and (53)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1218 – Delegates Cullison, Costa, Elliott, Frank, Hubbard, Kach, Krebs, Luedtke, Nathan–Pulliam, Pena–Melnyk, Ready, and Tarrant

AN ACT concerning

State Board of Pharmacy – Registered Pharmacy Interns

FOR the purpose of establishing a system of registration for pharmacy interns; requiring the State Board of Pharmacy to keep certain records; exempting certain pharmacy interns from certain provisions of law; altering certain grounds for discipline of certain applicants or licensees of the Board; authorizing certain appeals and judicial review under certain circumstances; altering the scope of certain rehabilitation committees; authorizing the Board to require a certain examination under certain circumstances; deeming certain pharmacy interns to have consented to submit to certain examinations and to have waived certain claims of privilege; specifying that certain refusals are prima facie evidence of certain incompetence under certain circumstances, subject to a certain exception; prohibiting certain pharmacies from participating in certain activities or allowing certain individuals to make certain representations; authorizing the Board to waive certain requirements for certain programs; altering the scope of a certain requirement for licensure; requiring certain individuals to register and be approved by the Board before practicing pharmacy as a pharmacy intern under the direct supervision of a certain pharmacist; providing the qualifications for a certain pharmacy intern registration; requiring certain pharmacy interns to submit to a certain criminal history records check; requiring certain applicants to the Board to submit certain sets of fingerprints and a certain fee to the Central Repository of the Criminal Justice Information System under certain circumstances; requiring the Central Repository to forward certain information to the Board and certain applicants; requiring the Board to make certain assurances regarding certain information; authorizing certain individuals to contest certain information; requiring certain applicants to provide certain information to the Board and pay a certain fee; requiring the Board to register certain individuals as pharmacy interns under certain circumstances; authorizing the Board to set certain fees under certain circumstances; prohibiting a certain pharmacist from supervising more than a certain number of pharmacy interns; requiring certain pharmacy interns to provide the Board with certain notifications within a certain number of days of a certain conviction or entry of a certain plea; providing for the scope of a pharmacy intern registration; specifying certain duties that a certain pharmacy intern may not delegate or perform; providing for the expiration and renewal of the registration of a pharmacy intern; requiring the Board to send certain notices by certain methods within a certain period of time under certain circumstances; requiring certain pharmacy interns to display certain registrations and wear certain identification; authorizing the Board to deny certain applicants a registration, reprimand or place on probation certain

pharmacy interns, or suspend or revoke certain registrations under certain circumstances; authorizing the Board to impose certain penalties under certain circumstances; requiring the Board to adopt certain regulations for certain purposes; requiring the Board to pay certain penalties into the General Fund under certain circumstances; prohibiting the surrender of certain registrations under certain circumstances; authorizing the Board to set certain conditions on certain surrenders under certain circumstances; prohibiting certain individuals from practicing, attempting to practice, or offering to practice as a certain pharmacy intern unless registered by the Board; prohibiting certain individuals from making certain representations unless registered by the Board; prohibiting the use of certain terms unless registered by the Board; subjecting certain persons to certain penalties under certain circumstances; defining certain terms; altering a certain definition; making a certain technical correction; and generally relating to the registration of pharmacy interns.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(g) and (t), 12–205(b), 12–301, 12–313(b)(3), (13), (31), and (32), 12–316, 12–317(b), 12–320, 12–403(b)(9) and (19) and (c)(1), 12–6B–01, and 12–707

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health Occupations

Section 12–101(t–1) and 12–313(b)(33); and 12–6D–01 through 12–6D–15 to be under the new subtitle “Subtitle 6D. Registered Pharmacy Interns”

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 385 – Delegate Rosenberg

AN ACT concerning

Privileged Communications – Dissemination of News or Information by Certain Persons

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #7

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

Senate Bill 170 – The President (By Request – Administration)

**Budget Bill
(Fiscal Year 2015)**

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2014 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND
SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit G of Appendix III)

The preceding 160 amendments were read only.

Senator Kasemeyer moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senate Bill 172 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2014

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND SENATE BILL 172 –
THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit H of Appendix III)

SB0172/509233/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “purposes;” insert “setting a certain limit on the use of certain funds beginning with a certain fiscal year;”; in line 4, after “revenue;” insert “establishing the date on which certain license fees are effective; creating a Maryland Amusement Game Advisory Committee; providing for the composition, chair, staffing, and duties of the Advisory Committee; prohibiting a member of the Advisory Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses;”; in line 5, after “appropriations;” insert “applying to charter counties certain provisions of law that authorize counties to impose a hotel rental tax; providing that under certain circumstances certain other laws prevail over the provisions that authorize charter counties to impose a hotel rental tax; requiring the appropriation of certain funds for certain purposes beginning with a certain fiscal year;”; in the same line, after “commissions;” insert “repealing a certain authorization for the State Lottery Commission to authorize the payment of certain bonuses and incentives; requiring the Governor to include certain supplemental contributions in the budget bill in addition to certain required contributions for certain fiscal years or until certain conditions are met; requiring the Governor to increase certain supplemental contributions in the budget bill under certain circumstances;”; in line 6, after “funds;” insert “providing for a certain calculation of local wealth for certain education aid purposes for certain fiscal years; making the Maryland Health Benefit Exchange subject to certain provisions of law, to the extent that the Secretary of Information Technology determines that a certain information technology project is a major information technology development project; repealing a limitation on the applicability, to certain fiscal years only, of a certain fee for a certificate of title for a

rental vehicle; repealing certain authority for the Health Services Cost Review Commission and the Department of Health and Mental Hygiene to adopt certain policies; requiring the Governor to reduce a certain assessment by a certain amount beginning with the State budget submission for a certain fiscal year; providing for the method of calculating the amount of the reduction; requiring the Commission to model the methodology used for calculating the reduction in a certain manner; requiring that certain other Medicaid savings also be used to reduce the assessment; requiring the Health Services Cost Review Commission for a certain fiscal year to include a certain additional amount in hospital revenue for a certain purpose when determining certain hospital rates;”; in line 7, after “assessment;” insert “requiring the Board of Trustees for the State Retirement and Pension System to perform a certain study and to report the results to certain committees of the General Assembly on or before a certain date;”; strike beginning with “requiring” in line 7 down through “year;” in line 16; in line 17, after “year;” insert “requiring the State Department of Assessments and Taxation to establish a certain workgroup in a certain manner to examine certain issues; requiring the workgroup to submit a certain report on or before a certain date; authorizing the State Department of Assessments and Taxation to contract with a consultant for a certain purpose under certain circumstances and subject to certain requirements of State procurement law;”; in the same line, strike “defining certain terms;”; and in lines 17 and 18, strike “a conforming change;” and substitute “conforming changes; making certain provisions of this Act contingent on the taking effect of another Act;” .

On page 2, after line 1, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(c)(5)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law

Section 12–301.1(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

in line 9, strike “16–305(c)(1)(i) and” and substitute “5–202(d)(1), 16–305(c)(1)(i), and”;

strike in their entirety lines 12 through 16, inclusive; after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–302(b)(1)(xxiv) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health – General

Section 2–302(b)(3)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 20–402

Annotated Code of Maryland

(2013 Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–212(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

in line 19, strike “(b)(2) and” and substitute “(b), 9–1A–29(d)(1), and”; after line 21, insert:

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 21–308(a)(1) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

in line 22, strike “and reenacting, with amendments,”; after line 26, insert:

“BY adding to

Article – State Personnel and Pensions

Section 21–308(a)(4)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)”;

and after line 36, insert:

“BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(d)(10)(i), (ii), (iii), and (iv)1. and 2. and (k)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–103(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)”.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(e) and 13–802(b)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–802(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by
Chapter 425 of the Acts of the General Assembly of 2013
Section 16”;

and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 22, after “(b)” insert “**(1)**”; in lines 24, 26, and 29, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 29, strike “FOR” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR**”; and after line 30, insert:

“(2) FOR FISCAL YEAR 2015 AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT MAY NOT USE THE FUND TO PAY MORE THAN 5% OF THE ADMINISTRATIVE EXPENSES OF THE OFFICE OF THE DIRECTOR OF THE DEPARTMENT.”.

AMENDMENT NO. 3

On page 4, after line 32, insert:

“Article – Criminal Law

12-301.1.

(c) The Commission shall adopt regulations that:

(5) establish license fees, EFFECTIVE ON JULY 1, 2016, that are sufficient to cover the direct and indirect costs of licensure required under this section.

(F) (1) THERE IS A MARYLAND AMUSEMENT GAME ADVISORY COMMITTEE.

(2) THE ADVISORY COMMITTEE SHALL ADVISE THE COMMISSION ON THE CONDUCT AND TECHNICAL ASPECTS OF THE AMUSEMENT GAME INDUSTRY, INCLUDING RECOMMENDATIONS FOR THE LEGALITY OF SKILLS-BASED AMUSEMENT GAMES.

(3) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) TWO MEMBERS SELECTED FROM A LIST OF FIVE NAMES SUBMITTED BY THE MARYLAND AMUSEMENT AND MUSIC OPERATORS ASSOCIATION;

(II) ONE MEMBER WHO IS A LOCAL GOVERNMENT OFFICIAL SELECTED FROM A LIST OF NAMES SUBMITTED BY THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE;

(III) ONE MEMBER WHO IS A LOCAL LAW ENFORCEMENT OFFICER; AND

(IV) ONE CITIZEN REPRESENTATIVE.

(4) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE ADVISORY COMMITTEE.

(5) THE COMMISSION SHALL PROVIDE STAFF FOR THE ADVISORY COMMITTEE.

(6) A MEMBER OF THE ADVISORY COMMITTEE:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY COMMITTEE; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.”.

AMENDMENT NO. 4

On page 6, in line 4, strike the brackets; in the same line, strike “YEARS”; in line 5, strike “AND 2015”; and in line 32, strike the bracket.

On page 7, in line 1, strike the bracket; strike beginning with “an” in line 1 down through “19%” in line 2 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 5 down through “student” in line 6; strike beginning with “an” in line 7 down through “19%” in line 8 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 11 down through “student” in line 12; in lines 7, 13, 18, 23, 28, 33, and 38, in each instance, strike the brackets; and in lines 7, 13, 18, 23, 28, 33, and 38, strike “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, and “13.”, respectively.

On page 8, strike in their entirety lines 4 through 26, inclusive.

AMENDMENT NO. 5

On page 9, strike beginning with “(2)” in line 1 down through “(4)” in line 2 and substitute “(2) AND (3)”; in lines 24 and 28, in each instance, strike the bracket; in line 28, strike “that is the greater of 9%” and substitute “NOT LESS THAN 9.6%”; strike beginning with “or” in line 30 down through “student” in line 31; in line 32, strike the brackets; in the same line, strike “(VII)”; strike beginning with “that” in line 32 down through “9%” in line 33 and substitute “NOT LESS THAN 10.1%”; and strike beginning with “or” in line 34 down through “student” in line 35.

On page 10, in lines 1, 4, and 7, strike “9.3%”, “11.3%”, and “13.3%”, respectively, and substitute “10.5%”, “10.8%”, and “11.1%”, respectively; in lines 1, 4, 7, and 10, in each instance, strike the brackets; and in lines 1, 4, 7, and 10, strike “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively; and strike in their entirety lines 14 and 15.

AMENDMENT NO. 6

On page 10, after line 15, insert:

“Article – Health – General

2–302.

(b) The funding shall be:

(1) \$37,283,484 in each of fiscal years 2011 and 2012, to be distributed as follows:

(xxiv) Worcester County.....\$312,944; [and]

(2) For fiscal [year] YEARS 2013 and [each subsequent fiscal year] 2014, \$37,283,484 adjusted for:

(i) Inflation, as measured by the Consumer Price Index (All Urban Consumers), for the second preceding fiscal year, calculated by the U.S. Department of Commerce; and

(ii) Population growth, as measured by the growth in the total population of the State of Maryland for the second preceding fiscal year, according to the most recent statistics available through the Department of Health and Mental Hygiene; AND

(3) FOR FISCAL YEAR 2015 AND EACH SUBSEQUENT FISCAL YEAR, THE AMOUNT OF FUNDING FOR THE PRECEDING FISCAL YEAR ADJUSTED FOR:

(I) INFLATION, AS MEASURED BY THE CONSUMER PRICE INDEX (ALL URBAN CONSUMERS), FOR THE SECOND PRECEDING FISCAL YEAR, CALCULATED BY THE U.S. DEPARTMENT OF COMMERCE; AND

(II) POPULATION GROWTH, AS MEASURED BY THE GROWTH IN THE TOTAL POPULATION OF THE STATE FOR THE SECOND PRECEDING FISCAL YEAR, ACCORDING TO THE MOST RECENT STATISTICS AVAILABLE THROUGH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”.

AMENDMENT NO. 7

On page 10, before line 16, insert:

“Article – Local Government

20–402.

(A) This part applies only to:

(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CHARTER COUNTY;

[(1)] (2) a code county;

[(2)] (3) Calvert County;

[(3)] (4) Carroll County;

[(4)] (5) Cecil County;

- [(5) Dorchester County;
- (6) Frederick County;
- (7)] (6) Garrett County;
- [(8)] (7) St. Mary’s County;
- [(9)] (8) Somerset County; AND
- [(10) Talbot County;
- (11)] (9) Washington County]; and
- (12) Wicomico County].

(B) TO THE EXTENT THIS PART CONFLICTS WITH ANOTHER LAW THAT APPLIES TO A CHARTER COUNTY, THE OTHER LAW SHALL PREVAIL OVER THIS PART.”.

AMENDMENT NO. 8

On page 10, strike in its entirety line 16 and substitute:

“Article – Natural Resources

5–212.

(g) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE Fund may be used only for:

(i) 1. Purchasing and managing in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves; and

2. Helping to offset the costs to the Forest and Park Service for developing and implementing a forest health emergency contingency program under § 5–307 of this title;

(ii) Subject to paragraph (2) of this subsection, payments to counties in the amount of:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the revenue derived from the State forest or park reserve located in that county; and

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the revenue derived from the State forest or park reserve located in that county; and

(iii) Administrative costs calculated in accordance with § 1-103(b)(2) of this article.

(2) For fiscal years 2012 and 2013 only, the payments under paragraph (1)(ii) of this subsection shall be based only on the revenue derived from sales of timber.

(3) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE MARYLAND PARK SERVICE EQUAL TO:

(I) 60% OF THE REVENUES, FOR FISCAL YEAR 2016;

(II) 80% OF THE REVENUES, FOR FISCAL YEAR 2017; AND

(III) 100% OF THE REVENUES, FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER.

Article – State Government”.

AMENDMENT NO. 9

On page 10, strike beginning with the bracket in line 18 down through “a” in line 19 and substitute “A”; strike in their entirety lines 21 through 29, inclusive, and substitute:

“(b) [(1) The Commission may authorize the payment of special bonuses or incentives to licensed agents and their employees.]”

“(2) The total of the bonuses and incentives may not exceed one-half of 1% of the gross receipts from ticket sales for the year for which the bonuses or incentives are awarded.”

“[(3) Lottery sales agents may not offer patrons inducements of alcoholic beverages to purchase or redeem lottery tickets.”

AMENDMENT NO. 10

On page 11, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(a) (1) On or before December 1 of each year, the Board of Trustees shall:

(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year, including a separate certification of the normal contribution rate for the Teachers’ Retirement System and the Teachers’ Pension System; and

(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid by the State as determined under § 21–304 of this subtitle to the Teachers’ Retirement System and the Teachers’ Pension System expressed as a percentage of the payroll of all members of those State systems.

(2) The Governor shall include in the budget bill:

(i) the total amount of the State’s contribution to each State system as ascertained based on the rates certified by the Board of Trustees under paragraph (1) of this subsection;

(ii) the additional amounts as ascertained under subsection (d) of this section for the State’s payment to the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees’ Retirement System of Montgomery County and are excluded from membership in the Teachers’ Retirement System or the Teachers’ Pension System; and

(iii) any additional amount required to be in the budget bill under § 3-501(c)(2)(ii) of this article.

(4) [For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph (2) of this subsection, the Governor shall include in the budget bill \$300,000,000.]

(i) 1. FOR FISCAL YEAR 2014, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

2. FOR FISCAL YEAR 2015, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

3. FOR FISCAL YEAR 2016, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$150,000,000.

4. FOR FISCAL YEAR 2017, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$200,000,000.

5. FOR FISCAL YEAR 2018, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$250,000,000.

6. FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$300,000,000, UNTIL:

A. THE TOTAL ACTUARIAL VALUE OF ASSETS FOR THE SEVERAL SYSTEMS DIVIDED BY THE TOTAL ACTUARIAL ACCRUED LIABILITY FOR THE SEVERAL SYSTEMS EQUALS A FUNDING RATIO OF 85%; AND

B. THE CONTRIBUTION RATES CERTIFIED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION ARE THE FULL FUNDING RATES AS DEFINED IN § 21-304(A)(3) OF THIS SUBTITLE.

(II) IF THE AMOUNT OF A SUPPLEMENTAL CONTRIBUTION INCLUDED IN THE BUDGET BILL FOR A FISCAL YEAR IS LESS THAN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL INCREASE THE SUPPLEMENTAL CONTRIBUTION FOR THE FOLLOWING FISCAL YEAR BY THE AMOUNT OF THE REDUCTION TO THE SUPPLEMENTAL CONTRIBUTION IN THE PREVIOUS FISCAL YEAR.”.

On page 16, after line 6, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, the Board of Trustees for the State Retirement and Pension System shall perform a study that, based on the results of the actuarial valuation as of June 30, 2014, addresses the following:

(1) The increased employer contributions to be made each year by the State as a result of phasing out the corridor funding method under § 21-304(e) and (f) of the State Personnel and Pensions Article;

(2) The effects of changes to actuarial assumptions made by the Board of Trustees on normal contribution rates paid by county boards of education and the Baltimore City Board of School Commissioners under § 21-304(b)(4)(iii) of the State Personnel and Pensions Article on or after July 1, 2016;

(3) The effects of changes to the amount of supplemental contributions under § 21-308(a)(4) of the State Personnel and Pensions Article paid to the System on employer contributions through fiscal year 2039;

(4) The fiscal effect on local employers due to any projected increases in the amounts the local employers are required to pay for each employee for the administrative and operational expenses under § 21–316 of the State Personnel and Pensions Article; and

(5) An assessment of the effects of the System’s investment underperformance relative to other similar public pension systems on the System’s total assets and on employer contribution rates.

(b) On or before January 1, 2015, the Board of Trustees shall complete the study and report on the results of the study to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article.”.

AMENDMENT NO. 11

On page 12, after line 2, insert:

“Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county’s full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. Except as provided in paragraph (3)(ii) of this subsection AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, in each fiscal year if a county’s education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- A. A county’s increase in the local wealth per pupil;
- B. The statewide average increase in local wealth per pupil; or
- C. 2.5%.

(III) THE CALCULATION OF LOCAL WEALTH FOR THE PURPOSES OF PARAGRAPHS (1) AND (10) OF THIS SUBSECTION SHALL USE THE AMOUNT CERTIFIED FOR NET TAXABLE INCOME UNDER SUBSECTION (K)(2)(II) OF THIS SECTION BASED ON TAX RETURNS FILED ON OR BEFORE:

1. FOR FISCAL YEARS 2015 THROUGH 2017, SEPTEMBER 1; AND

2. FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, NOVEMBER 1.

(10) (i) In this paragraph the following terms have the meanings indicated.

1. “Education appropriation” includes any money redirected to a county board under § 5–213 or § 5–213.1 of this subtitle.

2. “Education effort” means a county’s education appropriation divided by the county’s wealth.

3. “5–year moving average” means the average of the 5 years before the waiver year.

4. “Waiver year” means the fiscal year for which a waiver from the maintenance of effort requirement in paragraph (1)(ii) of this subsection is requested.

(ii) This paragraph applies to a county that has:

1. Received a waiver under paragraph (8)(i)1 of this subsection from the maintenance of effort requirement; and

2. A required county education appropriation under paragraph (1)(ii) of this subsection for the waiver year that exceeds 100% of the statewide 5-year moving average of education effort times a county's local wealth.

(iii) A county that satisfies the requirements under subparagraph (ii) of this paragraph may request a rebasing waiver from the State Board.

(iv) When considering whether to grant a county's waiver request under this paragraph, the State Board shall consider the following factors:

1. Whether a county has submitted sufficient evidence that the factors in paragraph (8)(v) of this subsection will affect a county's ongoing ability to meet the maintenance of effort requirement;

2. Whether a county is at its maximum taxing authority under the law;

(k) (1) This subsection applies to education programs that use wealth to calculate State aid formulas under this subtitle.

(2) The Comptroller shall certify annually the amount of net taxable income based on both:

(i) Tax returns filed on or before September 1; and

(ii) Tax returns filed on or before November 1.

(3) For each fiscal year, State aid shall be calculated as follows:

(i) Once using the amount certified for net taxable income under paragraph (2)(i) of this subsection for tax returns filed on or before September 1; and

(ii) Again using the amount certified for net taxable income under paragraph (2)(ii) of this subsection for tax returns filed on or before November 1.

(4) Subject to paragraph (5) of this subsection, the amount of State aid for a county shall be the greater of the two calculations required under paragraph (3) of this subsection.

(5) If the amount of State aid for a county, using the calculation of State aid under paragraph (3)(ii) of this subsection, is the greater of the two calculations under paragraph (3) of this subsection, payment of any increase in State aid resulting from the difference between the two calculations shall be phased in as follows:

(i) For fiscal year 2014, 20 percent of the difference between the two calculations;

(ii) For fiscal year 2015, 40 percent of the difference between the two calculations;

(iii) For fiscal year 2016, 60 percent of the difference between the two calculations;

(iv) For fiscal year 2017, 80 percent of the difference between the two calculations; and

(v) For fiscal year 2018, and each fiscal year thereafter, the full amount of the calculation.”.

AMENDMENT NO. 12

On page 12, before line 3, insert:

“Article – Insurance

31–103.

(a) The Exchange is subject to:

(1) the following provisions of the State Finance and Procurement Article:

(I) TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING), TO THE EXTENT THAT THE SECRETARY OF INFORMATION TECHNOLOGY

DETERMINES THAT AN INFORMATION TECHNOLOGY PROJECT OF THE EXCHANGE IS A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT;

~~[(i)] (II)~~ Title 12, Subtitle 4 (Policies and Procedures for Exempt Units); and

~~[(ii)] (III)~~ Title 14, Subtitle 3 (Minority Business Participation);

(2) the following provisions of the State Government Article:

(i) Title 10, Subtitle 1 (Administrative Procedure Act – Regulations);

(ii) Title 10, Subtitle 5 (Meetings);

(iii) Title 10, Subtitle 6, Part III (Access to Public Records);

(iv) Title 12 (Immunity and Liability); and

(v) Title 15 (Public Ethics); and

(3) Title 5, Subtitle 3 of the State Personnel and Pensions Article.

(b) The Exchange is not subject to:

(1) taxation by the State or local government;

(2) TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING), EXCEPT TO THE EXTENT DETERMINED BY THE SECRETARY OF INFORMATION TECHNOLOGY UNDER SUBSECTION (A)(1)(I) OF THIS SECTION;

~~[(2)] (3)~~ Division II of the State Finance and Procurement Article, except as provided in subsection (a)(1) of this section;

~~[(3)] (4)~~ Title 10 of the State Government Article, except as provided in subsection (a)(2)(i), (ii), and (iii) of this section;

[(4)] (5) Division I of the State Personnel and Pensions Article, except as provided in subsection (a)(3) of this section and elsewhere in this title; or

[(5)] (6) this article, except as provided in subsection (c) of this section and elsewhere in this title.”.

AMENDMENT NO. 13

On page 12, after line 3, insert:

“9-1A-29.

(d) The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

(1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, 80% to the Pimlico Race Course, Laurel Park, and the racecourse at Timonium; and

(II) FOR FISCAL YEARS 2015 AND 2016, FROM THE AMOUNT ALLOCATED UNDER THIS PARAGRAPH, EACH GRANTEE UNDER § 11-404 OF THE BUSINESS REGULATION ARTICLE SHALL BE REIMBURSED FOR THE AMOUNT OF A REDUCTION TO THE GRANT PAID UNDER § 11-404.1(A) OF THE BUSINESS REGULATION ARTICLE; AND”.

AMENDMENT NO. 14

On page 12, in line 8, strike “UP TO” and substitute “AT LEAST”.

AMENDMENT NO. 15

On page 13, after line 20, insert:

“Article – Transportation

12-118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section:

(i) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; and

(ii) After the distribution under item (i) of this paragraph[, for]:

1. FOR each of fiscal years 2013 through 2015 only, \$3,000,000 shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; AND

2. FOR EACH OF FISCAL YEARS 2016 THROUGH 2018 ONLY, AT LEAST \$7,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.

(2) The balance of the money in the special fund shall be distributed to the Department of State Police to fund roadside enforcement activities.”.

AMENDMENT NO. 16

On page 13, before line 21, insert:

“13-802.

(a) Except as provided in subsection (b) of this section and § 13-805 of this subtitle, the fee for each certificate of title issued under this title is \$100.

(b) (1) [For fiscal years 2012 through 2014 only, the] **THE** fee for each certificate of title issued for a rental vehicle is \$50.”.

AMENDMENT NO. 17

On page 13, in line 21, strike “SECTION” and substitute:

“Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(a) For fiscal year 2012, the Health Services Cost Review Commission shall approve a combination of hospital assessments and remittances in the amount of \$389,825,000 to support the general operations of the Medicaid program. The Commission may reduce assessments or remittances by the amount of any reduction in State Medicaid expenditures that will result from any Commission–approved changes in hospital rates or policies.

(b) For fiscal years 2013 and 2014, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide at least \$389,825,000 from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program. The policies adopted under this subsection shall be in lieu of the hospital assessment and remittance revenue generated in fiscal year 2012, but may include hospital assessments and remittances. To the maximum extent possible, the Commission and the Department shall adopt policies that preserve the State Medicare waiver.

(c) For fiscal year 2015 and every fiscal year thereafter, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide up to \$389,825,000 in special fund revenues from hospital assessment and remittance revenue. [In each fiscal year, the Commission and the Department of Health and Mental Hygiene may adopt policies that result in new General Fund savings from reduced hospital or other payments made by the Medicaid program and those savings may be used to offset hospital assessment and remittance revenue in the first year that those policies are adopted.] BEGINNING WITH THE STATE BUDGET SUBMISSION FOR FISCAL YEAR 2016, THE GOVERNOR SHALL REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT BY THE FULL AMOUNT OF HOSPITAL INPATIENT AND OUTPATIENT GENERAL FUND SAVINGS THAT ACCRUE TO THE MEDICAID PROGRAM AS A RESULT OF THE IMPLEMENTATION OF MARYLAND’S ALL-PAYER MODEL CONTRACT APPROVED BY THE FEDERAL CENTER FOR MEDICARE AND MEDICAID INNOVATION. THE EXTENT OF GENERAL FUND SAVINGS SHALL BE CALCULATED BY THE HEALTH SERVICES COST REVIEW COMMISSION USING A METHODOLOGY DEVELOPED BY THE COMMISSION IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND

THE MARYLAND HOSPITAL ASSOCIATION. THE COMMISSION SHALL MODEL THE METHODOLOGY FOR CALCULATING GENERAL FUND SAVINGS IN THE MEDICAID PROGRAM BY COMPARING AN AVERAGE BASELINE OF MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY OVER A REASONABLE PERIOD OF TIME BEFORE THE IMPLEMENTATION OF THE MARYLAND ALL-PAYER MODEL CONTRACT TO THE ACTUAL MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY DURING THE PERIOD UNDER MARYLAND'S ALL-PAYER MODEL CONTRACT. TO THE EXTENT THAT THE COMMISSION TAKES OTHER ACTIONS THAT REDUCE MEDICAID COSTS, THOSE SAVINGS SHALL ALSO BE USED TO REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT. To the maximum extent possible, the Commission and the Department of Health and Mental Hygiene shall adopt policies that preserve the State's Medicare waiver.

SECTION".

AMENDMENT NO. 18

On pages 14 and 15, strike in their entirety the lines beginning with line 10 on page 14 through line 31 on page 15, inclusive; and after line 31, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, in fiscal year 2015 only, the Health Services Cost Review Commission shall include an additional \$30,000,000 in hospital revenue when determining hospital rates that are effective in fiscal year 2015 for the purpose of assisting hospitals in covering costs associated with the implementation of the new Maryland all-payer model contract approved by the federal Center for Medicare and Medicaid Innovation."

On page 17, in line 1, strike "Sections 2 and 4" and substitute "Section 2".

AMENDMENT NO. 19

On page 16, strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 20

On page 16, strike beginning with the second comma in line 10 down through "2015" in line 11.

AMENDMENT NO. 21

On page 16, after line 18, insert:

“\$1,000,000 from the Senior Prescription Drug Assistance Program account in the Maryland Health Insurance Plan Fund established under § 14–504 of the Health – General Article.”.

AMENDMENT NO. 22

On page 16, in line 20, strike “and”; in line 22, strike the period and substitute a semicolon; strike in their entirety lines 23 through 25, inclusive; and in line 28, strike “\$25,814,997” and substitute “\$30,814,997”.

AMENDMENT NO. 23

On page 16, after line 28, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer from the Baltimore City Community College fund balance to the Major Information Technology Development Project Fund established under § 3A–309 of the State Finance and Procurement Article \$10,800,000 to be used to implement the Enterprise Resource Planning project at the Baltimore City Community College.”.

AMENDMENT NO. 24

On page 16, before line 29, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer \$18,971,632 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303(d) of the State Finance and Procurement Article to the General Fund, which is the amount of commercial tax credit certificates that were issued in fiscal years 2006 through 2010 and that have not been claimed under § 5A–303(f)(4) of the State Finance and Procurement Article or extended under § 5A–303(c)(3)(ii) of the State Finance and Procurement Article.”;

and after line 34, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That Section 10 of this Act shall take effect June 1, 2014, contingent on the taking effect of Chapter ____ (H.B. 510) of the Acts of the General Assembly of 2014, and if Chapter ____ (H.B. 510) does not become effective, Section 10 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

AMENDMENT NO. 25

On page 16, in line 29, strike "SECTION" and substitute:

"SECTION 11. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Assessments and Taxation shall establish a workgroup to examine issues related to the property assessment process for both real and personal property and the tax credit programs for which the Department is responsible for calculating property tax credits and exemptions.

(b) The workgroup shall examine the following issues:

(1) Whether a physical exterior inspection of each property is necessary to properly assess real property for tax purposes;

(2) The Department's ability to timely and adequately maintain changes in property status that may occur throughout the year and incorporate new properties in the system of accounts;

(3) The extent of discrepancies in the calculation of certain tax credits and exemptions and approaches for improving accuracy; and

(4) The feasibility of, and any legal impediments to, contracting with a third-party vendor to perform periodic audits of the property tax credit and exemption programs for which the Department calculates the credit or exemption or of other functions for which an external evaluation may provide greater accuracy.

(c) The workgroup shall include representatives from local governments and appropriate State agencies.

(d) The Director of Assessments and Taxation, or the Director's designee, shall chair the workgroup and facilitate the activities of the workgroup.

(e) On or before December 15, 2014, the workgroup shall submit a report of its findings and recommendations under this section, including a detailed description of the process used and any data relied on by the workgroup, to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly.

(f) Notwithstanding any other provision of law, on the recommendation of the workgroup under this section and in compliance with the requirements of the procurement law under the State Finance and Procurement Article, the Department may contract with a consultant for auditing assistance in determining the accuracy of real property values and homeowner tax credits and the proper incorporation of new and improved properties.

SECTION”.

AMENDMENT NO. 26

On page 11, in line 25, strike “\$144,188,554” and substitute “\$144,188,544”.

On page 16, in line 29, strike “10.” and substitute “12.”.

On page 17, in lines 1, 3, and 5, strike “11.”, “12.”, and “13.”, respectively, and substitute “14.”, “15.”, and “16.”, respectively; and in line 6, strike “11 and 12” and substitute “13, 14, and 15”.

The preceding 26 amendments were read only.

Senator Kasemeyer moved, duly seconded, to suspend Rule 52(c)(1) to allow the reprint to be considered as the official bill on second reading.

The motion was adopted.

Senator Kasemeyer moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 534 – Senators Edwards and Hershey

AN ACT concerning

Education – State Grant to Counties With Small and Declining Student Enrollment

SB0534/529231/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 534
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Hershey” and substitute “. Hershey, Brinkley, Getty, and Kittleman”; strike beginning with “Small” in line 2 down through “Enrollment” in line 3 and substitute “Declining State Aid”; strike beginning with “establishing” in line 4 down through “grant;” in line 5; in line 5, strike “eligible” and substitute “certain”; in line 6, after “years” insert “under certain circumstances”; and in line 22, strike “and” and substitute “now, therefore,”.

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 5 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 18, inclusive, and substitute:

“(5) FOR FISCAL YEARS 2015 THROUGH 2017, IF A COUNTY BOARD’S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD EQUAL TO 50% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT 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.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #8

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

House Bill 206 – Talbot County Delegation

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.

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

House Bill 238 – Delegate Cane

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.

QUORUM CALL

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

(See Roll Call No. 461)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #44**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 – 47 Negative – 0 (See Roll Call No. 462)

The Bill was then sent to the House of Delegates.

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 – 35 Negative – 12 (See Roll Call No. 463)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 464)

The Bill was then sent to the House of Delegates.

Senate Bill 389 – Senator Robey

AN ACT concerning

Motor Vehicles – Inspection Certificates for Used Vehicles – Procedures

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

Affirmative – 46 Negative – 0 (See Roll Call No. 465)

The Bill was then sent to the House of Delegates.

Senate Bill 607 – Senators Shank, Forehand, Jacobs, Raskin, and Stone

AN ACT concerning

Health Occupations – Child Abuse and Neglect – Failure to Report and Training

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

Affirmative – 46 Negative – 0 (See Roll Call No. 466)

The Bill was then sent to the House of Delegates.

Senate Bill 811 – Senator Raskin

AN ACT concerning

Corporations and Associations – Maryland Securities Act – Registration and Filing Exemptions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 467)

The Bill was then sent to the House of Delegates.

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 – 47 Negative – 0 (See Roll Call No. 468)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 469)

ADJOURNMENT

At 8:54 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 8, 2014, Calendar Day, Tuesday, March 11, 2014.

Annapolis, Maryland
Legislative Day: March 8, 2014
Calendar Day: Tuesday, March 11, 2014
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Bishop Eugene Taylor Sutton, The Episcopal Diocese of Maryland, guest of Senator Conway.

(See Exhibit A of Appendix III)

The Journal of March 7, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senators Brochin and Kasemeyer be excused from today's session.

QUORUM CALL

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

(See Roll Call No. 471)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 523 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Special Olympics Maryland
in recognition of
transforming the lives of thousands of Maryland citizens with intellectual disabilities
through athletic
events and competition.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 11th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 472)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 365 – Delegates Conway, Costa, DeBoy, Malone, Otto, Rudolph, Weir, ~~and Wood~~ Wood, Bromwell, Donoghue, Elliott, Hammen, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Public Safety – Fire, Rescue, and Ambulance Funds – Distribution

FOR the purpose of repealing a provision of law prohibiting the Director of the Maryland Emergency Management Agency from requiring that capital equipment purchased with State money have a useful life expectancy of greater than 1 year; authorizing the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to be used to acquire land for a specified purpose; authorizing the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to be used to install certain systems and to acquire telecommunication devices, computers, equipment, and machinery under specified circumstances; requiring the Treasurer to make certain payments by a certain date; repealing a prohibition against certain State money being used to acquire certain alarm systems; repealing a prohibition against certain State money being used to refinance debt or another obligation incurred before a certain date; requiring that certain funds be distributed to volunteer fire, rescue, and ambulance companies based on need; requiring a county to consider certain factors when determining need for purposes of distributing certain funds to volunteer fire, rescue, and ambulance companies; requiring a county to distribute certain money to fire, rescue, and ambulance companies, departments, or stations located in qualified municipalities; providing that a county shall be deemed in compliance with a certain requirement if it has participated in the Maryland Fire Incident Reporting System and Ambulance Information System during a certain year; requiring that the State Fire Marshal and the Executive Director of the Maryland Institute for Emergency Medical Services Systems make certain certifications to the Director of the Maryland Emergency Management Agency by a certain date; requiring the State Fire Marshal and the Executive Director of the Maryland Institute for Emergency Medical Services Systems to adopt policies and procedures for determining whether a county has participated in certain reporting systems; authorizing the Director of the Maryland Emergency Management Agency to withhold certain money from a county if certain requirements are not met; requiring the Director of the Maryland Emergency Management Agency to withhold certain money from a county if certain requirements are not met; specifying how certain penalties are to be

determined; making a technical correction; providing that a certain maintenance of effort requirement does not apply to a county if the county requests and is granted a waiver from the requirement based on a certain determination; requiring a county to take certain actions in order to qualify for a certain waiver; requiring the Director of the Maryland Emergency Management Agency to provide a preliminary assessment of a certain waiver request to the Board of Public Works; requiring the Board of Public Works to consider certain factors when making a determination regarding a certain waiver request; requiring the Board of Public Works to respond to a certain waiver request by a certain date; providing a formula for calculating maintenance of effort if a waiver is granted; authorizing a county to request a waiver to rebase the maintenance of effort calculation under certain circumstances; requiring the Board of Public Works to establish certain policies and procedures relating to rebasing a maintenance of effort calculation; providing a formula to rebase the maintenance of effort calculation; providing that money distributed from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund may be accounted for in a format developed by the Director of the Maryland Emergency Management Agency; requiring that money that remains unencumbered or unexpended after a certain period of time be deposited into the William H. Amoss Fire, Rescue, and Ambulance Fund rather than the General Fund; prohibiting a volunteer company from entering into a certain legal obligation to encumber money received from the William H. Amoss Fire, Rescue, and Ambulance Fund without prior approval from the county; providing that money received from the William H. Amoss Fire, Rescue, and Ambulance Fund be placed in a special fund under certain circumstances; authorizing the Comptroller to set off shared revenues that are due to a county under certain circumstances; requiring that certain encumbrances of a volunteer company be considered an encumbrance of the county; authorizing a county or municipality to hold money distributed from the William H. Amoss Fire, Rescue, and Ambulance Fund in a bank account with other county or municipal funds; requiring a certain report to include specified information; authorizing a county to withhold money from a fire, a rescue, or an ambulance company under certain circumstances; authorizing a county to reallocate money distributed from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to compliant fire, rescue, and ambulance companies; providing that certain withheld money reverts to the William H. Amoss Fire, Rescue, and Ambulance Fund rather than the General Fund; defining certain terms; altering a certain definition; and generally relating to the distribution of money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–101, 8–102, 8–103, 8–104, 8–105, and 8–106
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

House Bill 437 – Delegates Pena–Melnyk, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Oaks, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health Maintenance Organizations – Payments to Nonparticipating Providers – Repeal of Termination Date

FOR the purpose of repealing the termination date of certain provisions of law requiring health maintenance organizations to pay certain providers for certain services at certain rates; and generally relating to payments by health maintenance organizations to nonparticipating providers.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–710.1
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 664 of the Acts of the General Assembly of 2009
Section 2

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

House Bill 710 – Delegates Cullison, Hucker, Barkley, Barnes, Carr, Clagett, Donoghue, Frick, Glenn, Gutierrez, Jameson, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McHale, A. Miller, Murphy, Pena–Melnyk, Reznik, V. Turner, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Labor and Employment – Nursing Homes and Health Care Facilities – Workplace ~~Violence Prevention~~ Safety Assessment and Safety Program

FOR the purpose of requiring certain nursing homes to assign to a certain committee the task of conducting an annual assessment of workplace safety issues and making certain recommendations; requiring, in conducting a certain annual assessment, a certain committee to consult certain employees of the nursing home; requiring a certain health care facility to establish a certain workplace ~~violence prevention~~ safety committee; requiring the workplace ~~violence prevention~~ safety committee to establish a certain workplace ~~violence prevention~~ safety program; requiring a workplace ~~violence prevention~~ safety program to include certain components; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the

workplace ~~violence-prevention~~ safety assessments and safety programs of nursing homes and health care facilities.

BY adding to

Article – Health – General
Section 19–1410.2
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Labor and Employment
Section 5–1101 through 5–1103 to be under the new subtitle “Subtitle 11.
Health Care Facilities – Workplace ~~Violence-Prevention~~ Safety Program”
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

**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**

FOR the purpose of altering a certain prohibition against a certain “person in a position of authority” from engaging in certain conduct to prohibit a certain person in a position of authority from engaging in sexual contact, a sexual act, or vaginal intercourse with a minor who ~~is at least a certain number of years younger than the person in a position of authority and who the person in a position of authority knows~~ is or was 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; and generally relating to persons in a position of authority and sexual offenses.

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)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–308
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

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

House Bill 802 – Delegates Lee, Smigiel, Nathan–Pulliam, Carr, Cullison, Elliott, Gutierrez, Guzzone, Healey, Howard, A. Kelly, Krebs, McComas, McDonough, A. Miller, Murphy, B. Robinson, Simmons, Stocksdales, and A. Washington

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine

FOR the purpose of ~~requiring the Maryland Medical Assistance Program to provide certain reimbursement for certain services delivered by telemedicine~~ requiring, to the extent authorized by federal law or regulation, certain provisions of law relating to coverage of and reimbursement for health care services delivered through telemedicine to apply to the Maryland Medical Assistance Program and managed care organizations in a certain manner; authorizing the Department of Health and Mental Hygiene to allow coverage of and reimbursement for health care services delivered in a certain manner under certain circumstances; authorizing the Department to specify by regulation the types of health care providers eligible to receive certain reimbursement; repealing the limitations on the health care services delivered by telemedicine that are eligible for reimbursement; defining certain terms; and generally relating to the Maryland Medical Assistance Program and telemedicine.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–105.2
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–139(a)
Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2013 Supplement)~~

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 170 – The President and the Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2015)

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2014 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND
SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit G of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (160) AND THE FAVORABLE REPORT.

Senator McFadden moved, duly seconded, to make the Bill and Amendments a Special Order for March 12, 2014.

The motion was adopted.

Senate Bill 172 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2014

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit H of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (26) AND THE FAVORABLE REPORT.

SB0172/509233/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “purposes;” insert “setting a certain limit on the use of certain funds beginning with a certain fiscal year;”; in line 4, after “revenue;” insert “establishing the date on which certain license fees are effective; creating a Maryland Amusement Game Advisory Committee; providing for the composition, chair, staffing, and duties of the Advisory Committee; prohibiting a member of the Advisory Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses;”; in line 5, after “appropriations;” insert “applying to charter counties certain provisions of law that authorize counties to impose a hotel rental tax; providing that under certain circumstances certain other laws prevail over the provisions that authorize charter counties to impose a hotel rental tax; requiring the appropriation of certain funds for certain purposes beginning with a certain fiscal year;”; in the same line, after “commissions;” insert “repealing a certain authorization for the State Lottery Commission to authorize the payment of certain bonuses and incentives; requiring the Governor to include certain supplemental contributions in the budget bill in addition to certain required contributions for certain fiscal years or until certain conditions are met; requiring the Governor to increase certain supplemental contributions in the budget bill under certain circumstances;”; in line 6, after “funds;” insert “providing for a certain calculation of local wealth for certain education aid purposes for certain fiscal years; making the Maryland Health Benefit Exchange subject to certain provisions of law, to the extent that the Secretary of Information Technology determines that a certain information technology project is a major information technology development project; repealing a limitation on the applicability, to certain fiscal years only, of a certain fee for a certificate of title for a rental vehicle; repealing certain authority for the Health Services Cost Review Commission and the Department of Health and Mental Hygiene to adopt certain”

policies; requiring the Governor to reduce a certain assessment by a certain amount beginning with the State budget submission for a certain fiscal year; providing for the method of calculating the amount of the reduction; requiring the Commission to model the methodology used for calculating the reduction in a certain manner; requiring that certain other Medicaid savings also be used to reduce the assessment; requiring the Health Services Cost Review Commission for a certain fiscal year to include a certain additional amount in hospital revenue for a certain purpose when determining certain hospital rates;”; in line 7, after “assessment;” insert “requiring the Board of Trustees for the State Retirement and Pension System to perform a certain study and to report the results to certain committees of the General Assembly on or before a certain date;”; strike beginning with “requiring” in line 7 down through “year;” in line 16; in line 17, after “year;” insert “requiring the State Department of Assessments and Taxation to establish a certain workgroup in a certain manner to examine certain issues; requiring the workgroup to submit a certain report on or before a certain date; authorizing the State Department of Assessments and Taxation to contract with a consultant for a certain purpose under certain circumstances and subject to certain requirements of State procurement law;”; in the same line, strike “defining certain terms;”; and in lines 17 and 18, strike “a conforming change;” and substitute “conforming changes; making certain provisions of this Act contingent on the taking effect of another Act;”.

On page 2, after line 1, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(c)(5)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law

Section 12–301.1(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

in line 9, strike “16–305(c)(1)(i) and” and substitute “5–202(d)(1), 16–305(c)(1)(i), and”;

strike in their entirety lines 12 through 16, inclusive; after line 16, insert:

“BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–302(b)(1)(xxiv) and (2)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – Health – General
Section 2–302(b)(3)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Local Government
Section 20–402
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–212(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)”;

in line 19, strike “(b)(2) and” and substitute “(b), 9–1A–29(d)(1), and”; after line 21, insert:

“BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–308(a)(1) and (2)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)”;

in line 22, strike “and reenacting, with amendments,”; after line 26, insert:

“BY adding to
Article – State Personnel and Pensions
Section 21–308(a)(4)
Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

and after line 36, insert:

“BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(d)(10)(i), (ii), (iii), and (iv)1. and 2. and (k)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–103(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)”.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(e) and 13–802(b)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–802(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by
Chapter 425 of the Acts of the General Assembly of 2013
Section 16”;

and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 22, after “(b)” insert “**(1)**”; in lines 24, 26, and 29, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 29, strike “**FOR**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR**”; and after line 30, insert:

“(2) FOR FISCAL YEAR 2015 AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT MAY NOT USE THE FUND TO PAY MORE THAN 5% OF THE ADMINISTRATIVE EXPENSES OF THE OFFICE OF THE DIRECTOR OF THE DEPARTMENT.”.

AMENDMENT NO. 3

On page 4, after line 32, insert:

“Article – Criminal Law

12-301.1.

(c) The Commission shall adopt regulations that:

(5) establish license fees, EFFECTIVE ON JULY 1, 2016, that are sufficient to cover the direct and indirect costs of licensure required under this section.

(F) (1) THERE IS A MARYLAND AMUSEMENT GAME ADVISORY COMMITTEE.

(2) THE ADVISORY COMMITTEE SHALL ADVISE THE COMMISSION ON THE CONDUCT AND TECHNICAL ASPECTS OF THE AMUSEMENT GAME INDUSTRY, INCLUDING RECOMMENDATIONS FOR THE LEGALITY OF SKILLS-BASED AMUSEMENT GAMES.

(3) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) TWO MEMBERS SELECTED FROM A LIST OF FIVE NAMES SUBMITTED BY THE MARYLAND AMUSEMENT AND MUSIC OPERATORS ASSOCIATION;

(II) ONE MEMBER WHO IS A LOCAL GOVERNMENT OFFICIAL SELECTED FROM A LIST OF NAMES SUBMITTED BY THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE;

(III) ONE MEMBER WHO IS A LOCAL LAW ENFORCEMENT OFFICER; AND

(IV) ONE CITIZEN REPRESENTATIVE.

(4) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE ADVISORY COMMITTEE.

(5) THE COMMISSION SHALL PROVIDE STAFF FOR THE ADVISORY COMMITTEE.

(6) A MEMBER OF THE ADVISORY COMMITTEE:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY COMMITTEE; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.”.

AMENDMENT NO. 4

On page 6, in line 4, strike the brackets; in the same line, strike “YEARS”; in line 5, strike “AND 2015”; and in line 32, strike the bracket.

On page 7, in line 1, strike the bracket; strike beginning with “an” in line 1 down through “19%” in line 2 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 5 down through “student” in line 6; strike beginning with “an” in line 7 down through “19%” in line 8 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 11 down through “student” in line 12; in lines 7, 13, 18, 23, 28, 33, and 38, in each instance, strike the brackets; and in lines 7, 13, 18, 23, 28, 33, and 38, strike “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, and “13.”, respectively.

On page 8, strike in their entirety lines 4 through 26, inclusive.

AMENDMENT NO. 5

On page 9, strike beginning with “(2)” in line 1 down through “(4)” in line 2 and substitute “(2) AND (3)”; in lines 24 and 28, in each instance, strike the bracket; in line 28, strike “that is the greater of 9%” and substitute “NOT LESS THAN 9.6%”; strike beginning with “or” in line 30 down through “student” in line 31; in line 32, strike the brackets; in the same line, strike “(VII)”; strike beginning with “that” in line 32 down through “9%” in line 33 and substitute “NOT LESS THAN 10.1%”; and strike beginning with “or” in line 34 down through “student” in line 35.

On page 10, in lines 1, 4, and 7, strike “9.3%”, “11.3%”, and “13.3%”, respectively, and substitute “10.5%”, “10.8%”, and “11.1%”, respectively; in lines 1, 4, 7, and 10, in each instance, strike the brackets; and in lines 1, 4, 7, and 10, strike “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively; and strike in their entirety lines 14 and 15.

AMENDMENT NO. 6

On page 10, after line 15, insert:

“Article – Health – General

2–302.

(b) The funding shall be:

(1) \$37,283,484 in each of fiscal years 2011 and 2012, to be distributed as follows:

(xxiv) Worcester County.....\$312,944; [and]

(2) For fiscal [year] YEARS 2013 and [each subsequent fiscal year] 2014, \$37,283,484 adjusted for:

(i) Inflation, as measured by the Consumer Price Index (All Urban Consumers), for the second preceding fiscal year, calculated by the U.S. Department of Commerce; and

(ii) Population growth, as measured by the growth in the total population of the State of Maryland for the second preceding fiscal year, according to the most recent statistics available through the Department of Health and Mental Hygiene; AND

(3) FOR FISCAL YEAR 2015 AND EACH SUBSEQUENT FISCAL YEAR, THE AMOUNT OF FUNDING FOR THE PRECEDING FISCAL YEAR ADJUSTED FOR:

(I) INFLATION, AS MEASURED BY THE CONSUMER PRICE INDEX (ALL URBAN CONSUMERS), FOR THE SECOND PRECEDING FISCAL YEAR, CALCULATED BY THE U.S. DEPARTMENT OF COMMERCE; AND

(II) POPULATION GROWTH, AS MEASURED BY THE GROWTH IN THE TOTAL POPULATION OF THE STATE FOR THE SECOND PRECEDING FISCAL YEAR, ACCORDING TO THE MOST RECENT STATISTICS AVAILABLE THROUGH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”.

AMENDMENT NO. 7

On page 10, before line 16, insert:

“Article – Local Government

20–402.

(A) This part applies only to:

(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CHARTER COUNTY;

[(1)] (2) a code county;

[(2)] (3) Calvert County;

[(3)] (4) Carroll County;

[(4)] (5) Cecil County;

- [(5) Dorchester County;
- (6) Frederick County;
- (7)] (6) Garrett County;
- [(8)] (7) St. Mary’s County;
- [(9)] (8) Somerset County; AND
- [(10) Talbot County;
- (11)] (9) Washington County]; and
- (12) Wicomico County].

(B) TO THE EXTENT THIS PART CONFLICTS WITH ANOTHER LAW THAT APPLIES TO A CHARTER COUNTY, THE OTHER LAW SHALL PREVAIL OVER THIS PART.”

AMENDMENT NO. 8

On page 10, strike in its entirety line 16 and substitute:

“Article – Natural Resources

5–212.

(g) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE Fund may be used only for:

(i) 1. Purchasing and managing in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves; and

2. Helping to offset the costs to the Forest and Park Service for developing and implementing a forest health emergency contingency program under § 5–307 of this title;

(ii) Subject to paragraph (2) of this subsection, payments to counties in the amount of:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the revenue derived from the State forest or park reserve located in that county; and

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the revenue derived from the State forest or park reserve located in that county; and

(iii) Administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(2) For fiscal years 2012 and 2013 only, the payments under paragraph (1)(ii) of this subsection shall be based only on the revenue derived from sales of timber.

(3) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE MARYLAND PARK SERVICE EQUAL TO:

(I) 60% OF THE REVENUES, FOR FISCAL YEAR 2016;

(II) 80% OF THE REVENUES, FOR FISCAL YEAR 2017; AND

(III) 100% OF THE REVENUES, FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER.

Article – State Government”.

AMENDMENT NO. 9

On page 10, strike beginning with the bracket in line 18 down through “a” in line 19 and substitute “A”; strike in their entirety lines 21 through 29, inclusive, and substitute:

“(b) [(1) The Commission may authorize the payment of special bonuses or incentives to licensed agents and their employees.]”

“(2) The total of the bonuses and incentives may not exceed one-half of 1% of the gross receipts from ticket sales for the year for which the bonuses or incentives are awarded.”

“[(3) Lottery sales agents may not offer patrons inducements of alcoholic beverages to purchase or redeem lottery tickets.]”

AMENDMENT NO. 10

On page 11, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(a) (1) On or before December 1 of each year, the Board of Trustees shall:

(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year, including a separate certification of the normal contribution rate for the Teachers’ Retirement System and the Teachers’ Pension System; and

(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid by the State as determined under § 21-304 of this subtitle to the Teachers’ Retirement System and the Teachers’ Pension System expressed as a percentage of the payroll of all members of those State systems.

(2) The Governor shall include in the budget bill:

(i) the total amount of the State’s contribution to each State system as ascertained based on the rates certified by the Board of Trustees under paragraph (1) of this subsection;

(ii) the additional amounts as ascertained under subsection (d) of this section for the State’s payment to the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees’ Retirement System of Montgomery County and are excluded from membership in the Teachers’ Retirement System or the Teachers’ Pension System; and

(iii) any additional amount required to be in the budget bill under § 3-501(c)(2)(ii) of this article.

(4) [For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph (2) of this subsection, the Governor shall include in the budget bill \$300,000,000.]

(i) 1. FOR FISCAL YEAR 2014, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

2. FOR FISCAL YEAR 2015, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

3. FOR FISCAL YEAR 2016, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$150,000,000.

4. FOR FISCAL YEAR 2017, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$200,000,000.

5. FOR FISCAL YEAR 2018, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$250,000,000.

6. FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$300,000,000, UNTIL:

A. THE TOTAL ACTUARIAL VALUE OF ASSETS FOR THE SEVERAL SYSTEMS DIVIDED BY THE TOTAL ACTUARIAL ACCRUED LIABILITY FOR THE SEVERAL SYSTEMS EQUALS A FUNDING RATIO OF 85%; AND

B. THE CONTRIBUTION RATES CERTIFIED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION ARE THE FULL FUNDING RATES AS DEFINED IN § 21-304(A)(3) OF THIS SUBTITLE.

(II) IF THE AMOUNT OF A SUPPLEMENTAL CONTRIBUTION INCLUDED IN THE BUDGET BILL FOR A FISCAL YEAR IS LESS THAN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL INCREASE THE SUPPLEMENTAL CONTRIBUTION FOR THE FOLLOWING FISCAL YEAR BY THE AMOUNT OF THE REDUCTION TO THE SUPPLEMENTAL CONTRIBUTION IN THE PREVIOUS FISCAL YEAR.”.

On page 16, after line 6, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, the Board of Trustees for the State Retirement and Pension System shall perform a study that, based on the results of the actuarial valuation as of June 30, 2014, addresses the following:

(1) The increased employer contributions to be made each year by the State as a result of phasing out the corridor funding method under § 21-304(e) and (f) of the State Personnel and Pensions Article;

(2) The effects of changes to actuarial assumptions made by the Board of Trustees on normal contribution rates paid by county boards of education and the Baltimore City Board of School Commissioners under § 21-304(b)(4)(iii) of the State Personnel and Pensions Article on or after July 1, 2016;

(3) The effects of changes to the amount of supplemental contributions under § 21-308(a)(4) of the State Personnel and Pensions Article paid to the System on employer contributions through fiscal year 2039;

(4) The fiscal effect on local employers due to any projected increases in the amounts the local employers are required to pay for each employee for the administrative and operational expenses under § 21–316 of the State Personnel and Pensions Article; and

(5) An assessment of the effects of the System’s investment underperformance relative to other similar public pension systems on the System’s total assets and on employer contribution rates.

(b) On or before January 1, 2015, the Board of Trustees shall complete the study and report on the results of the study to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article.”.

AMENDMENT NO. 11

On page 12, after line 2, insert:

“Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county’s full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. Except as provided in paragraph (3)(ii) of this subsection AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, in each fiscal year if a county’s education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- A. A county's increase in the local wealth per pupil;
- B. The statewide average increase in local wealth per pupil; or
- C. 2.5%.

(III) THE CALCULATION OF LOCAL WEALTH FOR THE PURPOSES OF PARAGRAPHS (1) AND (10) OF THIS SUBSECTION SHALL USE THE AMOUNT CERTIFIED FOR NET TAXABLE INCOME UNDER SUBSECTION (K)(2)(II) OF THIS SECTION BASED ON TAX RETURNS FILED ON OR BEFORE:

1. FOR FISCAL YEARS 2015 THROUGH 2017, SEPTEMBER 1; AND

2. FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, NOVEMBER 1.

(10) (i) In this paragraph the following terms have the meanings indicated.

1. "Education appropriation" includes any money redirected to a county board under § 5-213 or § 5-213.1 of this subtitle.

2. "Education effort" means a county's education appropriation divided by the county's wealth.

3. "5-year moving average" means the average of the 5 years before the waiver year.

4. "Waiver year" means the fiscal year for which a waiver from the maintenance of effort requirement in paragraph (1)(ii) of this subsection is requested.

(ii) This paragraph applies to a county that has:

1. Received a waiver under paragraph (8)(i)1 of this subsection from the maintenance of effort requirement; and

2. A required county education appropriation under paragraph (1)(ii) of this subsection for the waiver year that exceeds 100% of the statewide 5-year moving average of education effort times a county's local wealth.

(iii) A county that satisfies the requirements under subparagraph (ii) of this paragraph may request a rebasing waiver from the State Board.

(iv) When considering whether to grant a county's waiver request under this paragraph, the State Board shall consider the following factors:

1. Whether a county has submitted sufficient evidence that the factors in paragraph (8)(v) of this subsection will affect a county's ongoing ability to meet the maintenance of effort requirement;

2. Whether a county is at its maximum taxing authority under the law;

(k) (1) This subsection applies to education programs that use wealth to calculate State aid formulas under this subtitle.

(2) The Comptroller shall certify annually the amount of net taxable income based on both:

(i) Tax returns filed on or before September 1; and

(ii) Tax returns filed on or before November 1.

(3) For each fiscal year, State aid shall be calculated as follows:

(i) Once using the amount certified for net taxable income under paragraph (2)(i) of this subsection for tax returns filed on or before September 1; and

(ii) Again using the amount certified for net taxable income under paragraph (2)(ii) of this subsection for tax returns filed on or before November 1.

(4) Subject to paragraph (5) of this subsection, the amount of State aid for a county shall be the greater of the two calculations required under paragraph (3) of this subsection.

(5) If the amount of State aid for a county, using the calculation of State aid under paragraph (3)(ii) of this subsection, is the greater of the two calculations under paragraph (3) of this subsection, payment of any increase in State aid resulting from the difference between the two calculations shall be phased in as follows:

(i) For fiscal year 2014, 20 percent of the difference between the two calculations;

(ii) For fiscal year 2015, 40 percent of the difference between the two calculations;

(iii) For fiscal year 2016, 60 percent of the difference between the two calculations;

(iv) For fiscal year 2017, 80 percent of the difference between the two calculations; and

(v) For fiscal year 2018, and each fiscal year thereafter, the full amount of the calculation.”.

AMENDMENT NO. 12

On page 12, before line 3, insert:

“Article – Insurance

31–103.

(a) The Exchange is subject to:

(1) the following provisions of the State Finance and Procurement Article:

(1) TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING), TO THE EXTENT THAT THE SECRETARY OF INFORMATION TECHNOLOGY

DETERMINES THAT AN INFORMATION TECHNOLOGY PROJECT OF THE EXCHANGE IS A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT;

[(i)] (II) Title 12, Subtitle 4 (Policies and Procedures for Exempt Units); and

[(ii)] (III) Title 14, Subtitle 3 (Minority Business Participation);

(2) the following provisions of the State Government Article:

(i) Title 10, Subtitle 1 (Administrative Procedure Act – Regulations);

(ii) Title 10, Subtitle 5 (Meetings);

(iii) Title 10, Subtitle 6, Part III (Access to Public Records);

(iv) Title 12 (Immunity and Liability); and

(v) Title 15 (Public Ethics); and

(3) Title 5, Subtitle 3 of the State Personnel and Pensions Article.

(b) The Exchange is not subject to:

(1) taxation by the State or local government;

(2) TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING), EXCEPT TO THE EXTENT DETERMINED BY THE SECRETARY OF INFORMATION TECHNOLOGY UNDER SUBSECTION (A)(1)(I) OF THIS SECTION;

[(2)] (3) Division II of the State Finance and Procurement Article, except as provided in subsection (a)(1) of this section;

[(3)] (4) Title 10 of the State Government Article, except as provided in subsection (a)(2)(i), (ii), and (iii) of this section;

[(4)] (5) Division I of the State Personnel and Pensions Article, except as provided in subsection (a)(3) of this section and elsewhere in this title; or

[(5)] (6) this article, except as provided in subsection (c) of this section and elsewhere in this title.”.

AMENDMENT NO. 13

On page 12, after line 3, insert:

“9-1A-29.

(d) The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

(1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, 80% to the Pimlico Race Course, Laurel Park, and the racecourse at Timonium; and

(II) FOR FISCAL YEARS 2015 AND 2016, FROM THE AMOUNT ALLOCATED UNDER THIS PARAGRAPH, EACH GRANTEE UNDER § 11-404 OF THE BUSINESS REGULATION ARTICLE SHALL BE REIMBURSED FOR THE AMOUNT OF A REDUCTION TO THE GRANT PAID UNDER § 11-404.1(A) OF THE BUSINESS REGULATION ARTICLE; AND”.

AMENDMENT NO. 14

On page 12, in line 8, strike “UP TO” and substitute “AT LEAST”.

AMENDMENT NO. 15

On page 13, after line 20, insert:

“Article – Transportation

12-118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section:

(i) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; and

(ii) After the distribution under item (i) of this paragraph[, for]:

1. FOR each of fiscal years 2013 through 2015 only, \$3,000,000 shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; AND

2. FOR EACH OF FISCAL YEARS 2016 THROUGH 2018 ONLY, AT LEAST \$7,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.

(2) The balance of the money in the special fund shall be distributed to the Department of State Police to fund roadside enforcement activities.”.

AMENDMENT NO. 16

On page 13, before line 21, insert:

“13–802.

(a) Except as provided in subsection (b) of this section and § 13–805 of this subtitle, the fee for each certificate of title issued under this title is \$100.

(b) (1) [For fiscal years 2012 through 2014 only, the] THE fee for each certificate of title issued for a rental vehicle is \$50.”.

AMENDMENT NO. 17

On page 13, in line 21, strike “SECTION” and substitute:

“Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(a) For fiscal year 2012, the Health Services Cost Review Commission shall approve a combination of hospital assessments and remittances in the amount of \$389,825,000 to support the general operations of the Medicaid program. The Commission may reduce assessments or remittances by the amount of any reduction in State Medicaid expenditures that will result from any Commission–approved changes in hospital rates or policies.

(b) For fiscal years 2013 and 2014, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide at least \$389,825,000 from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program. The policies adopted under this subsection shall be in lieu of the hospital assessment and remittance revenue generated in fiscal year 2012, but may include hospital assessments and remittances. To the maximum extent possible, the Commission and the Department shall adopt policies that preserve the State Medicare waiver.

(c) For fiscal year 2015 and every fiscal year thereafter, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide up to \$389,825,000 in special fund revenues from hospital assessment and remittance revenue. [In each fiscal year, the Commission and the Department of Health and Mental Hygiene may adopt policies that result in new General Fund savings from reduced hospital or other payments made by the Medicaid program and those savings may be used to offset hospital assessment and remittance revenue in the first year that those policies are adopted.] BEGINNING WITH THE STATE BUDGET SUBMISSION FOR FISCAL YEAR 2016, THE GOVERNOR SHALL REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT BY THE FULL AMOUNT OF HOSPITAL INPATIENT AND OUTPATIENT GENERAL FUND SAVINGS THAT ACCRUE TO THE MEDICAID PROGRAM AS A RESULT OF THE IMPLEMENTATION OF MARYLAND’S ALL-PAYER MODEL CONTRACT APPROVED BY THE FEDERAL CENTER FOR MEDICARE AND MEDICAID INNOVATION. THE EXTENT OF GENERAL FUND SAVINGS SHALL BE CALCULATED BY THE HEALTH SERVICES COST REVIEW COMMISSION USING A METHODOLOGY DEVELOPED BY THE COMMISSION IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND

THE MARYLAND HOSPITAL ASSOCIATION. THE COMMISSION SHALL MODEL THE METHODOLOGY FOR CALCULATING GENERAL FUND SAVINGS IN THE MEDICAID PROGRAM BY COMPARING AN AVERAGE BASELINE OF MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY OVER A REASONABLE PERIOD OF TIME BEFORE THE IMPLEMENTATION OF THE MARYLAND ALL-PAYER MODEL CONTRACT TO THE ACTUAL MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY DURING THE PERIOD UNDER MARYLAND'S ALL-PAYER MODEL CONTRACT. TO THE EXTENT THAT THE COMMISSION TAKES OTHER ACTIONS THAT REDUCE MEDICAID COSTS, THOSE SAVINGS SHALL ALSO BE USED TO REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT. To the maximum extent possible, the Commission and the Department of Health and Mental Hygiene shall adopt policies that preserve the State's Medicare waiver.

SECTION”.

AMENDMENT NO. 18

On pages 14 and 15, strike in their entirety the lines beginning with line 10 on page 14 through line 31 on page 15, inclusive; and after line 31, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, in fiscal year 2015 only, the Health Services Cost Review Commission shall include an additional \$30,000,000 in hospital revenue when determining hospital rates that are effective in fiscal year 2015 for the purpose of assisting hospitals in covering costs associated with the implementation of the new Maryland all-payer model contract approved by the federal Center for Medicare and Medicaid Innovation.”.

On page 17, in line 1, strike “Sections 2 and 4” and substitute “Section 2”.

AMENDMENT NO. 19

On page 16, strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 20

On page 16, strike beginning with the second comma in line 10 down through “2015” in line 11.

AMENDMENT NO. 21

On page 16, after line 18, insert:

“\$1,000,000 from the Senior Prescription Drug Assistance Program account in the Maryland Health Insurance Plan Fund established under § 14–504 of the Health – General Article;”.

AMENDMENT NO. 22

On page 16, in line 20, strike “and”; in line 22, strike the period and substitute a semicolon; strike in their entirety lines 23 through 25, inclusive; and in line 28, strike “\$25,814,997” and substitute “\$30,814,997”.

AMENDMENT NO. 23

On page 16, after line 28, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer from the Baltimore City Community College fund balance to the Major Information Technology Development Project Fund established under § 3A–309 of the State Finance and Procurement Article \$10,800,000 to be used to implement the Enterprise Resource Planning project at the Baltimore City Community College.”.

AMENDMENT NO. 24

On page 16, before line 29, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer \$18,971,632 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303(d) of the State Finance and Procurement Article to the General Fund, which is the amount of commercial tax credit certificates that were issued in fiscal years 2006 through 2010 and that have not been claimed under § 5A–303(f)(4) of the State Finance and Procurement Article or extended under § 5A–303(c)(3)(ii) of the State Finance and Procurement Article.”;

and after line 34, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That Section 10 of this Act shall take effect June 1, 2014, contingent on the taking effect of Chapter ____ (H.B. 510) of the Acts of the General Assembly of 2014, and if Chapter ____ (H.B. 510) does not become effective, Section 10 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

AMENDMENT NO. 25

On page 16, in line 29, strike “SECTION” and substitute:

“SECTION 11. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Assessments and Taxation shall establish a workgroup to examine issues related to the property assessment process for both real and personal property and the tax credit programs for which the Department is responsible for calculating property tax credits and exemptions.

(b) The workgroup shall examine the following issues:

(1) Whether a physical exterior inspection of each property is necessary to properly assess real property for tax purposes;

(2) The Department’s ability to timely and adequately maintain changes in property status that may occur throughout the year and incorporate new properties in the system of accounts;

(3) The extent of discrepancies in the calculation of certain tax credits and exemptions and approaches for improving accuracy; and

(4) The feasibility of, and any legal impediments to, contracting with a third-party vendor to perform periodic audits of the property tax credit and exemption programs for which the Department calculates the credit or exemption or of other functions for which an external evaluation may provide greater accuracy.

(c) The workgroup shall include representatives from local governments and appropriate State agencies.

(d) The Director of Assessments and Taxation, or the Director’s designee, shall chair the workgroup and facilitate the activities of the workgroup.

(e) On or before December 15, 2014, the workgroup shall submit a report of its findings and recommendations under this section, including a detailed description of the process used and any data relied on by the workgroup, to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly.

(f) Notwithstanding any other provision of law, on the recommendation of the workgroup under this section and in compliance with the requirements of the procurement law under the State Finance and Procurement Article, the Department may contract with a consultant for auditing assistance in determining the accuracy of real property values and homeowner tax credits and the proper incorporation of new and improved properties.

SECTION".

AMENDMENT NO. 26

On page 11, in line 25, strike "\$144,188,554" and substitute "\$144,188,544".

On page 16, in line 29, strike "10." and substitute "12.".

On page 17, in lines 1, 3, and 5, strike "11.", "12.", and "13.", respectively, and substitute "14.", "15.", and "16.", respectively; and in line 6, strike "11 and 12" and substitute "13, 14, and 15".

The preceding 26 amendments were read only.

Senator McFadden moved, duly seconded, to make the Bill and Amendments a Special Order for March 12, 2014.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #24**

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

Senate Bill 226 – Senators Pinsky and Young

AN ACT concerning

Alcoholic Beverages – Brewing Company Off-Site Permit

SB0226/234835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “sell” insert “a certain amount of”.

AMENDMENT NO. 2

On page 2, strike beginning with “A” in line 26 down through the first comma in line 27; and in the same line, strike the second comma and substitute “THAT PRODUCES LESS THAN 3,000 BARRELS PER YEAR”.

On page 3, in lines 6 and 9, in each instance, after “CONSUMER” insert “UP TO 288 OUNCES OF”; and in line 21, strike “AT” and substitute “FOR UP TO SEVEN EVENTS, AT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 546 – Senator Reilly

AN ACT concerning

Alcoholic Beverages – Refillable Containers – Permits and Labels

SB0546/114234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 546

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Reilly” and substitute “Senators Reilly and Ferguson”; in line 7, after “permits;” insert “authorizing the issuance of refillable container permits in certain jurisdictions to the holders of certain licenses for certain fees and subject to certain requirements; establishing certain provisions, procedures, and requirements for certain refillable container permits in certain”.

jurisdictions; reorganizing certain provisions concerning refillable container permits; authorizing the Comptroller to establish certain standards and uses for certain refillable containers sold, filled, or refilled in the State; authorizing the holder of a refillable container permit to refill certain containers that meet certain standards; 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 craft 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;"; in line 12, strike "(p-1)(11)(vi)" and substitute "(p-1)(11)"; and strike in their entirety lines 22 through 27, inclusive.

On page 2, in line 3, after "Section" insert "8-103, 8-204.10, 8-207,"; and in the same line, after "8-212(c)(5)" insert ", 8-213.3, 8-217.1, and 21-107".

AMENDMENT NO. 2

On page 5, after line 20, insert:

"(11) [(i)] The Board of License Commissioners may issue a refillable container permit to a holder of any class of alcoholic beverages license issued by the Board of License Commissioners except a Class C license and a Class GC license:

[1.] (I) On completion of an application form that the Board provides; and

[2.] (II) At no cost to the license holder.

[(ii)] A refillable container permit entitles the holder to sell:

1. Draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces; and

2. If the holder is licensed to sell wine, wine for consumption off the licensed premises in a refillable container with a capacity of not less than 17 ounces and not more than 34 ounces.];

and strike in their entirety lines 21 through 29, inclusive.

On page 6, strike in their entirety lines 1 through 5, inclusive; after line 5, insert:

“(iv) The term of and hours of sale for a refillable container permit issued to an applicant are the same as that of the applicant’s alcoholic beverages license.

(v) An applicant who holds an alcoholic beverages license without an off-sale privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the alcoholic beverages license that the applicant holds.]”;

and strike in their entirety lines 6 through 8, inclusive.

On page 7, after line 20, insert:

“8-103.

(A) (1) THIS SECTION APPLIES WITH RESPECT TO DRAFT BEER IN THE FOLLOWING JURISDICTIONS:

(I) BALTIMORE COUNTY;

(II) CARROLL COUNTY;

(III) HARFORD COUNTY; AND

(IV) HOWARD COUNTY.

(2) THIS SECTION APPLIES WITH RESPECT TO CRAFT BEER IN PRINCE GEORGE’S COUNTY.

(3) THIS SECTION APPLIES WITH RESPECT TO WINE IN HOWARD COUNTY.

(B) THERE IS A REFILLABLE CONTAINER PERMIT.

(C) WITH RESPECT TO THE ALCOHOLIC BEVERAGES AUTHORIZED FOR THE LOCAL JURISDICTION UNDER SUBSECTION (A) OF THIS SECTION, A REFILLABLE CONTAINER PERMIT ENTITLES THE PERMIT HOLDER TO SELL DRAFT BEER, CRAFT BEER, OR WINE, RESPECTIVELY, FOR CONSUMPTION OFF THE LICENSED PREMISES IN A REFILLABLE CONTAINER THAT MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE.

(D) THE TERM OF A REFILLABLE CONTAINER PERMIT IS THE SAME AS THAT OF THE UNDERLYING ALCOHOLIC BEVERAGES LICENSE.

(E) EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED, THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT ARE THE SAME AS THOSE FOR THE UNDERLYING ALCOHOLIC BEVERAGES LICENSE.

(F) AN APPLICANT WHO HOLDS AN UNDERLYING ALCOHOLIC BEVERAGES LICENSE WITHOUT AN OFF-SALE PRIVILEGE SHALL MEET THE SAME ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS AS THOSE FOR THE UNDERLYING LICENSE.

(G) A HOLDER OF A REFILLABLE CONTAINER PERMIT MAY REFILL ONLY A REFILLABLE CONTAINER THAT MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE.”.

On page 11, after line 18, insert:

“8-204.10.

(A) THIS SECTION APPLIES ONLY IN BALTIMORE 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 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.

8-207.

(A) THIS SECTION APPLIES ONLY IN CARROLL 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 A CLASS A LICENSE, A CLASS B LICENSE, OR A CLASS D LICENSE.

(E) BEFORE THE BOARD ISSUES A REFILLABLE CONTAINER PERMIT, THE APPLICANT SHALL:

- (1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND
- (2) PAY AN ANNUAL PERMIT FEE OF:

 - (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.”.

On page 14, after line 7, insert:

“8-213.3.

- (A) THIS SECTION APPLIES ONLY IN HARFORD COUNTY.
- (B) THERE IS A REFILLABLE CONTAINER PERMIT.
- (C) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT TO A HOLDER OF A CLASS A-1 OR A-2 LICENSE, A CLASS B LICENSE THAT HAS OFF-SALE PRIVILEGES, OR A CLASS D LICENSE.
- (D) THE ANNUAL PERMIT FEE IS \$50.
- (E) 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.

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.”.

On page 15, after line 15, insert:

“21-107.

(A) THIS SECTION GOVERNS THE STANDARDS FOR AND USE OF CONTAINERS THAT MAY BE SOLD, FILLED, AND REFILLED UNDER THE AUTHORITY OF A REFILLABLE CONTAINER PERMIT ISSUED UNDER THIS ARTICLE.

(B) TO BE USED AS A REFILLABLE CONTAINER FOR BEER UNDER THE AUTHORITY OF A REFILLABLE CONTAINER PERMIT ISSUED UNDER THIS ARTICLE, A CONTAINER SHALL:

(1) HAVE A CAPACITY OF NOT LESS THAN 32 OUNCES AND NOT MORE THAN 128 OUNCES;

(2) BE SEALABLE;

(3) BE BRANDED WITH AN IDENTIFYING MARK OF THE SELLER OF THE CONTAINER;

(4) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

(5) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(6) BEAR A LABEL STATING THAT:

(i) CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER; AND

(ii) THE CONTENTS OF THE CONTAINER ARE PERISHABLE AND SHOULD BE REFRIGERATED IMMEDIATELY AND CONSUMED WITHIN 48 HOURS AFTER PURCHASE.

(C) TO BE USED AS A REFILLABLE CONTAINER FOR WINE UNDER THE AUTHORITY OF A REFILLABLE CONTAINER PERMIT ISSUED UNDER THIS ARTICLE, A CONTAINER SHALL:

(1) HAVE A CAPACITY OF NOT LESS THAN 17 OUNCES AND NOT MORE THAN 34 OUNCES;

(2) BE SEALABLE;

(3) BE BRANDED WITH AN IDENTIFYING MARK OF THE SELLER OF THE CONTAINER;

(4) BEAR THE FEDERAL HEALTH WARNING STATEMENT REQUIRED FOR CONTAINERS OF ALCOHOLIC BEVERAGES UNDER 27 C.F.R. 16.21;

(5) DISPLAY INSTRUCTIONS FOR CLEANING THE CONTAINER; AND

(6) BEAR A LABEL STATING THAT CLEANING THE CONTAINER IS THE RESPONSIBILITY OF THE CONSUMER.

(D) THE COMPTROLLER MAY ADOPT STANDARDS ON CONTAINERS THAT QUALIFY FOR USE UNDER THIS SECTION AS REFILLABLE CONTAINERS FOR BEER AND FOR WINE, RESPECTIVELY, INCLUDING CONTAINERS ORIGINATING FROM OUTSIDE THE STATE.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE HOLDER OF A REFILLABLE CONTAINER PERMIT ISSUED UNDER THIS ARTICLE MAY REFILL A REFILLABLE CONTAINER ORIGINATING FROM INSIDE OR OUTSIDE THE STATE THAT MEETS STANDARDS ADOPTED BY THE COMPTROLLER UNDER THIS SECTION FOR A BEER CONTAINER OR A WINE CONTAINER, AS APPROPRIATE.”.

AMENDMENT NO. 3

On page 2 in line 24, on page 3 in line 12, and on page 4 in lines 2 and 3, in each instance, strike “was branded by [the] A REFILLABLE CONTAINER permit holder” and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 5, strike beginning with “bears” in line 16 down through “holder” in line 17 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 7, strike beginning with “was” in line 19 down through “holder” in line 20 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 9, strike beginning with “was” in line 3 down through “holder” in line 4 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”; and strike beginning with “was” in line 26 down through “holder” in line 27 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 11, strike beginning with “was” in line 16 down through “holder” in line 17 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 13, strike beginning with “was” in line 13 down through “holder” in line 14 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 14, strike beginning with “WAS” in line 4 down through “HOLDER” in line 5 and substitute “MEETS THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

AMENDMENT NO. 4

On page 2, strike beginning with the colon in line 11 down through “purchase” in line 22 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On pages 2 and 3, strike beginning with the colon in line 28 on page 2 down through “purchase” in line 10 on page 3 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 3, strike beginning with the colon in line 16 down through “purchase” in line 27 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On pages 4 and 5, strike beginning with the colon in line 20 on page 4 down through “purchase” in line 2 on page 5 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 6, strike beginning with the colon in line 19 down through “purchase” in line 30 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 8, strike beginning with the colon in line 2 down through “purchase” in line 13 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 9, strike beginning with the colon in line 13 down through “purchase” in line 24 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 10, strike beginning with the colon in line 10 down through “purchase” in line 21 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On page 12, strike beginning with the colon in line 10 down through “purchase” in line 21 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

On pages 13 and 14, strike beginning with the colon in line 20 on page 13 down through “purchase” in line 2 on page 14 and substitute “MEET THE STANDARDS UNDER § 21-107 OF THIS ARTICLE”.

AMENDMENT NO. 5

On page 15, in line 17, strike “July” and substitute “October”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 793 – Senator Ferguson

AN ACT concerning

**Baltimore City – 46th District – Alcoholic Beverages – Class B Beer, Wine and
Liquor License Transfer**

SB0793/434936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 793

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “License Transfer” and substitute “Licenses”; in line 4, after “to” insert “issue or”; in line 5, after “certain” insert “cumulative”; in line 9, after “Board” insert “issues or”; in line 10, strike “a certain” and substitute “the”; in the same line, after “transfer” insert “of a certain license”; and in the same line, after “license” insert “issued for or”.

AMENDMENT NO. 2

On page 3, in line 10, after “MAY” insert “ISSUE OR”; in the same line, after “OF” insert “NO MORE THAN”; in line 11, after “LICENSES” insert “SO THAT THE CUMULATIVE NUMBER OF LICENSES ISSUED OR TRANSFERRED IS TWO,”; strike beginning with “BOUNDED” in line 11 down through “STREET” in line 14 and substitute “OF 829 THROUGH 919 E. FORT AVENUE”; in line 15, after “MAY” insert “ISSUE OR”; in the same line, strike “A” and substitute “THE”; and in the same line, after “TRANSFER” insert “OF A LICENSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 846 – Senator Jones–Rodwell

EMERGENCY BILL

AN ACT concerning

Baltimore City – Alcoholic Beverages Act of 2014

SB0846/824336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 846
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “City;” insert “prohibiting the issuance of certain licenses and the removal of certain licenses to sell alcoholic beverages in certain buildings within a certain distance of a substance abuse treatment center;”; 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;”; and in line 29, after “secretary;” insert “repealing a requirement that the executive secretary or the deputy executive secretary be a member of the State Bar;”.

On page 2, in line 5, after “regulation;” insert “requiring that regulations adopted by the Board be posted online;”; in line 21, after “Act;” insert “providing for the termination of certain provisions of this Act;”; in line 36, after “Section” insert “9–204.1(i) and”; and after line 43, insert:

“BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–801(c)(1)

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 24, insert:

“9–204.1.

(I) BEGINNING JULY 1, 2014, A NEW ALCOHOLIC BEVERAGES LICENSE MAY NOT BE ISSUED WITHIN AND AN EXISTING LICENSE MAY NOT BE TRANSFERRED INTO THE AREA SURROUNDED BY NORTHERN PARKWAY TO THE NORTH, BELLONA AVENUE ON THE WEST, ORKNEY ROAD TO THE SOUTH, AND EVESHAM AVENUE ON THE EAST;”;

strike beginning with the second comma in line 27 down through “building” in line 32 and substitute “:

(I) A NEW LICENSE MAY NOT BE ISSUED FOR AND AN EXISTING LICENSE MAY NOT BE MOVED TO A BUILDING WITHIN 300 FEET OF THE NEAREST POINT OF A BUILDING OF A PLACE OF WORSHIP OR SCHOOL; AND

(II) A NEW LICENSE OTHER THAN A CLASS B RESTAURANT LICENSE MAY NOT BE ISSUED FOR AND AN EXISTING LICENSE OTHER THAN A CLASS B RESTAURANT LICENSE MAY NOT BE MOVED TO A BUILDING WITHIN 300 FEET OF THE NEAREST POINT OF A SUBSTANCE ABUSE TREATMENT CENTER”.

On page 6, strike in their entirety lines 6 and 7; and in line 8, strike “3.” and substitute “2.”.

On page 8, strike in their entirety lines 19 and 20.

On page 11, in line 30, after “published” insert “, **POSTED ONLINE,**”.

On page 14, in line 7, after “CIVIL” insert “**SERVICE**”; in line 26, strike the third bracket; and in line 27, strike “] PERFORMANCE” and substitute “, **PERFORMANCE,**”.

AMENDMENT NO. 3

On page 15, after line 20, insert:

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

On page 16, in line 5, strike “2.” and substitute “3.”; and after line 6, insert:

“Article – General Provisions

5–801.

(c) (1) In Baltimore City, “local official” includes:

(i) city employees and officials of the Baltimore City Health Department;

(II) EMPLOYEES AND MEMBERS OF THE BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS;

[(ii)] (III) the Police Commissioner of Baltimore City and the civilian employees and police officers of the Police Department of Baltimore City; and

[(iii)] (IV) members and employees of the Civilian Review Board.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 17, in line 9, strike “3.” and substitute “5.”; in line 18, strike “4.” and substitute “6.”; in the same line, strike “Section 1” and substitute “Sections 1 and 2 of”; after line 19, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of Chapter _____ (H.B. 270) of the Acts of the General Assembly of 2014. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.”;

in line 20, strike “5.” and substitute “8.”; and in line 21, strike “Section 4” and substitute “Sections 6 and 7”.

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 EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #25

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

Senate Bill 15 – Senators Jacobs and Ferguson

AN ACT concerning

Election Law – Voter Registration List – Reports of Deceased Voters

SB0015/804030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 15

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ferguson” and substitute “Ferguson, and Reilly”; in line 2, after “Law – ” insert “Statewide”; in the same line, strike “Reports” and substitute “Removal”; and strike beginning with “arrange” in line 3 down through “of” in line 9 and substitute “make arrangements with the Social Security Administration or a certain entity to receive reports of certain individuals who are reported deceased; requiring an election director to mail a certain notice on receipt of a certain report that a registered voter is deceased; requiring an election director to take certain actions if the election director receives a certain response to the notice; requiring an election director to remove a registered voter who is reported deceased from the statewide voter registration list if the election director does not receive a certain response to the notice; and generally relating to the removal of deceased voters from”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 4 through 11, inclusive, and substitute:

“(3) THE STATE ADMINISTRATOR SHALL MAKE ARRANGEMENTS WITH THE UNITED STATES SOCIAL SECURITY ADMINISTRATION OR AN ENTITY THAT RECEIVES INFORMATION FROM THE SOCIAL SECURITY ADMINISTRATION AND IS APPROVED BY THE STATE ADMINISTRATOR TO RECEIVE REPORTS OF NAMES AND ADDRESSES, IF AVAILABLE, OF ALL MARYLAND RESIDENTS AT LEAST 16 YEARS OF AGE WHO ARE REPORTED DECEASED.”;

in line 25, after “(1)” insert “**(I)**”; in the same line, strike “Whenever” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WHENEVER**”; in line 29, strike “(2)” and substitute “**(II)**”; in line 30, strike “paragraph (1) of this subsection” and substitute “**SUBPARAGRAPH (I) OF THIS PARAGRAPH**”; after line 32, insert:

“(2) (I) WHENEVER A LOCAL BOARD RECEIVES A REPORT OBTAINED BY THE STATE ADMINISTRATOR UNDER SUBSECTION (A)(3) OF THIS SECTION THAT INCLUDES A REGISTERED VOTER, THE ELECTION DIRECTOR SHALL MAIL TO THE ADDRESS SHOWN ON THE STATEWIDE VOTER REGISTRATION LIST, BY REGULAR U.S. MAIL, A NOTICE THAT:

1. STATES THAT THE REGISTERED VOTER HAS BEEN REPORTED BY THE SOCIAL SECURITY ADMINISTRATION TO HAVE DIED; AND

2. NOTIFIES THE REGISTERED VOTER OR A PERSON ATTENDING THE AFFAIRS OF A DECEASED VOTER THAT THE VOTER WILL BE REMOVED FROM THE STATEWIDE VOTER REGISTRATION LIST UNLESS, WITHIN 2 WEEKS AFTER THE DATE OF THE LETTER, THE REGISTERED VOTER OR A REPRESENTATIVE:

A. OBJECTS TO THE REMOVAL; AND

B. SHOWS CAUSE WHY THE REMOVAL SHOULD NOT PROCEED.

(II) IF THE REGISTERED VOTER OR A REPRESENTATIVE TIMELY OBJECTS AND SHOWS CAUSE WHY THE REMOVAL SHOULD NOT PROCEED, THE ELECTION DIRECTOR MAY:

1. TERMINATE THE REMOVAL PROCESS AND RETAIN THE REGISTERED VOTER ON THE STATEWIDE VOTER REGISTRATION LIST; OR

2. REFER THE MATTER TO THE LOCAL BOARD FOR A HEARING TO DETERMINE THE REGISTERED VOTER’S STATUS.

(III) IF THE REGISTERED VOTER OR A REPRESENTATIVE FAILS TO TIMELY OBJECT AND SHOW CAUSE WHY THE REMOVAL SHOULD NOT PROCEED, THE REGISTRATION SHALL BE CANCELED AND THE REGISTERED VOTER REMOVED FROM THE STATEWIDE VOTER REGISTRATION LIST.”;

and in line 34, strike “July” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

Senate Bill 918 – Senator Colburn

AN ACT concerning

Talbot County – Board of Elections – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

SB0930/664835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 930

(First Reading File Bill)

On page 1, at the top of the page, strike “EMERGENCY BILL”; and in line 6, strike “making this Act an emergency measure;”.

On page 2, strike beginning with “is” in line 12 down through “enacted” in line 16 and substitute “shall take effect October 1, 2014”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #26**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

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

**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**

SB0781/844138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 781

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Public and Commercial Buildings,”; strike beginning with the second comma in line 2 down through “Residences” in line 3; in line 5, strike “public and commercial buildings and”; strike beginning with “requiring” in line 6 down through “plan;” in line 8; and strike beginning with “requiring” in line 10 down through “plan;” in line 21.

On page 2, in line 3, strike “with” and substitute “without”; and in line 5, strike “9-1701” and substitute “9-1701(a) and (m) through (o)”; in line 11, strike “and 9-1706”; and in line 16, strike “and 9-1713”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 24 on page 2 through line 17 on page 4, inclusive.

On pages 4 through 6, strike in their entirety the lines beginning with line 30 on page 4 through line 11 on page 6, inclusive.

On page 7, in line 16, strike “**PUBLIC AND COMMERCIAL BUILDINGS AND**”; in the same line, after the semicolon insert “AND”; strike in their entirety lines 17 through 19, inclusive; and in line 20, strike “**(16)**” and substitute “**(15)**”.

On page 8, strike beginning with “**AND,**” in line 12 down through “**SECTION**” in line 13.

On pages 8 through 10, strike in their entirety the lines beginning with line 14 on page 8 through line 15 on page 10, inclusive, and substitute “**9-1712.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #27**

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

**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**

SB0110/214734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 110

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Registration” insert “and Fees”; and in line 6, after “programs;” insert “authorizing the Maryland Higher Education Commission to charge certain institutions a certain fee under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 2, after “program” insert “, ORIGINATING OUTSIDE THE STATE,”; and strike beginning with “ALL” in line 12 down through “MARYLAND” in line 13 and substitute “51% OR MORE OF THE PROGRAM IS OFFERED THROUGH ELECTRONIC DISTRIBUTION”.

AMENDMENT NO. 3

On page 4, in line 19, strike “The” and substitute “(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; in lines 20 and 22, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively; and after line 23, insert:

“(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION MAY CHARGE AN INSTITUTION THAT ENROLLS NOT MORE THAN 20 MARYLAND STUDENTS A FEE THAT IS LESS THAN THE AMOUNT OF THE FEE CHARGED TO OTHER INSTITUTIONS.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 676 – Senator King

AN ACT concerning

Teachers and Principals – Performance Evaluation Criteria – Use of Student Growth Data

SB0676/274137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 676

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 6 down through “criteria” in line 8 and substitute “providing for the application of this Act”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 4, inclusive; after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That § 6–202(c)(7) of the Education Article of the Annotated Code of Maryland, as enacted by Section 1 of this Act, does not apply to a local school system and an exclusive employee representative that mutually agree to use student growth data based on State assessments to make personnel decisions in accordance with an agreement executed on or after January 1, 2014, and before March 1, 2014.”;

and in line 5, 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.

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

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

AN ACT concerning

Education – Loan Assistance – Professional Counselors and Alcohol and Drug Counselors

SB0784/874939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 784

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ramirez” and substitute “Ramirez, and Dyson”; strike in their entirety lines 2 and 3 and substitute “Higher Education – Loan Assistance – Licensed Clinical Counselors”; in line 6, strike “licensed clinical professional counselors or”; in line 7, after “counselors” insert “, licensed clinical marriage and family therapy counselors, or licensed clinical professional counselors”; strike beginning with “requiring” in line 8 down through “Assistance;” in line 13; in line 14, strike “licensed clinical professional counselors and”; in line 15, after “counselors” insert “, licensed clinical marriage and family therapy counselors, and licensed clinical professional counselors”; and in line 23, strike “and 18–1504”.

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, strike beginning with “A” in line 29 down through “OR” in line 30; and in line 30, after “COUNSELOR” insert “, A LICENSED CLINICAL MARRIAGE AND FAMILY THERAPY COUNSELOR, OR A LICENSED CLINICAL PROFESSIONAL COUNSELOR WHOSE PRACTICE IS LOCATED IN A HIGH-NEED GEOGRAPHIC AREA OF THE STATE AS DETERMINED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE”.

AMENDMENT NO. 3

On pages 3 through 5, strike in their entirety the lines beginning with line 31 on page 3 through line 25 on page 5, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Higher Education – 2+2 Transfer Scholarship

SB0785/174731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 785

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Pinsky, and Simonaire”; in line 5, strike “institutions at which the scholarship may be used,”; and in line 6, strike the comma.

AMENDMENT NO. 2

On page 3, in line 26, after “INSTITUTION” insert “OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”.

On page 4 in lines 10, 13, and 16, and on page 5 in lines 3, 14, and 18, in each instance, after “INSTITUTION” insert “OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE”.

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

SB0876/254234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 876

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “counselor” insert “and a certain employment opportunity”.

AMENDMENT NO. 2

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”.

AMENDMENT NO. 3

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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #28

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

Senate Bill 162 – Senators Conway, Dyson, and Young

AN ACT concerning

Health Occupations – Licensed Podiatrists – Scope of Practice

SB0162/154339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 162

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Practice” insert “and Hospital Privileges”; in line 4, after “podiatrists,” insert “requiring qualifications that a hospital or related institution”

sets for granting certain privileges for certain services to include consideration of certain training, education, and experience;”; after line 5, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–351(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

and after line 10, insert:

“BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 16–103

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 12, insert:

“Article – Health – General

19–351.

(b) (1) A hospital or related institution that provides services that licensed podiatrists are authorized to perform under Title 16 of the Health Occupations Article, other than incidental care, shall include, in its bylaws, rules, or regulations, provisions for use of facilities by and staff privileges for qualified podiatrists.

(2) The hospital or related institution may restrict use of facilities and staff privileges by podiatrists to those podiatrists who meet the qualifications that the hospital or related institution sets for granting those privileges.

(3) THE QUALIFICATIONS THAT THE HOSPITAL OR RELATED INSTITUTION SETS FOR GRANTING PRIVILEGES FOR SERVICES THAT LICENSED PODIATRISTS ARE AUTHORIZED TO PERFORM UNDER TITLE 16 OF THE HEALTH OCCUPATIONS ARTICLE SHALL INCLUDE CONSIDERATION OF THE TRAINING, EDUCATION, AND EXPERIENCE OF THE PODIATRIST.”

On page 2, after line 7, insert:

“16–103.

(a) All osseous surgical procedures of the ankle, arthrodeses of 2 or more tarsal bones, and complete tarsal osteotomies that are performed by a licensed podiatrist shall be performed in a licensed hospital or ambulatory surgical center, subject to the provisions of § 19–351 of the Health – General Article.

(b) A licensed podiatrist who performs an osseous surgical procedure of the ankle, arthrodesis of 2 or more tarsal bones, or a complete tarsal osteotomy in a licensed ambulatory surgical center must:

(1) Have current surgical privileges at a licensed hospital for the same procedure; and

(2) Meet the requirements of the ambulatory surgical center.

(c) Nothing in this title shall prohibit a licensed hospital or ambulatory surgical center from establishing qualifications or delineating privileges for the performance of surgical procedures of the human foot or ankle, the anatomical structures that attach to the human foot, or the soft tissue below the mid–calf by a licensed podiatrist in the hospital or ambulatory surgical center.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Morticians and Funeral Directors – Pre–Need Contracts

SB0415/544433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 415

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “contract” insert “, guaranteed in part contract,”; in line 6, after “guaranteed;” insert “requiring certain disclosure statements to contain a certain statement and certain amounts paid under certain contracts;”; in line 9, after the first “contracts” insert “, guaranteed in part contracts,”; in the same line, after “items” insert “or goods and services”; and in line 10, after “guaranteed;” insert “providing that a pre-need escrow or trust account may not be deemed an asset of certain licensees; requiring certain escrow and trust accounts to be established and held in a certain manner; requiring certain buyers to receive certain statements; altering the circumstances under which a pre-need contract may be funded by a life insurance policy or an annuity contract;”.

AMENDMENT NO. 2

On page 2, in line 16, after “THAT” insert “:

(I) IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT; AND

(II)”;

in the same line, strike “GUARANTEES” and substitute “GUARANTEES”; in the same line, strike “OR IN PART”; after line 17, insert:

“(5) “GUARANTEED IN PART CONTRACT” MEANS A WRITTEN PRE-NEED CONTRACT THAT:

(I) IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT; AND

(II) GUARANTEES IN PART THE PRICE OF GOODS AND SERVICES AND CASH ADVANCE ITEMS SPECIFIED IN THE CONTRACT.”;

in lines 18, 26, and 28, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively; after line 19, insert:

“(I) THAT IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT;”;

in lines 20 and 22, strike **“(I)”** and **“(II)”**, respectively, and substitute **“(II)”** and **“(III)”**, respectively; in line 23, after **“DEPOSIT”** insert **“OR PARTIAL PAYMENT”**; and in line 24, strike **“MERCHANDISE”** and substitute **“SERVICES”**.

AMENDMENT NO. 3

On page 3, strike beginning with **“Lists”** in line 19 down through **“contract”** in line 21 and substitute **“STATES THAT “NOT ALL CHARGES THAT MAY BE REQUIRED TO BE PAID AT THE TIME OF NEED ARE LISTED IN THIS CONTRACT”**”; in line 23, after the first **“CONTRACT”** insert **“, A GUARANTEED IN PART CONTRACT,”**; strike beginning with **“A”** in line 24 down through **“LISTS”** in line 25 and substitute **“THE CONTRACT IS A GUARANTEED IN PART CONTRACT:**

A. LISTS”;

in line 26, after **“GUARANTEE”** insert **“; AND**

B. IDENTIFIES IN AT LEAST 14 POINT BOLD FACE TYPE ABOVE EACH SECTION OF THE CONTRACT WHETHER THE SECTION IS FULLY GUARANTEED OR NOT GUARANTEED”;

in the same line, strike **“AND”**; after line 28, insert:

“(IV) A LINE TOTALING:

1. THE GUARANTEED AMOUNT PAID; AND

2. THE AMOUNT FOR NONGUARANTEED ITEMS THAT ARE CONSIDERED TO BE ONLY A DOWN PAYMENT TOWARD FUTURE TOTAL COST; AND”;

and in line 29, strike **“(IV)”** and substitute **“(V)”**.

AMENDMENT NO. 4

On page 4, in line 1, after “CONTRACT” insert “, A GUARANTEED IN PART CONTRACT,”; in line 3, after “ITEMS” insert “OR GOODS AND SERVICES”; and strike beginning with “A” in line 23 down through “contract” in line 24 and substitute “(I) A PRE-NEED ESCROW OR TRUST ACCOUNT MAY NOT BE DEEMED AN ASSET OF:”

1. THE INDIVIDUAL LICENSEE; OR

2. THE LICENSED FUNERAL ESTABLISHMENT.

(II) A PRE-NEED ESCROW OR TRUST ACCOUNT WITH A BANKING INSTITUTION OR SAVINGS AND LOAN ASSOCIATION DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE:

1. ESTABLISHED USING THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE BUYER; AND

2. HELD IN TRUST FOR THE LICENSED FUNERAL ESTABLISHMENT.

(III) 1. A BUYER FOR WHOM A MONETARY PRE-NEED ESCROW OR TRUST ACCOUNT IS ESTABLISHED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL RECEIVE A STATEMENT REGARDING THE ESCROW OR TRUST ACCOUNT AT LEAST ANNUALLY.

2. THE REQUIREMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE SATISFIED BY A STATEMENT THAT IS:

A. ISSUED BY THE BANKING INSTITUTION OR SAVINGS AND LOAN ASSOCIATION AT WHICH THE ESCROW OR TRUST ACCOUNT IS ESTABLISHED; AND

B. SENT TO THE BUYER”.

AMENDMENT NO. 5

On page 7, in line 1, after “CONTRACT” insert “, A GUARANTEED IN PART CONTRACT,”; in line 4, after “director,” insert “LICENSED FUNERAL”

ESTABLISHMENT,”; in line 6, after “An” insert “IRREVOCABLE”; strike beginning with “mortician” in line 6 down through “spouse” in line 7 and substitute “LICENSED FUNERAL ESTABLISHMENT:”

A.”;

in line 7, strike “may” and substitute “MAY”; in the same line, strike “revoked” and substitute “TRANSFERRED”; and in line 8, after “contract” insert “TO ANY OTHER LICENSED FUNERAL ESTABLISHMENT; AND”

B. MAY NOT BE TRANSFERRED TO THE CONSUMER”.

The preceding 5 amendments were read only.

Senator Raskin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 586 – Senator Conway

AN ACT concerning

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

SB0586/164238/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 586

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “members or employees” and substitute “staff”; and in line 10, after “establishments;” insert “requiring certain inspections to be conducted during certain hours;”.

AMENDMENT NO. 2

On page 2, in line 9, strike “A MEMBER OR AN EMPLOYEE” and substitute “TRAINED STAFF”; in the same line, after “BOARD” insert “WHO ARE QUALIFIED TO DO INSPECTIONS AND”; in line 10, strike “ARRIVES” and substitute “ARRIVE”; after line 14, insert:

“(D) AN UNANNOUNCED INSPECTION OF A LICENSED FUNERAL ESTABLISHMENT SHALL BE CONDUCTED DURING THE HOURS THAT THE BUSINESS OF MORTUARY SCIENCE IS BEING CONDUCTED AT THE LICENSED FUNERAL ESTABLISHMENT.”;

and in line 15, strike “(D)” and substitute “(E)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 852 – Senator Conway

AN ACT concerning

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

SB0852/954638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 852

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “who” insert “only”.

AMENDMENT NO. 2

On page 1, in line 23, after “WHO” insert “ONLY”.

On page 2, in line 1, after “(1)” insert “PREScription DEVICES THAT DO NOT CONTAIN A PRESCRIPTION DRUG;”

(2)”;

and in lines 3 and 5, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

AMENDMENT NO. 3

On page 2, in line 26, strike “October” and substitute “June”.

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 EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #29

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

Senate Bill 449 – Senators Young and Mathias

AN ACT concerning

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

SB0449/414432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 449

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Mathias” and substitute “, Mathias, and Simonaire”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 612 – Calvert County Senators

AN ACT concerning

**Calvert County – Salaries of County Officials and County Commissioner
Retirement Plan Participation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 651 – Senators Getty, Astle, Colburn, Currie, DeGrange, Edwards,
Gladden, Glassman, Jennings, Peters, and Robey**

AN ACT concerning

General Provisions – Commemorative Days – K9 Veterans Day

SB0651/674436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 651

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Conway, Dyson, and Reilly”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Procurement – Debarment – Violations of Law

SB0669/434037/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 669

(First Reading File Bill)

On page 3, in line 5, strike “**CONVICTION BECAME A FINAL CONVICTION**” and substitute “**DECISION OF THE COURT BECAME FINAL**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 718 – Senator Ferguson

AN ACT concerning

**Governor’s Office of Crime Control and Prevention – State Corrections
Population Forecast and Juvenile Population Statistics**

SB0718/934739/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 718

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Ferguson” and substitute “Senators Ferguson and Conway”; in line 2, strike “State Corrections” and substitute

“Juvenile Charged as Adult”; in line 3, strike “and Juvenile Population Statistics”; strike beginning with “a” in line 5 down through “statistics” in line 6 and substitute “the Juvenile Charged as Adult Population Forecast”; in line 7, strike the second “the” and substitute “certain”; in line 9, after “Act;” insert “requiring certain State and local detention facilities to provide certain data to the Office; requiring the Office to develop a certain format that certain State and local detention facilities must use to report certain data; requiring certain data reported to the Office to include certain information;”; and strike beginning with “State” in line 9 down through “statistics” in line 10 and substitute “Juvenile Charged as Adult Population Forecast”.

AMENDMENT NO. 2

On page 1, in line 14, after “report” insert “the Juvenile Charged as Adult Population Forecast”; strike beginning with “on” in line 15 down through “year” in line 18; in line 19, strike “State corrections population”; in line 20, strike “prison;”; and in lines 20 and 21, strike “, and juvenile facility”.

AMENDMENT NO. 3

On page 2, after line 6, insert:

“(d) (1) Each State and local detention facility shall provide juvenile population data to the Governor’s Office of Crime Control and Prevention as requested by the Office to complete the annual report.

(2) The Governor’s Office of Crime Control and Prevention shall develop a standardized format that each State and local detention facility must use in reporting data to the Office.

(3) The data reported to the Governor’s Office of Crime Control and Prevention shall include the following information for each juvenile charged as an adult:

(i) the facility identification number for the detention facility where the juvenile was held;

(ii) the name of the juvenile;

(iii) the date of birth of the juvenile;

(iv) the age of the juvenile;

- (v) the sex of the juvenile;
- (vi) the race of the juvenile;
- (vii) the ethnicity of the juvenile;
- (viii) the date the juvenile was placed in the facility;
- (ix) the date the juvenile was released from the facility;
- (x) the total time the juvenile was held at the facility;
- (xi) the offense for which the juvenile was being held at the facility;
- (xii) the offense type for which the juvenile was being held at the facility;
- (xiii) whether there was a federal hold on the juvenile;
- (xiv) the case status for the juvenile;
- (xv) the case number for the juvenile; and
- (xvi) whether the juvenile court has waived its jurisdiction with respect to the juvenile.”;

in line 8, strike “4” and substitute “3”; and in line 9, strike “2018” and substitute “2017”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 794 – Senator Reilly

AN ACT concerning

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

SB0794/944631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 794

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Department of Planning –”; in line 4, after the first “of” insert “establishing the Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project;”; in the same line, strike “Planning” and substitute “Housing and Community Development”; in the same line, after “select” insert “and monitor”; strike beginning with “Maryland” in line 5 down through “Demonstration” in line 6; in line 10, strike “jurisdictions” and substitute “Continuums of Care”; in line 11, after “identifier;” insert “requiring the Department of Planning to provide certain technical assistance;”; in line 12, strike “Department” and substitute “Departments”; and in line 13, strike “providing for the termination of this Act;” and substitute “requiring the coordinating entity to submit a certain report on or before a certain date; making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 1, strike beginning with “The” in line 18 down through “the” in line 19 and substitute “There is a”; strike beginning with the colon in line 21 down through “(1)” in line 22; in line 24, strike “; and” and substitute a period; and after line 24, insert:

“(c) (1) The Department of Housing and Community Development shall select and monitor a coordinating entity to oversee the Project.

(2) The coordinating entity shall be selected through a competitive request for proposal or by sole source contract.”.

On page 2, strike in their entirety lines 1 through 5, inclusive; strike beginning with “the” in line 7 down through “County” in line 11 and substitute “at least the

following Continuums of Care established under Subtitle C of Title IV of the McKinney–Vento Homeless Assistance Act, 42 U.S.C. §§ 11381 through 11389:

- (1) MD 501 – Baltimore City Continuum of Care;
- (2) MD 503 – Annapolis/Anne Arundel County Continuum of Care;
- (3) MD 505 – Baltimore County Continuum of Care;
- (4) MD 512 – Hagerstown/Washington County Continuum of Care;
- (5) MD 513 – Wicomico/Somerset/Worcester County Continuum of Care; and
- (6) MD 600 – Prince George’s County Continuum of Care”;

in line 13, after “entity” insert “, in partnership with Continuums of Care and local communities.”; strike line 18 in its entirety and substitute:

“(iii) conduct a service provider count of unaccompanied homeless youth; and”;

and in lines 23 and 28, in each instance, strike “jurisdictions” and substitute “communities”.

On page 3, in line 10, after “participants” insert “and avoid duplication”; after line 12, insert:

- “(f) The Department of Planning shall:
- (1) assist with presurvey data collection consultation and mapping support;
 - (2) analyze and compile data after the survey is completed; and
 - (3) provide a technical review of draft reports.”;

in line 13, strike “(f)” and substitute “(g)”; in the same line, strike “Department” and substitute “Departments”; after line 16, insert:

“(h) On or before September 30, 2017, the coordinating entity shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the results of the Project.”;

in line 17, after “Act” insert “is contingent on the receipt of funding through an appropriation in the State budget or through non–State sources of funding to select a coordinating entity to oversee the Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project. The Department of Housing and Community Development shall notify the Department of Legislative Services within 5 days after funding is received. If notice of the receipt of funding is not received by the Department of Legislative Services on or before June 30, 2018, this Act shall be null and void without the necessity of further action by the General Assembly.”

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 2 of this Act, this Act”;

in line 18, strike “October” and substitute “July”; and strike beginning with “It” in line 18 down through “effect.” in line 20.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 840 – Senator Jones–Rodwell

AN ACT concerning

**Corporations – Members of Boards of Directors – Demographic Information –
Report to Board of Public Works**

SB0840/144533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 840

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Jones–Rodwell” and substitute “Senators Jones–Rodwell, Conway, Ferguson, and Montgomery”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Senator Dyson moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1109 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Cedar Lane Senior Living Community Project – Phase 4

FOR the purpose of authorizing the creation of a State Debt not to exceed \$170,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Cedar Lane, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #14

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

Senate Bill 269 – Senator Conway

AN ACT concerning

Local Government – Municipal Elections – Voting Offenses, Penalties, and Enforcement

SB0269/978570/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 269

(First Reading File Bill)

On page 2, in line 14, strike “UNDER” and substitute “RELATED TO VOTING IN A”; and in line 15, strike “LAWS” and substitute “UNDER § 4–108.1 OF THE LOCAL GOVERNMENT ARTICLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 364 – Senators Zirkin and Kittleman

AN ACT concerning

Criminal Law – Possession of Marijuana – Civil Offense

Senator Dyson moved, duly seconded, to make the Bill and Report a Special Order for March 13, 2014.

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

Affirmative – 21 Negative – 22 (See Roll Call No. 473)

Favorable report adopted.

FLOOR AMENDMENT

SB0364/143625/3

BY: Senator Shank

AMENDMENTS TO SENATE BILL 364

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “citation;” insert “requiring a court to summon a certain person to appear in court under certain circumstances; authorizing a court to order a person convicted of a violation of this Act for a third or subsequent time to attend a certain program;”.

AMENDMENT NO. 2

On page 5, in line 15, before “A” insert “1.”; in the same line, before “VIOLATION” insert “FIRST OR SECOND”; and after line 18, insert:

“2. IN ADDITION TO A FINE, A COURT MAY ORDER A PERSON CONVICTED OF A THIRD OR SUBSEQUENT VIOLATION PUNISHABLE UNDER THIS SUBPARAGRAPH TO ATTEND A DRUG TREATMENT AND EDUCATION PROGRAM APPROVED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”

AMENDMENT NO. 3

On page 8, in line 12, after “(C)” insert “(1)”; in lines 16, 17, 18, 19, 20, 22, 24, 25, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(I)”, “(II)”, and “(7)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “1.”, “2.”, and “(VII)”, respectively; in line 21, after “ALLOWED” insert “, EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION”; and after line 29, insert:

“(2) IF THE COURT FINDS THAT A PERSON HAS COMMITTED A THIRD OR SUBSEQUENT VIOLATION OF § 5-601 OF THIS PART INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA, THE COURT SHALL SUMMON THE PERSON FOR TRIAL FOR THE PURPOSE OF DETERMINING WHETHER TO ORDER THE PERSON TO ATTEND A PROGRAM DESCRIBED IN § 5-601(C)(2)(II)2 OF THIS SUBTITLE.”

The preceding 3 amendments were read only.

Senator Getty moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

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

SB0390/568572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, after line 29, 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”.

On page 4, in lines 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 14, strike “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, “(21)”, “(22)”, “(23)”, and “(24)”, respectively, and substitute “**(15)**”, “**(16)**”, “**(17)**”, “**(18)**”, “**(19)**”, “**(20)**”, “**(21)**”, “**(22)**”, “**(23)**”, “**(24)**”, and “**(25)**”, respectively; and strike in their entirety lines 15 through 17, inclusive.

AMENDMENT NO. 2

On page 5, in line 32, after the comma insert “**OR § 10–110**”.

On page 6, in line 4, after “under” insert “**§ 10–110 OR**”.

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings 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.

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

Senate Bill 436 – Senator Frosh

AN ACT concerning

Law Enforcement Officer Bill of Rights – Hearing Board – Exclusion of Evidence

SB0436/808271/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 436

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 7, in each instance, strike “Officer” and substitute “Officers”; strike beginning with “Hearing” in line 2 down through “Evidence” in line 3 and substitute “Show Cause Order – Appropriate Relief”; strike beginning with “requiring” in line 4 down through “by” in line 5 and substitute “requiring a certain court to grant appropriate relief on a finding that”; in line 6, strike “of a law enforcement officer” and substitute “obtained evidence in violation of a certain right or law”; strike in their entirety lines 8 through 12, inclusive; and in line 15, strike “3-107(f)” and substitute “3-105”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 17 on page 2, inclusive, and substitute:

“3–105.

(a) A law enforcement officer who is denied a right granted by this subtitle may apply to the circuit court of the county where the law enforcement officer is regularly employed for an order that directs the law enforcement agency to show cause why the right should not be granted.

(b) The law enforcement officer may apply for the show cause order:

(1) either individually or through the law enforcement officer’s certified or recognized employee organization; and

(2) at any time prior to the beginning of a hearing by the hearing board.

(C) ON A FINDING THAT A LAW ENFORCEMENT AGENCY OBTAINED EVIDENCE AGAINST A LAW ENFORCEMENT OFFICER IN VIOLATION OF A RIGHT GRANTED BY THIS SUBTITLE, THE COURT SHALL GRANT APPROPRIATE RELIEF.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 460 – Senators Raskin, Forehand, and King

AN ACT concerning

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

SB0460/968673/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 460
(First 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 the first “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 pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 10, inclusive; in lines 13, 21, and 22, in each instance, strike the bracket; in line 16, strike “as a full-time permanent employee”; and in line 22, strike “(A)”.

On page 3, in lines 1, 8, and 9, in each instance, strike the bracket; in line 9, strike “(B)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 20 on page 3 through line 23 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #15

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

Senate Bill 476 – Senator Colburn

AN ACT concerning

Criminal Procedure – Seeking Medical Assistance for Another Who Ingested Alcohol or Drugs – Minors

SB0476/548473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 476

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Seeking” in line 2 down through “Minors” in line 3 and substitute “Limited Immunity – Alcohol– or Drug–Related Medical Emergencies”; and strike beginning with “minor” in line 4 down through “drugs” in line 11 and substitute “person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; providing that a person who experiences a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; establishing that the act of providing or assisting with the provision of medical assistance can be used as a certain mitigating factor; making clarifying changes; and generally relating to limited immunity for alcohol– or drug–related medical emergencies”.

AMENDMENT NO. 2

On page 1, in line 21, after “seeking” insert “, PROVIDING, OR ASSISTING WITH THE PROVISION OF”; and in line 22, after “ingesting” insert “OR USING”.

On page 2, strike in their entirety lines 1 through 19, inclusive, and substitute:

“(B) A PERSON WHO, IN GOOD FAITH, SEEKS, PROVIDES, OR ASSISTS WITH THE PROVISION OF MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING A MEDICAL EMERGENCY AFTER INGESTING OR USING ALCOHOL OR DRUGS SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR A VIOLATION OF §§ 5-601, 5-619, 10-114, 10-116, AND 10-117 OF THE CRIMINAL LAW ARTICLE IF THE EVIDENCE FOR THE CRIMINAL PROSECUTION WAS OBTAINED SOLELY AS A RESULT OF THE PERSON’S SEEKING, PROVIDING, OR ASSISTING WITH THE PROVISION OF MEDICAL ASSISTANCE.

(C) A PERSON WHO EXPERIENCES A MEDICAL EMERGENCY AFTER INGESTING OR USING ALCOHOL OR DRUGS SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR A VIOLATION OF §§ 5-601, 5-619, 10-114, 10-116, AND 10-117 OF THE CRIMINAL LAW ARTICLE IF THE EVIDENCE FOR THE CRIMINAL PROSECUTION WAS OBTAINED SOLELY AS A RESULT OF ANOTHER PERSON’S SEEKING MEDICAL ASSISTANCE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 542 – Senator Muse

AN ACT concerning

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

SB0542/518372/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 542

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Muse” and substitute “Senators Muse, Frosh, Brochin, Forehand, Gladden, Hershey, Jacobs, Raskin, Shank, Stone, and Zirkin”; in line 2, strike “Annual” and substitute “In-Service”; in line 5, strike “altering” and substitute “requiring the Police Training Commission to require that certain”; in lines 5 and 8, in each instance, strike “annual” and substitute “in-service”; and strike beginning with the third “and” in line 6 down through “to” in line 7.

AMENDMENT NO. 2

On page 3, strike beginning with “CONSISTENT” in line 21 down through “(V)” in line 30; in lines 32 and 34, in each instance, strike the bracket; and after line 34, insert:

“(16) TO REQUIRE, FOR ENTRANCE-LEVEL POLICE TRAINING AND, AS DETERMINED BY THE COMMISSION, FOR IN-SERVICE LEVEL TRAINING CONDUCTED BY THE STATE AND EACH COUNTY AND MUNICIPAL POLICE TRAINING SCHOOL, THAT THE CURRICULUM AND MINIMUM COURSES OF STUDY INCLUDE, CONSISTENT WITH ESTABLISHED LAW ENFORCEMENT STANDARDS AND FEDERAL AND STATE CONSTITUTIONAL PROVISIONS:

(I) TRAINING IN LIFESAVING TECHNIQUES, INCLUDING CARDIOPULMONARY RESUSCITATION (CPR);

(II) TRAINING IN THE PROPER LEVEL AND USE OF FORCE;

(III) TRAINING REGARDING SENSITIVITY TO CULTURAL AND GENDER DIVERSITY; AND

(IV) TRAINING REGARDING INDIVIDUALS WITH PHYSICAL, INTELLECTUAL, DEVELOPMENTAL, AND PSYCHIATRIC DISABILITIES;”.

On page 4, in lines 1 and 8, strike “(16)” and “(17)”, respectively, and substitute “(17)” and “(18)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 608 – Senators Shank and Gladden

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 686 – Senator Zirkin

AN ACT concerning

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

SB0686/588479/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 686
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 4 down through “Act;” in line 11 and substitute “authorizing a certain law enforcement agency to maintain a list of certain law enforcement officers solely for the purpose of satisfying a certain disclosure requirement relating to impeachment or exculpatory evidence; prohibiting a certain law enforcement agency from taking certain punitive action against a law enforcement officer whose name is on the list under certain circumstances; requiring a certain law enforcement agency to provide a certain notice to a certain law enforcement officer under certain circumstances; providing that a law enforcement officer maintains all rights of appeal under certain circumstances;”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 13 on page 2, inclusive, and substitute:

“(A) A LAW ENFORCEMENT AGENCY REQUIRED BY LAW TO DISCLOSE INFORMATION FOR USE AS IMPEACHMENT OR EXCULPATORY EVIDENCE IN A CRIMINAL CASE, SOLELY FOR THE PURPOSE OF SATISFYING THE DISCLOSURE REQUIREMENT, MAY MAINTAIN A LIST OF LAW ENFORCEMENT OFFICERS WHO HAVE BEEN FOUND OR ALLEGED TO HAVE COMMITTED ACTS WHICH BEAR ON CREDIBILITY, INTEGRITY, HONESTY, OR OTHER CHARACTERISTICS THAT WOULD CONSTITUTE EXCULPATORY OR IMPEACHMENT EVIDENCE.

(B) A LAW ENFORCEMENT AGENCY MAY NOT, BASED SOLELY ON THE FACT THAT A LAW ENFORCEMENT OFFICER IS INCLUDED ON THE LIST MAINTAINED UNDER SUBSECTION (A) OF THIS SECTION, TAKE PUNITIVE ACTION AGAINST THE LAW ENFORCEMENT OFFICER, INCLUDING:

- (1) DEMOTION;
- (2) DISMISSAL;
- (3) SUSPENSION WITHOUT PAY; OR
- (4) REDUCTION IN PAY.

(C) A LAW ENFORCEMENT AGENCY THAT MAINTAINS A LIST OF LAW ENFORCEMENT OFFICERS UNDER SUBSECTION (A) OF THIS SECTION SHALL PROVIDE TIMELY NOTICE TO EACH LAW ENFORCEMENT OFFICER WHOSE NAME HAS BEEN PLACED ON THE LIST.

(D) A LAW ENFORCEMENT OFFICER MAINTAINS ALL RIGHTS OF APPEAL PROVIDED IN THIS SUBTITLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #16

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

Senate Bill 713 – Senators Feldman and Raskin

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 865 – Senator Benson

AN ACT concerning

**Maryland Cooperative Housing Act – Transparency Requirements and
Member Rights**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #17

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

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

AN ACT concerning

Criminal Law – Crimes Committed in the Presence of a Minor – Penalties

SB0337/388770/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 337

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law – Crimes Committed” and substitute “Crimes – Committing a Crime of Violence”; strike beginning with “if” in line 3 down through “and” in line 4 and substitute “when”; in line 5, after “minor” insert “of a certain age”; in the same line, after “present” insert “in a residence”; in line 13, strike “crimes committed” and substitute “the commission of crimes of violence”; in line 14, strike “a minor” and substitute “minors”; and after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 9–106(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 25 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“Article – Courts and Judicial Proceedings

9–106.

(a) The spouse of a person on trial for a crime may not be compelled to testify as an adverse witness unless the charge involves:

(1) The abuse of a child under 18; or

(2) Assault in any degree in which the spouse is a victim if:

(i) The person on trial was previously charged with assault in any degree or assault and battery of the spouse;

(ii) The spouse was sworn to testify at the previous trial; and

(iii) The spouse refused to testify at the previous trial on the basis of the provisions of this section.”;

strike beginning with “THIS” in line 6 down through “(2)” in line 10; strike beginning with “IF” in line 11 down through “(II)” in line 14 and substitute “WHEN”; in line 15, after “MINOR” insert “WHO IS AT LEAST 2 YEARS OLD”; in the same line, after “PRESENT” insert “IN A RESIDENCE”; in line 16, strike “(3)” and substitute “(2)”; in the same line, after “OF” insert “PARAGRAPH (1) OF”; strike beginning with the second “OR” in line 17 down through “CRIME” in line 18 and substitute “OF VIOLENCE”; in line 21, after “CRIME” insert “OF VIOLENCE”; and in line 28, strike “(A)(2)” and substitute “(A)(1)”.

On page 4, strike in their entirety lines 7 through 22, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 363 – Senator Zirkin

AN ACT concerning

Family Law – Grounds for Divorce – Valid Separation Agreement

SB0363/228571/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 363

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Valid Separation” and substitute “Settlement”; in lines 3 and 5 and 6, in each instance, strike “a limited or” and substitute “an”; in line 4, strike “valid separation” and substitute “settlement”; in line 5, strike “rights and obligations of the parties” and substitute “issues”; and in line 9, strike “7–102(a) and”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 11 on page 2, inclusive.

AMENDMENT NO. 3

On page 3, in line 14, strike “VALID SEPARATION” and substitute “SETTLEMENT”; in line 16, strike “, SPOUSAL SUPPORT,”; in line 17, after “CUSTODY,” insert “AND”; in the same line, strike “, AND EDUCATION”; and in line 19, strike “RIGHTS AND OBLIGATIONS” and substitute “RELIEF AUTHORIZED UNDER THE CODE”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Equity Court Jurisdiction – Immigrant Children – Custody or Guardianship Petitions

SB0396/808870/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 396
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Petitions”; strike beginning with “a” in line 4 down through “award” in line 5; and strike beginning with “that” in line 5 down through “with” in line 6 and substitute “pursuant to”.

AMENDMENT NO. 2

On page 2, in line 11, strike “A PETITION TO AWARD”; in line 12, strike “THAT IS FILED WITH” and substitute “PURSUANT TO”; and in line 13, after “FINDINGS” insert “REQUESTING A DETERMINATION THAT THE CHILD WAS ABUSED,”

NEGLECTED, OR ABANDONED BEFORE THE AGE OF 18 YEARS FOR PURPOSES OF § 101(A)(27)(J) OF THE FEDERAL IMMIGRATION AND NATIONALITY ACT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 558 – Carroll County Senators

AN ACT concerning

Carroll County – Local Government Tort Claims Act – Industrial Development Authority

SB0558/998277/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 558
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “County;” insert “providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Carroll County or its employees;”; and in line 11, after “5–301(d)” insert “and 5–304”.

AMENDMENT NO. 2

On page 3, after line 18, insert:

“5–304.

(a) This section does not apply to an action against a nonprofit corporation described in § 5–301(d)(23), (24), (25), (26), [or] (28), OR (29) of this subtitle or its employees.

(b) (1) Except as provided in subsections (a) and (d) of this section, an action for unliquidated damages may not be brought against a local government or its employees unless the notice of the claim required by this section is given within 180 days after the injury.

(2) The notice shall be in writing and shall state the time, place, and cause of the injury.

(c) (1) The notice required under this section shall be given in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, by the claimant or the representative of the claimant.

(2) Except as otherwise provided, if the defendant local government is a county, the notice required under this section shall be given to the county commissioners or county council of the defendant local government.

(3) If the defendant local government is:

(i) Baltimore City, the notice shall be given to the City Solicitor;

(ii) Howard County or Montgomery County, the notice shall be given to the County Executive; and

(iii) Anne Arundel County, Baltimore County, Harford County, or Prince George’s County, the notice shall be given to the county solicitor or county attorney.

(4) For any other local government, the notice shall be given to the corporate authorities of the defendant local government.

(d) Notwithstanding the other provisions of this section, unless the defendant can affirmatively show that its defense has been prejudiced by lack of required notice, upon motion and for good cause shown the court may entertain the suit even though the required notice was not given.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 688 – Senators Raskin, Conway, Feldman, Ferguson, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Fair Employment Preservation Act of 2014

SB0688/978770/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 688

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, and Forehand”; and strike beginning with “an” in line 3 down through “circumstances” in line 5 and substitute “an employer is liable under certain circumstances in an action concerning a violation of certain provisions of law based on the creation or continuation of a hostile work environment”.

On page 2, in line 10, after “under” insert “Title VII of the”; in the same line, after “Act” insert “of 1964”; in line 11, after “is” insert “vicariously”; in the same line, strike “the discriminatory actions of” and substitute “hostile work environment harassment by”; strike beginning with “hire,” in line 12 down through “employee” in line 13 and substitute “effect a significant change in employment status, including hiring, firing, failing to promote, reassignment to a position with significantly different responsibilities, or a significant change in benefits”; after line 13, insert:

“WHEREAS, The Supreme Court’s decision in Vance weakens protections from supervisor harassment that the Supreme Court established in Faragher v. Boca Raton, 524 U.S. 775 (1998) and Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998), which held that an employer may be vicariously liable under the Civil Rights Act of 1964 for hostile work environment harassment of an employee by an individual that has supervisory authority over that employee; and

WHEREAS, In Faragher and Ellerth, the Supreme Court held that a strict liability standard applies to harassment that results in a tangible employment action, but that when supervisors perpetrate harassment that creates a hostile work environment, but does not result in a tangible employment action, an employer is vicariously liable unless the employer exercised reasonable care to prevent and correct any harassing behavior, and the plaintiff unreasonably failed to take advantage of the preventive or corrective opportunities that the employer provided; and

WHEREAS, The Supreme Court holding in Vance limiting the definition of “supervisor” to those employees with the authority to take tangible employment actions against their victims ignores the fact that very often supervisors who direct daily work activities, but who do not have the authority to take tangible employment actions, wield significant power over their subordinates; and”;

strike beginning with “employee” in line 14 down through “actions” in line 15 and substitute “employer is liable for hostile work environment harassment by a supervisor”; and strike in their entirety lines 17 through 20, inclusive.

AMENDMENT NO. 2

On page 2, in lines 34 and 35, strike “**FOR UNLAWFUL EMPLOYMENT HARASSMENT**” and substitute “**BASED ON THE CREATION OR CONTINUATION OF A HOSTILE WORK ENVIRONMENT**”; in line 35, after “**LIABLE**” insert “**;**

(1)”;

in lines 35 and 36, strike “**ACT OR OMISSION**” and substitute “**ACTS OR OMISSIONS TOWARD AN EMPLOYEE OR APPLICANT FOR EMPLOYMENT**”; and in line 36, strike “**EMPLOYEE**” and substitute “**INDIVIDUAL**”.

On page 3, in lines 1 and 5, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in lines 2, 4, and 6, in each instance, strike “**ANOTHER**” and substitute “**THE**”; in lines 2 and 4, in each instance, strike “**AN**”; and in line 6, after “**EMPLOYEE**” insert “**;****OR**

(2) IF THE NEGLIGENCE OF THE EMPLOYER LED TO THE CREATION OR CONTINUATION OF THE HOSTILE WORK ENVIRONMENT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #18

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

Senate Bill 659 – Senator Gladden

AN ACT concerning

Crimes Relating to Animals – Surgery on Dogs – Penalties

SB0659/868270/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 659

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “anesthesia” insert “when appropriate”.

AMENDMENT NO. 2

On page 2, in line 2, after “ANESTHESIA” insert “WHEN APPROPRIATE”.

The preceding 2 amendments were read and adopted.

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for March 12, 2014.

The motion was adopted.

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

Senate Bill 660 – Senator Gladden

AN ACT concerning

Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties

SB0660/548779/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 660

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Gladden” and substitute “Senators Gladden and Brochin”; in line 4, strike “debarking or silencing” and substitute “devocalizing”; in line 5, strike “debark or silence” and substitute “devocalize”; and in line 6, after “circumstances,” insert “defining a certain term.”

AMENDMENT NO. 2

On page 1, after line 16, insert:

“(A) (1) “DEVOCALIZE” MEANS TO PERFORM A SURGICAL PROCEDURE INVOLVING CUTTING, NOTCHING, PUNCHING, ABRADING, LASERING, SUTURING, OR OTHERWISE PHYSICALLY ALTERING THE VOCAL APPARATUS OF A DOG OR CAT WITH THE INTENT OF ALTERING, REDUCING, OR ELIMINATING VOCAL SOUNDS PRODUCED BY THE ANIMAL.

“(2) “DEVOCALIZE” INCLUDES DEBARKING, DEVOICING, SILENCING, VENTRICULOCORDECTEMY, VOCAL CORDECTOMY, BARK REDUCTION, AND BARK SOFTENING.”;

in lines 18 and 19, in each instance, strike “DEBARK OR SILENCE” and substitute “DEVOCALIZE”; in line 17, strike “(A)” and substitute “(B)”; in the same line, strike “(B)” and substitute “(C)”; and in line 19, strike “(B)” and substitute “(C)”.

On page 2, in line 16, strike “(C)” and substitute “(D)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 827 – Senator Pugh

AN ACT concerning

Criminal Law – Possession of Dangerous or Wild Animals

SB0827/818872/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 827

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 6 down through “time” in line 13 and substitute “prohibiting certain holders of a certain federal exhibitor’s license from possessing certain animals not possessed on a certain date; authorizing certain holders of a certain federal exhibitor’s license to possess or breed certain animals if certain conditions are met; requiring rather than authorizing a local animal control authority to take certain steps to find long-term placement of certain seized animals”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 2 on page 5, inclusive, and substitute:

“(ii) [an exhibitor licensed under the federal Animal Welfare Act] THE HOLDER OF A CLASS C EXHIBITOR’S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., that displays the animals specified in subsection (b) of this section in a public setting as the exhibitor’s primary function;

(iii) a person who possesses a valid license or permit issued by the Department of Natural Resources to import, sell, trade, barter, possess, breed, or exchange an animal specified in subsection (b) of this section;

(iv) an animal sanctuary that:

1. is a nonprofit organization qualified under § 501(c)(3) of the Internal Revenue Code;

2. operates a place of refuge for abused, neglected, impounded, abandoned, orphaned, or displaced wildlife;

3. does not conduct commercial activity with respect to any animal of which the organization is an owner; and

4. does not buy, sell, trade, lease, or breed any animal except as an integral part of the species survival plan of the American Zoo and Aquarium Association;

(v) an animal control officer under the jurisdiction of the State or a local governing authority, a law enforcement officer acting under the authority of this subtitle, or a private contractor of a county or municipal corporation that is responsible for animal control operations;

(vi) a person who holds a valid license to practice veterinary medicine in the State and treats the animal specified in subsection (b) of this section in accordance with customary and normal veterinary practices; [and]

(vii) a person who is not a resident of the State and is in the State for 10 days or less for the purpose of traveling between locations outside of the State; AND

(VIII) A CIRCUS HOLDING A CLASS C EXHIBITOR’S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., THAT:

1. IS IN THE STATE FOR LESS THAN 90 DAYS PER CALENDAR YEAR;

2. REGULARLY CONDUCTS PERFORMANCES FEATURING LIVE ANIMALS AND MULTIPLE HUMAN ENTERTAINERS, INCLUDING ACROBATS AND CLOWNS; AND

3. DOES NOT ALLOW MEMBERS OF THE PUBLIC TO BE IN PROXIMITY TO AN ANIMAL SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION, INCLUDING OPPORTUNITIES TO BE PHOTOGRAPHED WITH THE ANIMAL, WITHOUT SUFFICIENT DISTANCE AND PROTECTIVE BARRIERS.

(2) (i) This section does not prohibit a person who had lawful possession of an animal specified in subsection (b) of this section on or before May 31, 2006, from continuing to possess that animal if the person provides written notification to the local animal control authority on or before August 1, 2006.

(ii) The notification shall include:

1. the person's name, address, and telephone number;
2. the number and type of animals being kept; and
3. a photograph of the animal or a description of a tattoo or microchip identification of the animal.

(3) This section does not prohibit a person who has a disability that severely limits mobility from possessing an animal specified in subsection (b) of this section if that animal is:

(i) trained to perform tasks for the owner by an organization described in Section 501(c) of the Internal Revenue Code; and

(ii) dedicated to improving the quality of life of a person who has a disability that severely limits mobility.

(b) (1) A person may not import into the State, offer for sale, trade, barter, possess, breed, or exchange a live:

[(1)] (I) fox, skunk, raccoon, or bear;

[(2)] (II) caiman, alligator, or crocodile;

[(3)] (III) member of the cat family other than the domestic cat;

[(4)] (IV) hybrid of a member of the cat family and a domestic cat if the hybrid weighs over 30 pounds;

[(5)] (V) member of the dog family other than the domestic dog;

[(6)] (VI) hybrid of a member of the dog family and a domestic dog;

[(7)] (VII) nonhuman primate, including a lemur, monkey, chimpanzee, gorilla, orangutan, marmoset, loris, or tamarin; or

[(8)] (VIII) poisonous snake in the family groups of Hydrophidae, Elapidae, Viperidae, or Crotolidae.

(2) (I) THIS PARAGRAPH DOES NOT APPLY TO AN ENTITY DESCRIBED IN SUBSECTION (A)(1)(I), (III), (IV), (V), (VI), (VII), OR (VIII) OF THIS SECTION.

(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE HOLDER OF A CLASS C EXHIBITOR'S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., MAY NOT POSSESS A NONHUMAN PRIMATE, BEAR, LION, TIGER, LEOPARD, CLOUDED LEOPARD, SNOW LEOPARD, JAGUAR, CHEETAH, OR COUGAR OR A HYBRID OF ONE OF THESE ANIMALS THAT WAS NOT OWNED BY THE HOLDER OF THE LICENSE ON JUNE 30, 2014.

(III) THE HOLDER OF A CLASS C EXHIBITOR'S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., MAY ACQUIRE OR BREED A NONHUMAN PRIMATE, BEAR, LION, TIGER, LEOPARD, CLOUDED

LEOPARD, SNOW LEOPARD, JAGUAR, CHEETAH, OR COUGAR OR A HYBRID OF ONE OF THESE ANIMALS IF THE HOLDER:

- 1. MAINTAINS A LIABILITY INSURANCE POLICY OF AT LEAST \$1,000,000;**
- 2. HAS A PAID FULL-TIME DIRECTOR;**
- 3. HAS AT LEAST ONE PAID FULL-TIME STAFF MEMBER TRAINED IN THE CARE OF EACH SPECIES THAT THE HOLDER KEEPS;**
- 4. HAS AN ANIMAL DISPOSITION POLICY THAT PROVIDES FOR THE PLACEMENT OF ANIMALS IN APPROPRIATE FACILITIES IF THE HOLDER’S FACILITY CLOSES; AND**
- 5. MAINTAINS AND IMPLEMENTS A TRAINING PLAN REGARDING ZONOTIC DISEASE RISK AND PREVENTION.”.**

AMENDMENT NO. 3

On page 7, in line 12, strike “may” and substitute “**SHALL**”; and in line 26, strike “October” and substitute “**July**”.

The preceding 3 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #19

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

Senate Bill 3 – Senators Jacobs and Simonaire

AN ACT concerning

Vehicle Laws – Operation of Vehicle When Approaching a Tow Truck or Service Vehicle

SB0003/618673/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 3
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “or Service Vehicle”; in line 4, strike “a tow truck or service vehicle that is” and substitute “certain tow trucks that are”; in lines 7 and 8, strike “or service vehicle”; and in line 11, strike “or service vehicles”.

AMENDMENT NO. 2

On page 2, in line 2, strike “, A TOW TRUCK, OR A SERVICE VEHICLE” and substitute “OR A TOW TRUCK THAT IS PROPERLY REGISTERED IN ACCORDANCE WITH § 13–920 OF THIS ARTICLE”; in line 4, strike the second comma and substitute “OR”; in lines 5 and 8, in each instance, strike “, OR SERVICE VEHICLE”; and in line 7, strike the comma and substitute “OR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 771 – Senators Robey, Brinkley, Conway, Currie, Edwards, Getty, Glassman, Hershey, Jacobs, Jennings, Klausmeier, Middleton, Pugh, Raskin, Shank, Stone, Young, and Zirkin

AN ACT concerning

Motor Vehicles – Exceptional Milk Hauling Permit – Establishment

SB0771/848972/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Forehand, and Muse”; in line 6, after “milk;” insert “providing for the repeal of certain provisions of this Act on a certain date; requiring the Administration to enter into an agreement with a certain entity to collect certain data; requiring certain data to be compiled in an annual report; requiring the Administration to meet annually with a certain entity to review the annual report; providing for the effective dates of this Act;”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 24–113.2(b) and (c)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 2, in line 2, strike “EXCEPT FOR” and substitute “**OTHER THAN**”; in lines 7 and 23, in each instance, strike “OR”; in line 11, strike “FIVE” and substitute “**SIX**”; in line 13, after “SEMITRAILER” insert “**; OR**

(3) (1) CARRIES TO A PROCESSING PLANT FROM MARCH 1 UNTIL JUNE 30 RAW LIQUID MILK THAT IS THE ONLY LOAD ON THE VEHICLE AND IS LOADED FROM BULK LIQUID MILK STORAGE TANKS AT ONE OR MORE FARM LOCATIONS; AND

(II) HAS AN AXLE CONFIGURATION OF FIVE AXLES AND A DISTANCE OF AT LEAST 28 FEET BETWEEN THE LAST AXLE ON THE TRACTOR AND THE FIRST AXLE ON THE SEMITRAILER”;

in line 24, strike “90,000” and substitute “95,000”; in line 25, after “VEHICLES” insert “WITH AT LEAST 6 AXLES”; and in the same line, after “MILK;” insert “OR

3. 88,000 POUNDS GROSS COMBINATION WEIGHT FOR A COMBINATION OF VEHICLES WITH 5 AXLES CARRYING MILK;”.

AMENDMENT NO. 3

On page 5, after line 13, insert:

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

Article – Transportation

24–113.2.

(b) Notwithstanding any other provision of this title, the State Highway Administration may issue an exceptional hauling permit for a combination of vehicles that:

(1) (i) Carries farm products as defined in § 10–601(c) of the Agriculture Article, other than milk, that:

1. Are loaded in fields or other off–highway locations;
and

2. Are the only load of the vehicle; and

(ii) Has an axle configuration of not less than six axles and a front–to–rear centerline axle spacing of not less than 50 feet; OR

(2) (i) Carries to a processing plant raw liquid milk that is the only load on the vehicle and is loaded from bulk liquid milk storage tanks at one or more farm locations; and

(ii) Has an axle configuration of not less than six axles and a distance of at least 28 feet between the last axle on the tractor and the first axle on the semitrailer]; or

(3) (i) Carries to a processing plant from March 1 until June 30 raw liquid milk that is the only load on the vehicle and is loaded from bulk liquid milk storage tanks at one or more farm locations; and

(ii) Has an axle configuration of five axles and a distance of at least 28 feet between the last axle on the tractor and the first axle on the semitrailer].

(c) A combination of vehicles operating under the authority of an exceptional hauling permit issued under subsection (b) of this section shall:

(1) Comply with the following weight limits:

(i) A maximum of 20,000 pounds gross weight on a single axle;

(ii) For any consecutive axle configuration of two or more axles on individual vehicles in the combination, the maximum gross weight specified in § 24–109(c) of this subtitle; and

(iii) A maximum of:

1. 87,000 pounds gross combination weight for a combination of vehicles carrying farm products other than milk; OR

2. 95,000 pounds gross combination weight for a combination of vehicles [with at least 6 axles] carrying milk; [or

3. 88,000 pounds gross combination weight for a combination of vehicles with 5 axles carrying milk.]

(2) Twice each year, submit to and pass a North American Standard Driver/Vehicle Level 1 inspection; and

(3) Be allowed a load limit tolerance of only 1,000 pounds for gross combination weight and 15% for axle weights.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The State Highway Administration shall enter into an agreement with the Maryland and Virginia Milk Producers Cooperative Association to collect the following data:

(1) with respect to a permit issued under § 24–113.2(b)(2) of the Transportation Article, as enacted by this Act, the total number of vehicles or combination of vehicles operating under the permit with a gross combination weight:

(i) under 90,000 pounds;

(ii) between 90,000 and 95,000 pounds; and

(iii) over 95,000 pounds; and

(2) with respect to a permit issued under § 24–113.2(b)(3) of the Transportation Article, as enacted by this Act, the total number of vehicles or combination of vehicles operating under the permit with a gross combination weight:

(i) under 80,000 pounds;

(ii) between 80,000 and 88,000 pounds; and

(iii) over 88,000 pounds.

(b) Data collected under subsection (a) of this section shall be organized by month and compiled in an annual report.

(c) The State Highway Administration shall meet annually with the Maryland and Virginia Milk Producers Cooperative Association to review the most recent annual report compiled under this section.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2016.”.

AMENDMENT NO. 4

On page 5, in line 14, strike “2.” and substitute “5.”; and in the same line, after “That” insert “, except as provided in Section 4 of this Act.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 901 – Senator Hershey

AN ACT concerning

Queen Anne’s County – School Buses – Length of Operation

SB0901/808579/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 901

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Queen” insert “Kent County and”; and in lines 3 and 4, in each instance, after “in” insert “Kent County and”.

AMENDMENT NO. 2

On page 1, in line 20, after “Dorchester,” insert “KENT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #18

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

Senate Bill 620 – Senator Kelley

AN ACT concerning

**Mental Health – Approval by Clinical Review Panel of Administration of
Medication – Standard****SB0620/937873/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 620

(First Reading File Bill)

On page 2, strike beginning with “that” in line 26 down through “HOSPITALIZED” in line 27 and substitute “**THAT:**”

1. CAUSE THE INDIVIDUAL TO BE A DANGER TO THE INDIVIDUAL OR OTHERS WHILE IN THE HOSPITAL;

2. RESULTED IN THE INDIVIDUAL BEING COMMITTED TO A HOSPITAL UNDER THIS TITLE OR TITLE 3 OF THE CRIMINAL PROCEDURE ARTICLE; OR

3. WOULD CAUSE THE INDIVIDUAL TO BE A DANGER TO THE INDIVIDUAL OR OTHERS IF RELEASED FROM THE HOSPITAL”;

and strike beginning with “that” in line 29 down through “HOSPITALIZED” in line 30 and substitute “**THAT:**”

1. CAUSE THE INDIVIDUAL TO BE A DANGER TO THE INDIVIDUAL OR TO OTHERS WHILE IN THE HOSPITAL;

2. RESULTED IN THE INDIVIDUAL BEING COMMITTED TO A HOSPITAL UNDER THIS TITLE OR TITLE 3 OF THE CRIMINAL PROCEDURE ARTICLE; OR

3. WOULD CAUSE THE INDIVIDUAL TO BE A DANGER TO THE INDIVIDUAL OR OTHERS IF RELEASED FROM THE HOSPITAL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 879 – Senator Kelley

AN ACT concerning

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

SB0879/877973/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 879

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “appointing” in line 5 down through “employees” in line 6 and substitute “parties”.

AMENDMENT NO. 2

On page 2, strike beginning with “APPOINTING” in line 3 down through the second “EMPLOYEE” in line 4 and substitute “APPROPRIATE PARTIES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 474)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #45

**Senate Bill 547 – ~~Senator Ferguson~~ Senators Ferguson, Feldman, Glassman,
Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez**

AN ACT concerning

**Economic Development – Baltimore Region – Baltimore Metropolitan
Council and Advisory Board and Baltimore Region Transportation Board**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the House of Delegates.

Senate Bill 611 – Calvert County Senators

AN ACT concerning

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the House of Delegates.

Senate Bill 875 – Senators Klausmeier and Feldman

AN ACT concerning

Jane E. Lawton Conservation Loan Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the House of Delegates.

Senate Bill 1044 – ~~Senator Middleton~~ Senators Middleton and Benson

AN ACT concerning

**Public Service Commission – Competitive Retail Electricity and Gas Supply –
Consumer Protection – Report**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 478)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 479)

ADJOURNMENT

At 12:21 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 9, 2014, Calendar Day, Wednesday, March 12, 2014.

Annapolis, Maryland
Legislative Day: March 9, 2014
Calendar Day: Wednesday, March 12, 2014
10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Shawn M. Wilson, Goshen United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of March 8, 2014 was read and approved.

On motion of Senator Robey it was ordered that Senator Klausmeier be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 480)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 554 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Most Worshipful Prince Hall Grand Lodge of Maryland, Free and Accepted
Masons of Maryland;
Maryland Jurisdiction, Inc.
in recognition of
your dedication to promoting brotherly love,
relief, truth in word and deed for all mankind and
your annual day in Annapolis.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 12th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 481)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 131 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – City of Takoma Park – Alcoholic Beverages – Class B
On- and Off-Sale License
MC 18-14**

FOR the purpose of continuing an off-sale privilege to the Class B beer and light wine license issued for hotels and restaurants in the City of Takoma Park; and generally relating to Class B beer and light wine, hotel and restaurant licenses in the City of Takoma Park.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8-216(d)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 390 of the Acts of the General Assembly of 2012
Section 2

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 132 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Beer Sales and Delivery to
Retail Dealers
MC 19-14**

FOR the purpose of authorizing a holder of a Class 7 limited beer wholesaler’s license or a nonresident brewery permit to sell or deliver its own beer to a county liquor dispensary, a restaurant, or any other retail dealer in Montgomery County; authorizing a county liquor dispensary, a restaurant, or any other retail dealer in Montgomery County to purchase beer directly from a holder of a Class 7

limited beer wholesaler's license or a nonresident brewery permit; and generally relating to beer sales to retail dealers in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–204
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 135 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Town of Kensington – Alcoholic Beverages – Special B–K Licenses MC 15–14

FOR the purpose of altering the description of commercial areas in the Town of Kensington in Montgomery County in which the Board of License Commissioners may issue special B–K alcoholic beverages licenses for use on the premises of restaurants located in those areas; prohibiting the holder of a certain license in a certain commercial area from serving alcoholic beverages after a certain time; and generally relating to alcoholic beverages licenses in the Town of Kensington in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–216(a)(2)(iv)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 136 – Montgomery County Delegation

AN ACT concerning

Alcoholic Beverages – Montgomery County – Beer Festivals MC 11–14

FOR the purpose of authorizing Montgomery County to conduct a beer festival not more than a certain number of times each year under the supervision of the Montgomery County Department of Liquor Control; requiring the county, in

selecting a nonprofit festival organization to organize the beer festival, to ensure that the organization has certain experience; specifying that the festival organization select the weekends during which the festival will be conducted; authorizing a festival organization to contract with holders of certain current alcoholic beverages licenses to sell and display beer at the festival; specifying that on the days and for the hours designated for the beer festival, beer may be displayed and sold at retail under certain conditions; requiring a festival organization to choose the festival location and ensure that the primary focus of the festival is the promotion of Maryland beer; requiring that a person hold a special beer festival license and contract with the festival organization before selling, offering for sale, or displaying beer at a festival; authorizing the Montgomery County Board of License Commissioners to issue a special beer festival license; establishing a license fee; allowing certain persons to hold a special beer festival license in addition to another license; providing for certain penalties; requiring certain license fees to be deposited into the general fund of the county; requiring the Montgomery County Board of License Commissioners to adopt certain regulations; defining certain terms; and generally relating to beer festivals in Montgomery County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–807

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 140 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Micro–Brewery Licenses and Class D Beer and Light Wine Licenses MC 3–14

FOR the purpose of authorizing the Comptroller to issue a Class 7 micro–brewery license in Montgomery County to a holder of a Class D beer and light wine license; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 2–208(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 142 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Proportion of Food and Alcoholic Beverages Sales – Class B Licenses and Class B–BWL (H–M) Licenses MC 14–14

FOR the purpose of altering the proportion of future food and alcoholic beverages sales to which an applicant for a Class B beer, wine and liquor license in Montgomery County is required to attest, based on gross receipts, as a prerequisite to obtaining the license; altering the proportion of ~~future~~ food and alcoholic beverages sales to which an applicant for a Class B beer, wine and liquor license in the county is required to attest, based on gross receipts from sales during a certain period of time, as a prerequisite to renewing the license; altering a requirement regarding the proportion of food and alcoholic beverages sales, based on gross receipts, for a Class B–BWL (H–M) establishment in the county; making a stylistic change; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(q)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 143 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages Sales – Prohibition on Use of
Self-Scanning Cash Registers
MC 6-14**

FOR the purpose of prohibiting a retail alcoholic beverages licensee in Montgomery County from selling alcoholic beverages for consumption off the licensed premises by means of a self-scanning cash register or a certain other automated system that may be operated on a self-service basis by a customer; providing certain penalties; and generally relating to the retail sale of alcoholic beverages in Montgomery County.

BY adding to

Article 2B – Alcoholic Beverages

Section 12-216.1

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 144 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor
Licenses
MC 12-14**

FOR the purpose of ~~removing certain geographic restrictions for Class B beer, wine and liquor licenses issued in Montgomery County;~~ authorizing the Montgomery County Board of License Commissioners to issue a Class B beer, wine and liquor license to an operator of a restaurant or hotel; requiring, as a prerequisite for the initial issuance of a Class B beer, wine and liquor license, an operator of a restaurant or hotel to attest to a certain proportion of future food and alcoholic beverage sales based on gross receipts; requiring, as a prerequisite for each renewal of a Class B beer, wine and liquor license, an operator of a restaurant or hotel to attest to a certain proportion of food and alcoholic beverage sales based on gross receipts from sales during a certain period of time; repealing a prohibition on the serving or consumption of alcoholic beverages at any bar, counter without seats, or certain other areas of a restaurant or hotel for which a Class B beer, wine and liquor license is issued; repealing a certain limit on the number of seats in a cocktail area of a restaurant or hotel for which a Class B beer, wine and liquor license is issued; repealing a prohibition on the display of certain signs in connection with a restaurant or hotel for which a Class B beer, wine and liquor license is issued; altering the license fee for certain Class B beer, wine and liquor licenses obtained in Montgomery County; ~~authorizing the~~

~~Montgomery County Board of License Commissioners to issue a Class B beer, wine and liquor license in certain locations; prohibiting the Board from imposing on a holder of a Class B beer, wine and liquor license a limit on the number of additional licenses of the same class and type that the holder may apply for and be eligible to receive~~ authorizing a person to hold a certain maximum number of Class B beer, wine and liquor licenses, with an exception allowing a licensee to obtain an additional license for a public hotel under certain conditions; repealing provisions of law allowing certain holders of a Class B beer, wine and liquor license to obtain an additional license or additional licenses, under certain circumstances; repealing certain definitions; making a conforming change; clarifying language; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(q)(1) and ~~8–216(a)(1)~~ 8–216(a)(1), (d)(1), (e), and (f)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(q)(2), 8–216(a)(2), 9–102(a), and 9–102.1

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 146 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Special BWL Community Performing Arts Facility License MC 7–14

FOR the purpose of establishing a Special BWL Community Performing Arts Facility alcoholic beverages license in Montgomery County; authorizing the Montgomery County Board of License Commissioners to issue a Special BWL Community Performing Arts Facility license to apply to a certain performing arts facility; authorizing the Board to issue the license to certain entities to host certain activities; authorizing the Board to impose certain conditions on the issuance or renewal of the license; prohibiting the Board from approving the transfer of the license to another location; authorizing holders of certain catering licenses to bring alcohol and food onto certain licensed premises under the terms of a certain contract; providing that certain violations of alcoholic beverages law apply to a certain caterer under certain circumstances; requiring a holder of the

license to ensure that food is provided during a certain time; prohibiting the Board from issuing more than a certain number of licenses under this Act to a certain entity; establishing a certain license fee; defining a certain term; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(q)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(q)(5)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 156 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – License Fee Increases

FOR the purpose of increasing the fees for certain beer, beer and light wine, and beer, wine and liquor licenses in Carroll County in a certain manner; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 3–101(a)(1), 3–401(a)(1), 5–101(a)(1), 5–401(a)(1), and 6–101(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–101(h), 3–401(h), 5–101(h), 5–401(h), and 6–101(h)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 167 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Class B Beer and Light Wine Licenses – Sunday Sales

FOR the purpose of altering in Dorchester County the hours that a Class B beer and light wine license holder may sell beer and light wine on Sundays for on- and off-premises consumption; repealing a prohibition against the sale of beer and light wine on Sundays after a certain time for off-premises consumption; making a certain stylistic change; and generally relating to the sale of alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11-510(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11-510(b)(3)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 185 – Delegates Simmons and Kramer

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

FOR the purpose of prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act; authorizing a court to impose an enhanced penalty if the State's Attorney provides certain notice to the defendant in a certain manner and if certain elements have been proven beyond a reasonable doubt; authorizing the State to include a certain notice in a certain indictment or information; providing that a penalty imposed under this Act shall be separate from and consecutive to a sentence for any crime based on the act establishing the violation of this Act; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 9–106(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY adding to
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 226 – Delegates Jacobs, Arentz, and Smigiel

AN ACT concerning

Kent County – Alcoholic Beverages Act of 2014

FOR the purpose of authorizing the Board of License Commissioners for Kent County to issue a beer or wine tasting (BWT) license to the holder of certain alcoholic beverages licenses; providing that a BWT license authorizes, for tasting purposes only, the on–premises consumption of certain wine or beer; limiting the amount of beer or wine that the holder of a BWT license may allow to be consumed by a single individual in a single day; prohibiting a BWT license holder from conducting a wine tasting and a beer tasting in a single day; providing for an annual license fee; specifying that the selection of wine or beer offered at a tasting is not limited to wine or beer produced in the State; authorizing a holder of a BWT license to offer for sale certain beer under certain circumstances; permitting summonses in Kent County to be served by the inspector employed by the Board of License Commissioners; providing that certain penalties imposed for violation of the alcoholic beverages laws do not limit, but are in addition to, other penalties for the same violation and are independent of any related court action based on the same violation; authorizing a certain alcoholic beverages inspector to issue a citation in the County; requiring the inspector to complete a training program in the use of arrest authority and pertinent police procedures; prohibiting an inspector in the County from carrying a firearm in the performance of the inspector’s duties; and generally relating to alcoholic beverages in Kent County.

BY renumbering

Article 2B – Alcoholic Beverages
Section 8–408.2
to be Section 8–408.3
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–408.2
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–410(b) and 16–507(p)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–119(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 248 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Beer, Wine and Liquor Licenses

FOR the purpose of establishing a Class B–R (restaurant) on–sale beer, wine and liquor license, a Class B–RB (restaurant/bar) on–sale beer, wine and liquor license, a Class B–T (tavern) on–sale beer, wine and liquor license, a Class B–N (nightclub) on–sale beer, wine and liquor license, and a Class B–H (hotel) on–sale beer, wine and liquor license in Charles County; authorizing the Charles County Board of License Commissioners to issue certain licenses; establishing certain conditions for the issuance of certain licenses; prohibiting a certain license holder from establishing an area that is a bar and providing live entertainment; establishing certain annual license fees; requiring certain license holders to pay certain additional annual fees, if they provide live entertainment or outdoor table service; authorizing the Board of License Commissioners to adopt certain regulations; making certain clarifying and stylistic changes; and generally relating to Class B beer, wine and liquor licenses in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(j)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 269 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor
(Clubhouse/Lodge) License
MC 20–14**

FOR the purpose of establishing in Montgomery County a special Class B beer, wine and liquor (BWL) (clubhouse/lodge) license; specifying ~~the type of facility to which~~ that the Board of License Commissioners may issue a Class B–BWL (clubhouse/lodge) license only to a certain person for use by a certain facility; specifying that a Class B–BWL (clubhouse/lodge) license authorizes a holder to serve certain alcoholic beverages on the licensed premises, off the licensed premises, or for tasting purposes at no charge or for a fee; specifying that certain restrictions do not apply to the issuance of a Class B–BWL (clubhouse/lodge) license; specifying an annual license fee; authorizing the Executive Director of the Montgomery County Revenue Authority to hold more than one Class B–BWL (clubhouse/lodge) license for the use of certain public golf courses; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(q)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(q)(5)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102.2

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 287 – Delegates Otto and McDermott

AN ACT concerning

Somerset County – Micro–Brewery License

FOR the purpose of adding Somerset County to the list of jurisdictions in which a Class 7 micro–brewery license may be issued; adding Somerset County to the list of jurisdictions in which the holder of a Class 7 micro–brewery license may sell at retail beer brewed under the license to customers for consumption off the licensed premises in certain refillable containers; and generally relating to the issuance of Class 7 micro–brewery licenses in Somerset County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a), (c), (e), and (f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 300 – Charles County Delegation

EMERGENCY BILL

AN ACT concerning

Charles County – Alcoholic Beverages – Licenses

FOR the purpose of specifying that a certain provision of law that prohibits the Charles County Board of License Commissioners from issuing certain licenses to sell alcoholic beverages in any building located within a certain distance of the property line of certain schools applies to licenses with on–sale privileges; prohibiting the Board of License Commissioners from issuing certain licenses

with off-sale privileges to sell alcoholic beverages in any building located within a certain distance of the property line of certain schools; specifying that certain provisions of law do not apply to, affect, or prohibit the renewal or transfer of certain alcoholic beverages licenses issued prior to a certain date; altering the size of a sign the Charles County Board of License Commissioners is required to supply to certain applicants for alcoholic beverages licenses; requiring that certain contact information be included on a sign the Charles County Board of License Commissioners is required to supply to certain applicants for alcoholic beverages licenses; requiring certain license applicants, under certain circumstances, to post an additional notice on certain premises at a location that is easily accessible to the public; making stylistic changes; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Charles County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9-209(a) and (c) and 10-202(a)(1) and (2) and (a-1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9-209(d) and (e) and 10-202(b)(3)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 322 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Restaurant Seating Capacity

FOR the purpose of ~~reducing~~ setting the seating capacity requirement for Class B alcoholic beverages (on-sale) restaurants and Class P alcoholic beverages (on-sale) restaurants in Washington County; and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9-222(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 419 – Charles County Delegation

AN ACT concerning

Charles County – Off-Sale Alcoholic Beverages Licenses – Population Quota in Sixth Election District

FOR the purpose of altering the resident population quota used to determine the number of off-sale alcoholic beverages licenses that the Charles County Board of License Commissioners may issue in the sixth election district of the county; making a technical change; and generally relating to the issuance of alcoholic beverages licenses with an off-sale privilege in Charles County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–209(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–209(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 433 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – ~~Organizational Licenses Act of~~ 2014

FOR the purpose of authorizing the Board of License Commissioners of Frederick County to issue a certain alcoholic beverages license to certain organizations located in the county; requiring the net proceeds of the sale of alcoholic beverages under certain licenses to be used solely for certain purposes; 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 generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(g) and 8–211(a), (b), (c), and (d–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–211(g–1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–406
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 463 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Beer, Wine and Liquor Licenses MC 16–14

FOR the purpose of establishing in Montgomery County a Class D beer, wine and liquor (on–sale) license; requiring an applicant for a Class D beer, wine and liquor (on–sale) license to attest to a certain proportion of future food and alcoholic beverages sales during certain hours, based on gross receipts, as a prerequisite to obtaining the license; requiring an applicant for a Class D beer, wine and liquor (on–sale) license to attest to a certain proportion of ~~future~~ food and alcoholic beverages sales during certain hours, based on gross receipts from sales during a certain time, as a prerequisite to renewing the license; requiring the Board of License Commissioners to adopt certain regulations providing for the inspection of certain premises; authorizing the Board to revoke a Class D beer, wine and liquor (on–sale) license under certain circumstances; requiring an applicant to pay a certain fee in order to obtain a Class D beer, wine and liquor (on–sale) license; altering the hours that a holder of a Class B–BWL or Class B–BWL (H–M) license may sell alcoholic beverages on a Sunday; authorizing a holder of a Class D beer, wine and liquor license to sell alcoholic beverages during certain hours on a Sunday; altering the hours that a holder of

a Class B–BWL or Class B–BWL (H–M) license may sell alcoholic beverages on Monday, Tuesday, Wednesday, Thursday, and certain Sundays; altering the hours that a holder of a Class B–BWL or Class B–BWL (H–M) license may sell alcoholic beverages on Friday, Saturday, and certain Sundays; authorizing a holder of a Class D beer, wine and liquor license to sell alcoholic beverages during certain hours on ~~Friday, Saturday, and certain Sundays~~ certain days; making stylistic changes; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–401(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(q) and 11–516(a) and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–303(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)
(As enacted by Chapters 302 and 303 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 472 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Country Inn Licenses

FOR the purpose of authorizing the Board of License Commissioners of Frederick County to issue a Class B–CI (country inn) on–sale beer, wine and liquor license for the use of an establishment that meets certain requirements in a certain election district; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–211(a)

Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–211(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 571 – Delegates Kaiser, Barkley, Barnes, Bates, Carr, Clagett, Healey, Luedtke, Reznik, Sophocleus, F. Turner, Valderrama, Valentino-Smith, A. Washington, and Zucker

AN ACT concerning

School Counselors – Role Expansion in Public Middle and High Schools

FOR the purpose of stating a certain goal of the State regarding a certain ratio of school counselors to students; requiring each local school system to develop and adopt a certain plan on or before a certain date; ~~requiring stating a certain goal of the State that~~ certain school counselors ~~to~~ spend a certain percentage of time performing certain activities; ~~requiring~~ authorizing each local school system to share certain resources and technology available for certain school counselors; ~~requiring~~ authorizing certain county boards of education to develop a certain transition plan using existing resources of a certain local school system; ~~requiring~~ authorizing the State Board of Education to develop and distribute certain guidelines; ~~requiring~~ authorizing the State Board in collaboration with certain county boards to adopt certain regulations; ~~requiring the State Department of Education to provide a certain notice if a certain grant is received, making this Act contingent on the receipt of a certain grant;~~ declaring the intent of the General Assembly; and generally relating to school counselors in public middle and high schools.

BY adding to
Article – Education
Section 6–122
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 591 – ~~Delegates Vitale, Barnes, Beidle, Frush, George, Love, McConkey, McMillan, Pena-Melnyk, Schuh, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

FOR the purpose of creating in Anne Arundel County a ~~BWST~~ BWLT beer, wine and ~~spirits~~ liquor tasting (on-premises) license; specifying that the ~~BWST~~ BWLT ~~license~~ and BWT licenses may be issued to certain persons; creating a license fee schedule for a ~~BWST~~ BWLT license and altering the fee schedule for a BWT beer and wine (on-premises) tasting license; specifying certain limitations on the amount of alcoholic beverages that may be offered for on-premises consumption; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8-402
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 690 – Garrett County Delegation

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales for Off-Premises Consumption

FOR the purpose of authorizing the holder of certain alcoholic beverages licenses in Garrett County to sell alcoholic beverages for consumption off the licensed premises on certain Sundays under certain circumstances; establishing the hours for sale on certain Sundays; establishing certain fees; submitting this Act to a referendum of the legally qualified voters of certain election districts and precincts of election districts in Garrett County; and generally relating to the sale of alcoholic beverages in Garrett County on Sundays.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11-512
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

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

FOR the purpose of authorizing the Board of Liquor License Commissioners for Baltimore City to waive a certain food requirement for a restaurant owned and operated by a not-for-profit organization in a certain area of the City; authorizing the Board to waive certain restrictions on license transfers in certain areas under certain circumstances; requiring the Board or its designee to examine each application for the issuance or transfer of a license within a certain time; specifying requirements to be met before an application for the issuance, transfer, or renewal of a license may be considered complete; specifying certain requirements to be met before a certain hearing; providing procedures for making changes to an application; requiring the Board to digitize and post online certain records by a certain date and adopt certain regulations; requiring that certain revenue be payable to the director of finance; requiring the Board to submit a budget request to the City annually in a certain form and to provide certain other material to the City; requiring the Board to ensure that each fee or fine that the Board imposes and collects is prominently listed on the Web site of the Board; requiring the Mayor and City Council to pay, from the general fund of the City that includes revenue from the Board, the salaries and expenses of the Board and its employees and devote the balance of the revenue from the Board to the general purposes of the City; requiring the Board annually to establish performance measures for certain activities; requiring the Board to make the performance measures available to the public on a certain Web site; requiring that on request, the Board submit certain reports to the Office of Legislative Audits; providing for certain salaries and benefits for members of the Board; requiring the Board to employ an executive secretary and deputy executive secretary; ~~repealing certain restrictions concerning the removal of the executive secretary and deputy executive secretary; ~~repealing the requirement that the executive secretary or deputy executive secretary be a member of the Bar of the State;~~~~ prohibiting a member or employee of the Board from having certain financial interests or soliciting or receiving certain items from certain persons; requiring a member of the Board to resign under certain circumstances; requiring, under certain circumstances, a member of the Board to certify to the City Board of Elections that the individual is no longer a member of the Board; specifying that the Board or its designee performs certain tasks, including reviewing the zoning of licenses; requiring a certain period for

public comment before the Board may adopt a regulation; requiring the Board to post certain regulations online; requiring the Board to review its regulations at a certain time for a certain purpose; repealing the requirement that the Board employ and set salaries for certain part-time inspectors; requiring the Board to employ certain individuals; providing for the salary of the position of attorney; specifying that certain employees of the Board are in the classified civil service of the City; requiring that, to the extent possible, all employees of the Board be residents of the City; requiring the Board to provide to the director of finance certain information; requiring the Board to determine the salaries of the employees of the Board under certain circumstances; specifying that the Board may consider an employee's performance and experience in determining the appropriate salary level; repealing a certain pay schedule for certain employees of the Board; specifying that the Board consists of a certain number of regular and alternate members; providing for the qualifications, term, and appointment of the members; defining certain terms; altering a certain definition; making certain stylistic changes; making this Act an emergency measure; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to alcoholic beverages and the Board of Liquor License Commissioners for Baltimore City.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(22)(i), 9-204.3, 10-204(d), 15-101(d), 15-109(d), and 15-112(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 10-202(a)(4)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 15-807(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – General ProvisionsSection 5–801(c)(1)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 Education, Health, and Environmental Affairs.

House Bill 836 – Garrett County Delegation

AN ACT concerning

**Garrett County – Alcoholic Beverages – Class A2 Light Wine Licenses –
Repeal**

FOR the purpose of repealing the authority of the Garrett County Board of License Commissioners to issue a Class A2 light wine license; repealing certain provisions of law relating to a Class A2 light wine license in Garrett County; and generally relating to alcoholic beverages in Garrett County.

BY repealing

Article 2B – Alcoholic Beverages

Section 4–203

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 953 – Delegates McHale, B. Robinson, and Tarrant

AN ACT concerning

Baltimore City – Alcoholic Beverages – Micro–Brewery Licenses

FOR the purpose of adding the 40th Alcoholic Beverages District of Baltimore City to the list of locations in which a holder of a certain Class D alcoholic beverages license may be issued a Class 7 micro–brewery license; authorizing the holder of a Class 7 micro–brewery license in Baltimore City to brew at certain locations using the same license and to obtain a Class 2 rectifying license for certain premises at certain locations, under certain circumstances; requiring a holder of a Class 7 license to submit a certain application to the State Comptroller; requiring the State Comptroller to make a certain determination and consider a certain factor; prohibiting a holder of a Class 7 license from serving or selling beer at a certain location; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(b) and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1000 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Transfer of Beer, Wine or Liquor Licenses – Repeal of Prohibition PG 301–14

FOR the purpose of repealing a certain provision of law that prohibits the Prince George’s County Board of License Commissioners from transferring certain beer, wine or liquor licenses that have an off–sale privilege into the boundaries of certain alcoholic beverages districts; repealing a certain provision of law that authorizes the Prince George’s County Board of License Commissioners to approve the transfer of a certain license into a certain alcoholic beverages district provided any off–sale privileges of the license are permanently waived as long as the license remains within the boundaries of a certain district; and generally relating to the transfer of beer, wine or liquor licenses into alcoholic beverages districts in Prince George’s County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–217(l)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1054 – Calvert County Delegation

AN ACT concerning

**Calvert County – Board of License Commissioners – Notice and Hearing on
Proposed Legislation**

FOR the purpose of requiring the Calvert County Board of License Commissioners, before submitting a legislative proposal to the Calvert County Delegation for introduction as a bill in a session of the General Assembly, to post notice of the proposal and hold a public hearing on the proposal at least a certain amount of time before the start of the General Assembly session; and generally relating to legislative proposals concerning alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–112(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–112(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1079 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Refillable Container Permit

FOR the purpose of creating in Calvert County a refillable container permit; authorizing the Board of License Commissioners to issue the permit to a holder of certain classes of alcoholic beverages licenses issued by the Board; specifying that a holder of the permit may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the permit to complete a certain form; requiring a certain applicant to pay a certain fee; requiring that certain applicants meet certain advertising, posting-of-notice, and public hearing requirements; specifying the term of the permit; specifying the hours of sale for the permit; allowing a holder of the permit to refill only a refillable container that was branded by a permit holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Calvert County.

BY adding to

Article 2B – Alcoholic Beverages
Section 8–205
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1091 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Beer Festivals Ho. Co. 09–14

FOR the purpose of authorizing the Howard County Board of License Commissioners to issue a special beer festival license; specifying that a special beer festival license authorizes the holder to display and sell at retail beer for consumption on and off the licensed premises on certain days and hours; requiring an applicant for a special beer festival license to be the holder of a certain license; establishing a license fee; requiring the Howard County Board of License Commissioners to approve one weekend for the festival, approve a certain premises in Howard County for the festival, and ensure that the primary focus of the festival is the promotion of Maryland beer; allowing a certain person to hold a special beer festival license in addition to another license; requiring the Howard County Board of License Commissioners to adopt certain regulations; defining a certain term; and generally relating to beer festivals in Howard County.

BY adding to

Article 2B – Alcoholic Beverages
Section 8–808
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1097 – Garrett County Delegation

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales for On–Premises Consumption

FOR the purpose of ~~authorizing the holder of certain alcoholic beverages licenses in Garrett County to sell alcoholic beverages for consumption on the licensed~~

~~premises on certain Sundays under certain circumstances; submitting this Act to a referendum of the qualified voters of certain election districts and precincts of election districts in Garrett County the question of whether the holder of certain alcoholic beverages licenses in Garrett County should be authorized to sell alcoholic beverages for consumption on the licensed premises on certain Sundays under certain circumstances; requiring the Board of County Commissioners and the Board of Supervisors of Elections of Garrett County to take certain actions regarding the referendum required under this Act; requiring the County Board of License Commissioners to report certain information to the Department of Legislative Services by a certain date; requiring the publishers of the Annotated Code of Maryland to list in the Annotated Code each district and precinct in Garrett County that has approved the sale of alcoholic beverages by certain license holders on Sundays; and generally relating to the sale of alcoholic beverages in Garrett County on Sundays.~~

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–512
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1106 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Volunteer Fire Companies and Fraternal Organizations

FOR the purpose of adding volunteer fire companies and fraternal organizations to the list of organizations for which a Class C beer, wine and liquor license may be issued in Calvert County; specifying a certain license fee; altering a certain license fee; specifying that the license in a volunteer fire company or fraternal organization allows only for the sale of liquor by the drink and on the premises; and generally relating to alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages

Section 6–301(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1107 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Bottle Clubs – Prohibitions

FOR the purpose of prohibiting in Calvert County an establishment commonly known as a bottle club that is not licensed by the Board of License Commissioners from giving, serving, dispensing, keeping, or allowing to be consumed on its premises or on premises under its control or possession any alcoholic beverages; establishing a certain penalty for a violation of this Act; and generally relating to alcoholic beverages in Calvert County.

BY renumbering

Article 2B – Alcoholic Beverages
Section 20–103.1
to be Section 20–103.2
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY adding to

Article 2B – Alcoholic Beverages
Section 20–103.1
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #30

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 480 – Senator Klausmeier

AN ACT concerning

Injured Workers’ Insurance Fund Employees – Registration as Registered Lobbyists

SB0480/614132/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 480

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Currie, Middleton, Montgomery, Feldman, Glassman, Kelley, Kittleman, Mathias, and Pugh”; and in line 6, after “circumstances;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 and 15 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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 975 – Senators Montgomery, Benson, Ramirez, and Rosapepe

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Repeal of Sunset Provision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 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.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #9

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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

SB0601/609439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 601

(First Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 14, after “EDUCATION” insert “LOCATED IN THE STATE THAT RECEIVES STATE FUNDS IN THE ANNUAL OPERATING BUDGET”.

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 § 6-620 OF THIS SUBTITLE”.

On page 16, in line 14, strike “AREAS” and substitute “AND TECHNICAL FIELDS OF STUDY”.

AMENDMENT NO. 2

On page 9, strike beginning with “ALL” in line 1 down through “SUBTITLE” in line 2 and substitute:

“(1) THE DEPARTMENT SHALL ALLOCATE:

(I) \$50,000,000 OF THE DESIGNATED CAPITAL TO THE FUND TO BE INVESTED AND DISTRIBUTED AS PROVIDED IN THIS SUBTITLE; AND

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE REMAINING DESIGNATED CAPITAL TO THE ENTERPRISE FUND AS PROVIDED UNDER TITLE 5, SUBTITLE 6 OF THIS ARTICLE.

(2) (I) THE DEPARTMENT MAY NOT ALLOCATE FUNDS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION UNTIL THE INVEST MARYLAND PROGRAM ESTABLISHED UNDER TITLE 5, SUBTITLE 6 OF THIS ARTICLE HAS BEEN REAUTHORIZED OR ANOTHER ECONOMIC DEVELOPMENT PROGRAM FOR WHICH THE FUNDS MAY BE USED HAS BEEN AUTHORIZED.

(II) IF THE INVEST MARYLAND PROGRAM OR OTHER ECONOMIC DEVELOPMENT PROGRAM HAS NOT BEEN AUTHORIZED BY JUNE 1, 2016, THEN THE REMAINING DESIGNATED CAPITAL SHALL BE ALLOCATED TO THE FUND TO BE INVESTED AND DISTRIBUTED AS PROVIDED IN THIS SUBTITLE.

On page 10, in line 7, strike the colon and substitute “**\$100,000,000.**”; strike in their entirety lines 8 and 9; strike beginning with “**FOR**” in line 10 down through “**2014**” in line 11; strike in their entirety lines 18 through 25, inclusive; in line 27, strike “**(1)**”; and strike beginning with “**FOR**” in line 27 down through “**2014**” in line 28.

On page 11, strike in their entirety lines 1 through 4, inclusive.

On page 13, strike beginning with “**FOR**” in line 1 down through “**A**” in line 2 and substitute “**A**”; strike in their entirety lines 5 through 8, inclusive; strike beginning with “**1.**” in line 16 down through the comma in line 17; in line 18, strike “**;**” and substitute a period; and strike in their entirety lines 19 through 21, inclusive.

On page 19, strike beginning with “**FOR**” in line 14 down through “**2016**” in line 16; strike beginning with “**JULY**” in line 22 down through “**2016**” in line 24 and substitute “**THE DATE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**”; and strike beginning with “**FOR**” in line 30 down through “**RESPECTIVELY,**” in line 31.

AMENDMENT NO. 3

On page 17, in line 1, strike “**OR**”; and in line 2, after “**SCIENCES**” insert “**;**”

(12) HIGH-TECH MANUFACTURING PROCESSES.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

SB0604/289138/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 604
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “determinations;” insert “requiring the Comptroller to post the representation on the Comptroller’s Web site and to include it in certain instructions on the Web site;”.

AMENDMENT NO. 2

On page 2, in line 18, after “(4)” insert “(I)”; in the same line, strike “THE” and substitute “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE”; and after line 23, insert:

“(II) THE COMPTROLLER SHALL POST THE REPRESENTATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION ON THE COMPTROLLER’S WEB SITE AND SHALL INCLUDE IT IN INSTRUCTIONS ON THE WEB SITE FOR THE SAME INCOME TAX FORMS THAT ARE SELECTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO INCLUDE THE REPRESENTATION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 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.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

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

AN ACT concerning

Higher Education – 2+2 Transfer Scholarship

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0785/174731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 785

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Pinsky, and Simonaire”; in line 5, strike “institutions at which the scholarship may be used,”; and in line 6, strike the comma.

AMENDMENT NO. 2

On page 3, in line 26, after “INSTITUTION” insert “OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION”.

On page 4 in lines 10, 13, and 16, and on page 5 in lines 3, 14, and 18, in each instance, after “INSTITUTION” insert “OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0785/263829/1

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 785

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Education –” insert “General Assembly Scholarships and”; in line 3, after “of” insert “altering the Senatorial and Delegate Scholarship Programs to require that the money appropriated under the programs be awarded by the Office of Student Financial Assistance in the Maryland Higher Education Commission; requiring the Office to ensure that the awards are distributed in a certain manner and that certain student populations are served; requiring the Office to adopt certain guidelines; requiring that certain awards be apportioned among certain legislative districts; repealing certain provisions of law relating to administering a certain examination for Senatorial Scholarships and awarding Delegate Scholarships for part-time students;”; in line 11, after “circumstances;” insert “making certain stylistic changes; making a technical correction; permitting certain recipients to continue to receive awards under certain circumstances; requiring that certain appropriations and unexpended appropriations in certain fiscal years for Senatorial and Delegate Scholarships be transferred and distributed to the Office;”; in line 11, after “to” insert “the Senatorial and Delegate Scholarship Programs and”; after line 11, insert:

“BY repealing

Article – Education

Section 18–502, 18–504, and 18–2507

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY renumberingArticle – Education

Section 18–505, 18–506, and 18–507, respectively
to be Section 18–504, 18–505, and 18–506, respectively
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)”;

after line 16, insert:

“BY adding toArticle – Education

Section 18–114, 18–502, and 18–2507
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)”;

and in line 19, after “18–107(c)” insert “, 18–401 through 18–408, 18–501, and 18–503”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 8 on page 2, inclusive.

On page 2, after line 8, insert:

“BY repealing and reenacting, with amendments,Article – Education

Section 18–504, 18–505, and 18–506
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)
(As enacted by Section 2 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 18–502 and 18–504 of Article – Education of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 18–505, 18–506, and 18–507, respectively, of Article – Education of the Annotated Code of Maryland be renumbered to be Section(s) 18–504, 18–505, and 18–506, respectively.”;

in line 9, strike “1.” and substitute “3. AND”; in the same line, after “IT” insert “FURTHER”; in lines 9 and 10, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On page 3, after line 17, insert:

“18-114.

(A) IN MAKING AWARDS UNDER THE SENATORIAL AND DELEGATE SCHOLARSHIP PROGRAMS UNDER SUBTITLES 4 AND 5 OF THIS TITLE, THE OFFICE SHALL ENSURE THAT THE AWARDS ARE DISTRIBUTED AMONG:

(1) FULL-TIME STUDENTS;

(2) PART-TIME STUDENTS;

(3) COMMUNITY COLLEGE AND PROPRIETARY SCHOOL STUDENTS;

(4) 4-YEAR COLLEGE UNDERGRADUATE STUDENTS; AND

(5) GRADUATE AND PROFESSIONAL SCHOOL STUDENTS.

(B) IN ADDITION TO THE ELIGIBILITY CRITERIA ESTABLISHED UNDER SUBTITLES 4 AND 5 OF THIS TITLE AND THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION, THE OFFICE SHALL ADOPT GUIDELINES TO IDENTIFY AND ASSIST STUDENTS WHO MAY NOT SATISFY THE SPECIFIC CRITERIA FOR AN AWARD UNDER THE SENATORIAL AND DELEGATE SCHOLARSHIP PROGRAMS BUT, BECAUSE OF SPECIAL, UNFORESEEN, OR CHANGING INDIVIDUAL OR FAMILY CIRCUMSTANCES, MERIT CONSIDERATION FOR AN AWARD.

18-401.

(A) There is a program of senatorial scholarships in this State that are awarded BY THE OFFICE under this subtitle.

(B) THE OFFICE SHALL MAKE AWARDS IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE AND THE CRITERIA SPECIFIED UNDER § 18-114 OF THIS TITLE.

18-402.

(a) [(1) Except as provided in paragraph (2) of this subsection, each] EACH applicant for a senatorial scholarship shall[:

(i) Take a competitive examination administered by the Office;
and

(ii) Be] HAVE BEEN accepted for admission in the regular undergraduate, graduate, or professional program at an eligible institution; or be enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution.

[(2) An applicant is exempt from the examination if the applicant:

(i) Is attending an eligible institution and has completed at least 1 year in good academic standing at the institution;

(ii) Graduated from high school at least 5 years before application for a senatorial scholarship;

(iii) Is accepted for admission to a private career institution, if the institution's curriculum is approved by the Commission, and the institution is accredited by a national accrediting association approved by the United States Department of Education; or

(iv) Is planning to attend or is attending a Maryland community college.]

(b) Each applicant shall:

(1) Be a resident of this State; and

(2) At the time of the applicant's initial application, be a resident of the legislative district from which [the applicant seeks an award] A SENATORIAL AWARD IS SOUGHT.

(c) [(1)] Each applicant shall demonstrate to the Office a definite financial need[, and each Senator shall consider the financial need of each applicant.

(2) Each Senator is the final judge of the financial need of each applicant to whom he awards a scholarship, and the Office may not negate this judgment or impose requirements of time or procedure].

(d) Each applicant shall accept any other conditions attached to the award THAT DO NOT CONFLICT WITH THE PROVISIONS OF THIS SUBTITLE OR § 18-114 OF THIS TITLE.

18-403.

If a [Senator serves from a] legislative district IS composed of more than one county, THE OFFICE SHALL:

(1) CONSIDER APPLICANTS FROM EACH COUNTY IN THE LEGISLATIVE DISTRICT; AND

(2) AWARD the number of scholarship units [shall be divided as equally as possible among] TO WHICH THAT DISTRICT IS ENTITLED TO qualified applicants from each county in the legislative district.

18-404.

(a) [Each Senator may] FOR EACH GENERAL ASSEMBLY LEGISLATIVE DISTRICT IN THE STATE, THE OFFICE SHALL award \$34,500 of senatorial scholarships each year.

(b) (1) The annual allocation under subsection (a) of this section applies to initial-year awards. After 4 years of operation, the annual allocation [to each Senator] for initial-year and continuing awards FOR THAT LEGISLATIVE DISTRICT may not exceed four times the amount of [his] THE allocation under subsection (a) of this section.

(2) If a recipient moves to [the] ANOTHER legislative district [of another Senator], the allocation to the recipient shall continue to be drawn on the account of the [Senator who originally awarded the scholarship] LEGISLATIVE DISTRICT FROM WHICH THE ORIGINAL AWARD WAS MADE.

(c) (1) A senatorial scholarship may be awarded in \$100 increments.

(2) An award for a single year may not be less than \$400 or more than the equivalent annual tuition and mandatory fees of an undergraduate program at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

18-405.

(a) Except as provided in subsection (d) of this section, a senatorial scholarship may be used only at any undergraduate, graduate, or professional school in the State.

(b) A senatorial scholarship may be used:

(1) If the curriculum is approved by the Commission, at a degree granting institution of higher education, a hospital diploma school for training registered nurses, or to attend a private postsecondary proprietary institution that is accredited by a national accrediting association approved by the United States Department of Education as a full-time student; and

(2) For educational expenses as defined by the Office, including:

(i) Tuition and mandatory fees; and

(ii) Room and board.

(c) If on-campus housing is available, a senatorial scholarship may not be used to pay for off-campus housing.

(d) [Each Senator may award not] NO more than 10 percent of the funds available under this subtitle MAY BE AWARDED to applicants planning to attend accredited undergraduate, graduate, or professional institutions outside the State, provided the applicant:

(1) Will be studying in an academic area that is not available in the State; or

(2) Is a hearing impaired person who will be studying at an institution outside the State that makes special provisions for hearing impaired students, and comparable special provisions are not available to that student at an institution in the State.

18-406.

(a) Except as otherwise provided in this section, each recipient of a senatorial scholarship may hold the scholarship for 4 undergraduate academic years and 4 graduate academic years if [he] THE RECIPIENT:

(1) Is a full-time student;

(2) Continues to be a resident of this State; and

(3) Continues to be a student at the institution and takes at least 12 semester hours of courses as an undergraduate or 9 semester hours of courses as a graduate student each semester leading to a degree.

(b) A recipient of an undergraduate or graduate senatorial scholarship may hold the scholarship, appropriately prorated, for 8 academic years if [he] THE RECIPIENT:

(1) Is a part-time student;

(2) Continues to be a resident of this State; and

(3) Continues to be a student at the institution and takes at least 6 semester hours of courses each semester leading to a degree.

(c) Any recipient of a senatorial scholarship may use up to one-half of the yearly award for summer school.

(d) A recipient of a senatorial scholarship who is enrolled in a terminal certificate program as provided in § 18-402(a) of this subtitle may hold the scholarship for 2 years if [he] **THE RECIPIENT** is a full-time student and otherwise meets the conditions of subsection (a) of this section, or may hold the scholarship for 4 years if [he] **THE RECIPIENT** is a part-time student and otherwise meets the conditions of subsection (b) of this section.

(e) Each recipient of a senatorial scholarship who is enrolled in a private postsecondary proprietary institution that is accredited by a national accrediting association approved by the United States Department of Education:

(1) May hold the scholarship for the completion of 1 program if the student otherwise meets the conditions of [paragraphs (1) and (2) of subsection (a)] **SUBSECTION (A)(1) AND (2)** of this section; and

(2) Shall complete the program within the length of time prescribed by the institution for the completion of the program.

18-407.

(a) [Each Senator] **THE OFFICE** shall award all [of his] senatorial scholarships on or before September 1 of each year.

(b) If [any Senator], **BECAUSE AN INSUFFICIENT NUMBER OF APPLICATIONS ARE RECEIVED FROM INDIVIDUALS WHO MEET THE ELIGIBILITY REQUIREMENTS FOR AN AWARD, THE OFFICE** fails to award all of [his scholarships on or before September 1 of each year, the Commission] **THE SENATORIAL SCHOLARSHIPS FOR A LEGISLATIVE DISTRICT, THE OFFICE** shall make the remaining awards to applicants from [the Senator's] **THAT** legislative district who[:

(1) Scored highest on the competitive examination; or

(2) **Are] ARE** attending an eligible institution and have completed at least 1 year in good academic standing.

(c) The Office shall]:

(1) Notify each Senator of the applicants to whom it awards the Senator's scholarships; and

(2) Announce] ANNOUNCE publicly the names of all recipients.

(d) To the extent a scholarship awarded under § 18–404 of this subtitle is not used by a student, moneys appropriated to the Commission for that award not used by the end of the fiscal year shall be retained by the Commission for use [by the awarding Senator] IN THAT LEGISLATIVE DISTRICT in the Senatorial Scholarship Program during subsequent fiscal years.

18–408.

(a) If there is no qualified applicant in a legislative district, THE OFFICE MAY SELECT a qualified applicant who resides in another legislative district [may be appointed] to receive the senatorial scholarship.

(b) A senatorial scholarship awarded under this section is for 1 year. However, a student who receives an appointment under this section is eligible to receive a subsequent appointment for not longer than 3 years.

18–501.

(a) There is a program of Delegate Scholarships in this State that are awarded BY THE OFFICE under this subtitle.

(b) A scholarship awarded under this subtitle may be used at:

(1) An eligible institution for a program of undergraduate, graduate, or professional studies;

(2) An accredited undergraduate, graduate, or professional institution outside the State, if:

(i) The applicant will be studying in an academic area that is not available in this State; or

(ii) 1. The applicant is disabled;

2. The applicant will be studying at an institution outside the State that makes special provisions for disabled students; and

3. Comparable special provisions are not available to that student at an institution in the State; and

(3) A private career school within the State that is approved by the Maryland Higher Education Commission under § 11–202 of this article and that is accredited by a national accrediting association that is approved by the United States Department of Education.

(c) Moneys appropriated to the Commission for scholarships awarded under this section that are not used by the end of the fiscal year shall be retained by the Commission for use by the [awarding Delegate] OFFICE in the Delegate Scholarship Program during subsequent fiscal years.

18–502.

THE OFFICE SHALL MAKE AWARDS IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE AND THE CRITERIA SPECIFIED UNDER § 18–114 OF THIS TITLE.

18–503.

[(a) During each term in office, each Delegate may award the equivalent of four 4–year full–time scholarships, which may be awarded for either 1–, 2–, 3–, or 4–year periods.]

(A) (1) FOR EACH GENERAL ASSEMBLY LEGISLATIVE DISTRICT IN THE STATE DURING EACH TERM OF THE GENERAL ASSEMBLY, THE OFFICE SHALL AWARD, FOR EACH DELEGATE IN THAT DISTRICT, SCHOLARSHIPS IN A TOTAL AMOUNT EQUAL TO 4 TIMES THE TUITION AND MANDATORY FEES FOR A FULL–TIME UNDERGRADUATE STUDENT ENROLLED AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK FOR EACH ACADEMIC YEAR OF THE LEGISLATIVE TERM.

(2) IF A LEGISLATIVE DISTRICT ENCOMPASSES A SUBDISTRICT, THE AWARDS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE AWARDED AMONG ANY SUBDISTRICTS THAT ARE INCLUDED IN THE LEGISLATIVE DISTRICT.

(b) (1) Each scholarship [pays] SHALL BE USED TO PAY the tuition and mandatory fees AND ROOM AND BOARD at any eligible institution.

(2) The annual amount of a scholarship at a private institution or any graduate or professional program may not exceed the equivalent annual tuition and mandatory fees of an undergraduate program at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

18-504.

(a) Each recipient of a [full-time] Delegate Scholarship may use the scholarship to attend summer school.

(b) The term of a [full-time] Delegate Scholarship shall be shortened by one-half year for each summer of use.

(c) The amount used for summer school may not exceed one-half of the value of the award for the next academic year.

18-505.

(a) [As an alternative to the scholarship awards authorized by §§ 18-503 through 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section, during each year in office each Delegate may award scholarships in a total amount equal to four times the tuition and mandatory fees for a full-time undergraduate student enrolled at the University of Maryland, College Park for the academic year commencing in that year.

(b) A scholarship [award under subsection (a) of this section] AWARDED BY THE OFFICE UNDER THIS SUBTITLE:

(1) May not be for an amount less than \$200 or more than one-half of the total amount of scholarships authorized by [subsection (a) of] this section for that year;

(2) Shall be used at an eligible institution; AND

(3) May be used by:

(i) A graduate, undergraduate, or professional student; or

(ii) A student at a private career school within the State that is approved by the Maryland Higher Education Commission under § 11-202 of this article and that is accredited by a national accrediting association that is approved by the United States Department of Education[; and].

[(4)] (B) To the extent [it] AN AWARD is not used by the student, THE AWARD shall be recredited BY THE OFFICE to the [Delegate’s scholarship] LEGISLATIVE DISTRICT’S account and may be awarded in the next 12 months by [that Delegate] THE OFFICE to another student pursuant to THE REQUIREMENTS OF this [section] SUBTITLE.

18-506.

[(a) Beginning in fiscal year 1996, each Delegate may authorize the Office of Student Financial Assistance to award all or a portion of the funds authorized under this subtitle to eligible recipients of a Delegate Howard P. Rawlings Educational Excellence Award who reside in the Delegate’s legislative district.

[(b)] In the event that the total number of eligible recipients [of a Delegate Howard P. Rawlings Educational Excellence Award] who reside in the [Delegate’s] legislative district is insufficient to utilize the total amount of funds available to [the Delegate] THAT LEGISLATIVE DISTRICT for any fiscal year, the Office [of Student Financial Assistance may, with the consent of the Delegate,] MAY award the unused funds to other eligible recipients throughout the State.”.

AMENDMENT NO. 3

On page 7, after line 6, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of this Act, each current recipient of a Senatorial Scholarship or a Delegate Scholarship on the effective date of this Act, including the recipients of new or increased awards during fiscal year 2015, shall continue to be eligible to receive the full amount of that award for the duration of the eligibility period applicable to that recipient.

SECTION 5. AND BE IT FURTHER ENACTED, That any appropriation in fiscal year 2015 and any unexpended appropriation available under the Senatorial Scholarship Program or the Delegate Scholarship Program at the conclusion of the current term of the General Assembly on January 14, 2015, that is not needed to meet scholarship awards made to eligible recipients under Section 4 of this Act shall be transferred to and distributed by the Office of Student Financial Assistance in accordance with the provisions of Section 3 of this Act. The unexpended appropriations under this section that are transferred to the Office of Student Financial Assistance shall be allocated by legislative district so that each district receives an amount equal to the balance of scholarship funds previously available under the Senatorial and Delegate Scholarship Programs that had not been awarded by that district’s Senators and Delegates during the current legislative term.”;

and in line 7, strike “2.” and substitute “6.”.

The preceding 3 amendments were read only.

The preceding 3 amendments were ruled out of order by the Chair under Rule 45.

Senator Kittleman moved, duly seconded, to appeal the decision of the Chair.

Decision of the Chair was upheld by roll call vote as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 482)

Read the second time and ordered prepared for Third Reading.

Senate Bill 415 – Senators Klausmeier, Benson, Reilly, and Young

AN ACT concerning

Morticians and Funeral Directors – Pre-Need Contracts

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0415/544433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 415

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “contract” insert “, guaranteed in part contract.”; in line 6, after “guaranteed;” insert “requiring certain disclosure statements to contain a certain statement and certain amounts paid under certain contracts.”; in line 9, after the first “contracts” insert “, guaranteed in part contracts.”; in the same line, after “items” insert “or goods and services”; and in line 10, after “guaranteed;” insert “providing that a pre-need escrow or trust account may not be deemed an asset of certain licensees; requiring certain escrow and trust accounts to be established and held in a certain manner; requiring certain buyers to receive certain statements; altering the circumstances under which a pre-need contract may be funded by a life insurance policy or an annuity contract.”.

AMENDMENT NO. 2

On page 2, in line 16, after “THAT” insert “:

(I) IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT; AND

(II)”;

in the same line, strike “GUARANTEES” and substitute “GUARANTEES”; in the same line, strike “OR IN PART”; after line 17, insert:

“(5) “GUARANTEED IN PART CONTRACT” MEANS A WRITTEN PRE-NEED CONTRACT THAT:

(I) IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT; AND

(II) GUARANTEES IN PART THE PRICE OF GOODS AND SERVICES AND CASH ADVANCE ITEMS SPECIFIED IN THE CONTRACT.”;

in lines 18, 26, and 28, strike “**(5)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “**(6)**”, “**(7)**”, and “**(8)**”, respectively; after line 19, insert:

“(I) THAT IS SIGNED BY THE CONSUMER AND A LICENSEE OF A LICENSED FUNERAL ESTABLISHMENT;”;

in lines 20 and 22, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; in line 23, after “**DEPOSIT**” insert “**OR PARTIAL PAYMENT**”; and in line 24, strike “**MERCHANDISE**” and substitute “**SERVICES**”.

AMENDMENT NO. 3

On page 3, strike beginning with “Lists” in line 19 down through “contract” in line 21 and substitute “**STATES THAT “NOT ALL CHARGES THAT MAY BE REQUIRED TO BE PAID AT THE TIME OF NEED ARE LISTED IN THIS CONTRACT”**”; in line 23, after the first “**CONTRACT**” insert “**, A GUARANTEED IN PART CONTRACT,**”; strike beginning with “A” in line 24 down through “**LISTS**” in line 25 and substitute “**THE CONTRACT IS A GUARANTEED IN PART CONTRACT:**

A. LISTS;

in line 26, after “**GUARANTEE**” insert “**; AND**

B. IDENTIFIES IN AT LEAST 14 POINT BOLD FACE TYPE ABOVE EACH SECTION OF THE CONTRACT WHETHER THE SECTION IS FULLY GUARANTEED OR NOT GUARANTEED;

in the same line, strike “**AND**”; after line 28, insert:

“(IV) A LINE TOTALING:

1. THE GUARANTEED AMOUNT PAID; AND

2. THE AMOUNT FOR NONGUARANTEED ITEMS THAT ARE CONSIDERED TO BE ONLY A DOWN PAYMENT TOWARD FUTURE TOTAL COST; AND;

and in line 29, strike “(IV)” and substitute “(V)”.

AMENDMENT NO. 4

On page 4, in line 1, after “CONTRACT” insert “, A GUARANTEED IN PART CONTRACT,”; in line 3, after “ITEMS” insert “OR GOODS AND SERVICES”; and strike beginning with “A” in line 23 down through “contract” in line 24 and substitute “(I) A PRE-NEED ESCROW OR TRUST ACCOUNT MAY NOT BE DEEMED AN ASSET OF:

1. THE INDIVIDUAL LICENSEE; OR

2. THE LICENSED FUNERAL ESTABLISHMENT.

(II) A PRE-NEED ESCROW OR TRUST ACCOUNT WITH A BANKING INSTITUTION OR SAVINGS AND LOAN ASSOCIATION DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE:

1. ESTABLISHED USING THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE BUYER; AND

2. HELD IN TRUST FOR THE LICENSED FUNERAL ESTABLISHMENT.

(III) 1. A BUYER FOR WHOM A MONETARY PRE-NEED ESCROW OR TRUST ACCOUNT IS ESTABLISHED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH SHALL RECEIVE A STATEMENT REGARDING THE ESCROW OR TRUST ACCOUNT AT LEAST ANNUALLY.

2. THE REQUIREMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY BE SATISFIED BY A STATEMENT THAT IS:

A. ISSUED BY THE BANKING INSTITUTION OR SAVINGS AND LOAN ASSOCIATION AT WHICH THE ESCROW OR TRUST ACCOUNT IS ESTABLISHED; AND

B. SENT TO THE BUYER”.

AMENDMENT NO. 5

On page 7, in line 1, after “CONTRACT” insert “, A GUARANTEED IN PART CONTRACT,”; in line 4, after “director,” insert “LICENSED FUNERAL ESTABLISHMENT,”; in line 6, after “An” insert “IRREVOCABLE”; strike beginning with “mortician” in line 6 down through “spouse” in line 7 and substitute “LICENSED FUNERAL ESTABLISHMENT:”

A.”;

in line 7, strike “may” and substitute “MAY”; in the same line, strike “revoked” and substitute “TRANSFERRED”; and in line 8, after “contract” insert “TO ANY OTHER LICENSED FUNERAL ESTABLISHMENT; AND”

B. MAY NOT BE TRANSFERRED TO THE CONSUMER”.

The preceding 5 amendments were read only.

Senator Getty moved, duly seconded, to make the Bill and Amendments a Special Order for March 13, 2014.

The motion was adopted.

Senate Bill 364 – Senators Zirkin and Kittleman

AN ACT concerning

Criminal Law – Possession of Marijuana – Civil Offense

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3) OFFERED FROM THE FLOOR BY SENATOR SHANK.

FLOOR AMENDMENT

SB0364/143625/3

BY: Senator Shank

AMENDMENTS TO SENATE BILL 364

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “citation;” insert “requiring a court to summon a certain person to appear in court under certain circumstances; authorizing a court to order a person convicted of a violation of this Act for a third or subsequent time to attend a certain program;”.

AMENDMENT NO. 2

On page 5, in line 15, before “A” insert “1.”; in the same line, before “VIOLATION” insert “FIRST OR SECOND”; and after line 18, insert:

“2. IN ADDITION TO A FINE, A COURT MAY ORDER A PERSON CONVICTED OF A THIRD OR SUBSEQUENT VIOLATION PUNISHABLE UNDER THIS SUBPARAGRAPH TO ATTEND A DRUG TREATMENT AND EDUCATION PROGRAM APPROVED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”

AMENDMENT NO. 3

On page 8, in line 12, after “(C)” insert “(1)”; in lines 16, 17, 18, 19, 20, 22, 24, 25, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(I)”, “(II)”, and “(7)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “1.”, “2.”, and “(VII)”, respectively; in line 21, after “ALLOWED” insert “, EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION”; and after line 29, insert:

“(2) IF THE COURT FINDS THAT A PERSON HAS COMMITTED A THIRD OR SUBSEQUENT VIOLATION OF § 5-601 OF THIS PART INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA, THE COURT SHALL SUMMON THE PERSON FOR TRIAL FOR THE PURPOSE OF DETERMINING WHETHER TO ORDER THE PERSON TO ATTEND A PROGRAM DESCRIBED IN § 5-601(C)(2)(II)2 OF THIS SUBTITLE.”

The preceding 3 amendments were read and adopted.

FLOOR AMENDMENT

SB0364/313329/2

BY: Senator Shank

AMENDMENTS TO SENATE BILL 364

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “Court;” insert “requiring a civil penalty collected under this Act to be remitted to the Department of Health and Mental Hygiene; requiring the Department of Health and Mental Hygiene to use certain money for certain purposes;”; in line 26, strike “and”; and in the same line, after “3-8A-33(a)” insert “, and 7-302(a)”.

On page 2, after line 4, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 7-302(g)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 15, insert:

“7-302.

(a) Except as provided in subsections (b) through [(f)](G) of this section, the clerks of the District Court shall:

(1) Collect costs, fines, forfeitures, or penalties imposed by the court;
and

(2) Remit them to the State under a system agreed upon by the Chief Judge of the District Court and the Comptroller.

(G) (1) A CIVIL PENALTY COLLECTED BY THE DISTRICT COURT RESULTING FROM CITATIONS ISSUED UNDER § 5-601(C)(2)(II) OF THE CRIMINAL LAW ARTICLE SHALL BE REMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(2) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE MAY USE MONEY RECEIVED UNDER THIS SUBSECTION ONLY FOR THE PURPOSE OF FUNDING DRUG TREATMENT AND EDUCATION PROGRAMS.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0390/568572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, after line 29, 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”.

On page 4, in lines 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 14, strike “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, “(19)”, “(20)”, “(21)”, “(22)”, “(23)”, and “(24)”, respectively, and substitute “**(15)**”, “**(16)**”, “**(17)**”, “**(18)**”, “**(19)**”, “**(20)**”, “**(21)**”, “**(22)**”, “**(23)**”, “**(24)**”, and “**(25)**”, respectively; and strike in their entirety lines 15 through 17, inclusive.

AMENDMENT NO. 2

On page 5, in line 32, after the comma insert “**OR § 10–110**”.

On page 6, in line 4, after “under” insert “**§ 10–110 OR**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 827 – Senator Pugh

AN ACT concerning

Criminal Law – Possession of Dangerous or Wild Animals

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0827/818872/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 827

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 6 down through “time” in line 13 and substitute “prohibiting certain holders of a certain federal exhibitor’s license from possessing certain animals not possessed on a certain date; authorizing certain holders of a certain federal exhibitor’s license to possess or breed certain animals if certain conditions are met; requiring rather than authorizing a local animal control authority to take certain steps to find long-term placement of certain seized animals”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 2 on page 5, inclusive, and substitute:

“(ii) [an exhibitor licensed under the federal Animal Welfare Act] THE HOLDER OF A CLASS C EXHIBITOR’S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., that displays the animals specified in subsection (b) of this section in a public setting as the exhibitor’s primary function;

(iii) a person who possesses a valid license or permit issued by the Department of Natural Resources to import, sell, trade, barter, possess, breed, or exchange an animal specified in subsection (b) of this section;

(iv) an animal sanctuary that:

1. is a nonprofit organization qualified under § 501(c)(3) of the Internal Revenue Code;

2. operates a place of refuge for abused, neglected, impounded, abandoned, orphaned, or displaced wildlife;

3. does not conduct commercial activity with respect to any animal of which the organization is an owner; and

4. does not buy, sell, trade, lease, or breed any animal except as an integral part of the species survival plan of the American Zoo and Aquarium Association;

(v) an animal control officer under the jurisdiction of the State or a local governing authority, a law enforcement officer acting under the authority of this subtitle, or a private contractor of a county or municipal corporation that is responsible for animal control operations;

(vi) a person who holds a valid license to practice veterinary medicine in the State and treats the animal specified in subsection (b) of this section in accordance with customary and normal veterinary practices; [and]

(vii) a person who is not a resident of the State and is in the State for 10 days or less for the purpose of traveling between locations outside of the State; AND

(VIII) A CIRCUS HOLDING A CLASS C EXHIBITOR'S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., THAT:

1. IS IN THE STATE FOR LESS THAN 90 DAYS PER CALENDAR YEAR;

2. REGULARLY CONDUCTS PERFORMANCES FEATURING LIVE ANIMALS AND MULTIPLE HUMAN ENTERTAINERS, INCLUDING ACROBATS AND CLOWNS; AND

3. DOES NOT ALLOW MEMBERS OF THE PUBLIC TO BE IN PROXIMITY TO AN ANIMAL SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION, INCLUDING OPPORTUNITIES TO BE PHOTOGRAPHED WITH THE ANIMAL, WITHOUT SUFFICIENT DISTANCE AND PROTECTIVE BARRIERS.

(2) (i) This section does not prohibit a person who had lawful possession of an animal specified in subsection (b) of this section on or before May 31, 2006, from continuing to possess that animal if the person provides written notification to the local animal control authority on or before August 1, 2006.

(ii) The notification shall include:

1. the person's name, address, and telephone number;
2. the number and type of animals being kept; and
3. a photograph of the animal or a description of a tattoo or microchip identification of the animal.

(3) This section does not prohibit a person who has a disability that severely limits mobility from possessing an animal specified in subsection (b) of this section if that animal is:

(i) trained to perform tasks for the owner by an organization described in Section 501(c) of the Internal Revenue Code; and

(ii) dedicated to improving the quality of life of a person who has a disability that severely limits mobility.

(b) (1) A person may not import into the State, offer for sale, trade, barter, possess, breed, or exchange a live:

[(1)] (I) fox, skunk, raccoon, or bear;

[(2)] (II) caiman, alligator, or crocodile;

[(3)] (III) member of the cat family other than the domestic cat;

[(4)] (IV) hybrid of a member of the cat family and a domestic cat if the hybrid weighs over 30 pounds;

[(5)] (V) member of the dog family other than the domestic dog;

[(6)] (VI) hybrid of a member of the dog family and a domestic dog;

[(7)] (VII) nonhuman primate, including a lemur, monkey, chimpanzee, gorilla, orangutan, marmoset, loris, or tamarin; or

[(8)] (VIII) poisonous snake in the family groups of Hydrophidae, Elapidae, Viperidae, or Crotolidae.

(2) (I) THIS PARAGRAPH DOES NOT APPLY TO AN ENTITY DESCRIBED IN SUBSECTION (A)(1)(I), (III), (IV), (V), (VI), (VII), OR (VIII) OF THIS SECTION.

(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE HOLDER OF A CLASS C EXHIBITOR'S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., MAY NOT POSSESS A NONHUMAN PRIMATE, BEAR, LION, TIGER, LEOPARD, CLOUDED LEOPARD, SNOW LEOPARD, JAGUAR, CHEETAH, OR COUGAR OR A HYBRID OF ONE OF THESE ANIMALS THAT WAS NOT OWNED BY THE HOLDER OF THE LICENSE ON JUNE 30, 2014.

(III) THE HOLDER OF A CLASS C EXHIBITOR'S LICENSE UNDER THE ANIMAL WELFARE ACT, 7 U.S.C. § 2131 ET SEQ., MAY ACQUIRE OR BREED A NONHUMAN PRIMATE, BEAR, LION, TIGER, LEOPARD, CLOUDED LEOPARD, SNOW LEOPARD, JAGUAR, CHEETAH, OR COUGAR OR A HYBRID OF ONE OF THESE ANIMALS IF THE HOLDER:

1. MAINTAINS A LIABILITY INSURANCE POLICY OF AT LEAST \$1,000,000;

2. HAS A PAID FULL-TIME DIRECTOR;

3. HAS AT LEAST ONE PAID FULL-TIME STAFF MEMBER TRAINED IN THE CARE OF EACH SPECIES THAT THE HOLDER KEEPS;

4. HAS AN ANIMAL DISPOSITION POLICY THAT PROVIDES FOR THE PLACEMENT OF ANIMALS IN APPROPRIATE FACILITIES IF THE HOLDER’S FACILITY CLOSES; AND

5. MAINTAINS AND IMPLEMENTS A TRAINING PLAN REGARDING ZONOTIC DISEASE RISK AND PREVENTION.”.

AMENDMENT NO. 3

On page 7, in line 12, strike “may” and substitute “**SHALL**”; and in line 26, 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.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 170 – The President and the Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2015)

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2014 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit E of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND
SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit F of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit G of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (160) AND THE FAVORABLE REPORT.

Committee amendments 1 through 16 were read and adopted.

Committee amendments 17 through 32 were read and adopted.

Committee amendments 33 through 54 were read and adopted.

Committee amendments 55 through 75 were read and adopted.

Committee amendments 76 through 85 were read and adopted.

Committee amendments 86 through 99 were read and adopted.

Committee amendments 100 through 113 were read and adopted.

Committee amendments 114 through 123 were read and adopted.

Committee amendments 124 through 131 were read and adopted.

Committee amendments 132 through 160 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0170/209636/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 170, AS AMENDED
(First Reading File Bill – Committee Reprint)

On page 65 of Amendment No. 47, under:

Heading: DEPARTMENT OF AGRICULTURE

In line 11, strike “budget committees” and substitute “Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee”; in line 14, after “regulations” insert “to the State and”; in line 25, strike “and”; in line 28, after “development” insert “; and”

(5) the effort to reach the calendar 2025 requirement of having all best management practices in place to meet water quality standards for restoring the Chesapeake Bay”;

in line 36, strike “budget”; and strike beginning with “from” in line 37 down through “of” in line 38 and substitute “on”.

Committee amendment 161 was read and adopted.

FLOOR AMENDMENT

SB0170/623627/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 170, AS AMENDED
(First Reading File Bill – Committee Reprint)

On page 253, after line 32, insert:

“SECTION 45. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of this Act, the fiscal 2015 budget shall be reduced by 1.0% consisting of a reduction of \$162,045,755 from general funds and \$80,857,548 from special funds. The Governor is hereby authorized to allocate the reduction among agencies of the executive branch including higher education. This reduction may not apply to appropriations for the State Reserve Fund or Public Debt. The Governor shall submit a schedule of reductions to the budget committees by July 1, 2014.

Further provided that, contingent on the enactment of a provision in Ch. (SB 172), the Budget Reconciliation and Financing Act of 2014, to permit reductions to mandated education aid programs, the Governor may implement a 1.0% reduction in mandated education aid as part of the overall total reduction in State-sourced spending.”;

and in line 33 of Amendment No. 160, strike “45.” and substitute “46.”.

On page 254, in line 4 of Amendment No. 160, strike “46.” and substitute “47.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 12 Negative – 34 (See Roll Call No. 483)

FLOOR AMENDMENT

SB0170/343325/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 170

(First Reading File Bill – Committee Reprint)

On page 86, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with “; or” in line 4 down through “health” in line 15.

On pages 87 and 88, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children’s Health Program

Strike beginning with “; or” in line 36 on page 87 down through “health” in line 2 on page 88.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 29 (See Roll Call No. 484)

FLOOR AMENDMENT

SB0170/933427/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 170

(First Reading File Bill – Committee Reprint)

On page 152, under:

Heading: MARYLAND TECHNOLOGY DEVELOPMENT
CORPORATION

Program: T50T01.03

Entitled: Maryland Stem Cell Research Fund

In line 32, in the General Fund Appropriation, strike “10,400,000” and substitute “0”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 32 (See Roll Call No. 485)

FLOOR AMENDMENT

SB0170/693928/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 170

(First Reading File Bill – Committee Reprint)

On page 152, under:

Heading: MARYLAND TECHNOLOGY DEVELOPMENT
CORPORATION

Program: T50T01.03

Entitled: Maryland Stem Cell Research Fund

In line 32, after “Appropriation” insert “, provided that funds in this appropriation may not be expended to provide grants for basic stem cell research. Further provided that this appropriation may be used to provide grants to fund only adult stem cell research.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 31 (See Roll Call No. 486)

FLOOR AMENDMENT

SB0170/873726/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 170

(First Reading File Bill – Committee Reprint)

On page 23, under:

Heading: MARYLAND HEALTH BENEFIT EXCHANGE

Program: D78Y01.01

Entitled: Maryland Health Benefit Exchange

In line 20, after “Appropriation” insert “, provided that \$500,000 of this appropriation made for the purpose of operational expenses may not be expended until the Office of Legislative Audits conducts a performance audit of the Maryland Health Benefit Exchange and submits the performance audit to the budget committees. The report shall be submitted on or before October 1, 2014, and the committees shall have 45 days to review and comment on the report”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 30 (See Roll Call No. 487)

Read the second time and ordered prepared for Third Reading.

Senate Bill 172 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2014

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit H of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (26) AND THE FAVORABLE REPORT.

SB0172/509233/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “purposes;” insert “setting a certain limit on the use of certain funds beginning with a certain fiscal year;”; in line 4, after “revenue;” insert “establishing the date on which certain license fees are effective; creating a Maryland Amusement Game Advisory Committee; providing for the composition, chair, staffing, and duties of the Advisory Committee; prohibiting a member of the Advisory Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses;”; in line 5, after “appropriations;” insert “applying to charter counties certain provisions of law that authorize counties to impose a hotel rental tax; providing that under certain circumstances certain other laws prevail over the provisions that authorize charter counties to impose a hotel rental tax; requiring the appropriation of certain funds for certain purposes beginning with a certain fiscal year;”; in the same line, after “commissions;” insert “repealing a certain authorization for the State Lottery Commission to authorize the payment of certain bonuses and incentives; requiring the Governor to include certain supplemental contributions in the budget bill in addition to certain required contributions for certain fiscal years or until certain conditions are met; requiring the Governor to increase certain supplemental contributions in the budget bill under certain circumstances;”; in line 6, after “funds;” insert “providing for a certain calculation of local wealth for certain education aid purposes for certain fiscal years; making the Maryland Health Benefit Exchange subject to certain provisions of law, to the extent that the Secretary of Information Technology determines that a certain information technology project is a major information technology development project; repealing a limitation on the applicability, to certain fiscal years only, of a certain fee for a certificate of title for a rental vehicle; repealing certain authority for the Health Services Cost Review”

Commission and the Department of Health and Mental Hygiene to adopt certain policies; requiring the Governor to reduce a certain assessment by a certain amount beginning with the State budget submission for a certain fiscal year; providing for the method of calculating the amount of the reduction; requiring the Commission to model the methodology used for calculating the reduction in a certain manner; requiring that certain other Medicaid savings also be used to reduce the assessment; requiring the Health Services Cost Review Commission for a certain fiscal year to include a certain additional amount in hospital revenue for a certain purpose when determining certain hospital rates;”; in line 7, after “assessment;” insert “requiring the Board of Trustees for the State Retirement and Pension System to perform a certain study and to report the results to certain committees of the General Assembly on or before a certain date;”; strike beginning with “requiring” in line 7 down through “year;” in line 16; in line 17, after “year;” insert “requiring the State Department of Assessments and Taxation to establish a certain workgroup in a certain manner to examine certain issues; requiring the workgroup to submit a certain report on or before a certain date; authorizing the State Department of Assessments and Taxation to contract with a consultant for a certain purpose under certain circumstances and subject to certain requirements of State procurement law;”; in the same line, strike “defining certain terms;”; and in lines 17 and 18, strike “a conforming change;” and substitute “conforming changes; making certain provisions of this Act contingent on the taking effect of another Act;”.

On page 2, after line 1, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(c)(5)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law

Section 12–301.1(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

in line 9, strike “16–305(c)(1)(i) and” and substitute “5–202(d)(1), 16–305(c)(1)(i), and”;

strike in their entirety lines 12 through 16, inclusive; after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–302(b)(1)(xxiv) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health – General

Section 2–302(b)(3)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 20–402

Annotated Code of Maryland

(2013 Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–212(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)”;

in line 19, strike “(b)(2) and” and substitute “(b), 9–1A–29(d)(1), and”; after line 21, insert:

“BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 21–308(a)(1) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)”;

in line 22, strike “and reenacting, with amendments,”; after line 26, insert:

“BY adding to

Article – State Personnel and Pensions

Section 21–308(a)(4)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)”;

and after line 36, insert:

“BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(d)(10)(i), (ii), (iii), and (iv)1. and 2. and (k)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–103(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)”.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(e) and 13–802(b)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–802(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by
Chapter 425 of the Acts of the General Assembly of 2013
Section 16”;

and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 22, after “(b)” insert “**(1)**”; in lines 24, 26, and 29, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 29, strike “**FOR**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR**”; and after line 30, insert:

“(2) FOR FISCAL YEAR 2015 AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT MAY NOT USE THE FUND TO PAY MORE THAN 5% OF THE ADMINISTRATIVE EXPENSES OF THE OFFICE OF THE DIRECTOR OF THE DEPARTMENT.”.

AMENDMENT NO. 3

On page 4, after line 32, insert:

“Article – Criminal Law

12-301.1.

(c) The Commission shall adopt regulations that:

(5) establish license fees, EFFECTIVE ON JULY 1, 2016, that are sufficient to cover the direct and indirect costs of licensure required under this section.

(F) (1) THERE IS A MARYLAND AMUSEMENT GAME ADVISORY COMMITTEE.

(2) THE ADVISORY COMMITTEE SHALL ADVISE THE COMMISSION ON THE CONDUCT AND TECHNICAL ASPECTS OF THE AMUSEMENT GAME INDUSTRY, INCLUDING RECOMMENDATIONS FOR THE LEGALITY OF SKILLS-BASED AMUSEMENT GAMES.

(3) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) TWO MEMBERS SELECTED FROM A LIST OF FIVE NAMES SUBMITTED BY THE MARYLAND AMUSEMENT AND MUSIC OPERATORS ASSOCIATION;

(II) ONE MEMBER WHO IS A LOCAL GOVERNMENT OFFICIAL SELECTED FROM A LIST OF NAMES SUBMITTED BY THE MARYLAND ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE;

(III) ONE MEMBER WHO IS A LOCAL LAW ENFORCEMENT OFFICER; AND

(IV) ONE CITIZEN REPRESENTATIVE.

(4) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE ADVISORY COMMITTEE.

(5) THE COMMISSION SHALL PROVIDE STAFF FOR THE ADVISORY COMMITTEE.

(6) A MEMBER OF THE ADVISORY COMMITTEE:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE ADVISORY COMMITTEE; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.”.

AMENDMENT NO. 4

On page 6, in line 4, strike the brackets; in the same line, strike “YEARS”; in line 5, strike “AND 2015”; and in line 32, strike the bracket.

On page 7, in line 1, strike the bracket; strike beginning with “an” in line 1 down through “19%” in line 2 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 5 down through “student” in line 6; strike beginning with “an” in line 7 down through “19%” in line 8 and substitute “NOT LESS THAN AN AMOUNT EQUAL TO 19.7%”; strike beginning with “or” in line 11 down through “student” in line 12; in lines 7, 13, 18, 23, 28, 33, and 38, in each instance, strike the brackets; and in lines 7, 13, 18, 23, 28, 33, and 38, strike “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, and “13.”, respectively.

On page 8, strike in their entirety lines 4 through 26, inclusive.

AMENDMENT NO. 5

On page 9, strike beginning with “(2)” in line 1 down through “(4)” in line 2 and substitute “(2) AND (3)”; in lines 24 and 28, in each instance, strike the bracket; in line 28, strike “that is the greater of 9%” and substitute “NOT LESS THAN 9.6%”; strike beginning with “or” in line 30 down through “student” in line 31; in line 32, strike the brackets; in the same line, strike “(VII)”; strike beginning with “that” in line 32 down through “9%” in line 33 and substitute “NOT LESS THAN 10.1%”; and strike beginning with “or” in line 34 down through “student” in line 35.

On page 10, in lines 1, 4, and 7, strike “9.3%”, “11.3%”, and “13.3%”, respectively, and substitute “10.5%”, “10.8%”, and “11.1%”, respectively; in lines 1, 4, 7, and 10, in each instance, strike the brackets; and in lines 1, 4, 7, and 10, strike “(VIII)”, “(IX)”, “(X)”, and “(XI)”, respectively; and strike in their entirety lines 14 and 15.

AMENDMENT NO. 6

On page 10, after line 15, insert:

“Article – Health – General

2–302.

(b) The funding shall be:

(1) \$37,283,484 in each of fiscal years 2011 and 2012, to be distributed as follows:

(xxiv) Worcester County.....\$312,944; [and]

(2) For fiscal [year] YEARS 2013 and [each subsequent fiscal year] 2014, \$37,283,484 adjusted for:

(i) Inflation, as measured by the Consumer Price Index (All Urban Consumers), for the second preceding fiscal year, calculated by the U.S. Department of Commerce; and

(ii) Population growth, as measured by the growth in the total population of the State of Maryland for the second preceding fiscal year, according to the most recent statistics available through the Department of Health and Mental Hygiene; AND

(3) FOR FISCAL YEAR 2015 AND EACH SUBSEQUENT FISCAL YEAR, THE AMOUNT OF FUNDING FOR THE PRECEDING FISCAL YEAR ADJUSTED FOR:

(I) INFLATION, AS MEASURED BY THE CONSUMER PRICE INDEX (ALL URBAN CONSUMERS), FOR THE SECOND PRECEDING FISCAL YEAR, CALCULATED BY THE U.S. DEPARTMENT OF COMMERCE; AND

(II) POPULATION GROWTH, AS MEASURED BY THE GROWTH IN THE TOTAL POPULATION OF THE STATE FOR THE SECOND PRECEDING FISCAL YEAR, ACCORDING TO THE MOST RECENT STATISTICS AVAILABLE THROUGH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”.

AMENDMENT NO. 7

On page 10, before line 16, insert:

“Article – Local Government

20–402.

(A) This part applies only to:

(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A CHARTER COUNTY;

[(1)] (2) a code county;

[(2)] (3) Calvert County;

[(3)] (4) Carroll County;

[(4)] (5) Cecil County;

[(5) Dorchester County;

(6) Frederick County;

(7)] (6) Garrett County;

[(8)] (7) St. Mary’s County;

[(9)] (8) Somerset County; AND

[(10) Talbot County;

(11)] (9) Washington County]; and

(12) Wicomico County].

(B) TO THE EXTENT THIS PART CONFLICTS WITH ANOTHER LAW THAT APPLIES TO A CHARTER COUNTY, THE OTHER LAW SHALL PREVAIL OVER THIS PART.”

AMENDMENT NO. 8

On page 10, strike in its entirety line 16 and substitute:

“Article – Natural Resources

5–212.

(g) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE Fund may be used only for:

(i) 1. Purchasing and managing in the name of the State lands suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves; and

2. Helping to offset the costs to the Forest and Park Service for developing and implementing a forest health emergency contingency program under § 5–307 of this title;

(ii) Subject to paragraph (2) of this subsection, payments to counties in the amount of:

1. If the State forest or park reserve comprises less than 10% of the total land area of the county, a sum equal to 15% of the revenue derived from the State forest or park reserve located in that county; and

2. If the State forest or park reserve comprises 10% or more of the total land area of the county, a sum equal to 25% of the revenue derived from the State forest or park reserve located in that county; and

(iii) Administrative costs calculated in accordance with § 1–103(b)(2) of this article.

(2) For fiscal years 2012 and 2013 only, the payments under paragraph (1)(ii) of this subsection shall be based only on the revenue derived from sales of timber.

(3) FROM REVENUES DESCRIBED IN SUBSECTION (F) OF THIS SECTION THAT ARE ATTRIBUTABLE TO MARYLAND PARK SERVICE OPERATIONS, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION FOR THE MARYLAND PARK SERVICE EQUAL TO:

(I) 60% OF THE REVENUES, FOR FISCAL YEAR 2016;

(II) 80% OF THE REVENUES, FOR FISCAL YEAR 2017; AND

(III) 100% OF THE REVENUES, FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER.

Article – State Government”.

AMENDMENT NO. 9

On page 10, strike beginning with the bracket in line 18 down through “a” in line 19 and substitute “A”; strike in their entirety lines 21 through 29, inclusive, and substitute:

“(b) [(1) The Commission may authorize the payment of special bonuses or incentives to licensed agents and their employees.]”

“(2) The total of the bonuses and incentives may not exceed one-half of 1% of the gross receipts from ticket sales for the year for which the bonuses or incentives are awarded.”

“[(3) Lottery sales agents may not offer patrons inducements of alcoholic beverages to purchase or redeem lottery tickets.]”

AMENDMENT NO. 10

On page 11, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(a) (1) On or before December 1 of each year, the Board of Trustees shall:

(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year, including a separate certification of the normal contribution rate for the Teachers’ Retirement System and the Teachers’ Pension System; and

(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid by the State as determined under § 21–304 of this subtitle to the Teachers’ Retirement System and the Teachers’ Pension System expressed as a percentage of the payroll of all members of those State systems.

(2) The Governor shall include in the budget bill:

(i) the total amount of the State’s contribution to each State system as ascertained based on the rates certified by the Board of Trustees under paragraph (1) of this subsection;

(ii) the additional amounts as ascertained under subsection (d) of this section for the State’s payment to the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees’ Retirement System of Montgomery County and are excluded from membership in the Teachers’ Retirement System or the Teachers’ Pension System; and

(iii) any additional amount required to be in the budget bill under § 3-501(c)(2)(ii) of this article.

(4) [For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph (2) of this subsection, the Governor shall include in the budget bill \$300,000,000.]

(i) 1. FOR FISCAL YEAR 2014, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

2. FOR FISCAL YEAR 2015, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$100,000,000.

3. FOR FISCAL YEAR 2016, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$150,000,000.

4. FOR FISCAL YEAR 2017, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$200,000,000.

5. FOR FISCAL YEAR 2018, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$250,000,000.

6. FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, IN ADDITION TO THE ANNUAL REQUIRED CONTRIBUTION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL A SUPPLEMENTAL CONTRIBUTION OF \$300,000,000, UNTIL:

A. THE TOTAL ACTUARIAL VALUE OF ASSETS FOR THE SEVERAL SYSTEMS DIVIDED BY THE TOTAL ACTUARIAL ACCRUED LIABILITY FOR THE SEVERAL SYSTEMS EQUALS A FUNDING RATIO OF 85%; AND

B. THE CONTRIBUTION RATES CERTIFIED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION ARE THE FULL FUNDING RATES AS DEFINED IN § 21-304(A)(3) OF THIS SUBTITLE.

(II) IF THE AMOUNT OF A SUPPLEMENTAL CONTRIBUTION INCLUDED IN THE BUDGET BILL FOR A FISCAL YEAR IS LESS THAN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL INCREASE THE SUPPLEMENTAL CONTRIBUTION FOR THE FOLLOWING FISCAL YEAR BY THE AMOUNT OF THE REDUCTION TO THE SUPPLEMENTAL CONTRIBUTION IN THE PREVIOUS FISCAL YEAR.”.

On page 16, after line 6, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, the Board of Trustees for the State Retirement and Pension System shall perform a study that, based on the results of the actuarial valuation as of June 30, 2014, addresses the following:

(1) The increased employer contributions to be made each year by the State as a result of phasing out the corridor funding method under § 21-304(e) and (f) of the State Personnel and Pensions Article;

(2) The effects of changes to actuarial assumptions made by the Board of Trustees on normal contribution rates paid by county boards of education and the Baltimore City Board of School Commissioners under § 21-304(b)(4)(iii) of the State Personnel and Pensions Article on or after July 1, 2016;

(3) The effects of changes to the amount of supplemental contributions under § 21-308(a)(4) of the State Personnel and Pensions Article paid to the System on employer contributions through fiscal year 2039;

(4) The fiscal effect on local employers due to any projected increases in the amounts the local employers are required to pay for each employee for the administrative and operational expenses under § 21–316 of the State Personnel and Pensions Article; and

(5) An assessment of the effects of the System’s investment underperformance relative to other similar public pension systems on the System’s total assets and on employer contribution rates.

(b) On or before January 1, 2015, the Board of Trustees shall complete the study and report on the results of the study to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions, in accordance with § 2–1246 of the State Government Article.”.

AMENDMENT NO. 11

On page 12, after line 2, insert:

“Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county’s full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. Except as provided in paragraph (3)(ii) of this subsection AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, in each fiscal year if a county’s education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- A. A county's increase in the local wealth per pupil;
- B. The statewide average increase in local wealth per pupil; or
- C. 2.5%.

(III) THE CALCULATION OF LOCAL WEALTH FOR THE PURPOSES OF PARAGRAPHS (1) AND (10) OF THIS SUBSECTION SHALL USE THE AMOUNT CERTIFIED FOR NET TAXABLE INCOME UNDER SUBSECTION (K)(2)(II) OF THIS SECTION BASED ON TAX RETURNS FILED ON OR BEFORE:

1. FOR FISCAL YEARS 2015 THROUGH 2017, SEPTEMBER 1; AND

2. FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, NOVEMBER 1.

(10) (i) In this paragraph the following terms have the meanings indicated.

1. "Education appropriation" includes any money redirected to a county board under § 5-213 or § 5-213.1 of this subtitle.

2. "Education effort" means a county's education appropriation divided by the county's wealth.

3. "5-year moving average" means the average of the 5 years before the waiver year.

4. "Waiver year" means the fiscal year for which a waiver from the maintenance of effort requirement in paragraph (1)(ii) of this subsection is requested.

(ii) This paragraph applies to a county that has:

1. Received a waiver under paragraph (8)(i)1 of this subsection from the maintenance of effort requirement; and

2. A required county education appropriation under paragraph (1)(ii) of this subsection for the waiver year that exceeds 100% of the statewide 5-year moving average of education effort times a county's local wealth.

(iii) A county that satisfies the requirements under subparagraph (ii) of this paragraph may request a rebasing waiver from the State Board.

(iv) When considering whether to grant a county's waiver request under this paragraph, the State Board shall consider the following factors:

1. Whether a county has submitted sufficient evidence that the factors in paragraph (8)(v) of this subsection will affect a county's ongoing ability to meet the maintenance of effort requirement;

2. Whether a county is at its maximum taxing authority under the law;

(k) (1) This subsection applies to education programs that use wealth to calculate State aid formulas under this subtitle.

(2) The Comptroller shall certify annually the amount of net taxable income based on both:

(i) Tax returns filed on or before September 1; and

(ii) Tax returns filed on or before November 1.

(3) For each fiscal year, State aid shall be calculated as follows:

(i) Once using the amount certified for net taxable income under paragraph (2)(i) of this subsection for tax returns filed on or before September 1; and

(ii) Again using the amount certified for net taxable income under paragraph (2)(ii) of this subsection for tax returns filed on or before November 1.

(4) Subject to paragraph (5) of this subsection, the amount of State aid for a county shall be the greater of the two calculations required under paragraph (3) of this subsection.

(5) If the amount of State aid for a county, using the calculation of State aid under paragraph (3)(ii) of this subsection, is the greater of the two calculations under paragraph (3) of this subsection, payment of any increase in State aid resulting from the difference between the two calculations shall be phased in as follows:

(i) For fiscal year 2014, 20 percent of the difference between the two calculations;

(ii) For fiscal year 2015, 40 percent of the difference between the two calculations;

(iii) For fiscal year 2016, 60 percent of the difference between the two calculations;

(iv) For fiscal year 2017, 80 percent of the difference between the two calculations; and

(v) For fiscal year 2018, and each fiscal year thereafter, the full amount of the calculation.”.

AMENDMENT NO. 12

On page 12, before line 3, insert:

“Article – Insurance

31–103.

(a) The Exchange is subject to:

(1) the following provisions of the State Finance and Procurement Article:

**(1) TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING),
TO THE EXTENT THAT THE SECRETARY OF INFORMATION TECHNOLOGY**

DETERMINES THAT AN INFORMATION TECHNOLOGY PROJECT OF THE EXCHANGE IS A MAJOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECT;

[(i)] (II) Title 12, Subtitle 4 (Policies and Procedures for Exempt Units); and

[(ii)] (III) Title 14, Subtitle 3 (Minority Business Participation);

(2) the following provisions of the State Government Article:

(i) Title 10, Subtitle 1 (Administrative Procedure Act – Regulations);

(ii) Title 10, Subtitle 5 (Meetings);

(iii) Title 10, Subtitle 6, Part III (Access to Public Records);

(iv) Title 12 (Immunity and Liability); and

(v) Title 15 (Public Ethics); and

(3) Title 5, Subtitle 3 of the State Personnel and Pensions Article.

(b) The Exchange is not subject to:

(1) taxation by the State or local government;

(2) **TITLE 3A, SUBTITLE 3 (INFORMATION PROCESSING), EXCEPT TO THE EXTENT DETERMINED BY THE SECRETARY OF INFORMATION TECHNOLOGY UNDER SUBSECTION (A)(1)(I) OF THIS SECTION;**

[(2)] (3) Division II of the State Finance and Procurement Article, except as provided in subsection (a)(1) of this section;

[(3)] (4) Title 10 of the State Government Article, except as provided in subsection (a)(2)(i), (ii), and (iii) of this section;

~~[(4)] (5)~~ Division I of the State Personnel and Pensions Article, except as provided in subsection (a)(3) of this section and elsewhere in this title; or

~~[(5)] (6)~~ this article, except as provided in subsection (c) of this section and elsewhere in this title.”.

AMENDMENT NO. 13

On page 12, after line 3, insert:

“9-1A-29.

(d) The amount of funds made available from the Racetrack Facility Renewal Account shall be allocated as follows:

(1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, 80% to the Pimlico Race Course, Laurel Park, and the racecourse at Timonium; and

(II) FOR FISCAL YEARS 2015 AND 2016, FROM THE AMOUNT ALLOCATED UNDER THIS PARAGRAPH, EACH GRANTEE UNDER § 11-404 OF THE BUSINESS REGULATION ARTICLE SHALL BE REIMBURSED FOR THE AMOUNT OF A REDUCTION TO THE GRANT PAID UNDER § 11-404.1(A) OF THE BUSINESS REGULATION ARTICLE; AND”.

AMENDMENT NO. 14

On page 12, in line 8, strike “UP TO” and substitute “AT LEAST”.

AMENDMENT NO. 15

On page 13, after line 20, insert:

“Article – Transportation

12-118.

(e) (1) Subject to paragraph (2) of this subsection, money in the special fund established under subsection (c)(2) of this section:

(i) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; and

(ii) After the distribution under item (i) of this paragraph[, for]:

1. FOR each of fiscal years 2013 through 2015 only, \$3,000,000 shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; AND

2. FOR EACH OF FISCAL YEARS 2016 THROUGH 2018 ONLY, AT LEAST \$7,000,000 SHALL BE DISTRIBUTED TO THE DEPARTMENT OF STATE POLICE TO BE USED ONLY FOR THE PURCHASE OF REPLACEMENT VEHICLES AND RELATED MOTOR VEHICLE EQUIPMENT USED TO OUTFIT POLICE VEHICLES.

(2) The balance of the money in the special fund shall be distributed to the Department of State Police to fund roadside enforcement activities.”.

AMENDMENT NO. 16

On page 13, before line 21, insert:

“13–802.

(a) Except as provided in subsection (b) of this section and § 13–805 of this subtitle, the fee for each certificate of title issued under this title is \$100.

(b) (1) [For fiscal years 2012 through 2014 only, the] **THE** fee for each certificate of title issued for a rental vehicle is \$50.”.

AMENDMENT NO. 17

On page 13, in line 21, strike “SECTION” and substitute:

“Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(a) For fiscal year 2012, the Health Services Cost Review Commission shall approve a combination of hospital assessments and remittances in the amount of \$389,825,000 to support the general operations of the Medicaid program. The Commission may reduce assessments or remittances by the amount of any reduction in State Medicaid expenditures that will result from any Commission–approved changes in hospital rates or policies.

(b) For fiscal years 2013 and 2014, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide at least \$389,825,000 from a combination of special fund revenues and General Fund savings from reduced hospital or other payments made by the Medicaid program. The policies adopted under this subsection shall be in lieu of the hospital assessment and remittance revenue generated in fiscal year 2012, but may include hospital assessments and remittances. To the maximum extent possible, the Commission and the Department shall adopt policies that preserve the State Medicare waiver.

(c) For fiscal year 2015 and every fiscal year thereafter, the Commission and the Department of Health and Mental Hygiene shall adopt policies that will provide up to \$389,825,000 in special fund revenues from hospital assessment and remittance revenue. [In each fiscal year, the Commission and the Department of Health and Mental Hygiene may adopt policies that result in new General Fund savings from reduced hospital or other payments made by the Medicaid program and those savings may be used to offset hospital assessment and remittance revenue in the first year that those policies are adopted.] BEGINNING WITH THE STATE BUDGET SUBMISSION FOR FISCAL YEAR 2016, THE GOVERNOR SHALL REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT BY THE FULL AMOUNT OF HOSPITAL INPATIENT AND OUTPATIENT GENERAL FUND SAVINGS THAT ACCRUE TO THE MEDICAID PROGRAM AS A RESULT OF THE IMPLEMENTATION OF MARYLAND’S ALL-PAYER MODEL CONTRACT APPROVED BY THE FEDERAL CENTER FOR MEDICARE AND MEDICAID INNOVATION. THE EXTENT OF GENERAL FUND SAVINGS SHALL BE CALCULATED BY THE HEALTH SERVICES COST REVIEW COMMISSION USING A METHODOLOGY DEVELOPED BY THE COMMISSION IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND

THE MARYLAND HOSPITAL ASSOCIATION. THE COMMISSION SHALL MODEL THE METHODOLOGY FOR CALCULATING GENERAL FUND SAVINGS IN THE MEDICAID PROGRAM BY COMPARING AN AVERAGE BASELINE OF MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY OVER A REASONABLE PERIOD OF TIME BEFORE THE IMPLEMENTATION OF THE MARYLAND ALL-PAYER MODEL CONTRACT TO THE ACTUAL MARYLAND MEDICAID TOTAL RISK-ADJUSTED HOSPITAL EXPENDITURES PER BENEFICIARY DURING THE PERIOD UNDER MARYLAND'S ALL-PAYER MODEL CONTRACT. TO THE EXTENT THAT THE COMMISSION TAKES OTHER ACTIONS THAT REDUCE MEDICAID COSTS, THOSE SAVINGS SHALL ALSO BE USED TO REDUCE THE BUDGETED MEDICAID DEFICIT ASSESSMENT. To the maximum extent possible, the Commission and the Department of Health and Mental Hygiene shall adopt policies that preserve the State's Medicare waiver.

SECTION”.

AMENDMENT NO. 18

On pages 14 and 15, strike in their entirety the lines beginning with line 10 on page 14 through line 31 on page 15, inclusive; and after line 31, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, in fiscal year 2015 only, the Health Services Cost Review Commission shall include an additional \$30,000,000 in hospital revenue when determining hospital rates that are effective in fiscal year 2015 for the purpose of assisting hospitals in covering costs associated with the implementation of the new Maryland all-payer model contract approved by the federal Center for Medicare and Medicaid Innovation.”.

On page 17, in line 1, strike “Sections 2 and 4” and substitute “Section 2”.

AMENDMENT NO. 19

On page 16, strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 20

On page 16, strike beginning with the second comma in line 10 down through “2015” in line 11.

AMENDMENT NO. 21

On page 16, after line 18, insert:

“\$1,000,000 from the Senior Prescription Drug Assistance Program account in the Maryland Health Insurance Plan Fund established under § 14–504 of the Health – General Article;”.

AMENDMENT NO. 22

On page 16, in line 20, strike “and”; in line 22, strike the period and substitute a semicolon; strike in their entirety lines 23 through 25, inclusive; and in line 28, strike “\$25,814,997” and substitute “\$30,814,997”.

AMENDMENT NO. 23

On page 16, after line 28, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2015, the Governor may transfer from the Baltimore City Community College fund balance to the Major Information Technology Development Project Fund established under § 3A–309 of the State Finance and Procurement Article \$10,800,000 to be used to implement the Enterprise Resource Planning project at the Baltimore City Community College.”.

AMENDMENT NO. 24

On page 16, before line 29, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2014, the Governor may transfer \$18,971,632 from the Sustainable Communities Tax Credit Reserve Fund established under § 5A–303(d) of the State Finance and Procurement Article to the General Fund, which is the amount of commercial tax credit certificates that were issued in fiscal years 2006 through 2010 and that have not been claimed under § 5A–303(f)(4) of the State Finance and Procurement Article or extended under § 5A–303(c)(3)(ii) of the State Finance and Procurement Article.”;

and after line 34, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That Section 10 of this Act shall take effect June 1, 2014, contingent on the taking effect of Chapter ____ (H.B. 510) of the Acts of the General Assembly of 2014, and if Chapter ____ (H.B. 510) does not become effective, Section 10 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

AMENDMENT NO. 25

On page 16, in line 29, strike “SECTION” and substitute:

“SECTION 11. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Assessments and Taxation shall establish a workgroup to examine issues related to the property assessment process for both real and personal property and the tax credit programs for which the Department is responsible for calculating property tax credits and exemptions.

(b) The workgroup shall examine the following issues:

(1) Whether a physical exterior inspection of each property is necessary to properly assess real property for tax purposes;

(2) The Department’s ability to timely and adequately maintain changes in property status that may occur throughout the year and incorporate new properties in the system of accounts;

(3) The extent of discrepancies in the calculation of certain tax credits and exemptions and approaches for improving accuracy; and

(4) The feasibility of, and any legal impediments to, contracting with a third-party vendor to perform periodic audits of the property tax credit and exemption programs for which the Department calculates the credit or exemption or of other functions for which an external evaluation may provide greater accuracy.

(c) The workgroup shall include representatives from local governments and appropriate State agencies.

(d) The Director of Assessments and Taxation, or the Director’s designee, shall chair the workgroup and facilitate the activities of the workgroup.

(e) On or before December 15, 2014, the workgroup shall submit a report of its findings and recommendations under this section, including a detailed description of the process used and any data relied on by the workgroup, to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly.

(f) Notwithstanding any other provision of law, on the recommendation of the workgroup under this section and in compliance with the requirements of the procurement law under the State Finance and Procurement Article, the Department may contract with a consultant for auditing assistance in determining the accuracy of real property values and homeowner tax credits and the proper incorporation of new and improved properties.

SECTION”.

AMENDMENT NO. 26

On page 11, in line 25, strike “\$144,188,554” and substitute “\$144,188,544”.

On page 16, in line 29, strike “10.” and substitute “12.”.

On page 17, in lines 1, 3, and 5, strike “11.”, “12.”, and “13.”, respectively, and substitute “14.”, “15.”, and “16.”, respectively; and in line 6, strike “11 and 12” and substitute “13, 14, and 15”.

Committee amendments 1 through 5 were read and adopted.

Committee amendments 6 through 9 were read and adopted.

Committee amendments 10 through 13 were read and adopted.

Committee amendments 14 through 16 were read and adopted.

Committee amendments 17 through 20 were read and adopted.

Committee amendments 21 through 26 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0172/843324/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 172

(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 4, strike in their entirety lines 26 through 30, inclusive.

AMENDMENT NO. 2

On page 19, strike in their entirety lines 16 through 29, inclusive.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 12 Negative – 33 (See Roll Call No. 488)

FLOOR AMENDMENT

SB0172/913628/1

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 172

(First Reading File Bill – Committee Reprint)

On page 32, strike in their entirety lines 1 and 2.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 11 Negative – 34 (See Roll Call No. 489)

Read the second time and ordered prepared for Third Reading.

Senate Bill 659 – Senator Gladden

AN ACT concerning

Crimes Relating to Animals – Surgery on Dogs – Penalties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

SB0659/693122/2

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 659

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “veterinarian” insert “, or a technician under the supervision of a licensed veterinarian,”; and in line 4, after “dog;” insert “prohibiting a person other than a licensed veterinarian from performing a certain procedure on a dog;”.

AMENDMENT NO. 2

On page 2, in line 1, after “(B)” insert “**(1)**”; in the same line, strike “SUBSECTION (A)” and substitute “**SUBSECTION (A)(1), (2), OR (3)**”; in line 2, after “VETERINARIAN” insert “, OR A TECHNICIAN UNDER THE SUPERVISION OF A LICENSED VETERINARIAN,”; and after line 3, insert:

“(2) A PROCEDURE DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION MAY BE PERFORMED BY A LICENSED VETERINARIAN USING ANESTHESIA WHEN APPROPRIATE ON THE ANIMAL.”

The preceding 2 amendments were read only.

Senator Gladden moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 490)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #46

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 – 46 Negative – 0 (See Roll Call No. 491)

The Bill was then sent to the House of Delegates.

**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**

Senator Edwards moved, duly seconded, to make the Bill a Special Order for March 13, 2014.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #1

House Bill 206 – Talbot County Delegation

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 – 46 Negative – 0 (See Roll Call No. 492)

The Bill was then sent to the House of Delegates.

House Bill 238 – Delegate Cane

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 – 46 Negative – 0 (See Roll Call No. 493)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Colburn moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1110 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

Business Regulation – Junk Dealers and Scrap Metal Processors – Copper Wire

FOR the purpose of prohibiting a junk dealer or scrap metal processor from purchasing certain copper wire; providing for the application of this Act; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY renumbering

Article – Business Regulation
Section 17–1013
to be Section 17–1014
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Business Regulation
Section 17–1013
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Rules.

Senator Colburn moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1111 – Senators Colburn, Dyson, Hershey, Jacobs, and Mathias

EMERGENCY BILL

AN ACT concerning

Natural Resources – Fresh Oyster Shells – Purchase by County Oyster Committees

FOR the purpose of requiring the Department of Natural Resources to authorize county oyster committees to purchase annually up to a certain number of bushels of fresh oyster shells that have not gone through a hatchery for production of spat on the fresh oyster shell for placement on a public oyster fishery bottom; making this Act an emergency measure; and generally relating to the purchase of fresh oyster shells.

BY adding to

Article – Natural Resources

Section 4–1019.3

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Rules.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 659 – Senator Gladden

AN ACT concerning

Crimes Relating to Animals – Surgery on Dogs – Penalties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

FLOOR AMENDMENT

SB0659/693122/2

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 659

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “veterinarian” insert “, or a technician under the supervision of a licensed veterinarian,”; and in line 4, after “dog;” insert “prohibiting a person other than a licensed veterinarian from performing a certain procedure on a dog;”.

AMENDMENT NO. 2

On page 2, in line 1, after “(B)” insert “(1)”; in the same line, strike “SUBSECTION (A)” and substitute “SUBSECTION (A)(1), (2), OR (3)”; in line 2, after “VETERINARIAN” insert “, OR A TECHNICIAN UNDER THE SUPERVISION OF A LICENSED VETERINARIAN,”; and after line 3, insert:

“(2) A PROCEDURE DESCRIBED IN SUBSECTION (A)(4) OF THIS SECTION MAY BE PERFORMED BY A LICENSED VETERINARIAN USING ANESTHESIA WHEN APPROPRIATE ON THE ANIMAL.”

The preceding 2 amendments were read only.

Senator Gladden moved, duly seconded, to make the Bill and amendments a Special Order for March 13, 2014.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 494)

ADJOURNMENT

At 12:25 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 10, 2014, Calendar Day, Thursday, March 13, 2014.