# Journal of Proceedings

of the

Senate of Maryland

2014 Regular Session

**Volume III** 

### Compiled and edited by:

Donald G. Hopkins Journal Clerk

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

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### Annapolis, Maryland Legislative Day: March 10, 2014 Calendar Day: Thursday, March 13, 2014 10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend David Michaud, St. Peter's Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of March 9, 2014 was read and approved.

### **QUORUM CALL**

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

(See Roll Call No. 496)

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 559 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kappa Alpha Psi Fraternity, Inc.
in recognition of
your outstanding and dedicated commitment to serving
the community and your annual day in Annapolis.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 13th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 497)

### MESSAGE FROM THE HOUSE OF DELEGATES

#### FIRST READING OF HOUSE BILLS

# House Bill 11 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

### Environment - Bay Restoration Fund - Authorized Uses

FOR the purpose of authorizing certain fee revenue collected for the Bay Restoration Fund to pay certain debt issued by a local government for the cost of connecting properties served by on—site sewage disposal systems to certain existing municipal wastewater facilities under certain circumstances; altering certain conditions for certain funding of certain costs; requiring the Department of the Environment to adopt certain regulations; providing for the application of certain regulations; requiring the Department to consider certain information as a part of a certain review process; requiring certain information to be included in a certain notice for, and discussed at certain hearings on, certain projects; requiring the Department to submit a certain annual report to certain committees of the General Assembly beginning on a certain date; and generally relating to authorized uses of the Bay Restoration Fund.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(h)

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 120 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

### Judgeships - Circuit Courts and District Court

FOR the purpose of altering the number of resident judges of the circuit court in certain counties and Baltimore City; altering the number of resident judges of the District Court in certain districts; and generally relating to judgeships in the circuit courts and the District Court.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–503 and 1–603(b)

Annotated Code of Maryland

(2013 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 264 - Delegate Luedtke

AN ACT concerning

### Income Tax - Subtraction Modification - Student Loan Debt

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the discharge of student loan indebtedness under certain circumstances; requiring an individual to submit certain documentation to qualify for the subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,

Article – Tax – General Section 10–207(a) Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY adding to

Article – Tax – General Section 10–207(bb) 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 316 – Delegates Fraser-Hidalgo <del>and Valderrama, Valderrama, Kaiser, Barve, Cullison, B. Robinson, Glenn, DeBoy, Barkley, and Sophocleus</del>

AN ACT concerning

### State Board of Education – Training Video on Cardiopulmonary Resuscitation and Automated External Defibrillators

FOR the purpose of requiring the State Board of Education to post a training video on hands—only cardiopulmonary resuscitation and automated external defibrillators on its Web site; requiring the training video to be obtained selected by the State Board, in collaboration with the Department of Health and Mental Hygiene, at no charge, if possible, and to be no more than a certain number of minutes in duration; requiring each county board of education to post

<u>a link to the training video on the school system Web site, to</u> publicize the training video in a certain manner <del>and</del>, and to encourage certain individuals to view the training video; and generally relating to the posting of a training video on hands—only cardiopulmonary resuscitation and automated external defibrillators on the State Board of Education Web site.

BY adding to

Article – Education Section 7–425.1 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 427 – Delegates Hixson, Barve, Cullison, Gilchrist, Hucker, Kaiser, Lee, Luedtke, and F. Turner F. Turner, Cardin, Howard, McDonough, Nathan-Pulliam, and V. Turner

AN ACT concerning

### Education - Maryland Sudden Cardiac Arrest Prevention Awareness Act

FOR the purpose of requiring the State Department of Education, in collaboration with certain entities, to develop certain policies and to implement a certain program to provide awareness to certain coaches, school personnel, students, and parents or guardians of students on the risk of sudden cardiac arrest; requiring a county board of education to provide certain information and a certain notice to a certain student and parent or guardian; requiring a student and parent or guardian to sign a certain statement; requiring the Department to create a certain information sheet and acknowledgment statement; authorizing the Department to use certain materials; authorizing a public school to hold certain informational meetings; requiring the removal from play of certain students or youth athletes under certain circumstances; prohibiting the return to play of certain students or youth athletes under certain circumstances until a certain condition is met; requiring certain coaches to attend a certain training course; requiring a county board, or a third party, to provide certain information to certain individuals; requiring certain individuals to acknowledge receipt of certain information in a certain manner; requiring certain youth sports programs to provide certain statements of intent to comply to certain county boards of education or their agents; encouraging certain youth programs to follow certain guidelines; requiring a youth sports program to make certain information on sudden cardiac arrest available to certain coaches, youth athletes, and the parents or guardians of youth athletes; requiring a local government to provide a certain notice to a youth sports program under certain circumstances; establishing certain penalties for certain coaches who do not comply with certain requirements: defining certain terms; providing for the construction of this Act; and generally relating to the development of policies and the implementation of a program on sudden cardiac arrest <u>awareness</u>.

BY adding to

Article – Education Section 7–436 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General Section 14–501 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 482 – Delegates M. Washington, Anderson, Barnes, Branch, Clippinger, Davis, Guzzone, Haynes, Hucker, Kaiser, Luedtke, Mitchell, Mizeur, Olszewski, B. Robinson, Summers, Tarrant, A. Washington, Wilson, and Zucker

AN ACT concerning

### Higher Education - Unaccompanied Homeless Youth - Tuition Exemption

FOR the purpose of adding certain homeless youths to the list of individuals who may be eligible for a waiver of certain tuition and fees at certain institutions of higher education; requiring a certain administrator to verify a certain youth's status in a certain way that certain youths qualify as certain students under a certain federal act; authorizing a certain administrator to rely on certain documents when making a certain determination if certain other documents are not available; defining a certain term; and generally relating to a tuition exemption for unaccompanied homeless youths.

BY repealing and reenacting, with amendments,

Article – Education
Section 15–106.1
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 615 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

#### Climate Risk Reduction Act

### **Coast Smart Council**

FOR the purpose of establishing a Coast Smart Council in the Department of Natural Resources; providing for the membership, chair, and staffing of the Council; establishing the membership term for certain members of the Council; prohibiting certain members of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; providing for the duties of the Council; authorizing the chair of the Council to establish subcommittees under certain circumstances; requiring certain structures to be constructed in accordance with certain siting and design criteria established by the Council; requiring the Council, in consultation with the Department, to develop certain criteria in accordance with certain requirements on or before a certain date; declaring the intent of the General Assembly; requiring the Departments of Budget and Management, General Services, and Natural Resources to review and incorporate certain criteria established by the Council into certain instructions and policies; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the application of certain siting and design criteria related to sea level rise and coastal flood impacts to the construction or reconstruction of certain capital projects and the Coast Smart Council.

### BY adding to

Article – Natural Resources

Section 3–1001 through 3–1004 to be under the new subtitle "Subtitle 10. Coast Smart Council"

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

### BY adding to

Article – State Finance and Procurement

Section 3-602.3

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 714 – Delegates Lee, Carr, Cullison, DeBoy, Dumais, Gutierrez, Healey, Howard, Jones, A. Kelly, McComas, McDonough, B. Robinson, Rudolph, Stocksdale, F. Turner, Valderrama, and A. Washington

AN ACT concerning

### Criminal Law - Identity Fraud - Prohibitions

FOR the purpose of prohibiting a person from maliciously using an interactive computer service to disclose or assist another person to disclose certain personal identifying information of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual; providing penalties for a violation of this Act; defining a certain term; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 8–301(a) and (g)(4) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Criminal Law Section 8–301(b–1) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

### House Bill 805 – Delegates Haddaway-Riccio and Eckardt

AN ACT concerning

### Talbot County - Child Support Enforcement Administration - Transfer of Personnel

FOR the purpose of transferring the functions, powers, duties, and personnel of the certain employees of Talbot County Department of Social Services Office of Child Support Enforcement to the Child Support Enforcement Administration of who served as employees of the child support division of the Talbot County State's Attorney's Office as of a certain date to the Department of Human Resources on a certain date; providing that the transfer of personnel be done in accordance with a certain provision of law; requiring that certain position identification numbers be created in a certain manner; requiring that each transferred employee be given credit with the State for years of county employment for certain purposes and retain certain annual and sick leave credit and service credit in the Employees' Pension System; requiring that each transferred employee be subject to certain benefit selections in the Employees' Pension System; requiring Talbot County to pay certain compensation due as of a certain date; and generally relating to the transfer of personnel to the Child Support Enforcement Administration of of Talbot County to the Department of Human Resources.

BY repealing and reenacting, without amendments,

Article - Family Law
Section 10-117
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 822 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Participation in Program – City of Hyattsville and Satellite Organizations

FOR the purpose of authorizing an employee or a former employee of the City of Hyattsville and a surviving spouse or dependent child of the employee or former employee to enroll and participate in the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; authorizing the State to charge the City of Hyattsville and certain entities certain costs resulting from certain individuals participating in the Program; requiring the City of Hyattsville to determine the extent to which the City will subsidize participation in the Program; authorizing a former employee of a certain satellite organization and the spouse or dependent child of the former employee. who is enrolled and participating in the Program as a retiree or a dependent of a retiree as of the effective date of this Act, to continue to participate in the Program under certain circumstances; requiring a certain satellite organization to determine the extent to which the satellite organization will subsidize participation in the Program by its former employees; defining a certain term; making certain conforming changes; and generally relating to enrollment and participation in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 827 - Delegates Summers, Cardin, George, and Glass

AN ACT concerning

### Municipal Elections - Campaign Finance Reports - Submission of Copies to the State Board of Elections

FOR the purpose of requiring a municipality each candidate in certain municipal elections to submit, to the State Board of Elections, within a certain period of time after a certain deadline, eopies a copy of a certain campaign finance reports report; and generally relating to campaign finance reports of candidates in municipal elections.

BY adding to

Article – Local Government Section 4–108.1 Annotated Code of Maryland (2013 Volume)

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

House Bill 878 – Delegates Stein, Barkley, Frush, Holmes, Hubbard, Ivey, Jameson, Lafferty, McIntosh, Morhaim, B. Robinson, Sophocleus, and A. Washington

AN ACT concerning

## State Highway Administration – Compost and Compost–Based Products – Specification

FOR the purpose of establishing that the use of compost and compost-based products in State highway construction projects is a best management practice for certain pollution mitigation strategies; requiring the State Highway Administration to establish a specification for the acquisition and use of compost and compost-based products for certain pollution mitigation strategies on or before a certain date; requiring the Administration to update the specification as necessary; requiring the Administration to post the specification on its Web site; requiring the Administration to report annually to the General Assembly on or before a certain date; requiring the Administration to review <del>certain specifications and</del> consult with other state highway and transportation agencies on the acquisition and use of compost and compost-based products for highway construction projects; requiring the Administration to assess how certain compost and compost-based products can be adapted and replicated by the Administration; requiring the Administration to review Administration's existing specifications and identify compost-based product equivalents to add to the existing specifications; requiring the Administration to develop certain recommendations; requiring the Administration to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the use of compost and compost-based products by the State Highway Administration.

BY adding to

Article – Transportation Section 8–609.3 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 904 – Delegates Valentino-Smith, Barnes, Gaines, and Ivey

AN ACT concerning

Human Services Children, Youth, and Family Services – Local Management Boards — Study and State Spending – Information Collection and Report

FOR the purpose of requiring the Department of Legislative Services and the Governor's Office for Children to conduct a certain study of local management boards; providing for the scope of the study; requiring the Department of Legislative Services to report on the findings of the study requiring certain local management boards to provide certain information to the Department of Legislative Services by a certain date; requiring certain State agencies to provide certain information on State spending in each county and municipal corporation for services and programs for children, youth, and families to the Department by a certain date; requiring the Department to collect certain information and report the information to the General Assembly in a certain form by a certain date; and generally relating to local management boards and State spending on services and programs for children, youth, and families.

BY repealing and reenacting, without amendments,

Article – Human Services Section 8–101(l) <del>and (m)</del> and 8–301 Annotated Code of Maryland (2007 Volume and 2013 Supplement)

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

### **House Bill 914 – Charles County Delegation**

AN ACT concerning

### Charles County - Orphans' Court Judges - Salary

FOR the purpose of altering the salary of each judge of the Orphans' Court for Charles County; providing for the application of this Act; and generally relating to the salary of a judge of the Orphans' Court for Charles County.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 2–108(j)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

# House Bill 1040 – Delegates M. Washington, Gaines, Guzzone, Proctor, Rosenberg, and Zucker

AN ACT concerning

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

FOR the purpose of authorizing the electronic transmission of certain disciplinary appeal documents and decisions to certain appointing authorities, exclusive representatives, and employees parties; requiring the Secretary of Budget and Management to make certain forms for initiating and processing grievances available on the Department of Budget and Management's Web site; authorizing the electronic transmission of certain copies of certain grievances and dispositions; and generally relating to electronic transmission of disciplinary appeal and grievance procedure documents.

### BY adding to

Article – State Personnel and Pensions

Section 11–103(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 12-108 and 12-403

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

### House Bill 1073 - Delegates McMillan, Haddaway-Riccio, and Vitale

AN ACT concerning

#### Environment – Statute of Limitations – Administrative Penalties

FOR the purpose of establishing a statute of limitations for an action for administrative penalties for certain violations of certain laws relating to the

environment; providing that this Act may not be construed as limiting certain authority of the Department of the Environment to issue administrative orders or seek injunctive relief for certain violations; and generally relating to laws relating to the environment.

BY repealing and reenacting, with amendments,

Article – Environment Section <del>1–303(a)</del> <u>1–303</u> Annotated Code of Maryland (2013 Replacement Volume)

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

House Bill 1141 – Delegates Swain, Barkley, Healey, Oaks, Stocksdale, Summers, V. Turner, and Vallario

AN ACT concerning

### Correctional Services - Revocation of Parole - Repeal of Sunset

FOR the purpose of repealing the termination date for a certain provision of law authorizing the parole commissioner who conducted the hearing on the revocation of an inmate's order of parole to require the inmate to serve any unserved portion of the sentence originally imposed on the inmate; and generally relating to the revocation of parole.

BY repealing and reenacting, with amendments, Chapter 381 of the Acts of the General Assembly of 2011 Section 3

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

House Bill 1153 – Delegates Jacobs, Arentz, Otto, and Smigiel

AN ACT concerning

### Commercial Fishing and Seafood Operations - Nuisance Actions - Exemption

FOR the purpose of expanding the application of certain provisions of law relating to the protection of agricultural operations from nuisance actions under certain circumstances to apply to certain commercial fishing and seafood operations; exempting certain commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a certain decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court in a certain manner; defining a certain term; altering the definition of a certain term; and

generally relating to nuisance actions against commercial fishing or seafood operations.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–403
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–301
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

### House Bill 1174 - Delegate Dumais

AN ACT concerning

## Recreational Hunting or Fishing Licenses – Denial, Suspension, and Required Disclosure

FOR the purpose of altering a certain definition to establish that certain provisions of law governing the denial or suspension of licenses for failure to pay child support apply to recreational hunting and fishing licenses; requiring the Department of Natural Resources to require an applicant to provide under certain circumstances only certain information related to the applicant's Social Security number on an application for a recreational hunting or fishing license; requiring the Department to record certain information on the application; exempting recreational hunting and fishing license applications from the requirements that a licensing authority require a license applicant to disclose the full Social Security number and record the Social Security number on the application; altering the information that a request for information from a recreational hunting or fishing license application made by the Child Support Enforcement Administration of the Department of Human Resources to the Department of Natural Resources is required to contain; altering the information from a recreational hunting or fishing license application that the Department of Natural Resources is required to submit to the Child Support Enforcement Administration after receiving a request for information; repealing the requirement that an application for a hunting license contain the occupation of the applicant; making certain stylistic changes; making certain provisions of this Act subject to a certain contingency; and generally relating to information required to be disclosed to or by the Department of Natural Resources on or from a recreational hunting or fishing license application.

BY repealing and reenacting, without amendments,

Article - Family Law

Section 10-119.3(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10-119.3(a)(2)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10-119.3

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4-202

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-205(l), 4-604(d) and (e), and 10-301(d) and (e)

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 1283 – Delegates Hammen, Clippinger, Kipke, and McHale

AN ACT concerning

### Environment - Cox Creek Citizens Oversight Committee - Composition

FOR the purpose of altering the composition of the Cox Creek Citizens Oversight Committee to reflect changes made to the State's legislative districts; and generally relating to the Cox Creek Citizens Oversight Committee.

BY repealing and reenacting, with amendments,

Article – Environment

Section 5-1102.1

Annotated Code of Maryland (2013 Replacement Volume)

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

House Bill 1301 – Delegates Carter, Anderson, Branch, Conaway, Harper, Oaks, Stukes, and Summers

AN ACT concerning

### Family Law - Child Support - Custody and Visitation Determinations

FOR the purpose of requiring the court, in any case in which the court determines child support, to also consider custody and visitation of the child; requiring the Child Support Enforcement Administration to refer certain parties to the court for purposes of considering custody and visitation of the child under certain circumstances; and generally relating to child support and custody and visitation 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 Judicial Proceedings.

House Bill 1307 – Delegates Wilson, Anderson, Beidle, Bohanan, Braveboy, Burns, Carter, Clippinger, Cluster, Costa, Frush, Gilchrist, Glenn, Guzzone, Haynes, Hough, K. Kelly, Lee, Love, McComas, McMillan, Mizeur, Niemann, Rosenberg, Smigiel, Tarrant, F. Turner, Valderrama, Valentino–Smith, Vitale, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

#### Children in Out-of-Home Placement - Annual Notice of Benefits

FOR the purpose of requiring the Social Services Administration to provide a certain child in out—of—home placement certain information at least once a year; specifying the contents of the information; authorizing the Administration to provide the information to the child at a certain hearing or by certified mail; requiring the Secretary of Human Resources to submit a report on the implementation of this Act to certain committees of the General Assembly by a certain date; and generally relating to children in out—of—home placement.

BY adding to

Article – Family Law Section 5–525(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 1317 - Delegates Rosenberg, Bohanan, and A. Miller

AN ACT concerning

### Higher Education - Maryland Technology Internship Program

FOR the purpose of establishing the Maryland Technology Internship Program; establishing certain purposes of the Program; requiring the Shriver Center located at the University of Maryland, Baltimore County (UMBC) to administer the Program and, in collaboration with the Department of Business and Economic Development, undertake certain activities to carry out the purposes of the Program; establishing certain eligibility requirements for participation in the Program; requiring the Shriver Center UMBC to develop a process for tracking and assessing certain outcomes; requiring the Shriver Center UMBC to obtain feedback from Program participants at certain times; authorizing the use of certain awards to reimburse certain businesses for up to a certain percentage of the amount paid to an intern up to a certain amount; requiring the Shriver Center UMBC to prepare a certain annual report; requiring the Governor to make an appropriation in the State budget for a certain purpose; defining certain terms; and generally relating to the Maryland Technology Internship Program.

BY adding to

Article – Education

Section 18–3001 through 18–3010 to be under the new subtitle "Subtitle 30. Maryland Technology Internship Program"

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 1457 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

State Correctional Officers' Bill of Rights - Definition of Correctional Officer

FOR the purpose of altering the definition of "correctional officer" to exclude a certain classification of officer for the purposes of the State Correctional Officers' Bill of Rights; and generally relating to correctional officers under the State Correctional Officers' Bill of Rights.

BY repealing and reenacting, without amendments,

Article – Correctional Services Section 10–901(a) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services Section 10–901(c) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

# House Bill 73 – <del>Delegate Simmons</del> <u>Delegates Simmons, Smigiel, Kramer, Barkley, Fraser-Hidalgo, S. Robinson, Stocksdale, Valderrama, and Glenn</u>

### EMERGENCY BILL

### AN ACT concerning

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

FOR the purpose of establishing that certain evidence creates a certain rebuttable presumption in an action against an owner of a dog for damages for personal injury or death caused by the dog; prohibiting a judge in a jury trial from making a certain ruling before the jury returns a verdict; establishing that certain common law is retained as to certain persons; 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; providing for the construction and application of this Act; stating the intent of the General Assembly; making this Act an emergency measure; and generally relating to civil liability for personal injury or death caused by a dog.

### BY adding to

Article - Courts and Judicial Proceedings

Section 3–1901 to be under the new subtitle "Subtitle 19. Personal Injury or Death Caused by Dog"

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

### **House Bill 109 – Delegate Holmes**

AN ACT concerning

### Election Law - Polling Places - Accommodations for Disabled Voters

FOR the purpose of requiring that, to the extent practicable, an election judge take certain actions regarding a disabled voter who is in a waiting line to vote; and generally relating to accommodations for disabled voters at polling places.

BY repealing and reenacting, without amendments,

Article – Election Law Section 1–101(a) and (q) Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Election Law Section 10–308.1 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 173 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

## Public Safety - Prohibition of Polygraph Examinations by Employers - Exemption

FOR the purpose of exempting from the prohibition against an employer requiring or demanding, as a condition of employment, that an individual submit to or take a polygraph examination or other similar test individuals who are employed as correctional officers in a State correctional facility and individuals who apply for employment or are employed in any capacity that involves direct personal an individual who applies for employment or is employed as a correctional officer of a State correctional facility and an individual who applies for employment with or is employed by a State correctional facility in any capacity that involves direct contact with an inmate in a State correctional facility; making certain conforming changes; 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 generally relating to polygraph examinations for <del>correctional officers</del> individuals employed in a State correctional facility.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3-702(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3-702(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

### **House Bill 211 – Carroll County Delegation**

AN ACT concerning

### Carroll County - Orphans' Court Judges - Salary

FOR the purpose of altering the salary of each judge of the Orphans' Court for Carroll County and the annual salary of the Chief Judge of the Orphans' Court for Carroll County, to be paid in equal monthly installments; specifying that the Chief Judge shall be allowed a certain amount of money annually for traveling expenses; providing that this Act does not apply to the salary or compensation of a judge or the Chief Judge of the Orphans' Court for Carroll County while serving in a certain term of office; and generally relating to the compensation of judges of the Orphans' Court for Carroll County.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–108(h)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

### House Bill 212 – Delegates Afzali, Cardin, George, and Ivey

AN ACT concerning

Election Law – Statewide Voter Registration List – Removal of Deceased Voters

FOR the purpose of requiring the State Administrator of Elections to make arrangements with the Social Security Administration to receive quarterly reports of names and residence addresses of certain individuals reported deceased and to obtain the reports within a certain period; requiring a local board of elections to remove a deceased voter from the statewide voter registration list under certain circumstances 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 the statewide voter registration list.

### BY repealing and reenacting, without amendments,

Article – Election Law

Section 3–501

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Election Law

Section 3-504

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 234 – Delegates McDermott, Cluster, Elliott, Haddaway-Riccio, Hough, and Krebs

AN ACT concerning

### Criminal Law – False Statement Concerning Destructive Device or Toxic Material – Venue

FOR the purpose of adding an additional venue in which a person may be prosecuted for a false statement concerning a destructive device or toxic material; making certain stylistic changes; and generally relating to false statements concerning a destructive device or toxic material.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 9–504(b)

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

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–504(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

### House Bill 275 – Delegates Reznik, Arora, Barkley, Kaiser, Luedtke, and Stocksdale

AN ACT concerning

# Criminal Law – Table Games and Video Lottery Terminals – Individual Under the Age of 21 Years

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

### BY adding to

Article - Criminal Law

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

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–01(dd) and 3–8A–33(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

## House Bill 459 – Chair, Ways and Means Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

### Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants

FOR the purpose of expanding the scope of the Maryland Loan Assistance Repayment Program for Physicians to provide certain education loan repayments to physician assistants who provide primary care in certain designated professional shortage areas under certain circumstances; expanding the definition of "primary care" to include women's health; and generally relating to the Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants.

BY repealing and reenacting, with amendments,

Article - Education

Section 18–2801 and 18–2803 through 18–2805 to be under the amended subtitle "Subtitle 28. Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants"

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

### BY repealing and reenacting, with amendments,

<u>Article – Health Occupations</u>

Section 14–207(c) and 15–206(b)

Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

# House Bill 559 – Delegates B. Robinson, Cullison, Dwyer, Glenn, McComas, A. Miller, Nathan-Pulliam, Rosenberg, and Stocksdale

AN ACT concerning

### State Government - Human Trafficking Address Confidentiality Program

FOR the purpose of requiring the Secretary of State to establish the Human Trafficking Address Confidentiality Program for victims of human trafficking: stating the purpose of the Program; establishing eligibility requirements of the Program; establishing application and participation requirements of the Program; requiring an applicant to provide a certain release and waiver of future claims against the State; prohibiting false statements in an application; establishing penalties for a violation of certain provisions of this Act; establishing participation cancellation procedures; authorizing a Program participant to request that certain agencies use a substitute address designated under the Program as the Program participant's address; establishing a method for certain agencies to apply for a waiver from the requirements of the Program; requiring that a certain address be used for voter registration and election-related purposes; prohibiting certain disclosures of a Program participant's address; providing a penalty for certain unauthorized disclosures of a Program participant's address; requiring the Secretary of State to adopt regulations to carry out this Act; defining certain terms; and generally relating to the Human Trafficking Address Confidentiality Program.

BY repealing and reenacting, with amendments,

Article – Election Law Section 3–505 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – State Government

Section 7–301 through 7–312 to be under the new subtitle "Subtitle 3. Human Trafficking Address Confidentiality Program"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 638 – Montgomery County Delegation

### AN ACT concerning

### Criminal Law - Telecommunication Devices in Place of Confinement -Montgomery County Work Release and Prerelease Programs MC 21-14

FOR the purpose of exempting certain work release and prerelease programs in Montgomery County from certain prohibitions relating to telecommunication devices in a place of confinement; and generally relating to Montgomery County work release and prerelease programs and telecommunication devices.

BY repealing and reenacting, without amendments,

Article – Correctional Services Section 11–717 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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 705 – Delegates Waldstreicher, K. Kelly, Lee, McDermott, Niemann, Proctor, Simmons, and Swain

AN ACT concerning

### Victims of Crime – Legal Representatives of Minors and Disabled and Elderly Persons

FOR the purpose of authorizing a certain personal representative to request certain compensation, restitution, or financial property interest for a certain decedent; providing that certain rights, duties, and powers of a certain guardian of the person of a certain minor shall include serving as a victim's representative under certain circumstances; authorizing a court to order a certain guardian of the person of a certain person with a disability to serve as a victim's representative under certain circumstances; authorizing a certain fiduciary to request certain compensation, restitution, or financial property interest of a certain beneficiary; authorizing a certain social services administration to notify a certain court of certain matters under certain circumstances; altering the requirements of a certain adult protective services program to include notification of certain matters to a certain court under certain circumstances;

making stylistic changes; and generally relating to legal representation of minors and disabled and elderly persons who are victims of crimes.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 7–401(a), 13–213, 13–708(a), and 15–102(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 7–401(y), 13–702, and 15–102(p)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Estates and Trusts

Section 13–708(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Family Law

Section 5–532 and 14–202

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 922 – Delegates Luedtke, Haynes, A. Kelly, Mitchell, and Zucker

AN ACT concerning

# Task Force to Study a Funding Formula for Corollary Athletic Programs Physical Education and Athletic Programs for Students With Disabilities – Funding

FOR the purpose of establishing the Task Force to Study a Funding Formula for Corollary Athletic Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and certain legislative committees on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study a Funding Formula for Corollary Athletic Programs 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.

BY repealing and reenacting, with amendments,

<u>Article – Education</u>

Section 7–4B–02

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 929 – Delegates Malone and McMillan, McMillan, Beidle, Cane, Fraser-Hidalgo, Frush, Healey, Holmes, Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, and Wilson Wilson, and Conaway

AN ACT concerning

### Motor Vehicles - Speed Monitoring Systems - Local Jurisdictions

### Speed Monitoring Systems Reform Act of 2014

FOR the purpose of altering the standards and requirements for the required warning period for violations recorded by speed monitoring systems; establishing that speed monitoring systems placed in certain areas may be placed only on highways with a certain minimum speed limit; applying certain notice and signage standards for unmanned local stationary speed monitoring systems to all local speed monitoring systems; altering the standards for signage required for local stationary speed monitoring systems; requiring certain local jurisdictions to designate certain persons to act in a certain public liaison capacity; altering the standards and requirements for daily self-tests and annual calibrations for speed monitoring systems; requiring certain local jurisdictions to designate a certain program administrator; requiring a contract for a certain speed monitoring system to include certain provisions; establishing certain training requirements; clarifying that a certificate alleging that a certain speeding violation occurred is required to be sworn to or affirmed by a certain law enforcement officer; expanding the application of the prohibition against a speed monitoring system contractor's fee being contingent on the number of citations issued or paid; requiring the Maryland Police Training Commission to compile and make publicly available an annual report containing certain information on each local speed monitoring system program; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act; defining certain terms; and generally relating to speed monitoring systems operated by local jurisdictions.

BY repealing and reenacting, with amendments.

Article – Transportation Section 21–809 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

### House Bill 967 – Delegate Niemann

AN ACT concerning

### Crimes - Malicious Destruction of Property - Defenses

FOR the purpose of providing that, in a prosecution for malicious destruction of property, it is not a defense that the defendant was a joint owner of the damaged property if the defendant's intent was to deprive another joint owner of the value of the property; and generally relating to malicious destruction of property.

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 6–301 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

# House Bill 1089 – Chair, Anne Arundel County Delegation (By Request – Orphans' Court Judges)

AN ACT concerning

### Anne Arundel County - Orphans' Court Judges - Salary and Pension

FOR the purpose of altering the annual salary of each judge of the Orphans' Court for Anne Arundel County and the Chief Judge of the Orphans' Court for Anne Arundel County; providing that the salary and pension for a judge of the Orphans' Court for Anne Arundel County are subject to an annual cost-of-living adjustment; providing for the calculation of the cost-of-living rate; providing that the cost-of-living rate may not exceed a certain percentage; providing for the application of a zero rate under certain circumstances; providing for the calculation of compensation; making a stylistic change; providing for the application of this Act; providing that a certain limitation does not apply to a certain individual; defining certain terms; and generally relating to the Orphans' Court of Anne Arundel County.

BY repealing and reenacting, with amendments.

Article – Estates and Trusts Section 2–108(c) Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

### BY repealing and reenacting, without amendments,

Article - Estates and Trusts

Section 2-108(y)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

### BY adding to

Article - Estates and Trusts

Section 2-108(v)(9)

**Annotated Code of Maryland** 

(2011 Replacement Volume and 2013 Supplement)

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

### House Bill 1112 - Frederick County Delegation

AN ACT concerning

### Frederick County - Orphans' Court Judges - Salary

FOR the purpose of increasing the salary of the Chief Judge and each associate judge of the Orphans' Court for Frederick County; providing that this Act does not apply to the salary or compensation of the judges of the Orphans' Court for Frederick County during a certain term of office; making stylistic changes; and generally relating to the Orphans' Court for Frederick County.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–108(l)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

### House Bill 1148 – Delegates Jacobs, Norman, Otto, and Smigiel

AN ACT concerning

# Recreational Striped Bass Fishery – Study on Reporting Requirements Harvest Data

FOR the purpose of requiring the Department of Natural Resources to conduct a study on the establishment of reporting requirements methods of obtaining more accurate harvest data for the recreational striped bass fishery; requiring the study to examine certain issues relevant to the reporting requirements obtaining more accurate harvest data for the recreational striped bass fishery; requiring the Department to report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the study on the establishment of reporting requirements methods of obtaining more accurate harvest data for the recreational striped bass fishery.

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

### House Bill 1206 - Delegates Carter, Oaks, and Rosenberg

AN ACT concerning

### Baltimore City - Orphans' Court Judges - Salary and Pension

FOR the purpose of altering the salary of each associate judge of the Orphans' Court of Baltimore City and the annual salary of the Chief Judge of the Orphans' Court of Baltimore City; altering the pension of certain associate judges of the Orphans' Court of Baltimore City and the pension of a Chief Judge of the Orphans' Court of Baltimore City; providing for the application of this Act; and generally relating to the Orphans' Court of Baltimore City.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts Section 2–108(d)(1) Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

### House Bill 1244 - Delegates Waldstreicher and Valderrama

AN ACT concerning

### Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse Victims

FOR the purpose of altering the date by which, in a case of child abuse, a certain claimant may file a claim with the Criminal Injuries Compensation Board; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure Section 11–808 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–809(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 1332 – Delegates Dumais, Barve, Busch, Hixson, Kaiser, Luedtke, McIntosh, A. Miller, Rosenberg, and Walker Walker, Cardin, Howard, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

### Task Force to Study Sports Injuries in High School Female Athletes

FOR the purpose of establishing the Task Force to Study Sports Injuries in High School Female Athletes; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to submit certain reports on its findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study Sports Injuries in High School Female Athletes.

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

#### THE COMMITTEE ON RULES REPORT #11

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

### Senate Bill 1104 – Senators Middleton and Ramirez

AN ACT concerning

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

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 1105 – Senators Manno and Robey

AN ACT concerning

### Temporary Cash Assistance – Termination of Benefits and Case Closure – Timing

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 1108 - Senators Conway and Dyson

AN ACT concerning

## Sterile Compounding Permits – Exemptions – Sterile Compounding Facilities That Compound Only for Immediate 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 1109 – Senator Dyson

AN ACT concerning

### Creation of a State Debt – St. Mary's County – Cedar Lane Senior Living Community Project – Phase 4

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:

### 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

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

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

House Bill 451 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

### Neighborhood Business Development Program – Financial Assistance for Food <del>Desert Areas</del> Deserts

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

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

# House Bill 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

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

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

House Bill 454 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

### Gaming - Emergency Suspension of License

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:

House Bill 460 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

Gaming - Background Investigations

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

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

House Bill 461 – Chair, Ways and Means Committee (By Request – Departmental – Education)

AN ACT concerning

State Early Childhood Advisory Council

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

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

House Bill 467 - Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment - Employment of Minors

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:

House Bill 765 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel - Authority to Set Compensation

The bill was re-referred to the Committee on Finance.

#### THE COMMITTEE ON RULES REPORT #12

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

#### Senate Bill 1106 – Senator Feldman

AN ACT concerning

## Business Occupations – Real Estate Appraisers – Criminal History Records Checks

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 1110 - Senator Colburn

#### EMERGENCY BILL

AN ACT concerning

## Business Regulation – Junk Dealers and Scrap Metal Processors – Copper Wire

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 1111 - Senators Colburn, Dyson, Hershey, Jacobs, and Mathias

#### EMERGENCY BILL

AN ACT concerning

## Natural Resources – Fresh Oyster Shells – Purchase by County Oyster Committees

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

#### **MOTION**

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

The motion was adopted.

## SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #6

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 #6 March 13, 2014

## **District Court, Baltimore City (District 1)**

1. Joyce Maezeppa Baylor–Thompson

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

## **Airport Zoning Appeals Board**

2. Wayne A. Dixon 7677 Ridge Chapel Road Hanover, MD 21076 District 32

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2010

## Architectural Review, State Board of

3. Oliver W. Clemons, Jr. 111 Cinder Road Timonium, MD 21093 District 42

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

4. Melanie E. Hennigan 18725 Wickham Road Olney, MD 20832 District 19

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

5. Edward A. Masek, Jr. 124 Saint Andrews Road Severna Park, MD 21146 District 33

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

6. Dennis R. Nola 2104 Crossmeadow Lane Brookeville, MD 20833

District 14

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

7. Karen Lynn Pitsley 7612 Browns Bridge Road Highland, MD 20777 District 13

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

8. Ravi S. Waldon 1641 Eton Way Crofton, MD 21114 District 33

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

#### **Atlantic States Marine Fisheries Commission**

9. Williams J. Goldsborough 1355 Moyer Road Annapolis, MD 21403 District 30

Member of the Atlantic States Marine Fisheries Commission; reappointed to serve a term of three years from June 1, 2013

## Blind Industries and Services of Maryland, Board of Trustees of

10. George H. Littrell 5209 Reels Mill Road Frederick, MD 21704 District 3

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2013

## Center for School Safety, Governing Board of the Maryland

11. Theresa E. Detorie 4400 Buena Vista Avenue Baltimore, MD 21211 District 40

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

12. Elizabeth Watson Ray 3141 Birch Brook Lane Abingdon, MD 21009 District 35

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

## **Economic Development Commission, Maryland**

13. Angela Franco 212 New Mark Esplanade Rockville, MD 20850

District 17

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2013

## Fire-Rescue Education and Training Commission

14. Herbert L. Jenkins 2709 Millers Way Drive Ellicott City, MD 21043 District 9

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2012

## Foresters, State Board of

15. John P. Markovich 11552 Timberbrook Drive Waldorf, MD 20601 District 28

Member of the State Board of Foresters; appointed to serve a term of five years from July 1, 2011

## Handgun Permit Review Board

16. Charles M. Thomas, Jr. 4505 Kenilworth Avenue Baltimore, MD 21212 District 43

Chair/Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2013

## Health Care Commission, Maryland

17. Frances B. Phillips 2611 Ogleton Road Annapolis, MD 21403

District 30

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

## Historic St. Mary's City Commission

18. Todd B. Morgan 46536 Millstone Landing Road Lexington Park,MD 20653

District 29

Member of the Historic St. Mary's City Commission; appointed to serve a term of four years from July 1, 2011

## Landscape Architects, Board of Examiners

19. Charles B. Adams 14834 Falls Road, P.O. Box 93 Butler, MD 21023 District 5

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2012

## Maryland Legal Services Corporation Board of Directors

20. Corey Jay Robey 3711 Clydesdale Road Way Reisterstown, MD 21136 District 5

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2012

## Optometry, State Board of Examiners in

21. Frederick J. Walsh 22 Bellchase Court Baltimore, MD 21208

District 11

Member of the State Board of Examiners in Optometry; reappointed to serve a term of four years from June 1, 2014

## **Patuxent River Commission**

22. Edward R. Curley, III 41844 Gibson Drive Mechanicsville, MD 20659

District 29

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

23. Albert J. Tucker, Ph.D. 6063 Pindell Road Lothian, MD 20711 District 33

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

## Physicians, State Board of

24. Jacqueline M. Golden6607 Copper Ridge Drive #102Mt. Washington, MD 21209

District 42

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

## Port Commission, Maryland

25. Theodore G. Venetoulis 2423 Stone Mill Road Baltimore, MD 21208 District 11

Member of the Maryland Port Commission; reappointed to serve a term of three years from July 1, 2013

#### **Professional Standards and Teacher Education Board**

26. Amy Jo Smith 60 Branch Road North East, MD 21901

District 34

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2011

## Public Defender, Office of the Board of Trustees of the

27. Laura M. Robinson, Esq. 8116 Riverside Drive Pasadena, MD 21122

District 31

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

## Real Estate Appraisers and Home Inspectors, State Commission of

28. David E. McDaniels 4017 Deepwood Road Baltimore, MD 21218

District 43

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve a term of three years from January 1, 2013

## Real Estate Commission, State

29. Karen H. Baker

8503 Guertin Court

Frederick, MD 21704

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2010

30. Marla S. Johnson

2762 Lynn Street

Frederick, MD 21704

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2014

31. Maria Liliana Robeson

204 Brynwood Street

Hagerstown, MD 21740

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2010

## Stationary Engineers, State Board of

32. Kevin J. McLeod

20112 Darlington Drive

Montgomery Village, MD 20886

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2011

33. Harold E. Norris

21 Stuart Mills Place

Baltimore, MD 21228

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2011

34. Gregory A. Restivo

8228 Styers Court

Laurel, MD 20723

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2012

District 3

District 3

District 2

District 39

District 10

District 13

## Veterinary Medical Examiners, State Board of

35. Elizabeth Callahan, D.V.M. 4471 Evergreen Road Oxford, MD 21654 District 37

Member of the State Board of Veterinary Medical Examiners; appointed to serve a term of five years from June 1, 2014

36. David L. Handel, D.V.M. 14400 Frances Green Way North Potomac, MD 20878 District 39

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2014

## Workers' Compensation Commission, State

37. Maureen E. Quinn 426 Palmspring Drive Gaithersburg, MD 20878 District 17

Member of the State Workers' Compensation Commission; reappointed to serve a term of twelve years from February 1, 2014

## Youth Camp Safety, Advisory Council on

38. Edgar Ramirez 1503 Amherst Road Hyattsville, MD 20783 District 47

Member of the Advisory Council on Youth Camp Safety; appointed to serve remainder of a term of three years from July 1, 2011 and a term of three years from July 1, 2014

#### **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.

## Historic St. Mary's City Commission

S–1. Laura J. Cripps, Ph.D. 2309 Westchester Avenue Catonsville, MD 21228 District 12

Member of the Historic St. Mary's City Commission; reappointed to serve a term of four years from July 1, 2013

S–2. Thomas Trezise

District 99

23 Selborne Drive Wilmington, DE 19807

Member of the Historic St. Mary's City Commission; reappointed to serve a term of four years from July 1, 2012

## **Land Reclamation Committee**

S-3. James C. Ashby 1236 E. State Street

District 1

Oakland, MD 21550

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2014

S-4. Timothy B. Schwinabart

District 1

664 Pine Tree Point Road Swanton, MD 21561

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2014

## Parole Commission, Maryland

S–5. Donna M. Hill

District 25

5512 Gunston Lane Suitland, MD 20746

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2014

## **Patuxent River Commission**

S–6. Kelton L. Clark, Ph.D.

District 33

103 1st Street

Annapolis, MD 21401

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

S-7. Luis Dieguez

District 29

30120 Dudley Road

Mechanicsville, MD 20659

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

S-8. John W. Fringer, Jr.

District 29

13386 Rousby Hall Road

Lusby, MD 20657

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

S-9. Barbara Sollner-Webb, Ph.D.

District 21

17200 Melbourne Drive

Laurel, MD 20707

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

S-10. Jacqueline U. Takacs

District 33

300 Greenridge Drive

Dunkirk, MD 20754

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

S-11. Frederick L. Tutman

District 23

18600 Queen Anne Road

Upper Marlboro, MD 20774

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

## Plumbing, State Board of

S-12. Jon H. Garner

District 1

1987 Mosser Road McHenry, MD 21541

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2014

S-13. Michael J. Kastner, Jr.

District 13

13556 Argo Drive Dayton, MD 21036

Chair of the State Board of Plumbing; reappointed to serve a term of three years from May  $1,\,2014$ 

## **Washington Suburban Transit Commission**

S-14. Alvin J. Nichols

District 22

8105 Felbrigg Hall Road Glenn Dale, MD 20769

Member of the Washington Suburban Transit Commission; reappointed to serve a term of four years from July 1, 2013

## Youth Camp Safety, Advisory Council on

S-15. Mark L. Bates

District 30

247 Likes Road Edgewater, MD 21037

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July  $1,\,2014$ 

S-16. Jay Gerson

District 14

24200 Hawkins Landing Drive Laytonsville, MD 20882

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2013

District 36

S–17. Jacqueline D. Hurman 145 Mainsail Drive

Stevensville, MD 21666

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2014

S–18. Monika Piccardi

District 45

3305 Lerch Drive Baltimore, MD 21214

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2014

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

The motion was adopted.

## SPECIAL ORDERS

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

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 "<u>guaranteed in part contract</u>,"; in line 6, after "guaranteed;" insert "<u>requiring certain disclosure statements to contain a certain statement and certain amounts paid under certain contracts</u>;"; in line 9, after the first "contracts" insert "<u>guaranteed in part contracts</u>,"; in the same line, after "items" insert "<u>or goods and services</u>"; 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 "<u>**(6)**</u>", "<u>**(7)**</u>", and "<u>**(8)**</u>", 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
- <u>2.</u> <u>Held in trust for the licensed funeral</u> <u>Establishment.</u>
- (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:

## <u>**A.**</u>";

in line 7, strike "may" and substitute "<u>MAY</u>"; in the same line, strike "revoked" and substitute "<u>TRANSFERRED</u>"; and in line 8, after "contract" insert "<u>TO ANY OTHER LICENSED FUNERAL ESTABLISHMENT; AND</u>

## B. MAY NOT BE TRANSFERRED TO THE CONSUMER".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

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 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 withdrawn.

FLOOR AMENDMENT

## SB0659/493925/1

BY: Senator Gladden

## AMENDMENTS TO SENATE BILL 659

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 3, after "veterinarian" insert ", or a registered veterinary technician employed by and 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 REGISTERED VETERINARY TECHNICIAN EMPLOYED BY AND 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 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. 498)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

## THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 162 – Senators Conway, Dyson, and Young

AN ACT concerning

## Health Occupations – Licensed Podiatrists – Scope of Practice <u>and Hospital</u> Privileges

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

Affirmative – 46 Negative – 1 (See Roll Call No. 499)

The Bill was then sent to the House of Delegates.

## Senate Bill 449 – Senators Young and Mathias, Mathias, and Simonaire

AN ACT concerning

## State Government - Administrative Procedure Act - Effective Date of Adopted Regulations

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

Affirmative -47 Negative -0 (See Roll Call No. 500)

The Bill was then sent to the House of Delegates.

Senate Bill 586 – Senator Conway

AN ACT concerning

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

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

Affirmative – 34 Negative – 13 (See Roll Call No. 501)

The Bill was then sent to the House of Delegates.

## Senate Bill 612 - Calvert County Senators

AN ACT concerning

## Calvert County – Salaries of County Officials and County Commissioner Retirement Plan Participation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 502)

The Bill was then sent to the House of Delegates.

Senate Bill 651 – Senators Getty, Astle, Colburn, Currie, DeGrange, Edwards, Gladden, Glassman, Jennings, Peters, and Robey Robey, Conway, Dyson, and Reilly

AN ACT concerning

General Provisions - Commemorative Days - K9 Veterans Day

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

Affirmative – 47 Negative – 0 (See Roll Call No. 503)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Procurement - Debarment - Violations of Law

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

Affirmative – 47 Negative – 0 (See Roll Call No. 504)

The Bill was then sent to the House of Delegates.

Senate Bill 718 – <del>Senator Ferguson</del> <u>Senators Ferguson and Conway</u>

AN ACT concerning

Governor's Office of Crime Control and Prevention – State Corrections

<u>Juvenile Charged as Adult</u> Population Forecast and Juvenile Population

<u>Statistics</u>

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

Affirmative – 47 Negative – 0 (See Roll Call No. 505)

The Bill was then sent to the House of Delegates.

Senate Bill 794 – Senator Reilly

AN ACT concerning

Department of Planning - Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project

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

Affirmative – 47 Negative – 0 (See Roll Call No. 506)

The Bill was then sent to the House of Delegates.

Senate Bill 840 – <del>Senator Jones-Rodwell</del> <u>Senators Jones-Rodwell, Conway,</u> Ferguson, and Montgomery

AN ACT concerning

Corporations – Members of Boards of Directors – Demographic Information – Report to Board of Public Works

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

Affirmative – 46 Negative – 0 (See Roll Call No. 507)

The Bill was then sent to the House of Delegates.

Senate Bill 852 – Senator Conway

AN ACT concerning

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

Read the third time and passed by year and navs as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 508)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 15 - Senators Jacobs and Ferguson, Ferguson, and Reilly

AN ACT concerning

Election Law - <u>Statewide</u> Voter Registration List - <u>Reports</u> <u>Removal</u> of Deceased Voters

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

Affirmative -47 Negative -0 (See Roll Call No. 509)

The Bill was then sent to the House of Delegates.

Senate Bill 226 – Senators Pinsky and Young

AN ACT concerning

Alcoholic Beverages - Brewing Company Off-Site Permit

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

Affirmative -47 Negative -0 (See Roll Call No. 510)

The Bill was then sent to the House of Delegates.

Senate Bill 546 – Senator Reilly Senators Reilly and Ferguson

AN ACT concerning

Alcoholic Beverages - Refillable Containers - Permits and Labels

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

Affirmative – 47 Negative – 0 (See Roll Call No. 511)

The Bill was then sent to the House of Delegates.

Senate Bill 678 – Senator Conway

AN ACT concerning

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

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for March 17, 2014.

The motion was adopted.

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

AN ACT concerning

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

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

Affirmative -47 Negative -0 (See Roll Call No. 512)

The Bill was then sent to the House of Delegates.

Senate Bill 793 – Senator Ferguson

AN ACT concerning

Baltimore City – 46th District – Alcoholic Beverages – Class B Beer, Wine and Liquor <del>License Transfer</del> <u>Licenses</u>

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

Affirmative – 47 Negative – 0 (See Roll Call No. 513)

The Bill was then sent to the House of Delegates.

Senate Bill 846 – Senator Jones-Rodwell

EMERGENCY BILL

AN ACT concerning

Baltimore City - Alcoholic Beverages Act of 2014

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

Affirmative – 47 Negative – 0 (See Roll Call No. 514)

The Bill was then sent to the House of Delegates.

Senate Bill 895 – The Minority Leader

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 515)

The Bill was then sent to the House of Delegates.

Senate Bill 918 – Senator Colburn

AN ACT concerning

Talbot County - Board of Elections - Membership

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

Affirmative – 47 Negative – 0 (See Roll Call No. 516)

The Bill was then sent to the House of Delegates.

Senate Bill 930 – Senator Conway

#### **EMERGENCY BILL**

AN ACT concerning

Election Law – Filing Deadlines for Pre–Primary Election and Post–General Election Campaign Finance Reports

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

Affirmative – 47 Negative – 0 (See Roll Call No. 517)

The Bill was then sent to the House of Delegates.

## THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 110 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Institutions of Higher Education – Fully Online Distance Education – Registration and Fees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 518)

The Bill was then sent to the House of Delegates.

Senate Bill 269 – Senator Conway

AN ACT concerning

Local Government – Municipal Elections – Voting Offenses, Penalties, and Enforcement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 519)

The Bill was then sent to the House of Delegates.

Senate Bill 398 - Senator Shank

AN ACT concerning

Criminal Procedure - Certificate of Completion

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

Affirmative – 47 Negative – 0 (See Roll Call No. 520)

The Bill was then sent to the House of Delegates.

Senate Bill 436 – Senator Frosh

AN ACT concerning

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

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

Affirmative – 41 Negative – 6 (See Roll Call No. 521)

The Bill was then sent to the House of Delegates.

Senate Bill 460 – Senators Raskin, Forehand, and King

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 522)

The Bill was then sent to the House of Delegates.

Senate Bill 676 – Senator King

AN ACT concerning

## Teachers and Principals - Performance Evaluation Criteria - Use of Student Growth Data

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

Affirmative – 46 Negative – 1 (See Roll Call No. 523)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

## Education - Loan Assistance - Professional Counselors and Alcohol and Drug Counselors

## Higher Education - Loan Assistance - Licensed Clinical Counselors

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

Affirmative -47 Negative -0 (See Roll Call No. 524)

The Bill was then sent to the House of Delegates.

## Senate Bill 815 – Montgomery County Senators

AN ACT concerning

Criminal Law - Telecommunication Devices in Place of Confinement -Montgomery County Work Release and Prerelease Programs Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 525)

The Bill was then sent to the House of Delegates.

Senate Bill 876 – Senators Klausmeier, Colburn, Ferguson, King, Manno, Miller, Muse, Peters, Pugh, Raskin, and Rosapepe

AN ACT concerning

Education - Summer Career Academy Pilot Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 3 – Senators Jacobs and Simonaire

AN ACT concerning

Vehicle Laws - Operation of Vehicle When Approaching a Tow Truck <del>or</del> Service Vehicle

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

Affirmative – 47 Negative – 0 (See Roll Call No. 527)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

<u>Criminal Law - Crimes Committed Crimes - Committing a Crime of Violence</u> in the Presence of a Minor - Penalties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 528)

The Bill was then sent to the House of Delegates.

Senate Bill 363 – Senator Zirkin

AN ACT concerning

Family Law - Grounds for Divorce - Valid Separation Settlement Agreement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 529)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Equity Court Jurisdiction - Immigrant Children - Custody or Guardianship

Petitions

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

Affirmative – 36 Negative – 11 (See Roll Call No. 530)

The Bill was then sent to the House of Delegates.

Senate Bill 558 – Carroll County Senators

AN ACT concerning

Carroll County – Local Government Tort Claims Act – Industrial Development Authority

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

Affirmative – 44 Negative – 3 (See Roll Call No. 531)

The Bill was then sent to the House of Delegates.

Senate Bill 660 – <del>Senator Gladden</del> Senators Gladden and Brochin

AN ACT concerning

Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 532)

The Bill was then sent to the House of Delegates.

Senate Bill 688 – Senators Raskin, Conway, Feldman, Ferguson, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, and Rosapepe Rosapepe, and Forehand

AN ACT concerning

Fair Employment Preservation Act of 2014

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 713 - Senators Feldman and Raskin

AN ACT concerning

Corporations and Real Estate Investment Trusts - Miscellaneous Provisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the House of Delegates.

Senate Bill 803 – Senator Raskin

AN ACT concerning

Courts and Judicial Proceedings – Communications Between Patient or Client and Health Care Professional – Exceptions to Privilege

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

Affirmative – 47 Negative – 0 (See Roll Call No. 534)

The Bill was then sent to the House of Delegates.

Senate Bill 865 – Senator Benson

AN ACT concerning

## Maryland Cooperative Housing Act – Transparency Requirements and Member Rights

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

Affirmative – 47 Negative – 0 (See Roll Call No. 535)

The Bill was then sent to the House of Delegates.

## THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 476 – Senator Colburn

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 536)

The Bill was then sent to the House of Delegates.

Senate Bill 520 – Senator Robey

AN ACT concerning

Vehicle Laws - Bicycles and Motor Scooters - Operation on Roadways

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

Affirmative – 43 Negative – 4 (See Roll Call No. 537)

The Bill was then sent to the House of Delegates.

Senate Bill 542 – <del>Senator Muse</del> <u>Senators Muse, Frosh, Brochin, Forehand, Gladden, Hershey, Jacobs, Raskin, Shank, Stone, and Zirkin</u>

AN ACT concerning

Law Enforcement Officers – Entrance–Level and Annual In–Service Training Requirements

(Christopher's Law)

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

Affirmative -47 Negative -0 (See Roll Call No. 538)

The Bill was then sent to the House of Delegates.

Senate Bill 608 - Senators Shank and Gladden

AN ACT concerning

Correctional Services – Swift and Certain Sanctions Pilot Program – Expansion

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

Affirmative – 47 Negative – 0 (See Roll Call No. 539)

The Bill was then sent to the House of Delegates.

Senate Bill 620 - Senator Kelley

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 540)

The Bill was then sent to the House of Delegates.

Senate Bill 686 – Senator Zirkin

AN ACT concerning

Law Enforcement Officers' Bill of Rights – Prosecutorial Disclosures –
Punitive Action

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

Affirmative – 47 Negative – 0 (See Roll Call No. 541)

The Bill was then sent to the House of Delegates.

Senate Bill 771 – Senators Robey, Brinkley, Conway, Currie, Edwards, Getty, Glassman, Hershey, Jacobs, Jennings, Klausmeier, Middleton, Pugh, Raskin, Shank, Stone, Young, and Zirkin Zirkin, Forehand, and Muse

AN ACT concerning

Motor Vehicles - Exceptional Milk Hauling Permit - Establishment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 542)

The Bill was then sent to the House of Delegates.

Senate Bill 879 – Senator Kelley

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 543)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 544)

The Bill was then sent to the House of Delegates.

Senate Bill 901 – Senator Hershey

AN ACT concerning

Kent County and Queen Anne's County - School Buses - Length of Operation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 545)

The Bill was then sent to the House of Delegates.

## THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 170 – The President (By Request – Administration)

#### **Budget Bill**

(Fiscal Year 2015)

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

Affirmative – 41 Negative – 6 (See Roll Call No. 546)

The Bill was then sent to the House of Delegates.

Senate Bill 172 – The President (By Request – Administration)

AN ACT concerning

## **Budget Reconciliation and Financing Act of 2014**

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

Affirmative – 42 Negative – 5 (See Roll Call No. 547)

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 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

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. 548)

The Bill was then sent to the House of Delegates.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #10

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

Senate Bill 143 – Senators Peters, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Glassman, Hershey, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

#### Income Tax - Military Retirement Income

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 570 – Senators King, Feldman, Jones-Rodwell, Kasemeyer, Manno, Peters, and Robey

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

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 909 – Senators Madaleno and Montgomery

AN ACT concerning

## Income Tax Checkoff - Developmental Disabilities Services and Support Fund - Designation

#### SB0909/849830/1

BY: Budget and Taxation Committee

## AMENDMENT TO SENATE BILL 909

(First Reading File Bill)

On page 1, in the sponsor line, strike "and" and substitute a comma; and in the same line, after "Montgomery" insert ", Kasemeyer, McFadden, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, King, 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.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #11

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

Senate Bill 128 - Chair, Budget and Taxation Committee (By Request - Departmental - Education)

AN ACT concerning

Education – Compensatory Education Grants – Federal Community Eligibility Provision

## SB0128/259637/1

BY: Budget and Taxation Committee

## AMENDMENTS TO SENATE BILL 128

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "Act" in line 7 and substitute "requiring a certain study to include a certain review of the identification of certain students for a certain purpose".

On page 2, in line 24, strike "2." and substitute "<u>3.</u>"; and in line 25, strike ", and shall be applicable beginning in the 2014–2015 school year".

#### AMENDMENT NO. 2

On page 2, in line 4, strike "2015,"; in the same line, strike the second comma; in line 8, strike "SCHOOL SYSTEMS" and substitute "COUNTY BOARDS"; strike beginning with "THE" in line 20 down through "PROVISION" in line 23 and substitute "SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE NUMBER OF STUDENTS ELIGIBLE FOR FREE AND REDUCED PRICE MEALS AT SCHOOLS NOT PARTICIPATING IN THE COMMUNITY ELIGIBILITY PROVISION FOR THE PRIOR FISCAL YEAR PLUS, THE PRODUCT OF THE PERCENTAGE OF STUDENTS ELIGIBLE FOR FREE AND REDUCED PRICE MEALS AT PARTICIPATING SCHOOLS FOR THE FISCAL YEAR PRIOR TO OPTING INTO THE UNITED STATES DEPARTMENT OF AGRICULTURE COMMUNITY ELIGIBILITY PROVISION MULTIPLIED BY THE PRIOR FISCAL YEAR ENROLLMENT.

(III) FOR THE PURPOSE OF THE CALCULATION UNDER SUBPARAGRAPH (II)2B OF THIS SUBSECTION, THE SCHOOLS PARTICIPATING IN THE COMMUNITY ELIGIBILITY PROGRAM DURING THE PILOT YEAR MAY USE THE PERCENTAGE OF STUDENTS IDENTIFIED FOR FREE AND REDUCED PRICE MEALS DURING THE PILOT YEAR".

#### AMENDMENT NO. 3

On page 2, after line 23, insert:

#### "SECTION 2. AND BE IT FURTHER ENACTED, That:

- (a) The adequacy study required by Chapter 288 of the Acts of the General Assembly of 2002 shall include a review of the identification of low–income students for the purpose of providing State education aid.
  - (b) The review shall include an evaluation of:

- (1) the methods used in other states and by the federal government to identify low–income students or families; and
- (2) whether the number of low-income students used to calculate the compensatory education formula for State aid for the years during which a county board of education, including the Baltimore City Board of School Commissioners, elects to participate, in whole or in part, in the United States Department of Agriculture community eligibility provision is comparable to the number of low-income students who would have been identified using a method recommended in the adequacy study."

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 354 - Senator Muse

AN ACT concerning

#### Maryland Renters Tax Credit Program

#### SB0354/859334/1

BY: Budget and Taxation Committee

#### AMENDMENTS TO SENATE BILL 354

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Muse" and substitute "<u>Senators Muse, Currie, and Peters</u>"; in line 2, after "Program" insert "<u>— Marketing Campaign</u>"; strike beginning with "altering" in line 3 down through "provided;" in line 7; and in line 9, after "date;" insert "<u>stating the intent of the General Assembly; authorizing Prince George's County to provide certain funding to provide additional rent relief for certain residents;".</u>

# AMENDMENT NO. 2

On page 2, in lines 10 and 12, in each instance, strike the bracket; and in the same line, in each instance, strike "25%".

On page 5, in lines 23, 24, 25, 26, 27, and 29, in each instance, strike the bracket; in lines 23, 24, 25, and 26, in each instance, strike "\$8,000"; in line 27, strike "\$32,000"; and in line 29, strike "\$1,500".

#### AMENDMENT NO. 3

On page 4, in line 18, after "(1)" insert "(I)"; in lines 19 and 21, strike "(I)" and "(II)", respectively, and substitute "1." and "2.", respectively; and after line 22, insert:

# "(II) THE MARKETING CAMPAIGN SHALL FOCUS ON REACHING RENTERS IN HIGH POVERTY AREAS THROUGHOUT THE STATE.".

# AMENDMENT NO. 4

On page 6, after line 11, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that Prince George's County establish a local program to provide additional rent relief for low–income residents in the county. Prince George's County may use \$894,850 to provide the additional relief.";

and in line 12, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0354/733529/2

BY: Senator Muse

#### AMENDMENT TO SENATE BILL 354, AS AMENDED

On page 1 of the Budget and Taxation Committee Amendments (SB0354/859334/1), in line 2 of Amendment No. 1, strike "and Peters" and substitute "Peters, Benson, Ramirez, and Rosapepe".

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 600 – Senators Pugh, Astle, Benson, Brinkley, Colburn, Currie, DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Peters, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young

AN ACT concerning

#### Regional Institution Strategic Enterprise Zone Program

#### SB0600/799634/1

BY: Budget and Taxation Committee

# AMENDMENTS TO SENATE BILL 600

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 9, after "institution;" insert "requiring the Secretary to approve or reject an application for designation as a qualified institution within a certain number of days after the application is submitted;"; in line 11, after "Enterprise" insert "(RISE)"; in the same line, after "zone;" insert "authorizing a qualified institution to make a joint application with a county, a municipal corporation, or a certain entity of a county or a municipal corporation to the Secretary to have a certain area in the State designated as a RISE zone;"; in lines 12, 15, 17, 18, and 21, in each instance, before "zone" insert "RISE"; in line 12, after "application" insert "and define the boundaries of a RISE zone"; in line 15, after "application;" insert "authorizing certain entities to provide certain advice to the Secretary; providing the Secretary may not approve more than a certain number of RISE zones in a county for which the county did not make a certain application; providing that a qualified institution may not be required to be in the immediate vicinity of a proposed RISE zone in a rural part of the State; authorizing the governing body of a county, under certain circumstances, to establish the percentage of a certain property tax credit;"; in line 18, after "assistance" insert "if the entity receives a certain certification; requiring the Department and the Comptroller, each year, to jointly make certain assessments and submit certain reports; authorizing certain political subdivisions to identify certain zones and pledge certain property taxes in certain zones; authorizing certain

political subdivisions to use the proceeds from certain bond issues for certain purposes; authorizing the governing body of certain political subdivisions to create a special fund for certain purposes; authorizing the governing body of certain political subdivisions to pledge certain tax revenue generated within certain zones; requiring that a political subdivision that leases as a lessor certain property within a certain zone be assessed and taxed in a certain manner"; and in line 24, after "areas;" insert "authorizing the governing body of a county, under certain circumstances, to alter the calculation of a certain credit; providing that the governing body of a municipal corporation, under certain circumstances, may not alter the calculation of a certain credit;".

#### AMENDMENT NO. 2

On page 2, in line 5, after "areas;" insert "authorizing the Mayor and City Council of Baltimore City to use certain authority granted under State law to a political subdivision for tax increment financing in a certain zone; requiring the Comptroller to prepare a certain report;"; in line 11, after "(10)" insert ", 12–203(a) and (c), 12–207(a), 12–208(a), 12–209, 12–210, and 12–211"; in line 16, strike "and"; in the same line, strike "5–1406" and substitute "5–1407"; in line 17, after "Program"" insert "; 12–201(n–1) and 12–207(e)"; after line 19, insert:

"BY repealing and reenacting, without amendments,

<u> Article – Economic Development</u>

Section 12–201(a)

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)";

and after line 39, insert:

#### "BY adding to

The Charter of Baltimore City

<u>Article II</u>

Section (62)(L) and (62A)(U)

(2007 Replacement Volume, as amended)".

#### AMENDMENT NO. 3

On page 3, strike in its entirety line 29.

On page 4, in lines 1, 3, and 5, strike "(2)", "(3)", and "(4)", respectively, and substitute "(1)", "(2)", and "(3)", respectively; and in line 8, strike "RISE" and substitute "REGIONAL INSTITUTION STRATEGIC ENTERPRISE".

On page 5, after line 21, insert:

"(F) WITHIN 90 DAYS AFTER SUBMISSION OF AN APPLICATION UNDER THIS SECTION, THE SECRETARY SHALL APPROVE OR REJECT THE APPLICATION OF AN INSTITUTION TO BE DESIGNATED AS A QUALIFIED INSTITUTION.".

in line 23, after "(A)" insert "(1)"; in line 24, strike "RISE" and substitute "REGIONAL INSTITUTION STRATEGIC ENTERPRISE"; and after line 24, insert:

"(2) A QUALIFIED INSTITUTION MAY APPLY JOINTLY WITH A COUNTY, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR A MUNICIPAL CORPORATION.".

#### AMENDMENT NO. 4

On page 6, in line 7, after "SHALL" insert ":

**(I)**";

in line 8, after "ZONE" insert ": AND

DEFINE THE BOUNDARIES OF THE APPROVED RISE (II)ZONE";

in line 16, after "REGARDING" insert ":

**(I)**";

in line 17, after "ZONE" insert "; OR

- THE BOUNDARIES OF THE PROPOSED RISE ZONE. (II)
- THE SECRETARY MAY NOT APPROVE MORE THAN 3 RISE **(4)** ZONES IN A COUNTY FOR WHICH THE COUNTY DID NOT APPLY JOINTLY UNDER SUBSECTION (A)(2) OF THIS SECTION";

after line 17, insert:

- "(E) IF THE PROPOSED RISE ZONE IS IN A RURAL PART OF THE STATE, A QUALIFIED INSTITUTION MAY NOT BE REQUIRED TO BE IN THE IMMEDIATE AREA OF THE RISE ZONE.
- (F) SUBJECT TO § 9–103.1(C)(5) OF THE TAX PROPERTY ARTICLE, IF A QUALIFIED INSTITUTION DOES NOT APPLY FOR THE DESIGNATION OF A RISE ZONE JOINTLY WITH A COUNTY OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY, THE GOVERNING BODY OF THE COUNTY MAY ESTABLISH THE PERCENTAGE OF THE AMOUNT OF THE PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF THE QUALIFIED PROPERTY TO WHICH THE PROPERTY TAX CREDIT ESTABLISHED UNDER § 9–103.1 OF THE TAX PROPERTY ARTICLE APPLIES.";

in lines 19 and 21, in each instance, after "BUSINESS" insert "AND COMMUNITY"; and in line 26, after "DEVELOPMENT," insert "THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION,".

# AMENDMENT NO. 5

On page 7, in line 17, after "(C)" insert "A BUSINESS ENTITY MAY NOT QUALIFY FOR THE INCENTIVES UNDER SUBSECTION (A) OF THIS SECTION UNLESS THE DEPARTMENT, IN CONSULTATION WITH THE COUNTY OR MUNICIPAL CORPORATION IN WHICH A RISE ZONE IS LOCATED, CERTIFIES THE BUSINESS ENTITY AS CONSISTENT WITH THE TARGET STRATEGY OF THE RISE ZONE.

<u>(D)</u>";

and after line 25, insert:

#### "<u>5–1407.</u>

(A) THE DEPARTMENT AND THE COMPTROLLER JOINTLY SHALL ASSESS EACH YEAR THE EFFECTIVENESS OF THE TAX INCENTIVES PROVIDED TO BUSINESS ENTITIES IN RISE ZONES:

- **(1)** THE NUMBER AND AMOUNTS OF TAX INCENTIVES GRANTED EACH YEAR; AND
- **(2)** THE SUCCESS OF THE TAX INCENTIVES IN ATTRACTING AND RETAINING BUSINESS ENTITIES IN RISE ZONES.
- ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE DEPARTMENT **(B)** AND THE COMPTROLLER SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A REPORT OUTLINING THE FINDINGS OF THE DEPARTMENT AND THE COMPTROLLER AND ANY OTHER INFORMATION OF VALUE IN DETERMINING THE EFFECTIVENESS OF THE TAX INCENTIVES AUTHORIZED UNDER THIS SUBTITLE.

<u>12–201.</u>

In this subtitle the following words have the meanings indicated. <u>(a)</u>

# (N-1) "RISE ZONE" MEANS AN AREA DESIGNATED AS A RISE ZONE UNDER § 5–1404 OF THIS ARTICLE.

12-203.

- Before issuing bonds, the governing body of the political subdivision shall: (a)
  - (1) by resolution:
- designate a contiguous area within its jurisdiction as a (i) development district; [or]
- identify an area that has been designated a sustainable (ii) community; OR

# (III) IDENTIFY AN AREA THAT HAS BEEN DESIGNATED A RISE ZONE;

**(2)** receive from the Supervisor of Assessments a certification of the amount of the original base, or if applicable, the adjusted assessable base; and

- (3) pledge that until the bonds are fully paid, or a longer period, the real property taxes in the development district, A RISE ZONE, or a sustainable community shall be divided as follows:
- (i) the portion of the taxes that would be produced at the current tax rate on the original taxable value base shall be paid to the respective taxing authorities in the same manner as taxes on other property are paid; and
- (ii) the portion of the taxes on the tax increment that normally would be paid into the general fund of the political subdivision shall be paid into the special fund established under § 12–208 of this subtitle and applied in accordance with § 12–209 of this subtitle.
- (c) The establishment or identification by a county of a development district, A RISE ZONE, or a sustainable community that is wholly or partly in a municipal corporation shall also require a resolution approving the development district, RISE ZONE, or sustainable community by the governing body of the municipal corporation.

#### 12-207.

- (a) Except as provided in [subsection (b)] SUBSECTIONS (B) AND (E) of this section, bond proceeds may be used only:
- (1) to buy, lease, condemn, or otherwise acquire property, or an interest in property:
- (i) in the development district, A RISE ZONE, or a sustainable community; or
- (ii) needed for a right-of-way or other easement to or from the development district, A RISE ZONE, or a sustainable community;
  - (2) for site removal;
  - (3) for surveys and studies;
  - (4) to relocate businesses or residents;

- to install utilities, construct parks and playgrounds, and for other (5)needed improvements including:
  - (i) roads to, from, or in the development district;
  - parking; and (ii)
  - lighting; (iii)
- (6)to construct or rehabilitate buildings for a governmental purpose or use;
  - for reserves or capitalized interest; <u>(7)</u>
  - <u>(8)</u> for necessary costs to issue bonds; and
- (9)to pay the principal of and interest on loans, advances, or indebtedness that a political subdivision incurs for a purpose specified in this section.
- **(E) (1)** THIS SUBSECTION APPLIES TO A RISE ZONE IDENTIFIED UNDER § 12–203 OF THIS SUBTITLE.
- **(2)** IN ADDITION TO THE PURPOSES UNDER SUBSECTION (A) OF THIS SECTION AND WITHOUT LIMITING THE PURPOSES IN SUBSECTION (A) OF THIS SECTION, BOND PROCEEDS MAY BE USED IN A RISE ZONE FOR:
  - <u>(I)</u> HISTORIC PRESERVATION OR REHABILITATION;
- (II)ENVIRONMENTAL REMEDIATION, DEMOLITION, AND **SITE PREPARATION**;
- (III) PARKING LOTS, FACILITIES, OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE;
  - (IV) SCHOOLS;
  - <u>(V)</u> AFFORDABLE OR MIXED INCOME HOUSING;

(VI) STORMWATER MANAGEMENT AND STORM DRAIN FACILITIES;

(VII) INNOVATION CENTERS AND LABORATORY FACILITIES,
OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE,
INCLUDING MAINTENANCE AND INSTALLATION OF IMPROVEMENTS IN THE
STRUCTURES AND SERVICES THAT SUPPORT THE PURPOSES OF THE RISE ZONE
PROGRAM; AND

(VIII) ANY OTHER FACILITIES OR STRUCTURES OF ANY TYPE WHETHER FOR PUBLIC OR PRIVATE USE THAT SUPPORT THE PURPOSES OF THE RISE ZONE PROGRAM.

<u>12–208.</u>

- (a) The governing body of a political subdivision may adopt a resolution creating a special fund for a development district, A RISE ZONE, or a sustainable community even though no bonds:
- (1) have been issued for the development district, THE RISE ZONE, or the sustainable community; or
  - (2) are outstanding at the time of adoption.

12-209.

- (a) Subject to subsection (c) of this section, the special fund for the development district, THE RISE ZONE, or the sustainable community may be used for any of the following purposes as determined by the governing body of the political subdivision:
  - (1) a purpose specified in § 12–207 of this subtitle;
  - (2) accumulated to pay debt service on bonds to be issued later;
- (3) payment or reimbursement of debt service, or payments under an agreement described in subsection (b) of this section, that the political subdivision is obliged under a general or limited obligation to pay, or has paid, on or relating to

bonds issued by the State, a political subdivision, or the revenue authority of Prince George's County if the proceeds were used for a purpose specified in § 12–207 of this subtitle; or

- (4) payment to the political subdivision for any other legal purpose.
- (b) (1) Subject to paragraph (2) of this subsection, the political subdivision that has created a special fund for a development district, A RISE ZONE, or a sustainable community may pledge under an agreement that amounts deposited to the special fund shall be paid over to secure payment on MEDCO obligations.

#### (2) The agreement shall:

- (i) be in writing;
- (ii) be executed by the political subdivision making the pledge, the Maryland Economic Development Corporation, and the other persons that the governing body of the political subdivision determines; and
- (iii) run to the benefit of and be enforceable on behalf of the holders of the MEDCO obligations secured by the agreement.
- (c) If bonds are outstanding with respect to a development district, A RISE ZONE, or a sustainable community, the special fund may be used as described in subsection (a) of this section in any fiscal year only if:
- (1) the balance of the special fund exceeds the unpaid debt service payable on the bonds in the fiscal year; and
  - (2) the special fund is not restricted so as to prohibit the use.
- (d) The issuance of bonds pledging the full faith and credit of the political subdivision shall comply with appropriate county or municipal charter requirements.

#### <u>12–210.</u>

(a) (1) Subject to paragraph (2) of this subsection, the governing body of a political subdivision that is not the issuer may pledge under an agreement that its

property taxes levied on the tax increment shall be paid into the special fund for the development district, A RISE ZONE, or a sustainable community.

- (2) The agreement shall:
  - (i) be in writing;
- (ii) be executed by the governing bodies of the issuer and the political subdivision making the pledge; and
- (iii) run to the benefit of and be enforceable on behalf of any bondholder.
- (b) The governing body of Prince George's County may also pledge hotel rental tax revenues to the special fund.
- (c) The governing body of a political subdivision, including the issuer, may pledge by or under a resolution, including by an agreement with the issuer, as applicable, that alternative local tax revenues generated within, or that are otherwise determined to be attributable to, a development district that is a transit—oriented development, A RISE ZONE, a sustainable community, or a State hospital redevelopment be paid, as provided in the resolution, into the special fund to:
- (1) secure the payment of debt service on bonds or MEDCO obligations; or
- (2) be applied to the other purposes stated in § 12–209 of this subtitle.

  12–211.
- (a) The principal amount of bonds, interest payable on bonds, the transfer of bonds, and income from bonds, including profit made in the sale or transfer of bonds, are exempt from State and local taxes.
- (b) If a political subdivision leases as a lessor its property within a development district, A RISE ZONE, or a sustainable community:
- (1) the property shall be assessed and taxed in the same manner as privately owned property; and

(2) the lease shall require the lessee to pay taxes or payments in lieu of taxes on the assessed value of the entire property and not only on the assessed value of the leasehold interest.".

#### AMENDMENT NO. 6

On page 9, in line 10, strike "THE" and substitute "EXCEPT AS PROVIDED IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, THE".

#### AMENDMENT NO. 7

On page 10, after line 13, insert:

- "(III) 1. IF A BUSINESS ENTITY IS CERTIFIED AS CONSISTENT WITH THE TARGET STRATEGY OF THE RISE ZONE AND THE QUALIFIED PROPERTY IS LOCATED IN AN ENTERPRISE ZONE OR FOCUS AREA, THE AMOUNT OF THE REQUIRED REIMBURSEMENT UNDER § 9–103(H) OF THIS SUBTITLE MAY ONLY BE FOR THE AMOUNT REQUIRED FOR THE REQUIRED PROPERTY TAX CREDITS UNDER § 9–103 OF THIS SUBTITLE.
- 2. THE PROPERTY TAX CREDITS REQUIRED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH DO NOT ALTER THE AMOUNT OF FUNDS REQUIRED TO BE REIMBURSED UNDER § 9–103(H) OF THIS SUBTITLE.
- (5) (I) IF THE QUALIFIED PROPERTY IS LOCATED IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE THAT A COUNTY OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY DID NOT JOINTLY APPLY FOR UNDER § 5–1404 OF THE ECONOMIC DEVELOPMENT ARTICLE, THE AMOUNT OF THE PROPERTY TAX CREDIT IS EQUAL TO AT LEAST THE AMOUNT PROVIDED UNDER THIS PARAGRAPH.
- (II) THE APPROPRIATE GOVERNING BODY SHALL CALCULATE THE AMOUNT OF THE TAX CREDIT UNDER THIS SECTION EQUAL TO 50% OF THE AMOUNT OF PROPERTY TAX IMPOSED ON THE ELIGIBLE ASSESSMENT OF THE QUALIFIED PROPERTY FOR EACH OF THE 5 TAXABLE YEARS FOLLOWING THE CALENDAR YEAR IN WHICH THE PROPERTY INITIALLY BECOMES QUALIFIED PROPERTY.

(III) THE GOVERNING BODY OF A COUNTY MAY INCREASE, BY LOCAL LAW, THE PERCENTAGE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(IV) THE GOVERNING BODY OF A MUNICIPAL CORPORATION MAY NOT ALTER THE PERCENTAGE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.".

#### AMENDMENT NO. 8

On page 16, after line 24, insert:

"The Charter of Baltimore City

# <u>Article II – General Powers</u>

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(62)

(L) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE AS PROVIDED FOR IN TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(62A)

(U) IN ADDITION TO THE POWERS IN THIS SECTION, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY USE THE AUTHORITY GRANTED TO A POLITICAL SUBDIVISION FOR TAX INCREMENT FINANCING IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE AS PROVIDED FOR IN TITLE 12,

# SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

SECTION 2. AND BE IT FURTHER ENACTED, That, before adopting regulations to implement the provisions of this Act, the Department of Business and Economic Development shall organize a group of interested parties, stakeholders, and experts in community development to provide advice on the regulations.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Comptroller shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the cost and impact of the tax incentive for depreciation under § 10–210.1(c) of the Tax – General Article.";

and in line 25, strike "2." and substitute "4.".

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0600/603427/2

BY: Senator Rosapepe

# AMENDMENTS TO SENATE BILL 600, AS AMENDED

#### AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0600/799634/1), in line 16 of Amendment No. 1, after "entity" insert "or its location".

On page 2 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 1, after "credit;" insert "authorizing a county and a municipal corporation, under certain circumstances, to propose the percentage to be used for the calculation and duration of a certain tax credit;".

#### AMENDMENT NO. 2

On page 5 of the Budget and Taxation Committee Amendments, in line 1 of Amendment No. 5, after "ENTITY" insert "AND ITS LOCATION".

#### AMENDMENT NO. 3

On page 14 of the Budget and Taxation Committee Amendments, in line 12 of Amendment No. 7, after "PARAGRAPH." insert:

"(6) IF THE QUALIFIED PROPERTY IS LOCATED IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE THAT A COUNTY, A MUNICIPAL CORPORATION, OR THE ECONOMIC DEVELOPMENT AGENCY OF A COUNTY OR MUNICIPAL CORPORATION JOINTLY APPLIED FOR UNDER § 5–1404 OF THE ECONOMIC DEVELOPMENT ARTICLE, THE COUNTY AND, IF THE QUALIFIED PROPERTY IS LOCATED IN A MUNICIPAL CORPORATION THAT WAS PART OF THE JOINT APPLICATION, THE MUNICIPAL CORPORATION MAY PROPOSE THE PERCENTAGE TO BE USED TO CALCULATE THE TAX CREDIT UNDER THIS SECTION AND THE DURATION OF THE TAX CREDIT."

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON FINANCE REPORT #19

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

Senate Bill 409 - Senators Raskin and Shank

AN ACT concerning

#### Health - Food Allergy Awareness

#### SB0409/207973/1

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 409

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 3, 7, and 10, in each instance, strike "food establishment" and substitute "<u>restaurant</u>"; in line 7, strike "requiring" and substitute "<u>authorizing a county to require</u>"; in line 11, after "a" insert "<u>certified</u>"; and in line 15, after

"resources;" insert "providing for the application of certain provisions of this Act; defining a certain term;".

# AMENDMENT NO. 2

On page 1, after line 24, insert:

- IN THIS SECTION, "RESTAURANT" "(A) (1) MEANS A FOOD **ESTABLISHMENT THAT:** 
  - **(I) ACCOMMODATES THE PUBLIC**;
- (II)IS EQUIPPED WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND
- (III) PROVIDES SEATING OR HAS ACCESS TO SHARED SEATING FOR USE OF ITS CUSTOMERS.
  - **(2)** "RESTAURANT" DOES NOT INCLUDE:
    - <u>(I)</u> A CONVENIENCE STORE;
    - (II)A GROCERY STORE; OR
    - (III) A SERVICE STATION.
- SUBSECTIONS (D) AND (E) OF THIS SECTION DO NOT APPLY TO A FOOD ESTABLISHMENT THAT IS A VENDOR AT:
- A CARNIVAL, AS DEFINED IN § 3-101 OF THE BUSINESS **(1)** REGULATION ARTICLE; OR
- A FAIR, AS DEFINED IN § 3-101 OF THE BUSINESS **(2)** REGULATION ARTICLE.".

On page 2, in lines 1, 9, 19, and 32, strike "(a)", "(B)", "(C)", and "(D)", respectively, and substitute "(C)", "(D)", "(E)", and "(F)", respectively; in lines 9, 19, and 27, in each instance, strike "FOOD ESTABLISHMENT" and substitute

"RESTAURANT"; and in line 15, strike "FOOD ESTABLISHMENT'S" and substitute "RESTAURANT'S".

#### AMENDMENT NO. 3

On page 2, in line 19, after "A" insert "COUNTY MAY REQUIRE THAT A"; in line 20, strike "SHALL"; in line 28, after "A" insert "CERTIFIED"; and in line 29, after "THE" insert "CERTIFIED".

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 490 – Senators Astle, Currie, Feldman, Hershey, Kittleman, Klausmeier, and Peters

AN ACT concerning

Limited Lines Insurance Licenses - Self-Service Storage Agents

#### SB0490/167078/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 490

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Agents" and substitute "Producers"; in lines 4, 9, 11, 12, 14, 18, and 20, in each instance, strike "agent" and substitute "producer"; in lines 4 and 6, in each instance, strike "or operator"; in line 5, strike "who meets" and substitute "and certain individuals who meet"; in line 6, after the semicolon, insert "prohibiting an owner from offering or selling certain insurance unless the owner holds a certain license and makes a certain designation;"; in line 17, strike "and"; in the same line, strike the semicolon and substitute ", and the producer advises an occupant of certain information and requires an occupant to take certain actions under certain circumstances;"; in lines 18 and 20, in each instance, strike "agents" and substitute "authorized representatives"; in line 19, after "matters" insert "under certain

circumstances"; in the same line, after the semicolon insert "establishing a certain responsibility of and requiring certain actions by designated responsible producers;"; in line 21, after "acts;" insert "authorizing the Commissioner to suspend, revoke, or renew a certain license under certain circumstances; 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; authorizing the Commissioner to adopt certain regulations;"; in line 23, strike "agents" and substitute "producers"; in line 26, strike "10–810" and substitute "10–812"; and in line 27, strike "Agents" and substitute "Producers".

#### AMENDMENT NO. 2

On page 2, in line 4, strike "AGENTS" and substitute "PRODUCERS"; after line 7, insert:

- "(B) "AUTHORIZED REPRESENTATIVE" MEANS AN INDEPENDENT CONTRACTOR OF AN OWNER OF A SELF-SERVICE STORAGE FACILITY.
- (C) "BUSINESS ENTITY" HAS THE MEANING STATED IN § 5–511 OF THIS ARTICLE.
- (D) "DESIGNATED RESPONSIBLE PRODUCER" MEANS AN INDIVIDUAL WHO:
  - (1) HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; AND
- (2) IS DESIGNATED BY THE OWNER AS RESPONSIBLE FOR THE OWNER'S COMPLIANCE WITH INSURANCE LAWS, RULES, AND REGULATIONS OF THE STATE.";
- in lines 8, 11, 13, and 24, in each instance, strike "(B)", "(C)", "(D)", and "(F)", respectively, and substitute "(E)", "(F)", "(G)", and "(H)", respectively; strike in their entirety lines 21 through 23, inclusive; and after line 27, insert:
  - "(I) "SELF-SERVICE STORAGE PRODUCER" MEANS:
- (1) AN OWNER OF A SELF-STORAGE FACILITY WHO HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; OR

#### (2) A DESIGNATED RESPONSIBLE PRODUCER.".

On page 3, in lines 2, 5, 21, 25, 27, and 30, in each instance, strike "AGENT" and substitute "PRODUCER"; in lines 2 and 14, in each instance, strike "OR OPERATOR"; in line 2, after "TO" insert ":

**(1)**";

in line 4, after "SUBTITLE" insert "; AND

#### (2) AN INDIVIDUAL WHO:

- (I) IS DESIGNATED BY THE OWNER AS RESPONSIBLE FOR THE OWNER'S COMPLIANCE WITH INSURANCE LAWS, RULES, AND REGULATIONS OF THE STATE; AND
  - (II) MEETS THE REQUIREMENTS OF THIS SUBTITLE";

after line 13, insert:

- "(C) AN OWNER OF A SELF-SERVICE STORAGE FACILITY MAY NOT OFFER OR SELL INSURANCE UNDER THIS SUBTITLE UNLESS THE OWNER, AS A BUSINESS ENTITY:
  - (1) HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; AND
  - (2) HAS A DESIGNATED RESPONSIBLE PRODUCER.";

in line 14, strike "(C)" and substitute "(D)"; and in line 18, strike "OR A SURPLUS LINES INSURER" and substitute "PROVIDED THAT THE OWNER DOES NOT ENGAGE IN THE SALE, SOLICITATION, OR NEGOTIATION OF INSURANCE ADVERTISED IN THE BROCHURES AND PROMOTIONAL MATERIALS".

#### AMENDMENT NO. 3

On page 4, in lines 1, 4, 8, 12, 16, 18, and 26, in each instance, strike "AGENT" and substitute "PRODUCER"; in line 23, after "BENEFITS," insert "DEDUCTIBLES,";

in line 26, strike "DUPLICATE" and substitute "PROVIDE COVERAGE THAT IS COMPARABLE TO"; after line 29, insert:

"(III) STATE WHETHER THE PURCHASE OF COVERAGE UNDER A POLICY OFFERED UNDER THIS SUBTITLE WOULD MAKE THE COVERAGE PRIMARY TO ANY OTHER COVERAGE, INCLUDING DUPLICATE COVERAGE;";

and in line 30, strike "(III)" and substitute "(IV)".

On pages 4 and 5, strike beginning with "IF" in line 30 on page 4 down through "2." in line 3 on page 5, and substitute "THE PURCHASE OF INSURANCE COVERAGE IS NOT REQUIRED AS A CONDITION OF RENTAL AT A SELF-SERVICE STORAGE FACILITY IF THE OCCUPANT".

On page 5, in line 4, strike "AND"; in line 5, strike "(IV)" and substitute "(V)"; in the same line, after the semicolon insert "AND

(VI) INCLUDE CONTACT INFORMATION FOR FILING A COMPLAINT WITH THE COMMISSIONER;";

in line 10, strike "AND"; strike beginning with the colon in line 11 down through "(I)" in line 12; and strike beginning with "OR" in line 13 down through "INSURER" in line 14 and substitute "AND

- (5) AS A CONDITION OF THE SALE OF INSURANCE, THE SELF–SERVICE STORAGE PRODUCER:
- (I) REQUIRES THE OCCUPANT TO EXECUTE A DOCUMENT ACKNOWLEDGING THE AMOUNT OF COVERAGE UNDER THE POLICY PURCHASED; AND
- (II) IF THE OCCUPANT HAS CONTENTS IN THE LEASED SPACE OF A VALUE GREATER THAN THE COVERAGE UNDER THE POLICY:
- A PROPERTY AND CASUALTY INSURANCE PRODUCER LICENSED UNDER

SUBTITLE 1 OF THIS TITLE TO OBTAIN ADDITIONAL COVERAGE TO REFLECT THE VALUE OF THE CONTENTS IN THE LEASED SPACE; AND

2. REQUIRES THE OCCUPANT TO ACKNOWLEDGE RECEIPT OF THE NOTICE UNDER ITEM 1 OF THIS ITEM".

#### AMENDMENT NO. 4

On page 5, in line 16, strike the first "AGENT" and substitute "AUTHORIZED REPRESENTATIVE"; in the same line, strike "STORAGE AGENT" and substitute "STORAGE PRODUCER"; in lines 18, 21, 22, 25, and 27, in each instance, strike "AGENT" and substitute "PRODUCER"; in line 19, after "SUBTITLE" insert "IF THE EMPLOYEE OR AUTHORIZED REPRESENTATIVE RECEIVES THE TRAINING UNDER § 10–808 OF THIS SUBTITLE"; in line 20, strike "AGENT" and substitute "AUTHORIZED REPRESENTATIVE"; after line 23, insert:

#### "(C) THE DESIGNATED RESPONSIBLE PRODUCER:

- (1) IS RESPONSIBLE FOR THE ACTS OF THE EMPLOYEES OR AUTHORIZED REPRESENTATIVES OF THE OWNER WHO OFFER OR SELL LIMITED LINES INSURANCE, AS AUTHORIZED UNDER THIS SUBTITLE, ON BEHALF OF THE OWNER;
- (2) SHALL USE REASONABLE MEANS TO ENSURE COMPLIANCE BY THE EMPLOYEES OR AUTHORIZED REPRESENTATIVES WITH THIS SUBTITLE;
- (3) SHALL MAINTAIN A REGISTER, ON A FORM THE COMMISSIONER REQUIRES, OF EACH EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF THE OWNER WHO OFFERS LIMITED LINES INSURANCE ON BEHALF OF THE OWNER; AND
- (4) SHALL SUBMIT THE REGISTER FOR INSPECTION BY THE COMMISSIONER WITHIN 30 DAYS AFTER RECEIVING A REQUEST BY THE COMMISSIONER FOR INSPECTION.";

in line 26, strike "AGENTS" and substitute "AUTHORIZED REPRESENTATIVES"; and after line 29, insert:

- "(1) INCLUDE GENERAL INFORMATION ABOUT HOMEOWNERS, RENTERS, BUSINESS, AND SIMILAR INSURANCE THAT AN OCCUPANT MAY HAVE THAT MAY PROVIDE COVERAGE FOR PROPERTY LOCATED IN A SELF-STORAGE FACILITY;
- (2) INCLUDE INFORMATION ABOUT THE MATERIAL TERMS OF INSURANCE COVERAGE OFFERED TO OCCUPANTS UNDER THIS SUBTITLE, INCLUDING THE PRICE, BENEFITS, DEDUCTIBLES, EXCLUSIONS, AND CONDITIONS OF THE INSURANCE;".

On page 6, in lines 1 and 3, strike "(1)" and "(2)", respectively, and substitute "(3)" and "(4)", respectively; in line 3, after "INCLUDE" insert "ANY OTHER"; strike beginning with "ABOUT" in line 3 down through "SUBTITLE" in line 4 and substitute "THE COMMISSIONER MAY REQUIRE"; in line 6, strike "AGENT" and substitute "PRODUCER"; and in the same line, strike "AGENTS" and substitute "AUTHORIZED REPRESENTATIVES".

On page 6, after line 13, insert:

- "(A) THE COMMISSIONER MAY SUSPEND, REVOKE, OR REFUSE TO RENEW A LIMITED LINES LICENSE ISSUED UNDER THIS SUBTITLE AFTER NOTICE AND OPPORTUNITY FOR A HEARING UNDER TITLE 2, SUBTITLE 2 OF THIS ARTICLE IF THE SELF-SERVICE STORAGE PRODUCER OR AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF THE SELF-SERVICE STORAGE PRODUCER WHO OFFERS OR SELLS LIMITED LINES INSURANCE ON BEHALF OF THE SELF-SERVICE STORAGE PRODUCER HAS:
- (1) WILLFULLY VIOLATED THIS ARTICLE OR ANOTHER LAW OF THE STATE THAT RELATES TO INSURANCE;
- (2) OPERATED WITHOUT A LIMITED LINES LICENSE AS REQUIRED UNDER THIS SUBTITLE;
- (3) FAILED TO PROVIDE THE DISCLOSURES REQUIRED UNDER § 10–806 OF THIS SUBTITLE;

- (4) OFFERED OR SOLD UNAPPROVED INSURANCE PRODUCTS;
- (5) FAILED TO TRAIN EMPLOYEES OR AUTHORIZED REPRESENTATIVES AS REQUIRED UNDER § 10–808 OF THIS SUBTITLE; OR
- (6) MISREPRESENTED PERTINENT FACTS OR POLICY PROVISIONS CONCERNING A POLICY FOR A SELF-SERVICE STORAGE FACILITY.
- (B) INSTEAD OF, OR IN ADDITION TO, SUSPENDING OR REVOKING A LIMITED LINES LICENSE ISSUED UNDER THIS SUBTITLE, THE COMMISSIONER MAY:
- (1) IMPOSE ON THE SELF-SERVICE STORAGE PRODUCER A
  PENALTY OF NOT MORE THAN \$2,500 FOR EACH VIOLATION OF THIS SUBTITLE;
  AND
- (2) REQUIRE THAT RESTITUTION BE MADE TO ANY PERSON WHO HAS SUFFERED FINANCIAL INJURY BECAUSE OF A VIOLATION OF THIS SUBTITLE.

# **10–811.**";

in line 16, strike "AGENT" and substitute "PRODUCER"; strike beginning with "A" in line 18 down through "IS" in line 20 and substitute "THE PAYMENT OF COMPENSATION BY THE SELF-SERVICE STORAGE PRODUCER TO AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE WHO OFFERS OR SELLS LIMITED LINES INSURANCE THAT IS INCIDENTAL TO THE EMPLOYEE'S OR AUTHORIZED REPRESENTATIVE'S OVERALL COMPENSATION AND"; and after line 20, insert:

# "**10**–**812**.

THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING REGULATIONS CONCERNING:

(1) THE FORM AND CONTENT OF REQUIRED DISCLOSURES TO CUSTOMERS;

- (2) THE TRAINING REQUIREMENTS FOR EMPLOYEES OR AUTHORIZED REPRESENTATIVES WHO OFFER OR SELL LIMITED LINES INSURANCE UNDER THIS SUBTITLE; AND
- (3) THE QUALIFICATIONS OF THE INDIVIDUALS WHO PROVIDE THE TRAINING REQUIRED UNDER § 10–808 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner:

- (1) shall keep track of complaints from consumers regarding the offering and sale of self—service storage insurance by self—service storage producers and employees and authorized representatives who offer and sell self—service storage insurance on behalf of an owner of a self—service storage facility, including:
  - (i) the number of complaints;
- (ii) a summary of the allegations contained in the complaints; and
  - (iii) the disposition of the complaints;
- (2) based on the complaints under paragraph (1) of this section and any other information the Commissioner determines necessary, shall determine whether and how self–service storage producers and employees and authorized representatives who offer and sell self–service storage insurance on behalf of an owner of a self–service storage facility should be compensated for offering and selling self–service storage insurance; and
- (3) on or before January 1, 2017, shall report the Commissioner's findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.";

and in line 21, strike "2." and substitute "3.".

The preceding 4 amendments were read only.

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

# The motion was adopted.

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

Senate Bill 646 – Senators Middleton, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Hershey, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

State Health Plan - Licensed Hospice Programs - Certificate of Need Review

#### SB0646/997478/1

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 646

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "requiring that, beginning on a certain date, the State health plan methodologies, standards, and criteria for licensed hospice certificate of need review shall use certain data from certain years to calculate a certain volume threshold;"; and in line 8, after "need;" insert "requiring the Commission, in collaboration with the Hospice and Palliative Care Network, to incorporate in a certain methodology recognition that hospice utilization may be influenced by a certain demographic makeup; providing for the use of certain race and ethnicity data in a certain methodology;".

#### AMENDMENT NO. 2

On page 2, in line 7, after "(3)" insert "(I) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, BEGINNING DECEMBER 31, 2014, THE PLAN METHODOLOGIES, STANDARDS, AND CRITERIA FOR LICENSED HOSPICE CERTIFICATE OF NEED REVIEW SHALL USE DATA FROM THE 5 MOST RECENT YEARS BEGINNING WITH THE MOST RECENT DATA AVAILABLE 6 MONTHS PRIOR

TO THE DATE USED TO CALCULATE THE VOLUME THRESHOLD IN THE TARGET YEAR.

(II)";

and after line 12, insert:

"(4) (I) When projecting need for additional hospice capacity, the Commission, in collaboration with the Hospice and Palliative Care Network, shall incorporate in the methodology used recognition that hospice utilization may be influenced by the demographic makeup of a jurisdiction.

(II) THE METHODOLOGY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL USE RACE AND ETHNICITY UTILIZATION DATA, INCLUDING AVERAGE LENGTH OF STAY IN A HOSPICE PROGRAM, FROM THE MOST RECENT STUDIES AS A DATA SOURCE WHEN PROJECTING NEED FOR ADDITIONAL HOSPICE CAPACITY IN THE TARGET YEAR.".

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 661 – Senators Pugh, Jones-Rodwell, and Muse

AN ACT concerning

Economic Development – Equity Participation Investment Program – Small Businesses

SB0661/367172/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 661

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line strike "and Muse" and substitute "<u>Muse</u>, <u>Middleton</u>, <u>Astle</u>, <u>Brinkley</u>, <u>Feldman</u>, <u>Glassman</u>, <u>Kelley</u>, <u>Kittleman</u>, <u>Klausmeier</u>, <u>Mathias</u>, <u>and Ramirez</u>"; strike beginning with "altering" in line 4 down through "terms;" in line 11 and substitute "<u>repealing the definitions of "franchise" and "technology—based business"</u>; 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 after line 17, insert:

"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)".

#### AMENDMENT NO. 2

On page 3, after line 6, insert:

"(H) "SMALL BUSINESS" MEANS A BUSINESS THAT IS CLASSIFIED AS A SMALL BUSINESS UNDER THE U.S. SMALL BUSINESS ADMINISTRATION SIZE STANDARDS.";

strike beginning with the bracket in line 22 down through the second comma in line 23 and substitute "<u>SMALL BUSINESSES</u>"; and after line 32, insert:

"5–551.

There is an Equity Participation Investment Program in the Department.

5-552.

The Authority shall administer the Program.".

On page 4, after line 10, insert:

"<u>5–554.</u>

There is an Equity Participation Investment Program Fund.";

strike beginning with the bracket in line 16 down through the first comma in line 17 and substitute "SMALL BUSINESS"; and in the same line, strike "] SMALL".

#### AMENDMENT NO. 3

On page 5, strike beginning with the bracket in line 5 down through "1." in line 7; strike beginning with "for" in line 7 down through "\$2,000,000" in line 14; strike beginning with the bracket in line 19 down through "(i)" in line 20; and strike beginning with "in" in line 20 down through "YEARS" in line 24.

The preceding 3 amendments were read and adopted.

<u>Favorable report</u>, 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 999 - Senator Pugh

AN ACT concerning

Insurance - Reinsurance - Certification of Reinsurers

#### SB0999/177679/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 999

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 6 down through "time," in line 7 and substitute "requiring the Commissioner"; in line 8, strike "when" and

substitute "<u>in</u>"; strike beginning with "jurisdictions" in line 9 down through "Maryland" in line 11 and substitute "<u>qualified jurisdictions in the State under certain circumstances</u>"; in line 14, strike "and (b)(1)"; and in line 19, after "Section" insert "5–909(b)(1) and (2) and".

#### AMENDMENT NO. 2

On page 2, in line 5, after "of" insert "<u>CONDITIONALLY QUALIFIED AND</u>"; and after line 7, insert:

- "(2) In determining whether a jurisdiction is a qualified jurisdiction, the Commissioner shall consider the National Association of Insurance Commissioners list OF CONDITIONALLY QUALIFIED AND QUALIFIED JURISDICTIONS:
- (i) when the jurisdiction has been evaluated for inclusion on the list; and
  - (ii) whenever the list is amended.".

#### AMENDMENT NO. 3

On pages 2 and 3, strike beginning with "That" in line 31 on page 2 down through "ENACTED," in line 5 on page 3.

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 688 – Senators Raskin, Conway, Feldman, Ferguson, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, and Rosapepe Rosapepe, and Forehand

AN ACT concerning

Fair Employment Preservation Act of 2014

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

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for March 14, 2014.

The motion was adopted.

# **QUORUM CALL**

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

(See Roll Call No. 549)

# **ADJOURNMENT**

At 11:57 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 11, 2014, Calendar Day, Friday, March 14, 2014.

# Annapolis, Maryland Legislative Day: March 11, 2014 Calendar Day: Friday, March 14, 2014 10:00 A.M. Session

The Senate met at 10:06 A.M.

Prayer by Deacon Henry Middleton, St. Mary's Catholic Church, guest and brother of Senator Middleton.

(See Exhibit A of Appendix III)

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

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

#### **QUORUM CALL**

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

(See Roll Call No. 551)

# **Tribute to Senator Nancy Jacobs**

By Senator Barry Glassman

Mr. President, Members of the Senate, there's a Harford County History Book, <u>Our Harford Heritage</u>. There's a chapter in there that talks about Harford County women and there's a line that says, "Harford County women were hard workers of strong faith". When I was going over my remarks I thought that was a fitting description of my good friend Nancy Jacobs. Nancy is finishing up a twenty—year legislative career. She was first elected to the House of Delegates in 1994 where she served on the House Judiciary Committee as a member of the Criminal Justice Subcommittee. In 1995 she was named Freshman Minority Whip and in 1997 she was appointed Deputy Minority Whip. Senator Jacobs was elected to the Maryland State Senate in 1998 and serves on the Senate Judicial Proceedings Committee. Before being elected as Senate Minority Leader in 2011 she was elected Minority Whip in 2008. Nancy was the first woman elected as the Minority Leader in the Maryland State Senate. I think that speaks well for her.

Just a couple of tidbits I picked up also. On the minority side we have these cheat sheets. They're nice to have. They have second reader votes and third reader votes and we kind of know what's coming down the pike. Nancy was the originator of that system in her leadership role. I know on this side of the aisle we are very thankful for that. She served on several different boards and commissions. I counted up to seventy—five. I'm not going to read them all. Before she served on JPR she served on Economic and Environmental Affairs Committee, 1999 to 2001. She also was the Senate Chair for the Harford County delegation from 1999 to 2008 and the Senate Chair of the Cecil County delegation in 2003. In her work in the House she was named Minority Deputy Whip 1997—1999. She served on the Judiciary Committee from 1995—1999. She has been recognized as one of Maryland's top women by The Daily Record in 1998, 2009, 2014.

Now Mr. President you'll like this. I think it's one of your favorite songs. Barbara Mandrel wrote a country song back in the 1990's. It was for George Jones and it was "I Was Country When Country Wasn't Cool." Remember that Mr. President? Well when I speak at some of the high schools I like to say that Nancy Jacobs was conservative when conservative wasn't cool. Nowadays in the Minority Party everyone likes to "out conservative" each other. Nancy Jacobs was conservative when conservative wasn't cool. She broke the mold, at least in Harford County and began the trend throughout the state. And whether you agree or not and we have a right to disagree in the Senate. But as a member of the minority party she always stood firm. And as a woman as we all know sometimes there was a double standard. It's okay for a guy to be real tough and push back, stand up for what you believe. Sometimes when a woman does it she's called a lot of other things. But Nancy always did that with grace. She stood upright, stood for what she believed and really broke the mold for a lot of young conservatives, particularly women in this state. I think she should be recognized for that. She will go down as one of the top, I believe, Republican leaders in the state of Maryland. She should be remembered for that. Finally one of last things Senator Hooper said to me and she was very close to Senator Hooper. I got to see him the Sunday before he passed. He said "Barry, don't stay down there too long that you don't get to travel and enjoy your family before it's too late." And the other thing she said, "Keep an eye on Jake." And that's what he called her "Jake", "while you're down there." I'm sure that he's smiling today.

But beyond her many legislative accomplishments, her true success, and you see it on her flyer, her true success is that of a wife, a mother, a grandmother. All of which she rightly enjoys. She deserves to enjoy that success as she steps away from her legislative career. So on behalf of the people of Harford County and Cecil County and the state of Maryland we thank her for her sacrifices over the years and say good luck, enjoy your family, God Bless.

# MESSAGE FROM THE HOUSE OF DELEGATES FIRST READING OF HOUSE BILLS

House Bill 137 – Montgomery County Delegation

# Montgomery County <u>and St. Mary's County</u> – Alcoholic Beverages – Beauty Salon License MC 9–14

FOR the purpose of establishing in Montgomery County and St. Mary's County a beauty salon beer and wine license; requiring that, in Montgomery County, a recipient of the license be a holder of a beauty salon permit; requiring that, in St. Mary's County, a recipient of the license be a holder of a beauty salon permit and an operator of a beauty salon in a certain jurisdiction; authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain cosmetology service is provided or a certain fundraising event is held; prohibiting the license from being transferred to another location; specifying the hours that the license privilege may be exercised; specifying an annual license fee; providing that an establishment for which the license is issued is subject to certain alcohol awareness training requirements; and generally relating to alcoholic beverages licenses in Montgomery County and St. Mary's County.

# BY adding to

Article 2B – Alcoholic Beverages Section 8–216.5 <u>and 8–219.1</u> Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

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

House Bill 187 – Delegates Braveboy, B. Robinson, Glenn, Anderson, Barkley, Barnes, Bobo, Branch, Burns, Cane, Cardin, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frick, Frush, Gaines, Gilchrist, Gutierrez, Hammen, Harper, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan-Pulliam, Niemann, Oaks, Olszewski, Pena-Melnyk, Proctor, S. Robinson, Rosenberg, Simmons, Stein, Stukes, Summers, Swain, Tarrant, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and Zucker Zucker, and Fraser-Hidalgo

#### Labor and Employment - Maryland Wage and Hour Law - Payment of Wages

FOR the purpose of specifying the amount of the State minimum wage rate that is in effect for certain time periods; requiring the Commissioner of Labor and Industry to set the rate in a certain manner on or after a certain date or under certain circumstances; requiring that the Commissioner publish the rate in the Maryland Register on or before a certain date each year; 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; repealing the exemption certain exemptions from a certain provision of law related to the payment of overtime wages for certain employers; 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 eredit 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; authorizing an employee, under certain circumstances, to bring an action against the employer for certain damages, fees, and costs; requiring a court, under certain circumstances, to make a certain award to an employee; 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; 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,  $\frac{3-415}{3}$  3–415(b), 3–419,  $\frac{3-420}{3}$  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.

#### House Bill 189 - Delegates Serafini, Dwyer, George, Glass, and Schuh

AN ACT concerning

# Maryland Occupational Safety and Health Act – Chemical Information List – Submission to Department of the Environment – Repeal Submission, Maintenance, and Accessibility

FOR the purpose of repealing obsolete language regarding the maintenance of and access to certain chemical information lists submitted to the Department of the Environment; repealing the requirement that employers, under certain circumstances, submit a certain chemical list to the Department requiring certain employers that cease to operate as a business or to take certain actions related to hazardous chemicals to submit a certain chemical information list to the Department; requiring the Department to keep the chemical information list for a certain period of time; requiring an employer or, under certain circumstances, the Department, to provide access to information on a certain chemical information list to certain individuals under certain circumstances; recodifying and revising certain provisions of law concerning access to certain chemical information lists; repealing the requirement that the Department take certain actions regarding the chemical lists that are submitted to the Department; and generally relating to the chemical information list employers are required to keep under the Maryland Occupational Safety and Health Act.

#### BY repealing

Article – Environment

Section 6–501 through 6–504 and the subtitle "Subtitle 5. Public Access to Information on Hazardous or Toxic Chemicals"

Annotated Code of Maryland (2013 Replacement Volume)

#### BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 5–405 and 5–407

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

#### BY repealing

Article – Labor and Employment

Section 5–406 and 5–408(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

#### House Bill 219 - Delegates Jameson, Love, and Minnick

AN ACT concerning

## Workers' Compensation – Workers' Compensation Commission – Issuance of Subpoenas

FOR the purpose of requiring the Workers' Compensation Commission to authorize the issuance of issue certain subpoenas under certain circumstances; authorizing the Commission to assess certain costs and fees against a certain party under certain circumstances; making a stylistic change; and generally relating to the Workers' Compensation Commission and subpoenas.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 9–311 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

## House Bill 270 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

#### **General Provisions Article**

FOR the purpose of adding a new article to the Annotated Code of Maryland, to be designated and known as the "General Provisions Article", to revise, restate, and recodify the laws of the State relating to rules of interpretation, including definitions, interpretation of Code provisions, time, the age of majority, boundaries of counties, and citation of revised articles; revising, restating, and recodifying the laws of the State relating to the form and administration of official oaths, the Open Meetings Act, the Public Information Act, the Maryland Public Ethics Law, acquisition of land by the United States, jurisdiction of the State and United States over certain land, the State seal, the State flag, State emblems and designations, and commemorative days and months; repealing certain obsolete provisions; making certain conforming changes; transferring certain obsolete provisions to the Session Laws; defining certain terms; providing for the construction and application of this Act; providing for the continuity of certain units and terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interest, licenses, registrations, certifications, and permits; authorizing the publisher of the Annotated Code to make certain corrections in a certain manner; and generally relating to the revision, restatement, and recodification of certain general provisions of law.

Article 1 – Rules of Interpretation

Section 2A, 3, 5 through 18, and 20 through 34 and the subheading "In General"; 35 though 37 and the subheading "Time"; and the article designation "Article 1 – Rules of Interpretation"

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY repealing

Article - State Government

Section 10–501, 10–502, 10–502.1, 10–502.2, 10–502.3, 10–502.4, 10–502.5, 10-502.6, 10-502.7, 10-503 through 10-507, 10-507.1, and 10-508 through 10-512 and the subtitle "Subtitle 5. Meetings"; 10-601 and 10-602 and the part "Part I. Definition; General Provision"; 10-611 through 10-628 and 10-630 and the part "Part III. Access to Public Records": 13-101 through 13-105 and the subtitle "Subtitle 1. State Seal"; 13–201 through 13–206 and the subtitle "Subtitle 2. Flags"; 13–301 through 13-321 and the subtitle "Subtitle 3. Additional Emblems; Designations"; 13-401 through 13-412 and the subtitle "Subtitle 4. Commemorative Days"; 13–501 through 13–505 and the subtitle "Subtitle 5. Commemorative Months" and the title "Title 13. Emblems; Commemorative Days"; 14–101 through 14–105 and the subtitle "Subtitle 1. General Provisions": 14–201 and 14–202 and the subtitle "Subtitle 2. Reversions" and the title "Title 14. United States"; 15-101 through 15-105 and the subtitle "Subtitle 1. Findings; Definitions; General Provisions": 15-201 through 15-210 and the subtitle "Subtitle 2. State Ethics Commission"; 15–301 through 15–304 and the subtitle "Subtitle 3. Advisory Opinions"; 15–401 through 15–409 and the subtitle "Subtitle 4. Procedures for Complaint of Violation of Title"; 15-501 through 15-508 and the part "Part I. General Provisions"; 15-510 through 15-521 and the part "Part II. Special Legislative Provisions": 15-523 and the part "Part III. Specific Governmental Entities" and the subtitle "Subtitle 5. Conflicts of Interest"; 15-601 through 15-611 and the subtitle "Subtitle 6. Financial Disclosure": 15–701 through 15–715 and the subtitle "Subtitle 7. Lobbying"; 15-801 through 15-808 and the part "Part I. Public Ethics Laws for Counties and Municipal Corporations"; 15-811 through 15-815 and the part "Part II. Local Boards of Education"; 15–818 through 15–826 and the part "Part III. Public Ethics for Bicounty Commissions"; 15-829 through 15-835 and the part "Part IV. Regional District - Special Provisions for Prince George's County"; 15-838 through 15-841 and the part "Part V. Regional District - Special Provisions for Montgomery County": 15-844 and 15-845 and the part "Part VI. Montgomery and Prince George's Counties – Special Provisions for Lobbying Disclosure"; 15-848 through 15-850 and the part "Part VII. Howard County - Special Provisions"; 15–853 through 15–858 and the part "Part VIII. Frederick County - Special Provisions" and the subtitle "Subtitle 8. Local Government Provision"; 15-901 through 15-904 and the subtitle "Subtitle 9. Enforcement": 15-1001 and the subtitle "Subtitle 10. Short Title" and the title "Title 15. Public Ethics"; and 16–101 through 16–108 and the title "Title 16. Official Oaths"

Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY adding

New Article – General Provisions Section 1–101 through 7–505, inclusive, and the various titles Annotated Code of Maryland

BY repealing and reenacting, with amendments, and transferring to the Session Laws Article 1 – Rules of Interpretation

Section 1, 2, and 4

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 272 – Delegates Reznik, Costa, Donoghue, <del>and Krebs</del> <u>Krebs, and</u> Bromwell

AN ACT concerning

## Health Occupations – Licensed Podiatrists – Scope of Practice <u>and Hospital</u> Privileges

FOR the purpose of altering the definition of "practice podiatry" to include the surgical treatment of acute ankle fracture in the scope of practice of licensed podiatrists; 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; and generally relating to licensed podiatrists.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–351(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 16-101

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 16–103
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 304 – Delegate Reznik

AN ACT concerning

## State Acupuncture Board and State Board of Dietetic Practice – Action and Penalties for Violations of Practice Acts <u>and Supervisory Authority of Acupuncturists</u>

FOR the purpose of authorizing the State Acupuncture Board to impose a penalty, not exceeding a certain amount, if the Board finds that there are grounds to take certain disciplinary actions against a licensee; providing that the penalty may be imposed instead of or in addition to taking the disciplinary actions; requiring the Board to adopt regulations to set standards for the imposition of the penalties and pay any money collected from the imposition of penalties into the General Fund of the State; authorizing the State Acupuncture Board and the State Board of Dietetic Practice to issue cease and desist orders or obtain injunctive relief for violations of certain provisions of law; authorizing a certain acupuncturist to provide supervision to an individual performing auricular detoxification, if the individual is licensed to practice clinical professional counseling; authorizing an action to be maintained in the name of the State or the State Board of Dietetic Practice to enjoin the unauthorized practice of dietetics or conduct that is a ground for certain disciplinary action; authorizing the action to be brought by certain persons; requiring the action to be brought in certain locations; providing that certain damage is not required for the action; providing that the action is in addition to and not instead of certain criminal prosecution or disciplinary action; 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 State Acupuncture Board or the State Board of Dietetic Practice in accordance with certain regulations; requiring the State Acupuncture Board and the State Board of Dietetic Practice to pay certain penalties into the Acupuncture Board Fund and the State Board of Dietetic Practice Fund correcting an obsolete cross-reference; and generally relating to the State Acupuncture Board and the State Board of Dietetic Practice and action and penalties for violations of the Maryland Acupuncture Act and the Maryland Licensed Dietitian-Nutritionists Act.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1A-101(a) and (d), 1A-401, 1A-402, 5-101(a) and (b), 5-401, and 5-402

Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health Occupations Section 1A–310.1, 1A–314.1, 5–404, and 5–405 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1A-316(a)(1)(i), 1A-403, and 5-403
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 589 – Delegates Pena-Melnyk, Costa, Cullison, Hubbard, Morhaim, Nathan-Pulliam, and V. Turner

AN ACT concerning

## Governor's Office of Crime Control and Prevention – State Corrections <u>Juvenile Charged as Adult</u> Population Forecast and Juvenile Population <u>Statistics</u>

FOR the purpose of requiring the Governor's Office of Crime Control and Prevention to report a certain State corrections population forecast and certain juvenile population statistics the Juvenile Charged as Adult Population Forecast to the Governor and General Assembly annually on or before a certain date; requiring the Office to consider the certain juvenile population statistics when calculating the forecast; providing for the termination of this Act; 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 generally relating to reporting the State corrections population forecast and juvenile population statistics Juvenile Charged as Adult Population Forecast.

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

House Bill 603 – Delegates Jameson, Bates, Guzzone, Hixson, Impallaria, W. Miller, Schulz, and Vaughn

#### Limited Lines Insurance Licenses - Self-Service Storage Agents Producers

FOR the purpose of requiring the Maryland Insurance Commissioner to issue a limited lines license as a self-service storage agent producer to an owner er <del>operator</del> of a self-service storage facility who meets and certain individuals who meet certain requirements; providing for the scope of the license; prohibiting an owner from offering or selling certain insurance unless the owner holds a certain license and makes a certain designation; providing that an owner exoperator is not required to be licensed under certain circumstances; requiring an applicant for a license to file a certain application with the Commissioner; providing that a self-service storage agent producer is not required to have a separate license for each self-service storage facility where insurance is offered or sold; requiring a self-service storage agent producer to provide certain notice to the Commissioner under certain circumstances; providing that a self-service storage agent producer is not required to meet certain continuing education requirements; prohibiting a self-service storage agent producer from offering or selling insurance unless the agent producer makes certain brochures or other written materials available to prospective occupants, certain costs related to the insurance are stated in writing, certain evidence of coverage is provided to occupants, and the insurance is provided by certain entities; and the producer advises an occupant of certain information and requires an occupant to take certain actions under certain circumstances; authorizing employees or agents authorized representatives of a self-service storage agent producer to act in a certain manner regarding certain matters under certain circumstances; establishing a certain responsibility of and requiring certain actions by designated responsible producers; requiring each self-service storage agent producer to provide a certain training program for employees and agents authorized representatives; establishing certain prohibited acts; authorizing the Commissioner to suspend, revoke, or renew a certain license under certain circumstances; 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: authorizing the Commissioner to adopt certain regulations; providing for the construction of this Act; defining certain terms; and generally relating to licensing of self-service storage <del>agents</del> producers.

BY adding to

Article – Insurance

Section 10–801 through 10–810 10–812 to be under the new subtitle "Subtitle 8.

Self-Service Storage Agents Producers"

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 629 – Chair, Health and Government Operations Committee (By Request – Departmental – General Services)

AN ACT concerning

## Environmentally Preferable Procurement – Maryland Green Purchasing Committee

FOR the purpose of altering the membership of the Maryland Green Purchasing Committee; requiring the Committee to develop and publish specifications for adoption by State units that will enable implementation of environmentally preferable purchasing; requiring State units to adopt certain environmentally preferable purchasing specifications; altering the requirement for the reporting of recycled content materials by State units; defining a certain term; altering a certain definition; making technical changes; repealing obsolete provisions; and generally relating to the procurement and use of environmentally preferable products and practices.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–405 and 14–410
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 642 – Delegates Hough, Waldstreicher, Anderson, Carter, Clippinger, Cluster, Conaway, Mitchell, and Parrott

AN ACT concerning

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

FOR the purpose of expanding the Swift and Certain Sanctions Pilot Program to include Baltimore City and individuals under mandatory supervision; extending the termination date for the program; and generally relating to the Swift and Certain Sanctions Pilot Program.

BY repealing and reenacting, with amendments, Chapter 555 of the Acts of the General Assembly of 2011 Section 1 and 2

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

House Bill 779 – Delegate Hammen

AN ACT concerning

## Maryland Health Care Commission – Health Care Provider–Carrier Workgroup

FOR the purpose of requiring the Maryland Health Care Commission to establish a Health Care Provider—Carrier Workgroup; establishing the purpose, composition, staffing, and frequency of meetings of the Workgroup; prohibiting a Workgroup member from receiving certain compensation or reimbursement; requiring Commission staff to solicit and select issues for consideration by the Workgroup; requiring Commission staff to provide certain assistance to the Workgroup and to submit a certain report, on or before certain dates, to the Commission and certain committees of the General Assembly; and generally relating to the Maryland Health Care Commission and the Health Care Provider—Carrier Workgroup.

#### BY adding to

Article – Health – General Section 19–108.3 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

House Bill 801 – Delegates Lee, Carr, Conway, Cullison, Glenn, Gutierrez, Hough, Howard, A. Kelly, Krebs, McComas, Rudolph, Sophocleus, Stocksdale, Szeliga, and Valentino-Smith

AN ACT concerning

## Commission on Maryland Cybersecurity Innovation and Excellence – Membership, <u>Duties</u>, and Termination Date

FOR the purpose of altering the membership of the Commission on Maryland Cybersecurity Innovation and Excellence; requiring the Commission to submit a certain report to the Governor and the General Assembly on or before a certain date each year; requiring that, to the extent practicable, certain members of the Commission reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; altering which members cochair the Commission; requiring the Commission to 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 date by the which the Commission must submit a certain report to the Governor and the General Assembly; repealing altering the termination date of the Commission; making conforming changes; and generally relating to the Commission on Maryland Cybersecurity Innovation and Excellence.

BY repealing and reenacting, with amendments,

Article – State Government Section 9–2901 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Chapter 250 of the Acts of the General Assembly of 2011 Section 2

BY repealing and reenacting, with amendments,

Chapter 251 of the Acts of the General Assembly of 2011 Section 2

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

House Bill 806 – Delegates Lee, Carr, Conway, Cullison, Glenn, Gutierrez, A. Kelly, McComas, McDonough, Rudolph, and Stukes

AN ACT concerning

#### Health Information Exchanges - Protected Health Information - Regulations

FOR the purpose of requiring certain regulations for protected health information obtained or released through a certain health information exchange to govern the access, use maintenance, disclosure, and redisclosure of protected health information as required by State or federal law; and generally relating to health information exchanges and regulations for protected health information.

BY repealing and reenacting, with amendments,

Article – Health – General Section 4–302.2 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

## House Bill 821 – Chair, Appropriations 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 Budget and Taxation.

## House Bill 924 – Delegates Arora, Barkley, Barnes, Braveboy, Glenn, Hucker, and Kramer

AN ACT concerning

## Consumer Protection – Monitoring Consumer Behavior and Shopping Habits – Required Notice

FOR the purpose of prohibiting a merchant from using a wireless Internet signal or a cellular phone to monitor the behavior or shopping habits of a certain consumer unless the merchant displays, at each entrance to the merchant's business premises, a certain notice in a certain manner; 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 merchants and the use of technology to monitor consumer behavior or shopping habits.

#### BY adding to

Article – Commercial Law Section 14–1324 Annotated Code of Maryland (2013 Replacement Volume)

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

#### House Bill 961 - Delegates Hough and Cluster

AN ACT concerning

#### State Correctional Officers' Bill of Rights - Hearing Board - Membership

FOR the purpose of altering the membership of a hearing board under the State Correctional Officers' Bill of Rights to require that at least one member be of the same rank as the correctional officer against whom a certain complaint is filed; and generally relating to the membership of a hearing board under the State Correctional Officers' Bill of Rights.

BY repealing and reenacting, with amendments, Article – Correctional Services Section 10–909(c)(1) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3-107(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

## House Bill 969 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

#### General Provisions - Cross-References and Corrections

FOR the purpose of correcting certain cross—references to the General Provisions Article in the Annotated Code of Maryland; correcting certain errors relating to the General Provisions Article; providing that certain powers of certain local governments shall be deemed to incorporate and include certain power and authority contained in certain provisions of the General Provisions Article; and generally relating to the General Provisions Article and cross—references and corrections.

#### BY renumbering

Article – State Government

Section 10–605, 10–606, 10–607, 10–608, 10–632, 10–634, 10–639, 10–640, 10–641, and 10–642, respectively

to be Section 10–602, 10–603, 10–604, 10–605, 10–609, 10–611, 10–616, 10–617, 10–618, and 10–619, respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7–101(a)(3), 15–112(d)(15), 15–201(b)(2)(ii), and 15–205(i)(4)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2-102(e)(1) and 2-503(a)(4)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 12–304(d)(3), 12.5–303(d)(3), and 17–1011(b)(5)(iii)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–207(a), 2–309(j)(5)(vi)3., 5–106(i), 5–110, 6–410(a), and 8–105(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 3-708(a)(3)(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–407(a)(2), 10–814(a)(2), 11–408(a)(2), and 11–509(a)(2)

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

 $Section \ 3-304(c), \ 3-3A-06(b)(1), \ 3-5A-05(c), \ 3-5B-04(b), \ 3-704(c), \ 3-12A-05(c), \ 3-6B-04(b), \ 3-704(c), \ 3-12A-05(c), \ 3-12$ 

 $5-302(a)(4)(i) \quad \text{ and } \quad (f)(1), \quad 12-104(j)(1), \quad 12-113(c)(2), \quad 13-305(c),$ 

14-104(d)(2), 14-110(c)(2), 14-404(c)(1), 15-104(b)(6), and 24-207(b)(3)(i)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Election Law

Section 3–204(h)(3), 5–304(d)(3)(i), and 13–501 through 13–504

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 7-406(k) and 7-702(f)(1)

Annotated Code of Maryland

(2013 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - Family Law

Section 2–402(c)(2), 4–528(a), 4–706(a) and (b), 4–707(a)(2), 5–203(b), and 5–4B–06(c)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–114(a)(3), 2–117(b)(1), 5–909(b)(1), 8–307(c) and (d)(1), 8–309(a)(2), 11-620(a) and (d), 11-622(a), 12-408.1(a) and (d), 12-430.1(a)(1), and 12-922(e)(2)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 5–406(c)

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 4–217(f), 4–304(c)(2)(i), 5–708(a) and (b), 5–709(a), 13–2003(c), 15-103(b)(27)(ix), 15-147, 17-604(a), 20-108(b)(2)(ii), and 24-504(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–411(c)(1) and 19–205(5)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 9–304(b), 12–309(a)(1), and 16–306(c)(2)

Annotated Code of Maryland

(2006 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–465(f) and 11–304(b)

Annotated Code of Maryland

(2007 Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2-209(g)(2)(ii), 4-401(f)(1), 4-405(a)(2)(ii), 10-118(i)(2)(ii), 11-603(c)(3)(ii), 14-106(f)(2), 14-133(e)(2)(iii), 15-1902(c)(3)(ii)1, 19-112(e), 19-211(b)(1), 20-201(d)(3)(ii), 27-501(h)(4), 27-802(b), 31-103(a), and 31-104(d)(1) and (n) Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 3–906(g) and 10–104(b)(2)(i) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use Section 15–104(c)(1) and 16–205(b)(2) Annotated Code of Maryland (2012 Volume and 2013 Supplement)

BY adding to

Article – Local Government Section 5–218 and 10–103 Annotated Code of Maryland (2013 Volume)

BY repealing and reenacting, with amendments,

Article – Local Government Section 9–405(b), 20–103(a)(1), 20–604(e)(1), and 29–108(d)(2) Annotated Code of Maryland (2013 Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 4–205(l)(2), 8–704.1(b)(4), and 8–1915(a)(3) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities Section 12–101(h)(1), 18–205(c)(4), and 19–101 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 14–126.1(g)(1)
Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 2–201(a), 5–703(c), 7–229(i), 7–230(h), 10A–201(b)(1)(v), 10A–203(b)(1)(i), 10A–204(b), 11–201(c), 13–202(a)(2), and 13–223(b)(1)(ii)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - State Government

Section 2–709(c)(2), 2–1224(f), 9–20B–07(d), and 10–117(a)(2)(i); 10–604 to be under the amended part "Part I. Forms Management"; 10–631 and 10–633 to be under the amended part "Part II. Records Management"; 10–637 and 10–638 to be under the amended part "Part III. Disposition of Records and Other Materials"; and 10–903(b), 10–905(c)(2)(ii), and 18–114(a) and (d)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–208(c), 3–2A–08(c), 3–501(e), 5–214, 5–310(b)(2) and (3), and 5–314

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1-201(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 1-303(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 5–201.1(c)(1), 6–201.1(b)(1), 12-111(b)(1), 12-112(a) and (d)(1) and (5)(ii), 12-113(a)(1) and (4), and 12-302(b)(2)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

The Charter of Baltimore City Article II – General Powers Section (68) (2007 Replacement Volume, as amended)

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

## House Bill 977 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

# Maryland-National Capital Park and Planning Commission Park Police – Workers' Compensation – Lyme Disease Presumption – Repeal of Termination Date PG/MC 110-14

FOR the purpose of repealing the termination date of certain provisions of law relating to an occupational disease presumption under the workers' compensation law for Maryland–National Capital Park and Planning Commission park police officers who contract Lyme disease under certain circumstances; and generally relating to the occupational disease presumption for Lyme disease under the workers' compensation law.

BY repealing and reenacting, with amendments, Chapter 98 of the Acts of the General Assembly of 2008 Section 2

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

## House Bill 999 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

#### Code Revision - Miscellaneous Provisions

FOR the purpose of revising, without substantive changes, certain provisions of the Annotated Code of Maryland in order to effectuate the purposes of the Code Revision process; repealing as obsolete provisions of law relating to the time allowed for clerks of court and registers of wills to complete unfinished business on retirement; revising, without substantive change, certain provisions relating to operation of certain stores by mining companies, the DNA Technology Fund, the State Aid for Police Protection Fund, open meetings of State boards and commissions, and certain State—issued licenses and sanctions for certain drug crimes; specifying that this Act may not be deemed to constitute a substantive

change in the law; specifying that certain catchlines, captions, and notes are not law and may not be considered to have been enacted as part of this Act; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct certain cross—references and terminology and to follow a certain procedure; and generally relating to the formal revision of the Annotated Code of Maryland.

#### BY repealing

Article 23 – Miscellaneous Companies

Section 235 and the subheading "Railroad Companies" and the heading "III.

Particular Classes of Corporations"; and the article designation "Article 23 – Miscellaneous Companies"

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY repealing

Article 41 – Governor – Executive and Administrative Departments

Section 1–205 and the subtitle "Subtitle 2. Units, Boards, and Commission"; 1–501 through 1–507 and the subtitle "Subtitle 5. Licensing – Controlled Dangerous Substance Offenses" and the title "Title 1. General Provisions; 4–301 and the subtitle "Subtitle 3. DNA Technology Fund"; 4–401 through 4–406 and the subtitle "Subtitle 4. State Aid for Police Protection Fund" and the title "Title 4. Law Enforcement, Public Safety, and Correctional Services"; and the article designation "Article 41 – Governor – Executive and Administrative Departments"

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

#### BY repealing

Article 36 – Fees of Officers

Section 8 and 9 and the subheading "Execution for Fees"; and the article designation "Article 36 – Fees of Officers"

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Business Regulation

Section 19–801 to be under the new subtitle "Subtitle 8. Mining Companies"

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Public Safety

Section 4–401 through 4–404 to be under the new subtitle "Subtitle 4. DNA Technology Fund"; and 4–501 through 4–509 to be under the new subtitle "Subtitle 5. State Aid for Police Protection Fund" and the amended title "Title 4. Law Enforcement Funds and Grant Programs"

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

BY adding to

Article – State Government

Section 8–505; and 10–1401 through 10–1407 to be under the new subtitle "Subtitle 14. Licensing – Controlled Dangerous Substance Offenses"

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 1022 - Prince George's County Delegation

AN ACT concerning

# Prince George's County - Board of License Commissioners - Membership Howard County and Prince George's County - Alcoholic Beverages Membership and Compensation of Boards PG 309-14

FOR the purpose of expanding the membership of the Board of License Commissioners of Prince George's County; requiring the Governor to appoint a certain number of commissioners from certain political parties; requiring the Governor to appoint at least a certain number of commissioners from each legislative district in the county; requiring certain central committees to designate each commissioner serving on a certain date as an eligible candidate, with a certain exception; providing for staggered terms of office; requiring that not more than a certain number of appointees belong to the same political party; providing that the compensation for the Howard County Appointed Alcoholic Beverage Hearing Board shall be the amount set by the Howard County Council; authorizing certain central committees to submit lists of eligible candidates for commissioner to the Governor on or after a certain date; providing for the effective dates of this Act; making certain stylistic changes; and generally relating to the Board of License Commissioners of Prince George's County and the Howard County Appointed Alcoholic Beverage Hearing Board.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 15–101(r) and 15–107.1(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 1029 – <del>Delegate Murphy</del> <u>Delegates Murphy</u>, <u>Bromwell, Elliott, Kipke, Krebs, McDonough, Nathan-Pulliam, Ready, and V. Turner</u>

AN ACT concerning

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

FOR the purpose of providing that the Maryland Pharmacy Act does not apply to a person who <u>only</u> dispenses certain prescription devices, certain durable medical equipment, or certain other medical devices and supplies; and generally relating to the exclusion of dispensers of devices and equipment from the Maryland Pharmacy Act.

#### 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 (i)

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 1082 - Delegates Jameson, Love, Minnick, and Schuh

AN ACT concerning

## Title Insurers – Statutory or Unearned Premium Reserve for Escrow Losses Reserves

FOR the purpose of altering the formula in accordance with which a title insurer domiciled in the State shall reduce the reserves applicable to certain contracts of title insurance for purposes of a certain statutory or unearned premium reserve; altering the percent of the total amount of certain risk premiums for title insurance contracts that must be assigned originally to certain reserves; altering the date on, and the method by which, a title insurer must calculate and recalculate a certain reserve; requiring that a certain sum of certain excess reserves be assigned immediately to a certain statutory reserve for escrow losses; requiring a title insurer domiciled in the State to maintain a certain statutory reserve or unearned premium reserve for escrow losses of at least a certain amount computed in a certain manner; altering the circumstances under

which certain unearned premium reserves may be released; requiring that certain unearned premium reserves be retained for the protection of policyholders; authorizing, if a certain title insurer becomes insolvent or is in the process of liquidation or dissolution, the use of a certain amount of certain assets for a certain purpose and the transfer of a certain balance to certain assets; providing that certain assets shall be available to pay claims for certain losses under certain circumstances and that the balance of the claims shall be paid out of certain assets under certain circumstances; providing that the unearned premium reserve shall constitute a trust fund for certain purposes under certain circumstances; providing that the amount of unearned premium reserve for escrow losses does not limit the amount of liability of a domestic title insurer; altering a certain provision of law relating to a certain certification a title insurer is required to file with its annual report; defining a certain term; making stylistic and conforming changes a clarifying change; repealing certain obsolete provisions of law: providing that certain provisions of this Act apply retroactively to certain title insurance contracts; providing for a delayed effective date for certain provisions of this Act; and generally relating to statutory or unearned premium reserves of title insurers.

BY repealing and reenacting, with amendments,

Article – Insurance Section 5–206 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 5–206
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 1086 – Delegates McMillan, Costa, Elliott, A. Kelly, Krebs, Murphy, Oaks, Pena–Melnyk, and Stocksdale

AN ACT concerning

#### State Aid – Business Transparency and Financial Disclosure Act

FOR the purpose of requiring certain corporations that receive certain State subsidies of at least a certain amount to file a certain annual disclosure report with the granting body that provides the subsidy; requiring the disclosure report to contain certain information; requiring the disclosure report to be provided on or before a certain date; requiring a granting body to publish the disclosure report

on its Web site on or before a certain date; defining certain terms; and generally relating to the filing of certain disclosure reports.

#### BY adding to

Article – State Finance and Procurement Section 7–407 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

House Bill 1159 – Delegates Vitale, Eckardt, Haddaway-Riccio, Hogan, and O'Donnell O'Donnell, Aumann, Barkley, Braveboy, Burns, Clagett, Davis, Glenn, Hucker, Impallaria, Jameson, Love, McHale, Minnick, W. Miller, Mitchell, Olszewski, Rudolph, Schuh, Schulz, Stifler, and Vaughn

#### AN ACT concerning

#### Cigarettes - County Retail License Holder - Prohibited Sales

FOR the purpose of prohibiting a person who holds a certain county license to sell cigarettes at retail from selling certain herbal incense or potpourri that includes a noncontrolled substance with a chemical structure that is substantially similar to the chemical structure of a controlled dangerous substance; authorizing the Comptroller to take certain disciplinary actions against certain license holders for a violation of this Act; establishing certain criminal penalties for a violation of this Act; authorizing certain employees of the Field Enforcement Bureau of the Comptroller's Office to enforce certain provisions of this Act; and generally relating to prohibited sales by county retail cigarette license holders.

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 16–306 and 16–309 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Business Regulation Section 16–308.1 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

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

#### House Bill 1207 – Delegate Simmons

#### AN ACT concerning

#### Department of Labor, Licensing, and Regulation - Youth Apprenticeship Advisory Committee

FOR the purpose of establishing the Youth Apprenticeship Advisory Committee in the Division of Labor and Industry; providing for the composition and duties of the Committee; requiring the Committee to submit a certain report to the General Assembly on or before a certain date each year; defining a certain term; and generally relating to the Youth Apprenticeship Advisory Committee.

#### BY adding to

Article – Labor and Employment Section 11–409 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 1238 – Delegates Costa and Hammen, Hammen, Pendergrass, Bromwell, Cullison, Donoghue, Elliott, Hubbard, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

#### **Developmental Disabilities Administration - Payment of Providers**

FOR the purpose of repealing, effective as of a certain date, certain provisions of law requiring the Developmental Disabilities Administration to develop and implement a certain funding system for the distribution of State funds to certain providers to provide certain community-based services; requiring the Administration to conduct a certain study, develop and implement a certain plan, develop a certain strategy, provide for certain payments, develop a certain billing and payment system, establish a certain payment schedule, and consult with certain stakeholders; requiring the Administration to adopt certain regulations; requiring the Department of Health and Mental Hygiene to submit a certain report to certain committees of the General Assembly; prohibiting the Department of Health and Mental Hygiene from proposing certain regulations until after a certain comment period; requiring the Secretary of Health and Mental Hygiene to provide certain notice to the Department of Legislative Services within a certain time frame; and generally relating to the Developmental Disabilities Administration and a funding system for providers of community-based services.

Article – Health – General Section 7–306.1 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health – General Section 7–306.2 Annotated Code of Maryland (2009 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 1243 – Delegate Hucker

AN ACT concerning

## Corporations and Associations – Maryland Securities Act – Registration and Filing Exemptions

FOR the purpose of exempting a certain security issued by a certain business entity to an individual purchaser who is a resident an entity formed, organized, or existing under the laws of the State from certain registration and filing requirements under certain circumstances; requiring the Division of Securities within the Office of the Attorney General to develop for the public a document containing certain information regarding crowdfunding and publish the document on the Web site of the Division on or before a certain date requiring a person required to submit a filing in accordance with a certain exemption to pay a certain fee for each filing; and generally relating to the Maryland Securities Act and registration and filing exemptions.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 11–101(a), (d), (k), (m), (p), and (r), 11–205, and 11–501

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section <u>11–506 and</u> 11–601(15) and (16)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Corporations and Associations Section 11–601(16) Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement)

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

House Bill 1282 – Delegates Schulz, Afzali, Aumann, Bates, Beitzel, Bromwell, Clagett, DeBoy, Elliott, Frank, George, Hogan, Hough, Kipke, McComas, McDermott, Myers, Olszewski, Pena-Melnyk, Serafini, Stocksdale, and Szeliga Szeliga, A. Kelly, Krebs, Nathan-Pulliam, Ready, and Tarrant

AN ACT concerning

### Public Health - Drug Overdose Deaths - <del>State and</del> Local Fatality Review Teams

FOR the purpose of establishing the State Drug Overdose Fatality Review Team in the Department of Health and Mental Hygiene; providing for the composition, appointment of members, staff, chair, and meetings of the State Team; providing that a member of the State Team may not receive certain compensation, but is entitled to certain reimbursement for expenses: establishing the purpose and duties of the State Team; requiring the State Team to provide the Governor, the public, and the General Assembly with a certain annual report: establishing certain confidentiality and disclosure requirements for members and staff of the State Team and for information provided to the State Team; providing that certain compilations of data and certain reports are public information; establishing authorizing the establishment of a certain local drug overdose fatality review teams in certain counties team in each county; authorizing the establishment of a certain multicounty local team; providing for the composition, appointment of certain members, chair, and meetings of a local team; establishing the purpose and duties of a local team; requiring under certain circumstances that a local team be provided with access to certain information and records; requiring a health care provider to disclose a medical record to the State Team or a local team under certain circumstances, subject to certain additional limitations for certain records; establishing that meetings of the State Team or of a local team are closed to the public under certain circumstances; requiring meetings of the State Team or of a local team to be open to the public under certain circumstances, with certain exceptions for certain information; establishing certain confidentiality and disclosure requirements for certain information and records acquired by the State Team or by a local team; establishing that certain mental health records and substance abuse treatment records are subject to certain additional limitations on disclosure; establishing that certain substance abuse treatment records are subject to certain additional limitations on disclosure or redisclosure; establishing that certain information, documents, or records are not subject to subpoena, discovery, or introduction into evidence in a civil or criminal proceeding with a certain exception; establishing certain immunity from civil liability for certain actions as a member of or participant in

the function of the State Team or a local team; establishing a certain civil penalty and certain criminal penalties for certain violations; defining <u>a</u> certain terms term; and generally relating to drug overdose fatality review teams.

#### BY adding to

Article - Courts and Judicial Proceedings

Section 5–637.2

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

#### BY repealing and reenacting, with amendments,

Article – Health – General

Section 4-306(b)(9) and (10)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Health - General

Section 4–306(b)(11); and 5–901 through <u>5–910</u> <u>5–906</u> to be under the new subtitle "Subtitle 9. Drug Overdose Fatality Review Teams"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 1295 – Delegates Carter, Glenn, B. Robinson, and Stukes

#### AN ACT concerning

#### Juvenile Law - Transfer of Cases to Juvenile Court

FOR the purpose of repealing a provision of law that prohibits a court exercising criminal jurisdiction in a case involving a child to transfer the case to the juvenile court under certain circumstances; making certain conforming changes; and generally relating to juvenile law and the transfer of cases to the juvenile court.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 4–202, 4–202.1, and 4–202.2

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

#### House Bill 1476 – Delegate Jones

#### EMERGENCY BILL

AN ACT concerning

#### Maryland Consolidated Capital Bond Loan of 2008 – Baltimore County – The Emmart–Pierpoint Safe House

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose for which a certain grant may be used; changing the name of a certain grantee; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 707 of the Acts of the General Assembly of 2009 Section 1(3) Item ZA00(U)

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

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #53

Senate Bill 364 – Senators Zirkin and Kittleman

AN ACT concerning

#### Criminal Law - Possession of Marijuana - Civil Offense

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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

AN ACT concerning

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

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

Affirmative -37 Negative -5 (See Roll Call No. 552)

The Bill was then sent to the House of Delegates.

Senate Bill 480 – <del>Senator Klausmeier</del> <u>Senators Klausmeier, Currie,</u> <u>Middleton, Montgomery, Feldman, Glassman, Kelley, Kittleman, Mathias, and Pugh</u>

#### EMERGENCY BILL

AN ACT concerning

Injured Workers' Insurance Fund Employees – Registration as Registered Lobbyists

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

Affirmative – 45 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the House of Delegates.

Senate Bill 601 – Senators Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

Business and Economic Development – Maryland E–Nnovation Initiative Program

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

Affirmative – 45 Negative – 0 (See Roll Call No. 554)

The Bill was then sent to the House of Delegates.

Senate Bill 604 – Senators Manno, Astle, Benson, Brinkley, Colburn, Currie, DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jennings, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Mathias, McFadden, Middleton, Miller, Peters, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin

AN ACT concerning

## Income Tax Forms – Graphical Representation of General Fund Expenditures

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

Affirmative – 44 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the House of Delegates.

Senate Bill 785 – Senators Currie, Benson, Colburn, Conway, DeGrange, Dyson, Edwards, Ferguson, Forehand, Getty, Jones-Rodwell, King, Klausmeier, Madaleno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Robey, Rosapepe, Stone, and Young Young, Pinsky, and Simonaire

AN ACT concerning

Higher Education – 2+2 Transfer Scholarship

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

Affirmative – 45 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the House of Delegates.

Senate Bill 827 – Senator Pugh

AN ACT concerning

Criminal Law - Possession of Dangerous or Wild Animals

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

Affirmative – 45 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the House of Delegates.

Senate Bill 960 - Senator Ferguson

AN ACT concerning

Environment - Cox Creek Citizens Oversight Committee - Composition

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

Affirmative -45 Negative -0 (See Roll Call No. 559)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 560)

The Bill was then sent to the House of Delegates.

Senate Bill 993 – Senators Brinkley and Young

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 561)

The Bill was then sent to the House of Delegates.

## THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #31

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

Senate Bill 52 - Senator Benson

AN ACT concerning

Task Force to Study Services and Resources Provided by the Department of Veterans Affairs

#### SB0052/974836/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO SENATE BILL 52

(First Reading File Bill)

On page 2, in line 11, after "services" insert ", including access to a kinesiotherapist,"; in line 14, after "regarding" insert ":

(i)";

in lines 17, 19, and 21, strike "(i)", "(ii)", and "(iii)", respectively, and substitute "<u>1.</u>", "<u>2.</u>", and "<u>3.</u>", respectively; and in line 22, after "Affairs" insert "<u>: and</u>

(ii) whether the licensure of kinesiotherapists in Maryland would benefit veterans residing in the State and, if so, how licensure should be effectuated".

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

#### AN ACT concerning

#### State Government - Open Data Policy - Council on Open Data

#### SB0644/554839/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 644

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 15, strike "and"; in the same line, after "data" insert ", advocating for certain practices, and making certain recommendations on the purchasing of certain data processing devices, systems, or software"; strike beginning with "requiring" in line 16 down through "date;" in line 17; strike beginning with "requiring" in line 19 down through "date;" in line 20; and in line 21, strike "providing for the application of certain provisions of this Act;".

On page 2, strike in their entirety lines 1 through 5, inclusive.

#### AMENDMENT NO. 2

On page 4, in line 2, strike "OR"; and in line 4, after "ENTITY" insert "; OR

## (V) <u>DISCLOSE PROPRIETARY OR CONFIDENTIAL</u> <u>INFORMATION</u>".

#### AMENDMENT NO. 3

On page 5, after line 22, insert:

#### "(25) THE STATE ARCHIVIST;";

and in line 23, strike "(25)" and substitute "(26)".

On page 6, in line 1, strike "(26)" and substitute "(27)"; strike in their entirety lines 3 and 4.

On page 7, in line 3, strike "2" and substitute "4".

#### AMENDMENT NO. 4

On page 8, in line 25, strike "AND"; and in line 27, after "COST" insert ";

## (6) ADVOCATING FOR SOUND RECORDS MANAGEMENT AND DATA PRESERVATION PRACTICES; AND

(7) MAKING RECOMMENDATIONS TO ENSURE THAT THE PURCHASE OF NEW DATA PROCESSING DEVICES, SYSTEMS, AND SOFTWARE BY THE STATE INCLUDES A REVIEW OF COMPLIANCE WITH THE OPEN DATA POLICY ESTABLISHED UNDER § 10–1402 OF THIS SUBTITLE AND INTEROPERABILITY WITH CURRENT TECHNOLOGY USED BY THE STATE".

#### AMENDMENT NO. 5

On pages 8 and 9, strike in their entirety the lines beginning with line 28 on page 8 through line 2 on page 9, inclusive.

On page 9, in line 3, strike "(C)" and substitute "(B)"; strike in their entirety lines 8 through 14, inclusive; in line 17, strike "§ 10–1402(b)(28) and (29)" and substitute "§ 10–1403(b)(28) and (29)"; in the same line, after "Article" insert ", as enacted by Section 1 of this Act,"; in lines 19 and 22, in each instance, strike "§ 10–1402(b)(28)" and substitute "§ 10–1403(b)(28)"; in lines 20 and 23, in each instance, strike "§ 10–1402(b)(29)" and substitute "§ 10–1403(b)(29)"; in line 21, strike "2016" and substitute "2018"; strike in their entirety lines 25 through 32, inclusive; and in line 33, strike "4." and substitute "3.".

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 931 – Senator Conway

AN ACT concerning

State Board of Elections - Appointment of General Counsel

#### SB0931/304831/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO SENATE BILL 931

(First Reading File Bill)

On page 1, in line 2, strike "Appointment of General Counsel" and substitute "Provision of Professional Legal Assistance"; and strike beginning with the second "the" in line 3 down through "duties" in line 6 and substitute ", subject to a certain condition, the Attorney General shall provide professional legal assistance to the State Board of Elections; providing that, if the State Administrator of Elections makes a certain determination, the State Administrator, on confirmation by majority vote of the State Board, may retain the services of independent legal counsel to provide professional assistance to the State Board and the State Administrator".

On page 2, strike in their entirety lines 2 through 10, inclusive, and substitute:

- "(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE ATTORNEY
  GENERAL SHALL PROVIDE PROFESSIONAL LEGAL ASSISTANCE TO THE STATE
  BOARD IN THE PERFORMANCE OF THE DUTIES OF THE STATE BOARD.
- (B) IF THE STATE ADMINISTRATOR, AFTER CONSULTATION WITH THE STATE BOARD, DETERMINES THAT BECAUSE OF A CONFLICT THE ATTORNEY GENERAL MAY NOT PROVIDE PROFESSIONAL LEGAL ASSISTANCE TO THE STATE BOARD OR THE STATE ADMINISTRATOR ON A MATTER, THE STATE ADMINISTRATOR, ON CONFIRMATION BY MAJORITY VOTE OF THE STATE BOARD, MAY RETAIN THE SERVICES OF INDEPENDENT LEGAL COUNSEL TO PROVIDE PROFESSIONAL ASSISTANCE TO THE STATE BOARD AND THE STATE ADMINISTRATOR."

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 #32

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

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

AN ACT concerning

Commission on Accessibility Concepts in Computer Science, Information Systems, and Information Technology Programs in Higher Education

#### SB0446/224539/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 446

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Commission on" and substitute "<u>Department of Disabilities – Study of</u>"; strike beginning with "establishing" in line 4 down through "Commission" in line 9 and substitute "<u>requiring the Department of Disabilities</u>, in cooperation with the National Federation of the Blind,"; in line 10, strike "certain matters" and substitute "<u>accessibility concepts in computer science</u>, information systems, and information technology programs in higher education"; in the same line, strike "Commission" and substitute "<u>Department</u>"; and strike beginning with "Commission" in line 14 down through "Education" in line 15 and substitute "<u>study of accessibility concepts in computer science</u>, information systems, and information technology programs in higher education".

#### AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 18 on page 1 through line 7 on page 3, inclusive, and substitute:

- "(a) The Department of Disabilities, in cooperation with the National Federation of the Blind, shall study accessibility concepts in computer science, information systems, and information technology programs in higher education.
- (b) As part of the study, the Department shall convene a workgroup that consists of:

- (1) provosts, Chief Information Officers, and faculty members in computer science, information systems, and information technology programs in higher education from:
  - (i) the University System of Maryland;
  - (ii) Morgan State University;
  - (iii) St. Mary's College of Maryland;
  - (iv) private nonprofit institutions of higher education in the

#### State; and

- (v) community colleges; and
- (2) members who are:
  - (i) <u>accessibility experts;</u>
  - (ii) web developers; and
- (iii) any other individuals with knowledge that would benefit the Department in its study.".

On page 3, in lines 8 and 28, strike "(f)" and "(g)", respectively, and substitute "(c)" and "(d)", respectively; strike beginning with "Web" in line 8 down through "disabilities" in line 9 and substitute "accessibility" means fully and equally accessible to and independently usable by individuals with disabilities so that the individuals are able to acquire the same information, engage in the same interactions, and enjoy the same services as users without disabilities, with substantially equivalent ease of use"; in lines 10, 23, 25, 27, and 28, in each instance, strike "Commission" and substitute "Department"; in lines 12, 14, and 20, in each instance, strike "Web"; in lines 12, 14, and 21, in each instance, after "accessibility" insert "to information technologies".

On page 4, in line 3, strike "Commission" and substitute "Department".

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 648 – Senator Conway

AN ACT concerning

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

#### SB0648/754339/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 648

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 9 down through "license;" in line 12; in line 13, after "Board" insert ", within a certain time period,"; strike beginning with "altering" in line 14 down through "valid;" in line 15 and substitute "requiring the Board to provide for the term of an executor license, rather than specifying the term in a certain provision of law; providing that the term of an executor license may not exceed a certain number of months;"; strike beginning with "and" in line 25 down through "owner" in line 26; and strike beginning with "requiring" in line 30 down through "property;" in line 31 and substitute "requiring a licensed pre-need trustee, within a certain time period, to identify to the Board and the licensed executor certain pre-need bank trust money; requiring the licensed pre-need trustee to make a certain claim against a certain estate; requiring the licensed executor to transfer certain money to the abandoned property office in the Office of the Comptroller;".

# AMENDMENT NO. 2

On page 2, in line 32, strike the brackets; and in the same line, strike "14".

On page 3, in line 2, after the semicolon insert "AND"; in line 4, strike "(IV)" and substitute "(3)"; in the same line, strike "THE" and substitute "WITHIN 14 DAYS AFTER THE DEATH OF THE LICENSED MORTICIAN, FUNERAL DIRECTOR, OR

SURVIVING SPOUSE, SUBMITS TO THE BOARD THE"; in line 7, strike "(3)" and substitute "(4)"; in line 8, after "(1)" insert "(1)"; in the same line, after "subtitle," insert "THE BOARD SHALL PROVIDE FOR THE TERM OF AN EXECUTOR LICENSE.

# $(II) \quad \underline{THE \, TERM \, OF}";$

strike beginning with "is" in line 9 down through the bracket in line 10 and substitute "MAY NOT BE MORE THAN 12 MONTHS"; in line 12, strike "PROVIDED" and substitute "IF"; in line 14, after "IDENTIFIED" insert "AND HAS ENTERED INTO A SALES CONTRACT"; in line 15, strike "OR"; and in line 19, after "ESTABLISHMENT" insert "; OR

# (III) THE BOARD DETERMINES THAT A RENEWAL IS NEEDED DUE TO UNFORESEEN CIRCUMSTANCES".

On page 4, in lines 18, 24, and 26, in each instance, after "OWNER" insert "AND SOLE LICENSEE"; strike in their entirety lines 19 through 23, inclusive; in line 24, strike "(C)" and substitute "(B)"; in line 28, after "ESTABLISHMENT;" insert "AND"; and strike in their entirety lines 29 and 30.

On page 5, in line 1, strike "(3)" and substitute "(2)"; in line 2, after "OWNER" insert "AND SOLE LICENSEE"; in line 4, strike "(D)" and substitute "(C)"; in line 4, strike "30" and substitute "90"; strike in their entirety lines 14 through 18, inclusive; after line 18, insert:

- "(D) (1) WITHIN 90 DAYS AFTER THE DEATH OF A SINGLE OWNER AND SOLE LICENSEE OF A FUNERAL ESTABLISHMENT, THE PRE-NEED TRUSTEE LICENSED UNDER § 7–308.2 OF THIS SUBTITLE SHALL IDENTIFY TO THE BOARD AND THE EXECUTOR LICENSED UNDER § 7–308.1 OF THIS SUBTITLE ALL PRE-NEED BANK TRUST MONEY THAT HAVE BEEN DEPOSITED UNDER THE FEDERAL IDENTIFICATION NUMBER OF THE FUNERAL ESTABLISHMENT OR THE SOCIAL SECURITY NUMBER OF THE DECEASED SINGLE OWNER AND SOLE LICENSEE, INSTEAD OF THE SOCIAL SECURITY NUMBER OF THE BENEFICIARY OR BUYER OF THE PRE-NEED CONTRACT.
- (2) The pre-need trustee licensed under § 7–308.2 of this subtitle shall make a claim against the estate of the deceased

SINGLE OWNER AND SOLE LICENSEE OF THE ESTABLISHMENT WHICH THE LICENSEE PREVIOUSLY OWNED FOR THE MONEY IDENTIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE EXECUTOR LICENSED UNDER § 7–308.1 OF THIS SUBTITLE SHALL TRANSFER ALL MONEY IDENTIFIED IN PARAGRAPH (1) OF THIS SUBSECTION TO THE ABANDONED PROPERTY OFFICE IN THE OFFICE OF THE COMPTROLLER IN THE PROPER NAME OF THE BENEFICIARY OR BUYER OF THE PRE–NEED CONTRACT.";

in line 19, strike "**45**" and substitute "**90**"; in line 27, strike "**60**" and substitute "**90**"; in line 31, strike "**THE DATE OF BIRTH AND DATE OF DEATH OF**" and substitute "**A** COPY OF THE FILED DEATH CERTIFICATE FOR"; and in line 32, after "DECEDENT;" insert "AND".

On page 6, strike beginning with the semicolon in line 1 down through "DECEDENT" in line 4.

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 #33

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

House Bill 511 – Delegate Davis (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Foresters - Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #34

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

# Senate Bill 300 – Montgomery County Senators

AN ACT concerning

Montgomery County – Proportion of Food and Alcoholic Beverages Sales – Class B Licenses and Class B-BWL (H-M) Licenses

#### SB0300/664330/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO SENATE BILL 300

(First Reading File Bill)

On page 1, in line 7, strike "future".

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 305 – Montgomery County Senators

AN ACT concerning

# Montgomery County - Alcoholic Beverages - Beer Sales and Delivery to Retail Dealers

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 309 – Montgomery County Senators

AN ACT concerning

# Montgomery County - Archery Hunting - Safety Zone

#### SB0309/794137/1

BY: Education, Health, and Environmental Affairs Committee

# <u>AMENDMENT TO SENATE BILL 309</u>

(First Reading File Bill)

On page 2, in line 1, strike the brackets; in the same line, strike the comma; in line 2, strike "OR MONTGOMERY COUNTY,"; and in line 5, after "County" insert "OR MONTGOMERY COUNTY".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

# Senate Bill 966 - Senators Dyson and Middleton

AN ACT concerning

Calvert County, Charles County, and St. Mary's County - Deer Hunting

#### SB0966/744038/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO SENATE BILL 966

(First Reading File Bill)

On page 1, in line 13, after "interval;" insert "prohibiting the Department from authorizing an individual in certain counties to hunt deer on Sundays under a Deer Management Permit;".

On page 3, after line 9, insert:

# "(4) THE DEPARTMENT MAY NOT AUTHORIZE AN INDIVIDUAL IN CALVERT COUNTY, CHARLES COUNTY, OR ST. MARY'S COUNTY TO HUNT DEER ON SUNDAYS UNDER A DEER MANAGEMENT PERMIT.".

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 1108 - Senators Conway and Dyson

AN ACT concerning

Sterile Compounding Permits – Exemptions – Sterile Compounding Facilities
That Compound Only for Immediate Use

### SB1108/744033/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 1108

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Exemptions —" and substitute "<u>Definition of "Compounding" and Exemption for</u>"; in line 4, after the first "of" insert "<u>altering the definition of "compounding" for purposes of provisions of law governing sterile compounding to exclude certain acts performed by or under the supervision of certain individuals and in accordance with certain directions;"; in line 9, after the first "a" insert "<u>licensed health care practitioner who performs sterile compounding in a</u>"; in line 10, strike "appropriate" and substitute "<u>respective</u>"; in line 11, strike "defining a certain term;"; in the same line, strike "exemptions from the"; and in line 12, strike "permit requirement" and substitute "permits".</u>

#### AMENDMENT NO. 2

On page 1, in line 15, after "Section" insert "12–4A–01 and"; and after line 20, insert:

"<u>12–4A–01.</u>

- (a) In this subtitle the following words have the meanings indicated.
- (b) (1) "Compounding" means the preparation, mixing, assembling, packaging, or labeling of a drug only:
- [(1)] (I) As the result of a practitioner's prescription drug order or initiative based on the practitioner/patient relationship in the course of professional practice;
- [(2)] (II) For the purpose of, or incidental to, research, teaching, or chemical analysis and not for the sale or dispensing of the drug or device; or
- [(3)] (III) In anticipation of a prescription drug order based on routine, regularly observed prescribing patterns.
- (2) "COMPOUNDING" DOES NOT INCLUDE MIXING,
  RECONSTITUTING, OR OTHER ACTS PERFORMED:
- (I) BY, OR UNDER THE SUPERVISION OF, AN ONCOLOGIST OR A HEMATOLOGIST WHO ADMINISTERS CHEMOTHERAPY, BIOLOGIC THERAPY, SUPPORTIVE CARE MEDICATION, OR ANY OTHER THERAPY IN THE TREATMENT OF CANCER OR A BLOOD CONDITION; AND

# (II) IN ACCORDANCE WITH:

- 1. <u>DIRECTIONS CONTAINED IN APPROVED LABELING</u>
  PROVIDED BY THE PRODUCT'S MANUFACTURER; AND
- 2. OTHER MANUFACTURER DIRECTIONS CONSISTENT WITH THE LABELING.
- (c) "Designee" means a public agency or private entity approved by the Board to conduct inspections of sterile compounding facilities or entities that prepare sterile drug products.

- (d) "Sterile compounding" means compounding of biologics, diagnostics, drugs, nutrients, and radiopharmaceuticals that, under USP 797, must be prepared using aseptic techniques.
- (e) <u>"Sterile compounding facility" means a pharmacy, a health care practitioner's office, or any other setting in which sterile compounding is performed.</u>
  - (f) "Sterile drug product" means a drug product that:
    - (1) Must be prepared using aseptic techniques; and
- (2) <u>Is not required to be prepared in response to a patient specific prescription.</u>
- (g) <u>"USP 797" means the standards set forth in the United States Pharmacopeia, General Chapter 797, "Pharmaceutical Compounding Sterile Preparations"."</u>

On page 2, strike beginning with "(1)" in line 3 down through "LABELING." in line 11; in lines 12 and 27, in each instance, strike "(2)" and substitute "(1)"; and in line 26, strike "(3)" and substitute "(2)".

On page 3, in lines 1 and 5, strike "(4)" and "(5)", respectively, and substitute "(3)" and "(4)", respectively; in line 6, strike "(2)" and substitute "(1)"; in line 7, after "797," insert "THE LICENSED HEALTH CARE PRACTITIONER WHO PERFORMS STERILE COMPOUNDING IN"; and in line 8, strike "APPROPRIATE" and substitute "RESPECTIVE".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB1108/983720/1

BY: Senator Conway

AMENDMENTS TO SENATE BILL 1108, AS AMENDED
(First Reading File Bill)

### AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB1108/744033/1), in line 2 of Amendment No. 1, strike "and Exemption for"; in line 6, strike "licensed health care practitioner who performs sterile compounding in a"; in line 7, strike "respective"; and in line 9, strike "permits".

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 2, strike "and".

On page 1 of the bill, strike beginning with "Sterile" in line 2 down through "Use" in line 3; strike beginning with "authorizing" in line 4 down through "board;" in line 10; and in line 15, strike "12–4A–02".

# AMENDMENT NO. 2

On pages 1 through 5 of the bill, strike beginning with line 21 on page 1 through line 17 on page 5, inclusive.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in lines 11 and 12 of Amendment No. 2, strike "(1)" and "(2)", respectively; in line 14, strike "(3)"; in the same line, strike "(4)"; in the same line, strike "(1)"; strike beginning with "THE" in line 15 down through "IN" in line 16; and in line 17, strike "RESPECTIVE".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

### THE COMMITTEE ON FINANCE REPORT #20

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

Senate Bill 432 – Senators Pugh, Benson, Conway, Feldman, Jones-Rodwell, Middleton, Montgomery, and Stone

AN ACT concerning

Department of Health and Mental Hygiene – Database of Direct Access Employees – Establishment

#### SB0432/817272/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 432

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 2, after "Hygiene –" insert "Plan for Creation and Implementation of a"; in line 3, strike "– Establishment"; and strike beginning with "establish" in line 5 down through "terms" in line 18 and substitute "develop a plan, with the input of stakeholders, for the creation and implementation of a database in the Department of certain direct access employees for a certain purpose; requiring the Department to examine certain matters in developing the plan; requiring the Department to submit the plan to certain legislative committees on or before the date; defining certain terms".

On pages 1 and 2, strike in the their entirety the lines beginning with line 20 on page 1 through line 2 on page 2, inclusive.

# AMENDMENT NO. 2

On page 2, in line 4, strike "the Laws of Maryland read as follows".

On pages 2 through 4, strike in their entirety the lines beginning with line 5 on page 2 through line 9 on page 4, inclusive, and substitute:

- "(a) (1) In this section, the following words have the meanings indicated.
- (2) "Adult dependent care program" has the meaning stated in § 19–1901 of the Health General Article.
  - (3) "Direct access employee" means an individual who:
- (i) for compensation, works for an adult care dependent care program; and
- (ii) <u>has routine direct access to dependent adults in the adult</u> dependent care program.

- (b) (1) The Department of Health and Mental Hygiene shall develop a plan, with the input of stakeholders, for the creation and implementation of a database in the Department of direct access employees to enable adult dependent care programs to obtain the employment history of individuals seeking or holding a position as a direct access employee.
- (2) <u>In developing the plan under this subsection, the Department shall</u> address:
- (i) the technology needed to establish the database, including a cost estimate for the development of the technology;
- (ii) the procedures for how employers would input information into the database and obtain employment history from the database for individuals seeking employment, including procedures for maintaining the security of information input into or obtained from the database;
- (iii) the costs associated with creating and maintaining the database, including the number of Department employees this will require;
- (iv) which unit within the Department would be responsible for the database;
- (v) the type of employers that should be required to input employee information into the database and access the database to obtain employment history;
- (vi) the type of identifying information that should be included in the database;
- (vii) the expectations for employers if a prospective employer contacts the previous employer, including any potential liability for disclosure of disciplinary actions or adverse employment decisions;
- (viii) whether all employees with direct access to dependent adults should be included in the database, or whether the database should include only those employees who are not licensed or certified by a health occupations board; and

- (ix) options for implementing the database, including whether a phase—in approach for implementation should be adopted, and when employers should begin to input information into and access information from the database.
- (c) On or before December 1, 2014, the Department, in accordance with § 2–1246 of the State Government Article, shall submit the plan required under subsection (b) of this section to the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 4, 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.

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

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

AN ACT concerning

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

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 622 - Senator Middleton

AN ACT concerning

Health Insurance - Step Therapy or Fail-First Protocol

SB0622/937571/1

BY: Finance Committee

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, strike beginning with "limiting" in line 8 down through "organization;" in line 10; and in line 10, strike "the" and substitute "a certain".

# AMENDMENT NO. 2

On page 3, in line 31, strike "JANUARY" and substitute "JULY".

## AMENDMENT NO. 3

On page 6, after line 21, insert:

# "(4) "SUPPORTING MEDICAL INFORMATION" MEANS:

- (I) A PAID CLAIM FROM AN ENTITY SUBJECT TO THIS SECTION FOR AN INSURED OR AN ENROLLEE;
- (II) A PHARMACY RECORD THAT DOCUMENTS THAT A
  PRESCRIPTION HAS BEEN FILLED AND DELIVERED TO AN INSURED OR AN
  ENROLLEE, OR A REPRESENTATIVE OF AN INSURED OR AN ENROLLEE; OR
- (III) OTHER INFORMATION MUTUALLY AGREED ON BY AN ENTITY SUBJECT TO THIS SECTION AND THE PRESCRIBER OF AN INSURED OR AN ENROLLEE.".

On page 7, strike in their entirety lines 5 through 11, inclusive; in lines 12 and 24, strike "(D)" and "(E)", respectively, and substitute "(C)" and "(D)", respectively; in line 17, strike "DOCUMENTS AND NOTIFIES" and substitute "PROVIDES SUPPORTING MEDICAL INFORMATION TO"; in line 19, strike the first "THE" and substitute "A"; and in line 20, strike "365" and substitute "180".

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 730 – Senators Jacobs, Colburn, Glassman, and Hershey

AN ACT concerning

# Maryland Transportation Authority – Transportation Facilities Projects – Cash Toll Lanes

#### SB0730/677371/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 730

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, strike beginning with the second "Transportation" in line 2 down through "Lanes" in line 3 and substitute "All—Electronic Tolling — Study"; strike beginning with "maintain" in line 4 down through "projects" in line 8 and substitute "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"; and strike in their entirety lines 9 through 18, inclusive.

# AMENDMENT NO. 2

On page 1, in line 20, strike "the Laws of Maryland read as follows".

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 22 on page 2, inclusive, and substitute:

- "(a) (1) In this section the following words have the meanings indicated.
- (2) "All-electronic tolling" means electronic toll collection at highway speeds through the use of a transponder and video tolling, with no cash transactions occurring on the roadway.
  - (3) "Authority" means the Maryland Transportation Authority.
  - (4) "Project" means the:

- (i) Thomas J. Hatem Memorial Bridge;
- (ii) Harry W. Nice Memorial Potomac River Bridge;
- (iii) <u>William Preston Lane, Jr. Memorial Chesapeake Bay Bridge</u> and parallel Chesapeake Bay Bridge;
  - (iv) Baltimore Harbor Tunnel;
  - (v) Fort McHenry Tunnel;
  - (vi) Francis Scott Key Bridge; or
  - (vii) Millard Tydings Memorial Bridge.
- (b) (1) The Authority shall complete a study and submit a report on the status of its initiative to implement all-electronic tolling in accordance with this subsection.
  - (2) The study shall include:
- (i) an analysis of all-electronic tolling in other states and a description of various all-electronic tolling programs;
  - (ii) an analysis of electronic toll collection interoperability;
  - (iii) an analysis of:
- <u>1.</u> <u>alternative payment methods that do not exceed the existing cash toll rate at each project;</u>
- <u>and potential savings to collect video tolls; and</u>
- 3. a toll rate needed to address concerns with video toll collection associated with trucks;

- (iv) an analysis of issues and factors related to all-electronic tolling that must be addressed before all-electronic tolling becomes effective at each project;
- (v) an overview of revisions, if any, to the Authority's initial all-electronic tolling proposal; and
- (vi) proposed legislation, if required, relating to the implementation of all-electronic tolling.
- (3) The Authority shall submit a report of its findings and recommendations on or before January 1, 2016, to:
  - (i) the County Executive and County Council of Cecil County;
- (ii) the County Executive and County Council of Harford County;
  - (iii) the Mayor and Town Commission of the Town of Perryville;
- (iv) the Mayor and City Council of the City of Havre de Grace; and
- (v) <u>in accordance with § 2–1246 of the State Government</u>

  Article, the House Committee on Ways and Means and the Senate Finance

  Committee.
- (c) The Authority's initial proposal for all-electronic tolling at the Thomas J. Hatem Memorial Bridge is withdrawn and the Authority may not implement all-electronic tolling at the Thomas J. Hatem Memorial Bridge before January 1, 2016.".

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 232 – Senators Stone, Benson, Currie, Feldman, Frosh, Kelley, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, and Young

AN ACT concerning

# Procurement - Prevailing Wage - Applicability

#### SB0232/957072/3

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 232

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 3 down through "definition;" in line 4 and substitute "specifying the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies by altering certain definitions;".

# AMENDMENT NO. 2

On page 3, in lines 5, 8, 9, 10, 17, 18, 20, 23, and 29, strike the brackets; in line 5, strike "(2)"; in line 7, strike "entity" and substitute "ENTITY:

1. WITH RESPECT TO THE CONSTRUCTION OF AN ELEMENTARY OR A SECONDARY SCHOOL FOR WHICH 25% OR MORE OF THE MONEY USED FOR CONSTRUCTION IS STATE MONEY; OR

**2.**";

in line 8, after "any" insert "OTHER"; in line 9, strike "FUNDED IN WHOLE OR IN PART WITH"; in line 21, strike "entity" and substitute "ENTITY:

1. WITH RESPECT TO THE CONSTRUCTION OF AN ELEMENTARY OR A SECONDARY SCHOOL FOR WHICH LESS THAN 25% OF THE MONEY USED FOR CONSTRUCTION IS STATE MONEY; OR

**2.**";

in line 22, after "any" insert "OTHER"; in line 29, strike the comma; and in the same line, strike "INCLUDE".

On page 4, strike beginning with "A" in line 1 down through "(II)" in line 4; and in line 8, strike "money" and substitute "MONEY; OR

# (II) AN ELEMENTARY OR A SECONDARY SCHOOL IF:

# 1. THE SCHOOL IS NOT IN A POLITICAL SUBDIVISION COVERED UNDER SUBSECTION (I)(1)(IV) OF THIS SECTION; AND

# <u>2.</u> <u>THE STATE PROVIDES LESS THAN 25% OF THE MONEY FOR CONSTRUCTION</u>".

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 577 - Senator Astle

AN ACT concerning

Department of Health and Mental Hygiene - State Facilities - Cemeteries

#### SB0577/327372/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 577

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with the second "the" in line 3 down through "definition" in line 4 and substitute "certain cemeteries to be provided perpetual care"; in line 4, after the semicolon insert "requiring certain activities or projects to be undertaken in consultation with the Maryland Historical Trust in accordance with certain provisions of law;"; in line 8, after "committees;" insert "defining a certain term;"; and in line 14, strike "and 5–601".

# AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 through 15, inclusive; in line 18, after "(a)" insert "(1)"; in the same line, strike the comma and substitute "THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

- (2) (I) "PERPETUAL CARE" MEANS THE MAINTENANCE, INCLUDING THE CUTTING OF GRASS ABUTTING MEMORIALS OR MONUMENTS, ADMINISTRATION, SUPERVISION, AND EMBELLISHMENTS OF A CEMETERY AND ITS GROUNDS, ROADS, AND PATHS.
- (II) "PERPETUAL CARE" INCLUDES THE REPAIR AND RENEWAL OF BUILDINGS, INCLUDING COLUMBARIA AND MAUSOLEUMS, AND THE PROPERTY OF THE CEMETERY.

**(3)**";

in lines 19 and 22, strike "(1)" and "(2)", respectively, and substitute "(II)" and "(III)", respectively; and in line 25, strike "(3)" and substitute "(III) A FACILITY THAT FORMERLY MET THE DEFINITION OF "STATE FACILITY" UNDER ITEM (I) OR (II) OF THIS SUBSECTION, INCLUDING:

# 1. THE FORMER ROSEWOOD CENTER; AND

<u>2.</u>".

On pages 2 and 3, strike beginning with "maintained" in line 30 on page 2 down through the comma in line 1 on page 3 and substitute "PROVIDED PERPETUAL CARE".

#### AMENDMENT NO. 3

On page 3, after line 2, insert:

- "(D) ACTIVITIES OR PROJECTS UNDERTAKEN UNDER SUBSECTION (C) OF THIS SECTION SHALL BE UNDERTAKEN IN CONSULTATION WITH THE MARYLAND HISTORICAL TRUST, IN ACCORDANCE WITH THE CONSULTATION PROVISIONS:
- (1) FOR CAPITAL PROJECTS UNDER § 5A-325 OF THIS ARTICLE;
  AND
- (2) FOR ISSUANCE OF PERMITS OR LICENSES OR PROVISION OF FINANCIAL ASSISTANCE UNDER § 5A-326(D)(2) OF THIS ARTICLE.";

and in lines 3, 7, 12, and 15, strike "(d)", "(e)", "(F)", and "(G)", respectively, and substitute "(E)", "(F)", "(G)", and "(H)", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 711 – Senator Feldman

AN ACT concerning

Maryland Occupational Safety and Health Act – Chemical Information List – Submission to Department of the Environment – Repeal

#### SB0711/177073/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 711

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute "<u>Submission</u>, Maintenance, and Accessibility"; strike beginning with "repealing" in line 6 down

through "Department" in line 7 and substitute "requiring certain employers that cease to operate as a business or to take certain actions related to hazardous chemicals to submit a certain chemical information list to the Department; requiring the Department to keep the chemical information list for a certain period of time; requiring an employer or, under certain circumstances, the Department, to provide access to information on a certain chemical information list to certain individuals under certain circumstances; recodifying and revising certain provisions of law concerning access to certain chemical information lists"; and after line 17, insert:

"BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 5-405 and 5-407

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)".

### AMENDMENT NO. 2

On page 2, after line 3, insert:

### "5-405.

- (a) This section does not apply to a consumer product or foodstuff that is:
- (1) packaged for distribution to and intended for use by the general public; and
- (2) <u>handled unopened or stored unopened in a retail establishment,</u> including its storeroom or warehouse.
- (b) (1) To comply with the requirements of 29 C.F.R. 1910.1200(e)(1)(i) for a list of hazardous chemicals, each employer shall compile and maintain a chemical information list for each hazardous chemical that is formulated, handled, manufactured, packaged, processed, reacted, repackaged, stored, or transferred in the workplace of the employer.
- (2) Within 30 days after a hazardous chemical is introduced into the workplace of an employer, the employer shall add the hazardous chemical to the chemical information list. The employer need not place the hazardous chemical alphabetically on the chemical information list until the employer next revises the list as required under paragraph (3) of this subsection.

- (3) Every 2 years, an employer shall revise the chemical information list.
  - (c) For each hazardous chemical on a chemical information list, the list shall:
    - (1) contain its chemical and common names; and
    - (2) identify each work area where the hazardous chemical is found.
- (d) Each compilation of a chemical information list and each revision under subsection (b) of this section shall list the hazardous chemicals on the list in alphabetical order according to common name.
- (e) (1) Each employer shall keep, for at least 40 years, each chemical information list that the employer compiles or revises.
- (2) (I) IF AN EMPLOYER'S BUSINESS CEASES TO OPERATE OR FORMULATE, HANDLE, MANUFACTURE, PACKAGE, PROCESS, REACT, REPACKAGE, STORE, OR TRANSFER HAZARDOUS CHEMICALS IN A WORKPLACE REGULATED UNDER THIS SUBTITLE, THE EMPLOYER PROMPTLY SHALL SUBMIT THE MOST RECENT CHEMICAL INFORMATION LIST TO THE DEPARTMENT OF THE ENVIRONMENT.
- (II) THE DEPARTMENT OF THE ENVIRONMENT SHALL KEEP, FOR AT LEAST 40 YEARS, THE CHEMICAL INFORMATION LIST THAT THE EMPLOYER PROVIDES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.".

On page 3, after line 5, insert:

"5-407.

- (a) (1) An employee or designated representative may ask an employer for:
- (i) access to a chemical information list maintained by the employer; and

- (ii) a copy of the chemical information list or any material safety data sheet in the workplace of the employee.
  - (2) An employer shall comply with a request under this subsection:
- (i) for access, in the workplace of the employee, within 1 working day after a request; and
  - (ii) for a copy, within 5 days after a request.
- (3) To comply with a request for a copy, an employer shall provide, without charge to the employee or designated representative, the copy or the mechanical means to produce the copy. If, during a calendar year, more than 1 copy is requested for an employee the employer may assess a reasonable charge for each additional copy.
- (4) An employer shall make the material safety data sheet readily accessible in accordance with 29 C.F.R. 1910.1200(g)(8).
- (5) If an employer fails to comply with this subsection, an employee who requests the information may refuse to work with the hazardous chemical for which the chemical information list or material safety data sheet was requested.
- (b) [A person described in Title 6, Subtitle 5 of the Environment Article has access to a chemical information list or material safety data sheet in accordance with that subtitle.]

ON RECEIPT OF A WRITTEN REQUEST, AN EMPLOYER OR, IF THE EMPLOYER'S BUSINESS HAS CEASED OPERATING AS DESCRIBED IN § 5–405(E)(2) OF THIS SUBTITLE, THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE ACCESS TO INFORMATION ON A CHEMICAL INFORMATION LIST TO:

- (1) AN INDIVIDUAL WHO PROVIDES FIRE, AMBULANCE, OR RESCUE SERVICE FOR THE APPROPRIATE GEOGRAPHIC AREA;
- (2) A NURSE, PHYSICIAN, OR PHYSICIAN'S ASSISTANT WHO IS PROVIDING EMERGENCY MEDICAL TREATMENT;

- (3) THE COMMISSIONER;
- (4) A FORMER EMPLOYEE;
- (5) AN INDEPENDENT CONTRACTOR OR EMPLOYER;
- (6) ANY ENVIRONMENTAL, CIVIC, OR CONSUMER ORGANIZATION IN THE STATE; AND
  - (7) ANY INDIVIDUAL WHO LIVES:
- (I) IN A LOCAL COMMUNITY WHERE A BUSINESS STORES, PRODUCES, OR LOCATES HAZARDOUS OR TOXIC CHEMICALS; OR
- (II) IN THE NEAREST LOCAL COMMUNITY TO A BUSINESS THAT STORES, PRODUCES, OR LOCATES HAZARDOUS OR TOXIC CHEMICALS.".

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 832 – Senators Kelley, Brinkley, Feldman, Glassman, Kittleman, Klausmeier, Mathias, and Pugh

AN ACT concerning

Health Care Provider Malpractice Insurance - Scope of Coverage

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 891 – Senator Middleton

AN ACT concerning

Maryland Health Care Commission – Authority of Acute Care Hospitals to Provide Cardiac Surgery Services – Voluntary Relinquishment – Regulations

#### SB0891/227579/1

BY: Finance Committee

# AMENDMENT TO SENATE BILL 891

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton, Kittleman, and Pugh".

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 1104 – Senators Middleton and Ramirez

AN ACT concerning

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

#### SB1104/767973/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 1104

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Ramirez" and substitute "<u>Ramirez</u>, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh"; in line 18, after "Act;" insert "<u>providing for the application of this Act; honoring certain collective bargaining agreements subject to certain terms and requirements; providing</u>

that certain individuals represented by a certain entity maintain certain representation under certain circumstances;".

# AMENDMENT NO. 2

On page 6, after line 10, insert:

# "SECTION 2. AND BE IT FURTHER ENACTED, That:

- (1) Nothing in Section 1 of this Act shall be construed to affect the recognition of bargaining representatives of employees working at the University of Maryland Medical Center that are in existence on the effective date of this Act;
- (2) Following the effective date of this Act, any collective bargaining agreements shall continue to be honored by the subsidiary established in Section 1 of this Act, subject to the terms of the collective bargaining agreements and the requirements of the National Labor Relations Act; and
- (3) Those individuals employed by the Medical System Corporation who elected to be represented by AFSCME on the creation of the Medical System Corporation shall not have that representation affected by the creation of the new subsidiary established in Section 1 of this Act.";

and in line 11, 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 Middleton, Chair, for the Committee on Finance reported favorably:

# Senate Bill 1106 – Senator Feldman

AN ACT concerning

# Business Occupations – Real Estate Appraisers – Criminal History Records Checks

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #12

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

Senate Bill 423 – Senators Kasemeyer, Miller, and Reilly

AN ACT concerning

# Tax Overpayment - Interest on Refunds

#### SB0423/389430/1

BY: Budget and Taxation Committee

# AMENDMENTS TO SENATE BILL 423

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Reilly" and substitute "Reilly, and <u>DeGrange</u>"; in line 7, after "refunds;" insert "<u>requiring the Comptroller to report to the General Assembly on or before a certain date; providing for a delayed effective date for certain provisions of this Act;".</u>

# AMENDMENT NO. 2

On page 2, after line 26, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2015, the Comptroller shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the fiscal impact of this Act, including the amount of additional interest payments the State would have made if Section 1 of this Act took effect July 1, 2014.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2015.";

and in line 27, strike "2." and substitute "4.".

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 630 – Senators Madaleno, Currie, Feldman, Kelley, King, Kittleman, Muse, and Ramirez

AN ACT concerning

Income Tax - Subtraction Modification - Student Loan Debt

#### SB0630/269034/1

BY: Budget and Taxation Committee

# AMENDMENT TO SENATE BILL 630

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Ramirez" and substitute "<u>Ramirez</u>, <u>Kasemeyer</u>, <u>McFadden</u>, <u>Colburn</u>, <u>DeGrange</u>, <u>Getty</u>, <u>Jones–Rodwell</u>, <u>Peters</u>, 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 1051 – Senator Kasemeyer

AN ACT concerning

Business and Economic Development – Film Production Activity Tax Credit Program

### SB1051/209230/1

BY: Budget and Taxation Committee

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Kasemeyer" and substitute "Senators Kasemeyer, McFadden, Colburn, DeGrange, Getty, Jones–Rodwell, King, 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:

Senate Bill 1054 – Senator Pugh

AN ACT concerning

Economic Development – Arts and Entertainment Districts – Qualifying Residing Artists

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 490 – Senators Astle, Currie, Feldman, Hershey, Kittleman, Klausmeier, and Peters

AN ACT concerning

Limited Lines Insurance Licenses - Self-Service Storage Agents

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0490/167078/1

BY: Finance Committee

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 2, strike "Agents" and substitute "Producers"; in lines 4, 9, 11, 12, 14, 18, and 20, in each instance, strike "agent" and substitute "producer"; in lines 4 and 6, in each instance, strike "or operator"; in line 5, strike "who meets" and substitute "and certain individuals who meet"; in line 6, after the semicolon, insert "prohibiting an owner from offering or selling certain insurance unless the owner holds a certain license and makes a certain designation;"; in line 17, strike "and"; in the same line, strike the semicolon and substitute ", and the producer advises an occupant of certain information and requires an occupant to take certain actions under certain circumstances;"; in lines 18 and 20, in each instance, strike "agents" and substitute "authorized representatives"; in line 19, after "matters" insert "under certain circumstances"; in the same line, after the semicolon insert "establishing a certain responsibility of and requiring certain actions by designated responsible producers;"; in line 21, after "acts;" insert "authorizing the Commissioner to suspend, revoke, or renew a certain license under certain circumstances; 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; authorizing the Commissioner to adopt certain regulations;"; in line 23, strike "agents" and substitute "producers"; in line 26, strike "10-810" and substitute "10-812"; and in line 27, strike "Agents" and substitute "Producers".

# AMENDMENT NO. 2

On page 2, in line 4, strike "AGENTS" and substitute "PRODUCERS"; after line 7, insert:

- "(B) "AUTHORIZED REPRESENTATIVE" MEANS AN INDEPENDENT CONTRACTOR OF AN OWNER OF A SELF-SERVICE STORAGE FACILITY.
- (C) "BUSINESS ENTITY" HAS THE MEANING STATED IN § 5–511 OF THIS ARTICLE.
- (D) "DESIGNATED RESPONSIBLE PRODUCER" MEANS AN INDIVIDUAL WHO:
  - (1) HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; AND

- (2) IS DESIGNATED BY THE OWNER AS RESPONSIBLE FOR THE OWNER'S COMPLIANCE WITH INSURANCE LAWS, RULES, AND REGULATIONS OF THE STATE.";
- in lines 8, 11, 13, and 24, in each instance, strike "(B)", "(C)", "(D)", and "(F)", respectively, and substitute "(E)", "(F)", "(G)", and "(H)", respectively; strike in their entirety lines 21 through 23, inclusive; and after line 27, insert:

# "(I) "SELF-SERVICE STORAGE PRODUCER" MEANS:

- (1) AN OWNER OF A SELF-STORAGE FACILITY WHO HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; OR
  - (2) A DESIGNATED RESPONSIBLE PRODUCER.".

On page 3, in lines 2, 5, 21, 25, 27, and 30, in each instance, strike "AGENT" and substitute "PRODUCER"; in lines 2 and 14, in each instance, strike "OR OPERATOR"; in line 2, after "TO" insert ":

**(1)**";

in line 4, after "SUBTITLE" insert "; AND

- (2) AN INDIVIDUAL WHO:
- (I) IS DESIGNATED BY THE OWNER AS RESPONSIBLE FOR THE OWNER'S COMPLIANCE WITH INSURANCE LAWS, RULES, AND REGULATIONS OF THE STATE; AND
  - (II) MEETS THE REQUIREMENTS OF THIS SUBTITLE";

after line 13, insert:

"(C) AN OWNER OF A SELF-SERVICE STORAGE FACILITY MAY NOT OFFER OR SELL INSURANCE UNDER THIS SUBTITLE UNLESS THE OWNER, AS A BUSINESS ENTITY:

- (1) HOLDS A LIMITED LINES LICENSE UNDER THIS SUBTITLE; AND
- (2) HAS A DESIGNATED RESPONSIBLE PRODUCER.";

in line 14, strike "(C)" and substitute "(D)"; and in line 18, strike "OR A SURPLUS LINES INSURER" and substitute "PROVIDED THAT THE OWNER DOES NOT ENGAGE IN THE SALE, SOLICITATION, OR NEGOTIATION OF INSURANCE ADVERTISED IN THE BROCHURES AND PROMOTIONAL MATERIALS".

# AMENDMENT NO. 3

On page 4, in lines 1, 4, 8, 12, 16, 18, and 26, in each instance, strike "AGENT" and substitute "PRODUCER"; in line 23, after "BENEFITS," insert "DEDUCTIBLES,"; in line 26, strike "DUPLICATE" and substitute "PROVIDE COVERAGE THAT IS COMPARABLE TO"; after line 29, insert:

"(III) STATE WHETHER THE PURCHASE OF COVERAGE UNDER
A POLICY OFFERED UNDER THIS SUBTITLE WOULD MAKE THE COVERAGE
PRIMARY TO ANY OTHER COVERAGE, INCLUDING DUPLICATE COVERAGE;";

and in line 30, strike "(III)" and substitute "(IV)".

On pages 4 and 5, strike beginning with "IF" in line 30 on page 4 down through "2." in line 3 on page 5, and substitute "THE PURCHASE OF INSURANCE COVERAGE IS NOT REQUIRED AS A CONDITION OF RENTAL AT A SELF-SERVICE STORAGE FACILITY IF THE OCCUPANT".

On page 5, in line 4, strike "AND"; in line 5, strike "(IV)" and substitute "(V)"; in the same line, after the semicolon insert "AND

# (VI) INCLUDE CONTACT INFORMATION FOR FILING A COMPLAINT WITH THE COMMISSIONER;";

in line 10, strike "AND"; strike beginning with the colon in line 11 down through "(I)" in line 12; and strike beginning with "OR" in line 13 down through "INSURER" in line 14 and substitute "AND

- (5) AS A CONDITION OF THE SALE OF INSURANCE, THE SELF–SERVICE STORAGE PRODUCER:
- (I) REQUIRES THE OCCUPANT TO EXECUTE A DOCUMENT ACKNOWLEDGING THE AMOUNT OF COVERAGE UNDER THE POLICY PURCHASED; AND
- (II) IF THE OCCUPANT HAS CONTENTS IN THE LEASED SPACE OF A VALUE GREATER THAN THE COVERAGE UNDER THE POLICY:
- 1. ADVISES THE OCCUPANT IN WRITING TO CONTACT
  A PROPERTY AND CASUALTY INSURANCE PRODUCER LICENSED UNDER
  SUBTITLE 1 OF THIS TITLE TO OBTAIN ADDITIONAL COVERAGE TO REFLECT THE
  VALUE OF THE CONTENTS IN THE LEASED SPACE; AND
- 2. REQUIRES THE OCCUPANT TO ACKNOWLEDGE RECEIPT OF THE NOTICE UNDER ITEM 1 OF THIS ITEM".

### AMENDMENT NO. 4

On page 5, in line 16, strike the first "AGENT" and substitute "AUTHORIZED REPRESENTATIVE"; in the same line, strike "STORAGE AGENT" and substitute "STORAGE PRODUCER"; in lines 18, 21, 22, 25, and 27, in each instance, strike "AGENT" and substitute "PRODUCER"; in line 19, after "SUBTITLE" insert "IF THE EMPLOYEE OR AUTHORIZED REPRESENTATIVE RECEIVES THE TRAINING UNDER § 10–808 OF THIS SUBTITLE"; in line 20, strike "AGENT" and substitute "AUTHORIZED REPRESENTATIVE"; after line 23, insert:

# "(C) THE DESIGNATED RESPONSIBLE PRODUCER:

- (1) IS RESPONSIBLE FOR THE ACTS OF THE EMPLOYEES OR AUTHORIZED REPRESENTATIVES OF THE OWNER WHO OFFER OR SELL LIMITED LINES INSURANCE, AS AUTHORIZED UNDER THIS SUBTITLE, ON BEHALF OF THE OWNER;
- (2) SHALL USE REASONABLE MEANS TO ENSURE COMPLIANCE BY THE EMPLOYEES OR AUTHORIZED REPRESENTATIVES WITH THIS SUBTITLE;

- (3) SHALL MAINTAIN A REGISTER, ON A FORM THE COMMISSIONER REQUIRES, OF EACH EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF THE OWNER WHO OFFERS LIMITED LINES INSURANCE ON BEHALF OF THE OWNER; AND
- (4) SHALL SUBMIT THE REGISTER FOR INSPECTION BY THE COMMISSIONER WITHIN 30 DAYS AFTER RECEIVING A REQUEST BY THE COMMISSIONER FOR INSPECTION.";

in line 26, strike "AGENTS" and substitute "AUTHORIZED REPRESENTATIVES"; and after line 29, insert:

- "(1) INCLUDE GENERAL INFORMATION ABOUT HOMEOWNERS, RENTERS, BUSINESS, AND SIMILAR INSURANCE THAT AN OCCUPANT MAY HAVE THAT MAY PROVIDE COVERAGE FOR PROPERTY LOCATED IN A SELF-STORAGE FACILITY;
- (2) INCLUDE INFORMATION ABOUT THE MATERIAL TERMS OF INSURANCE COVERAGE OFFERED TO OCCUPANTS UNDER THIS SUBTITLE, INCLUDING THE PRICE, BENEFITS, DEDUCTIBLES, EXCLUSIONS, AND CONDITIONS OF THE INSURANCE;".

On page 6, in lines 1 and 3, strike "(1)" and "(2)", respectively, and substitute "(3)" and "(4)", respectively; in line 3, after "INCLUDE" insert "ANY OTHER"; strike beginning with "ABOUT" in line 3 down through "SUBTITLE" in line 4 and substitute "THE COMMISSIONER MAY REQUIRE"; in line 6, strike "AGENT" and substitute "PRODUCER"; and in the same line, strike "AGENTS" and substitute "AUTHORIZED REPRESENTATIVES".

On page 6, after line 13, insert:

"(A) THE COMMISSIONER MAY SUSPEND, REVOKE, OR REFUSE TO RENEW A LIMITED LINES LICENSE ISSUED UNDER THIS SUBTITLE AFTER NOTICE AND OPPORTUNITY FOR A HEARING UNDER TITLE 2, SUBTITLE 2 OF THIS ARTICLE IF THE SELF-SERVICE STORAGE PRODUCER OR AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF THE SELF-SERVICE STORAGE PRODUCER

WHO OFFERS OR SELLS LIMITED LINES INSURANCE ON BEHALF OF THE SELF–SERVICE STORAGE PRODUCER HAS:

- (1) <u>WILLFULLY VIOLATED THIS ARTICLE OR ANOTHER LAW OF</u> THE STATE THAT RELATES TO INSURANCE;
- (2) OPERATED WITHOUT A LIMITED LINES LICENSE AS REQUIRED UNDER THIS SUBTITLE;
- (3) FAILED TO PROVIDE THE DISCLOSURES REQUIRED UNDER § 10–806 OF THIS SUBTITLE;
  - (4) OFFERED OR SOLD UNAPPROVED INSURANCE PRODUCTS;
- (5) FAILED TO TRAIN EMPLOYEES OR AUTHORIZED REPRESENTATIVES AS REQUIRED UNDER § 10–808 OF THIS SUBTITLE; OR
- (6) MISREPRESENTED PERTINENT FACTS OR POLICY PROVISIONS CONCERNING A POLICY FOR A SELF-SERVICE STORAGE FACILITY.
- (B) INSTEAD OF, OR IN ADDITION TO, SUSPENDING OR REVOKING A LIMITED LINES LICENSE ISSUED UNDER THIS SUBTITLE, THE COMMISSIONER MAY:
- (1) IMPOSE ON THE SELF-SERVICE STORAGE PRODUCER A
  PENALTY OF NOT MORE THAN \$2,500 FOR EACH VIOLATION OF THIS SUBTITLE;
  AND
- (2) REQUIRE THAT RESTITUTION BE MADE TO ANY PERSON WHO HAS SUFFERED FINANCIAL INJURY BECAUSE OF A VIOLATION OF THIS SUBTITLE.

#### **10–811.**";

in line 16, strike "AGENT" and substitute "PRODUCER"; strike beginning with "A" in line 18 down through "IS" in line 20 and substitute "THE PAYMENT OF

COMPENSATION BY THE SELF-SERVICE STORAGE PRODUCER TO AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE WHO OFFERS OR SELLS LIMITED LINES INSURANCE THAT IS INCIDENTAL TO THE EMPLOYEE'S OR AUTHORIZED REPRESENTATIVE'S OVERALL COMPENSATION AND"; and after line 20, insert:

"<u>10–812.</u>

THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING REGULATIONS CONCERNING:

- (1) THE FORM AND CONTENT OF REQUIRED DISCLOSURES TO CUSTOMERS;
- (2) THE TRAINING REQUIREMENTS FOR EMPLOYEES OR AUTHORIZED REPRESENTATIVES WHO OFFER OR SELL LIMITED LINES INSURANCE UNDER THIS SUBTITLE; AND
- (3) THE QUALIFICATIONS OF THE INDIVIDUALS WHO PROVIDE THE TRAINING REQUIRED UNDER § 10–808 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner:

- (1) shall keep track of complaints from consumers regarding the offering and sale of self–service storage insurance by self–service storage producers and employees and authorized representatives who offer and sell self–service storage insurance on behalf of an owner of a self–service storage facility, including:
  - (i) the number of complaints;
- (ii) a summary of the allegations contained in the complaints; and
  - (iii) the disposition of the complaints;
- (2) based on the complaints under paragraph (1) of this section and any other information the Commissioner determines necessary, shall determine whether and how self–service storage producers and employees and authorized

representatives who offer and sell self—service storage insurance on behalf of an owner of a self—service storage facility should be compensated for offering and selling self—service storage insurance; and

(3) on or before January 1, 2017, shall report the Commissioner's findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.";

and in line 21, strike "2." and substitute "3.".

The preceding 4 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 EXECUTIVE NOMINATIONS COMMITTEE REPORT #6

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 #6 March 13, 2014

#### District Court, Baltimore City (District 1)

1. Joyce Maezeppa Baylor–Thompson

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

#### **Airport Zoning Appeals Board**

2. Wayne A. Dixon 7677 Ridge Chapel Road Hanover, MD 21076 District 32

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2010

#### Architectural Review, State Board of

3. Oliver W. Clemons, Jr. 111 Cinder Road Timonium, MD 21093 District 42

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

4. Melanie E. Hennigan 18725 Wickham Road Olney, MD 20832 District 19

Member of the State Board of Architectural Review; appointed to serve a term of four years from July  $1,\,2014$ 

5. Edward A. Masek, Jr. 124 Saint Andrews Road Severna Park, MD 21146

District 33

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2014

6. Dennis R. Nola 2104 Crossmeadow Lane Brookeville, MD 20833 District 14

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

7. Karen Lynn Pitsley 7612 Browns Bridge Road Highland, MD 20777 District 13

Member of the State Board of Architectural Review; appointed to serve a term of four years from July  $1,\,2014$ 

8. Ravi S. Waldon 1641 Eton Way Crofton, MD 21114 District 33

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2014

#### **Atlantic States Marine Fisheries Commission**

9. Williams J. Goldsborough 1355 Moyer Road Annapolis, MD 21403 District 30

Member of the Atlantic States Marine Fisheries Commission; reappointed to serve a term of three years from June 1, 2013

#### Blind Industries and Services of Maryland, Board of Trustees of

10. George H. Littrell 5209 Reels Mill Road Frederick, MD 21704 District 3

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2013

#### Center for School Safety, Governing Board of the Maryland

11. Theresa E. Detorie 4400 Buena Vista Avenue Baltimore, MD 21211 District 40

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

12. Elizabeth Watson Ray 3141 Birch Brook Lane Abingdon, MD 21009 District 35

Member of the Governing Board of the Maryland Center for School Safety; appointed to serve a term of three years from July 1, 2013

#### **Economic Development Commission, Maryland**

13. Angela Franco 212 New Mark Esplanade Rockville, MD 20850 District 17

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2013

#### Fire-Rescue Education and Training Commission

14. Herbert L. Jenkins 2709 Millers Way Drive Ellicott City, MD 21043 District 9

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2012

#### Foresters, State Board of

15. John P. Markovich 11552 Timberbrook Drive Waldorf, MD 20601

District 28

Member of the State Board of Foresters; appointed to serve a term of five years from July 1, 2011

#### Handgun Permit Review Board

16. Charles M. Thomas, Jr. 4505 Kenilworth Avenue Baltimore, MD 21212

District 43

Chair/Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2013

#### Health Care Commission, Maryland

17. Frances B. Phillips 2611 Ogleton Road Annapolis, MD 21403

District 30

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

#### Historic St. Mary's City Commission

18. Todd B. Morgan 46536 Millstone Landing Road Lexington Park, MD 20653 District 29

Member of the Historic St. Mary's City Commission; appointed to serve a term of four years from July 1, 2011

#### Landscape Architects, Board of Examiners

19. Charles B. Adams 14834 Falls Road, P.O. Box 93 Butler, MD 21023 District 5

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2012

#### Maryland Legal Services Corporation Board of Directors

20. Corey Jay Robey 3711 Clydesdale Road Way Reisterstown, MD 21136 District 5

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2012

#### Optometry, State Board of Examiners in

21. Frederick J. Walsh 22 Bellchase Court Baltimore, MD 21208

District 11

Member of the State Board of Examiners in Optometry; reappointed to serve a term of four years from June 1, 2014

#### **Patuxent River Commission**

22. Edward R. Curley, III 41844 Gibson Drive Mechanicsville, MD 20659

District 29

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

23. Albert J. Tucker, Ph.D. 6063 Pindell Road Lothian, MD 20711 District 33

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

#### Physicians, State Board of

24. Jacqueline M. Golden 6607 Copper Ridge Drive #102 Mt. Washington, MD 21209 District 42

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

#### Port Commission, Maryland

25. Theodore G. Venetoulis 2423 Stone Mill Road Baltimore, MD 21208 District 11

Member of the Maryland Port Commission; reappointed to serve a term of three years from July 1, 2013

#### **Professional Standards and Teacher Education Board**

26. Amy Jo Smith 60 Branch Road North East, MD 21901 District 34

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2011

#### Public Defender, Office of the Board of Trustees of the

27. Laura M. Robinson, Esq. 8116 Riverside Drive Pasadena, MD 21122 District 31

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

#### Real Estate Appraisers and Home Inspectors, State Commission of

28. David E. McDaniels 4017 Deepwood Road District 43

Baltimore, MD 21218

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve a term of three years from January 1, 2013

#### Real Estate Commission, State

29. Karen H. Baker

District 3

8503 Guertin Court Frederick, MD 21704

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2010

30. Marla S. Johnson

District 3

2762 Lynn Street

Frederick, MD 21704

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2014

31. Maria Liliana Robeson

District 2

204 Brynwood Street

Hagerstown, MD 21740

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2010

#### Stationary Engineers, State Board of

32. Kevin J. McLeod

District 39

20112 Darlington Drive

Montgomery Village, MD 20886

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2011

33. Harold E. Norris 21 Stuart Mills Place Baltimore, MD 21228 District 10

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2011

34. Gregory A. Restivo 8228 Styers Court Laurel, MD 20723 District 13

Member of the State Board of Stationary Engineers; reappointed to serve a term of three years from July 1, 2012

#### Veterinary Medical Examiners, State Board of

35. Elizabeth Callahan, D.V.M. 4471 Evergreen Road Oxford, MD 21654 District 37

Member of the State Board of Veterinary Medical Examiners; appointed to serve a term of five years from June 1, 2014

36. David L. Handel, D.V.M. 14400 Frances Green Way North Potomac, MD 20878 District 39

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2014

#### Workers' Compensation Commission, State

37. Maureen E. Quinn 426 Palmspring Drive Gaithersburg, MD 20878

District 17

Member of the State Workers' Compensation Commission; reappointed to serve a term of twelve years from February 1, 2014

#### Youth Camp Safety, Advisory Council on

38. Edgar Ramirez 1503 Amherst Road Hyattsville, MD 20783 District 47

Member of the Advisory Council on Youth Camp Safety; appointed to serve remainder of a term of three years from July 1, 2011 and a term of three years from July 1, 2014

#### **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.

#### Historic St. Mary's City Commission

S-1. Laura J. Cripps, Ph.D. 2309 Westchester Avenue Catonsville, MD 21228 District 12

Member of the Historic St. Mary's City Commission; reappointed to serve a term of four years from July 1, 2013

S-2. Thomas Trezise 23 Selborne Drive Wilmington, DE 19807

District 99

Member of the Historic St. Mary's City Commission; reappointed to serve a term of four years from July 1, 2012

#### **Land Reclamation Committee**

S-3. James C. Ashby 1236 E. State Street Oakland, MD 21550 District 1

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2014

S-4. Timothy B. Schwinabart 664 Pine Tree Point Road Swanton, MD 21561

District 1

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2014

#### Parole Commission, Maryland

S–5. Donna M. Hill 5512 Gunston Lane Suitland, MD 20746 District 25

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2014

#### **Patuxent River Commission**

S-6. Kelton L. Clark, Ph.D. 103 1st Street Annapolis, MD 21401 District 33

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

S-7. Luis Dieguez 30120 Dudley Road Mechanicsville, MD 20659

District 29

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

S–8. John W. Fringer, Jr. 13386 Rousby Hall Road Lusby, MD 20657

District 29

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

S-9. Barbara Sollner-Webb, Ph.D. 17200 Melbourne Drive Laurel, MD 20707 District 21

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

S-10. Jacqueline U. Takacs 300 Greenridge Drive Dunkirk, MD 20754 District 33

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

S-11. Frederick L. Tutman 18600 Queen Anne Road Upper Marlboro, MD 20774 District 23

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

#### Plumbing, State Board of

S–12. Jon H. Garner 1987 Mosser Road District 1

 $McHenry,\,MD\ \ 21541$ 

Member of the State Board of Plumbing; reappointed to serve a term of three years from May 1, 2014

S–13. Michael J. Kastner, Jr. 13556 Argo Drive District 13

Dayton, MD 21036

Chair of the State Board of Plumbing; reappointed to serve a term of three years from May  $1,\,2014$ 

#### Washington Suburban Transit Commission

S-14. Alvin J. Nichols

District 22

8105 Felbrigg Hall Road Glenn Dale, MD 20769

Member of the Washington Suburban Transit Commission; reappointed to serve a term of four years from July 1, 2013

#### Youth Camp Safety, Advisory Council on

S-15. Mark L. Bates

District 30

247 Likes Road

Edgewater, MD 21037

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2014

S-16. Jay Gerson

District 14

24200 Hawkins Landing Drive

Laytonsville, MD 20882

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2013

S–17. Jacqueline D. Hurman

District 36

145 Mainsail Drive

Stevensville, MD 21666

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2014

S-18. Monika Piccardi

District 45

3305 Lerch Drive

Baltimore, MD 21214

Member of the Advisory Council on Youth Camp Safety; reappointed to serve a term of three years from July 1, 2014

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. 562)

Senate Bill 688 – Senators Raskin, Conway, Feldman, Ferguson, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, and Rosapepe Rosapepe, and Forehand

AN ACT concerning

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

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

Affirmative – 29 Negative – 15 (See Roll Call No. 563)

The Bill was then sent to the House of Delegates.

Senate Bill 364 – Senators Zirkin and Kittleman

AN ACT concerning

Criminal Law - Possession of Marijuana - Civil Offense

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

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

Affirmative – 36 Negative – 8 (See Roll Call No. 564)

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. 565)

#### ADJOURNMENT

At 12:19 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 7:00 P.M. on Legislative Day March 12, 2014, Calendar Day, Monday, March 17, 2014.

#### Annapolis, Maryland Legislative Day: March 12, 2014 Calendar Day: Monday, March 17, 2014 7:00 P.M. Session

The Senate met at 7:09 P.M.

Prayer by Reverend Paul Drost, Grace Assembly of God, guest of Senator Jacobs.

(See Exhibit A of Appendix III)

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

#### **QUORUM CALL**

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

(See Roll Call No. 567)

#### MARYLAND STATE SENATE 2014 MUSICAL ENSEMBLE

by Honorable Tim Ferguson

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 576 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Michael Binnie
Bagpiper
in recognition of
your St. Patrick's Day performance for
the Maryland State Senate.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2014.

Senate Resolution No. 577 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Eleonel Molina
Second Violin
in recognition of
your St. Patrick's Day performance for
the Maryland State Senate.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2014.

#### Senate Resolution No. 578 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fanny Nemeth–Weiss
Cello
in recognition of
your St. Patrick's Day performance for
the Maryland State Senate.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2014.

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 128 – Chair, Budget and Taxation Committee (By Request – Departmental – Education)

AN ACT concerning

Education – Compensatory Education Grants – Federal Community Eligibility Provision

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

Affirmative – 47 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the House of Delegates.

Senate Bill 143 – Senators Peters, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Glassman, Hershey, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

#### Income Tax - Military Retirement Income

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

Affirmative – 47 Negative – 0 (See Roll Call No. 569)

The Bill was then sent to the House of Delegates.

Senate Bill 354 – <del>Senator Muse</del> <u>Senators Muse, Currie, and Peters</u> <u>Peters, Benson, Ramirez, and Rosapepe</u>

AN ACT concerning

Maryland Renters Tax Credit Program - Marketing Campaign

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

Affirmative – 47 Negative – 0 (See Roll Call No. 570)

The Bill was then sent to the House of Delegates.

Senate Bill 409 – Senators Raskin and Shank

AN ACT concerning

#### Health - Food Allergy Awareness

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

Affirmative – 33 Negative – 14 (See Roll Call No. 571)

The Bill was then sent to the House of Delegates.

Senate Bill 415 - Senators Klausmeier, Benson, Reilly, and Young

AN ACT concerning

#### Morticians and Funeral Directors - Pre-Need Contracts

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

Affirmative – 47 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the House of Delegates.

Senate Bill 570 – Senators King, Feldman, Jones-Rodwell, Kasemeyer, Manno, Peters, and Robey

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

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

Affirmative – 47 Negative – 0 (See Roll Call No. 573)

The Bill was then sent to the House of Delegates.

Senate Bill 600 – Senators Pugh, Astle, Benson, Brinkley, Colburn, Currie, DeGrange, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jones-Rodwell, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Peters, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young

AN ACT concerning

Regional Institution Strategic Enterprise Zone Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 574)

The Bill was then sent to the House of Delegates.

Senate Bill 646 – Senators Middleton, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Hershey, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Miller, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

State Health Plan - Licensed Hospice Programs - Certificate of Need Review

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

Affirmative – 47 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the House of Delegates.

Senate Bill 659 – Senator Gladden

AN ACT concerning

Crimes Relating to Animals – Surgery on Dogs – Penalties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 576)

The Bill was then sent to the House of Delegates.

Senate Bill 661 – Senators Pugh, Jones-Rodwell, and Muse Muse, Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Ramirez

AN ACT concerning

Economic Development – Equity Participation Investment Program – Small Businesses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 577)

The Bill was then sent to the House of Delegates.

Senate Bill 909 – Senators Madaleno and, Montgomery, Kasemeyer, McFadden, Colburn, Currie, DeGrange, Edwards, Getty, Jones-Rodwell, King, Manno, Peters, and Robey

AN ACT concerning

Income Tax Checkoff – Developmental Disabilities Services and Support Fund – Designation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 578)

The Bill was then sent to the House of Delegates.

Senate Bill 999 – Senator Pugh

AN ACT concerning

Insurance - Reinsurance - Certification of Reinsurers

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

Affirmative -47 Negative -0 (See Roll Call No. 579)

The Bill was then sent to the House of Delegates.

#### THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 300 – Montgomery County Senators

AN ACT concerning

Montgomery County – Proportion of Food and Alcoholic Beverages Sales – Class B Licenses and Class B-BWL (H-M) Licenses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 580)

The Bill was then sent to the House of Delegates.

Senate Bill 305 – Montgomery County Senators

AN ACT concerning

Montgomery County - Alcoholic Beverages - Beer Sales and Delivery to Retail Dealers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 581)

The Bill was then sent to the House of Delegates.

Senate Bill 309 – Montgomery County Senators

AN ACT concerning

Montgomery County - Archery Hunting - Safety Zone

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

Affirmative -45 Negative -1 (See Roll Call No. 582)

The Bill was then sent to the House of Delegates.

Senate Bill 423 – Senators Kasemeyer, Miller, <del>and Reilly</del> <u>Reilly</u>, and <u>DeGrange</u>

AN ACT concerning

Tax Overpayment - Interest on Refunds

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

Affirmative – 47 Negative – 0 (See Roll Call No. 583)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the House of Delegates.

Senate Bill 490 – Senators Astle, Currie, Feldman, Hershey, Kittleman, Klausmeier, and Peters

AN ACT concerning

Limited Lines Insurance Licenses - Self-Service Storage Agents Producers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 585)

The Bill was then sent to the House of Delegates.

Senate Bill 630 – Senators Madaleno, Currie, Feldman, Kelley, King, Kittleman, Muse, and Ramirez Ramirez, Kasemeyer, McFadden, Colburn, DeGrange, Getty, Jones-Rodwell, Peters, and Robey

AN ACT concerning

Income Tax - Subtraction Modification - Student Loan Debt

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

Affirmative – 47 Negative – 0 (See Roll Call No. 586)

The Bill was then sent to the House of Delegates.

Senate Bill 648 – Senator Conway

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

Senate Bill 966 – Senators Dyson and Middleton

AN ACT concerning

Calvert County, Charles County, and St. Mary's County - Deer Hunting

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

Affirmative – 46 Negative – 1 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

Senate Bill 1051 - Senator Kasemeyer Senators Kasemeyer, McFadden, Colburn, DeGrange, Getty, Jones-Rodwell, King, Manno, Peters, and Robey

AN ACT concerning

Business and Economic Development - Film Production Activity Tax Credit **Program** 

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

Affirmative – 45 Negative – 1 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

Senate Bill 1054 – Senator Pugh

AN ACT concerning

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

Read the third time and passed by year and navs as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 590)

The Bill was then sent to the House of Delegates.

Senate Bill 1108 – Senators Conway and Dyson

AN ACT concerning

Sterile Compounding Permits - Exemptions - Definition of "Compounding" and Exemption for Sterile Compounding Facilities That Compound Only for Immediate Use

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

Affirmative – 47 Negative – 0 (See Roll Call No. 591)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #56

Senate Bill 52 – Senator Benson

AN ACT concerning

Task Force to Study Services and Resources Provided by the Department of Veterans Affairs

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

Affirmative – 47 Negative – 0 (See Roll Call No. 592)

The Bill was then sent to the House of Delegates.

Senate Bill 432 – Senators Pugh, Benson, Conway, Feldman, Jones-Rodwell, Middleton, Montgomery, and Stone

AN ACT concerning

Department of Health and Mental Hygiene – <u>Plan for Creation and</u> Implementation of a Database of Direct Access Employees <del>- Establishment</del>

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

Affirmative -47 Negative -0 (See Roll Call No. 593)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 594)

The Bill was then sent to the House of Delegates.

Senate Bill 577 – Senator Astle

AN ACT concerning

Department of Health and Mental Hygiene - State Facilities - Cemeteries

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

Affirmative – 47 Negative – 0 (See Roll Call No. 595)

The Bill was then sent to the House of Delegates.

Senate Bill 622 - Senator Middleton

AN ACT concerning

Health Insurance - Step Therapy or Fail-First Protocol

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

Affirmative -47 Negative -0 (See Roll Call No. 596)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

State Government - Open Data Policy - Council on Open Data

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

Affirmative -47 Negative -0 (See Roll Call No. 597)

The Bill was then sent to the House of Delegates.

Senate Bill 711 - Senator Feldman

AN ACT concerning

Maryland Occupational Safety and Health Act – Chemical Information List – Submission to Department of the Environment – Repeal Submission,

Maintenance, and Accessibility

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

Affirmative – 46 Negative – 0 (See Roll Call No. 598)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 599)

The Bill was then sent to the House of Delegates.

Senate Bill 832 – Senators Kelley, Brinkley, Feldman, Glassman, Kittleman, Klausmeier, Mathias, and Pugh

AN ACT concerning

Health Care Provider Malpractice Insurance - Scope of Coverage

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

Affirmative – 47 Negative – 0 (See Roll Call No. 600)

The Bill was then sent to the House of Delegates.

Senate Bill 891 – <del>Senator Middleton</del> <u>Senators Middleton, Kittleman, and Pugh</u>

AN ACT concerning

Maryland Health Care Commission – Authority of Acute Care Hospitals to Provide Cardiac Surgery Services – Voluntary Relinquishment – Regulations

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

Affirmative – 46 Negative – 0 (See Roll Call No. 601)

The Bill was then sent to the House of Delegates.

Senate Bill 931 – Senator Conway

AN ACT concerning

State Board of Elections – Appointment of General Counsel Provision of Professional Legal Assistance

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

Affirmative – 47 Negative – 0 (See Roll Call No. 602)

The Bill was then sent to the House of Delegates.

Senate Bill 1104 – Senators Middleton <del>and Ramirez, Ramirez, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, and Pugh</del>

AN ACT concerning

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

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

Affirmative – 40 Negative – 7 (See Roll Call No. 603)

The Bill was then sent to the House of Delegates.

Senate Bill 1106 – Senator Feldman

AN ACT concerning

Business Occupations - Real Estate Appraisers - Criminal History Records
Checks

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

Affirmative – 47 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the House of Delegates.

#### THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 511 – Delegate Davis (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Foresters - Sunset Extension and Program Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 605)

The Bill was then sent to the House of Delegates.

#### LAID OVER BILLS

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

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

AN ACT concerning

#### Procurement - Prevailing Wage - Applicability

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

#### SB0232/957072/3

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 232

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 3 down through "definition;" in line 4 and substitute "specifying the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies by altering certain definitions;".

#### AMENDMENT NO. 2

On page 3, in lines 5, 8, 9, 10, 17, 18, 20, 23, and 29, strike the brackets; in line 5, strike "(2)"; in line 7, strike "entity" and substitute "ENTITY:

# 1. WITH RESPECT TO THE CONSTRUCTION OF AN ELEMENTARY OR A SECONDARY SCHOOL FOR WHICH 25% OR MORE OF THE MONEY USED FOR CONSTRUCTION IS STATE MONEY; OR

**2.**";

in line 8, after "any" insert "OTHER"; in line 9, strike "FUNDED IN WHOLE OR IN PART WITH"; in line 21, strike "entity" and substitute "ENTITY:

1. WITH RESPECT TO THE CONSTRUCTION OF AN ELEMENTARY OR A SECONDARY SCHOOL FOR WHICH LESS THAN 25% OF THE MONEY USED FOR CONSTRUCTION IS STATE MONEY; OR

**2.**";

in line 22, after "any" insert "OTHER"; in line 29, strike the comma; and in the same line, strike "INCLUDE".

On page 4, strike beginning with "A" in line 1 down through "(II)" in line 4; and in line 8, strike "money" and substitute "MONEY; OR

#### (II) AN ELEMENTARY OR A SECONDARY SCHOOL IF:

# 1. THE SCHOOL IS NOT IN A POLITICAL SUBDIVISION COVERED UNDER SUBSECTION (I)(1)(IV) OF THIS SECTION; AND

2. THE STATE PROVIDES LESS THAN 25% OF THE MONEY FOR CONSTRUCTION".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0232/533126/1

BY: Senator Jones-Rodwell

#### AMENDMENT TO SENATE BILL 232

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, and</u> Jones–Rodwell".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

#### SB0232/823121/1

BY: Senator Madaleno

#### AMENDMENT TO SENATE BILL 232

(First Reading File Bill)

On page 1, in line 5, before "and" insert "providing for the application of this Act;".

On page 4, after line 10, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to a procurement contract executed on or after July 1, 2014.";

and in line 11, strike "2." and substitute "3.".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

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

Senate Bill 694 – Senators Klausmeier, Colburn, Currie, Feldman, King, Kittleman, Mathias, Middleton, Robey, and Young

AN ACT concerning

Health Occupations - Maryland Behavior Analysts Act

#### SB0694/494034/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 694

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 18 down through "roster;" in line 19.

On page 2, in lines 1, 2, 3, and 6, in each instance, strike "committee" and substitute " $\underline{\text{subcommittee}}$ "; and in line 29, strike "17-6A-33" and substitute "17-6A-31".

#### AMENDMENT NO. 2

On page 4, in line 4, strike the first "OR" and substitute a comma; in the same line, strike "OR LONG-TERM"; in the same line, after "COUNSELING" insert ", OR ANY SUBDISCIPLINE OF PSYCHOLOGY"; strike beginning with "UNLESS" in line 7 down through "THIS" in line 9 and substitute:

"(A) THIS SUBTITLE DOES NOT LIMIT THE USE OF THE TERMS
"BEHAVIOR ANALYSIS" OR "BEHAVIORAL ANALYSIS" BY AN INDIVIDUAL
AUTHORIZED TO PRACTICE UNDER THIS ARTICLE WHO IS PRACTICING WITHIN
THE INDIVIDUAL'S SCOPE OF PRACTICE.

#### (B) <u>THIS</u>".

#### AMENDMENT NO. 3

On page 8, in line 9, strike "SUBMIT AN ANNUAL REPORT" and substitute "REPORT"; in the same line, after "BOARD" insert "AS REQUIRED IN REGULATIONS ADOPTED BY THE BOARD"; in line 12, strike "OCTOBER 1, 2014" and substitute "JANUARY 1, 2015"; in line 27, strike "BACHELOR'S OR"; and in the same line, after "DEGREE" insert "OR HIGHER".

#### AMENDMENT NO. 4

On page 9, in line 9, strike "SEPTEMBER 30" and substitute "DECEMBER 31".

#### AMENDMENT NO. 5

On pages 10 and 11, strike in their entirety the lines beginning with line 20 on page 10 through line 2 on page 11, inclusive.

On page 11, in line 3, strike "**17–6A–16.**" and substitute "**17–6A–15.**".

On page 12, in line 3, strike "**17–6A–17.**" and substitute "**17–6A–16.**"; and in line 22, strike "**§ 17–6A–16**" and substitute "**§ 17–6A–15**".

On page 13, in lines 5, 10, and 15, strike "17–6A–18.", "17–6A–19.", and "17–6A–20.", respectively, and substitute "17–6A–17.", "17–6A–18.", and "17–6A–19.", respectively; and in line 16, strike "§ 17–6A–23" and substitute "§ 17–6A–21".

#### AMENDMENT NO. 6

On page 13, strike in their entirety lines 28 and 29.

On page 14, in lines 1, 3, 5, 7, 11, 12, 14, 20, 22, 25, 27, and 29, strike "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", "(13)", "(14)", "(15)", and "(16)", respectively, and substitute "(4)", "(5)", "(6)", "(7)", "(8)", "(9)", "(10)", "(11)", "(12)", "(13)", "(14)", and "(15)", respectively.

On page 15, in lines 1, 3, 7, 9, and 12, strike "(17)", "(18)", "(19)", "(20)", and "(21)", respectively, and substitute "(16)", "(17)", "(18)", "(19)", and "(20)", respectively; in line 11, strike "OR"; in line 13, after "TITLE" insert ";

#### (21) HABITUALLY IS INTOXICATED;

- (22) PROVIDES PROFESSIONAL SERVICES WHILE UNDER THE INFLUENCE OF ALCOHOL OR WHILE USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE, OR OTHER DRUG THAT IS IN EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL INDICATION; OR
- (23) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF § 5–704 OF THE FAMILY LAW ARTICLE";

in line 14, strike "17-6A-21." and substitute "17-6A-20."; in line 15, strike "17-6A-23" and substitute "17-6A-21"; and in line 16, strike "17-6A-20" and substitute "17-6A-19".

#### AMENDMENT NO. 7

On pages 15 and 16, strike in their entirety the lines beginning with line 25 on page 15 through line 13 on page 16, inclusive.

On page 16, in line 14, strike "**17–6A–23.**" and substitute "**17–6A–21.**"; in line 16, strike "**§ 17–6A–20**" and substitute "**§ 17–6A–19**"; and in line 24, strike "**10**" and substitute "**30**".

On page 17, in line 16, strike "17-6A-24." and substitute "17-6A-22."; and in lines 17 and 18 and 25, in each instance, strike "\$17-6A-20" and substitute "\$17-6A-19".

On page 18, in line 4, strike "17–6A–25." and substitute "17–6A–23."; in line 11, strike "17–6A–26." and substitute "17–6A–24."; in line 14, strike "17–6A–27." and substitute "17–6A–25."; and in line 19, strike "§ 17–6A–20" and substitute "§ 17–6A–19".

On page 19, in line 7, strike "§ 17–6A–29" and substitute "§ 17–6A–27"; in line 8, strike "§ 17–6A–20" and substitute "§ 17–6A–19"; in line 9, strike "17–6A–28." and substitute "17–6A–26."; in lines 11, 16, 19, and 25, in each instance, strike "COMMITTEE" and substitute "SUBCOMMITTEE"; and in lines 16, 19, 20, and 21, in each instance, strike "BOARD" and substitute "COMMITTEE".

On page 20, in lines 3, 6, 9, 15, 17, and 19, in each instance, strike "COMMITTEE" and substitute "SUBCOMMITTEE"; in line 20, strike "17–6A–29." and substitute "17–6A–27."; in line 25, strike "17–6A–30." and substitute "17–6A–28."; and in line 32, strike "17–6A–31." and substitute "17–6A–29.".

On page 21, in line 4, strike "§ 17–6A–29" and substitute "§ 17–6A–27"; in line 10, strike "17–6A–32." and substitute "17–6A–30."; and in line 13, strike "17–6A–33." and substitute "17–6A–31.".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 988 – Senator Pugh

AN ACT concerning

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

#### SB0988/904439/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO SENATE BILL 988

(First Reading File Bill)

In line 16, strike "speed" and substitute "throughput"; and in the same line, strike "gigabyte" and substitute "gigabit".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #37

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

Senate Bill 290 – Senators Brochin, Getty, and Jennings

AN ACT concerning

Baltimore County - Board of Education - Selection of Members

#### SB0290/644436/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 290

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 11, after "terms;" insert "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;"; and in line 27, strike "3–2A–08" and substitute "3–2A–09".

#### AMENDMENT NO. 2

On page 3, in line 28, strike "ELEVEN" and substitute "11".

On page 4, in line 8, after "GOVERNOR" insert "FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE COUNTY SCHOOL BOARD NOMINATING COMMISSION AS PROVIDED IN § 3–2A–03 OF THIS SUBTITLE".

On page 5, in line 9, after "MEMBER" insert "FROM A LIST OF NOMINEES SUBMITTED BY THE BALTIMORE COUNTY SCHOOL BOARD NOMINATING COMMISSION"; after line 11, insert:

- "(A) (1) THERE IS A BALTIMORE COUNTY SCHOOL BOARD NOMINATING COMMISSION.
- (2) THE PURPOSE OF THE COMMISSION IS TO SELECT NOMINEES
  TO BE RECOMMENDED TO THE GOVERNOR AS QUALIFIED CANDIDATES FOR
  APPOINTMENT TO THE BALTIMORE COUNTY BOARD OF EDUCATION.
- (3) THE COMMISSION SHALL HOLD AT LEAST TWO PUBLIC HEARINGS ON THE SELECTION OF NOMINEES BEFORE RECOMMENDING TO THE GOVERNOR NOMINEES FOR APPOINTMENT TO THE COUNTY BOARD.
- (B) (1) THE COMMISSION CONSISTS OF 19 MEMBERS WHO SHALL BE APPOINTED IN ACCORDANCE WITH THIS SUBSECTION.
- (2) THE COMMISSION SHALL REFLECT THE RICH CULTURAL, GEOGRAPHIC, ETHNIC, AND RACIAL DIVERSITY OF BALTIMORE COUNTY.
- (3) THE GOVERNOR, IN CONSULTATION WITH THE COUNTY EXECUTIVE OF BALTIMORE COUNTY, SHALL APPOINT EIGHT MEMBERS, ONE FROM EACH LEGISLATIVE DISTRICT THAT LIES IN WHOLE OR IN PART IN BALTIMORE COUNTY.

- (4) THE COUNTY EXECUTIVE OF BALTIMORE COUNTY SHALL APPOINT ONE MEMBER FROM THE COUNTY AT LARGE.
- (5) THE FOLLOWING ORGANIZATIONS EACH SHALL APPOINT ONE MEMBER:
  - (I) THE TEACHERS ASSOCIATION OF BALTIMORE COUNTY;
  - (II) THE BALTIMORE COUNTY CHAMBER OF COMMERCE;
- (III) THE BALTIMORE COUNTY PARENT TEACHER ASSOCIATION COUNCIL;
  - (IV) TOWSON UNIVERSITY;
- (V) THE LEAGUE OF WOMEN VOTERS OF BALTIMORE COUNTY;
- (VI) THE BALTIMORE COUNTY BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE;
- (VII) THE BALTIMORE COUNTY PUBLIC SCHOOLS' SPECIAL EDUCATION CITIZENS' ADVISORY COMMITTEE;
  - (VIII) THE BALTIMORE COUNTY STUDENT COUNCILS;
- (IX) THE COUNCIL OF ADMINISTRATIVE AND SUPERVISORY EMPLOYEES; AND
- (X) THE EDUCATION SUPPORT PERSONNEL OF BALTIMORE COUNTY.
- (C) (1) THE GOVERNOR SHALL DESIGNATE AS CHAIR OF THE COMMISSION ONE OF THE EIGHT MEMBERS APPOINTED BY THE GOVERNOR UNDER SUBSECTION (B)(3) OF THIS SECTION.

- **(2)** THE TERM OF THE CHAIR OF THE COMMISSION IS 4 YEARS.
- THE GOVERNOR MAY REAPPOINT THE CHAIR OF THE **(3)** COMMISSION FOR A SECOND TERM.
  - **(4)** THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS.
- (D) THE BALTIMORE COUNTY PUBLIC SCHOOLS SHALL PROVIDE STAFF FOR THE COMMISSION.
- (E) BEGINNING OCTOBER 1, 2018, FOR EACH NOMINATION FOR A VACANCY ON THE COUNTY BOARD, THE COMMISSION SHALL SUBMIT TO THE GOVERNOR A LIST OF NOMINEES THAT CONTAINS:
  - **(1)** AT LEAST TWO NAMES FOR EACH VACANCY; OR
- IF THERE ARE FEWER THAN TWO APPLICANTS FOR A **(2)** VACANCY, THE NUMBER OF NAMES THAT IS EQUAL TO THE NUMBER OF APPLICANTS FOR THE VACANCY.
- **(F)** (1) ABSENT AN EXTRAORDINARY CIRCUMSTANCE, THE GOVERNOR SHALL APPOINT A MEMBER TO THE COUNTY BOARD FROM THE LIST PROVIDED BY THE COMMISSION.
- IF THE GOVERNOR ELECTS NOT TO APPOINT A MEMBER FROM **(2)** A LIST SUBMITTED BY THE COMMISSION, THE GOVERNOR SHALL RETURN THE LIST TO THE COMMISSION AND REQUEST THAT THE COMMISSION SUBMIT THE NAMES OF ADDITIONAL QUALIFIED CANDIDATES.

#### 3-2A-04.";

and in line 22, strike "3-2A-04." and substitute "3-2A-05.".

#### AMENDMENT NO. 3

On page 6, in lines 15 and 25, strike "3–2A–05." and "3–2A–06.", respectively, and substitute "3–2A–06." and "3–2A–07.", respectively.

On page 7, in line 4, strike "3–2A–07." and substitute "3–2A–08.".

On page 8, in lines 1 and 5, strike "3–2A–08." and "3–2A–09.", respectively, and substitute "3–2A–09." and "3–2A–10.", respectively.

On page 11, in line 9, after the first "members" insert "<u>from a list of nominees submitted by the Baltimore County School Board Nominating Commission as established by Section 1 of this Act</u>"; in lines 13 and 14, strike "the effective date of this Act" and substitute "<u>June 1, 2016</u>"; in line 14, strike "December 4, 2016" and substitute "<u>December 2, 2018</u>"; in lines 16 and 22, in each instance, strike "November 2016" and substitute "<u>November 2018</u>"; and in lines 17 and 22, in each instance, strike "December 5, 2016" and substitute "<u>December 3, 2018</u>".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0290/553728/1

BY: Senator Jennings

#### AMENDMENT TO SENATE BILL 290

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Jennings" and substitute "Jennings, and Zirkin".

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 678 – Senator Conway

AN ACT concerning

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

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

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

Affirmative – 40 Negative – 5 (See Roll Call No. 606)

The Bill was then sent to the House of Delegates.

#### **CONCURRENCE CALENDAR #2**

#### AMENDED IN THE HOUSE

Senate Bill 641 – Senators Mathias, Pugh, <del>and Raskin</del> <u>Raskin, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Ramirez</u>

AN ACT concerning

# Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014

Senator Middleton moved that the Senate concur in the House amendments.

#### SB0641/296786/1

BY: Health and Government Operations Committee

#### AMENDMENTS TO SENATE BILL 641

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, at the top of the page, insert "<u>EMERGENCY BILL</u>"; in line 6, after the second semicolon insert "<u>making this Act an emergency measure:</u>".

#### AMENDMENT NO. 2

On page 2, in line 29, strike "2016" and substitute "2015"; and in lines 30 and 31, strike "shall take effect October 1, 2014" and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to

each of the two Houses of the General Assembly, and shall take effect from the date it is enacted".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 607)

# **QUORUM CALL**

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

(See Roll Call No. 608)

#### **ADJOURNMENT**

At 8:01 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 13, 2014, Calendar Day, Tuesday, March 18, 2014.

# Annapolis, Maryland Legislative Day: March 13, 2014 Calendar Day: Tuesday, March 18, 2014 10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Senator Raskin, written by Reverend Julia Jarvis, Interfaith Love and Life.

(See Exhibit A of Appendix III)

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

# **QUORUM CALL**

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

(See Roll Call No. 610)

#### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #20

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

Senate Bill 348 - Senator Manno

AN ACT concerning

Texting While Driving - Accidents Resulting in Death or Serious Injury - Penalties

#### SB0348/108976/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 348

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike "contributes to" and substitute "<u>causes</u>"; and strike beginning with "requiring" in line 7 down through "device;" in line 12.

#### AMENDMENT NO. 2

On page 2, in line 20, strike "CONTRIBUTES TO" and substitute "CAUSES".

On page 3, strike in their entirety lines 9 through 21, inclusive.

# The preceding 2 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 350 – Senators Brochin, Klausmeier, and Zirkin

AN ACT concerning

#### Motor Vehicles - Speed Monitoring Systems - Local Jurisdictions

#### SB0350/918676/1

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 350

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Speed Monitoring Systems Reform Act of 2014"; in line 5, strike "only"; in the same line, after "placed" insert "only"; strike beginning with "establishing" in line 9 down through "year;" in line 11; in line 12, after the first "certain" insert "public"; strike beginning with "requiring" in line 12 down through "annually;" in line 13; and strike beginning with "providing" in line 22 down through "circumstances" in line 24 and substitute "requiring the Maryland Police Training Commission to compile and make publicly available an annual report containing certain information on each local speed monitoring system program; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act".

#### AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 15 down through "PROVISIONS" in line 29 and substitute "APPARENTLY INACCURATE BASED ON A TECHNICAL VARIABLE THAT IS UNDER THE CONTROL OF THE CONTRACTOR.

- (II) "ERRONEOUS VIOLATION" INCLUDES A POTENTIAL VIOLATION BASED ON:
- 1. A RECORDED IMAGE OF A REGISTRATION PLATE
  THAT DOES NOT MATCH THE REGISTRATION PLATE ISSUED FOR THE MOTOR
  VEHICLE IN THE RECORDED IMAGE;
- 2. A RECORDED IMAGE THAT SHOWS A STOPPED VEHICLE OR NO PROGRESSION;
- 3. <u>AN INCORRECTLY MEASURED SPEED FOR A</u> MOTOR VEHICLE;
- 4. A MEASURED SPEED OF A MOTOR VEHICLE THAT
  IS BELOW THE THRESHOLD SPEED THAT WOULD SUBJECT THE OWNER TO A
  CIVIL CITATION UNDER THIS SECTION;
- 5. A RECORDED IMAGE THAT WAS TAKEN OUTSIDE
  OF THE HOURS AND DAYS THAT SPEED MONITORING SYSTEMS ARE AUTHORIZED
  FOR USE IN SCHOOL ZONES; AND
- 6. A RECORDED IMAGE THAT WAS TAKEN BY A SPEED MONITORING SYSTEM WITH AN EXPIRED CALIBRATION CERTIFICATE".

On page 5, in line 22, before "IF" insert a comma.

On page 6, in line 22, strike "AND" and substitute "FOR AND THE".

On page 7, strike beginning with "SPEED" in line 8 down through "JURISDICTION" in line 9 and substitute "LOCAL JURISDICTION'S SPEED MONITORING SYSTEM PROGRAM"; strike in their entirety lines 10 through 13, inclusive, and substitute:

- "2. A. THE LOCAL DESIGNEE SHALL REVIEW A CITATION GENERATED BY A SPEED MONITORING SYSTEM IF THE PERSON WHO RECEIVED THE CITATION REQUESTS REVIEW BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER THIS SECTION.
- B. If the local designee determines that the citation is an erroneous violation, the local designee shall void the citation.
- C. If the local designee determines that a person did not receive notice of a citation issued under this section due to an administrative error, the local designee may resend the citation in accordance with subsection (d) of this section or void the citation.
- D. A LOCAL DESIGNEE THAT TAKES ANY ACTION DESCRIBED UNDER SUBSUBSUBPARAGRAPH C OF THIS SUBSUBPARAGRAPH SHALL NOTIFY THE ADMINISTRATION OF THE ACTION FOR THE PURPOSE OF RESCINDING ANY ADMINISTRATIVE PENALTIES IMPOSED UNDER SUBSECTION (G) OF THIS SECTION.
- E. A LOCAL DESIGNEE MAY NOT DETERMINE THAT A
  CITATION IS AN ERRONEOUS VIOLATION BASED SOLELY ON THE DISMISSAL OF
  THE CITATION BY A COURT.";

strike beginning with "PREVIOUS" in line 16 down through "CITATIONS" in line 17 and substitute "REVIEW OF A SPEED MONITORING SYSTEM CITATION, OTHER THAN A REVIEW OF A CITATION UNDER THIS SUBPARAGRAPH"; in line 18, after "A" insert "WRITTEN"; in lines 22 and 23, in each instance, strike the comma; and in line 23, after "SUBSEQUENT" insert "WRITTEN".

On page 8, in lines 7 and 14, in each instance, strike the bracket; in lines 7 and 8, strike "A QUARTERLY"; and in line 14, strike "QUARTERLY".

On page 9, in line 3, strike "BEYOND" and substitute "BY SUBMITTING ERRONEOUS VIOLATIONS TO THE AGENCY THAT EXCEED"; strike beginning with "ASSOCIATION" in line 5 down through "ADMINISTRATION" in line 7, and substitute

"POLICE TRAINING COMMISSION, IN CONSULTATION WITH THE STATE HIGHWAY ADMINISTRATION AND OTHER INTERESTED STAKEHOLDERS"; in line 13, after the second "A" insert "NEW"; and in line 15, after "2." insert "A PROGRAM ADMINISTRATOR FOR A PROGRAM IN EXISTENCE ON JUNE 1, 2014, SHALL INITIALLY PARTICIPATE IN THE TRAINING PROGRAM ON OR BEFORE DECEMBER 31, 2014, AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.

**3.**".

On page 10, in line 27, strike "subsection" and substitute "SUBSECTIONS (B)(1)(IX) AND".

On page 13, strike in their entirety lines 13 through 21, inclusive, and substitute:

- "(K) (1) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE MARYLAND POLICE TRAINING COMMISSION SHALL:
- **(I)** COMPILE AND MAKE PUBLICLY AVAILABLE A REPORT FOR THE PREVIOUS FISCAL YEAR ON EACH SPEED MONITORING SYSTEM PROGRAM OPERATED BY A LOCAL JURISDICTION UNDER THIS SECTION; AND
- SUBMIT THE REPORT TO THE GOVERNOR AND, IN (II)ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.
  - **(2)** THE REPORT SHALL INCLUDE:
    - <u>(I)</u> THE TOTAL NUMBER OF CITATIONS ISSUED;
- (II)THE NUMBER OF CITATIONS ISSUED AND THE NUMBER VOIDED AS ERRONEOUS VIOLATIONS FOR EACH CAMERA;
  - (III) THE GROSS REVENUE GENERATED BY THE PROGRAM;
  - (IV) THE EXPENDITURES INCURRED BY THE PROGRAM;

- (V) THE NET REVENUE GENERATED BY THE PROGRAM;
- (VI) THE TOTAL AMOUNT OF ANY PAYMENTS MADE TO A CONTRACTOR UNDER THE PROGRAM;
- (VII) A DESCRIPTION OF HOW THE NET REVENUE GENERATED BY THE PROGRAM WAS USED;
- (VIII) THE NUMBER OF EMPLOYEES OF THE LOCAL JURISDICTION INVOLVED IN THE PROGRAM;
- (IX) THE TYPE OF SPEED MONITORING SYSTEM USED BY THE LOCAL JURISDICTION;
- (X) THE LOCATIONS AT WHICH EACH SPEED MONITORING SYSTEM WAS USED IN THE LOCAL JURISDICTION;
- (XI) THE ACTIVATION START AND STOP DATES OF EACH SPEED MONITORING SYSTEM FOR EACH LOCATION AT WHICH IT WAS USED; AND
- (XII) THE NUMBER OF CITATIONS ISSUED BY EACH SPEED MONITORING SYSTEM AT EACH LOCATION.
- (3) EACH LOCAL JURISDICTION WITH A SPEED MONITORING SYSTEM PROGRAM SHALL SUBMIT THE INFORMATION REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION TO THE COMMISSION BY OCTOBER 31 OF EACH YEAR AND ASSIST THE COMMISSION IN THE PREPARATION OF THE ANNUAL REPORT.
- SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, a presently existing obligation, contract, or contract right may not be impaired in any way by this Act and this Act does not abrogate any current obligation, contract, or contract right in existence before the effective date of this Act.
- SECTION 3. AND BE IT FURTHER ENACTED, That a local jurisdiction shall alter without penalty an obligation, a contract, or a contract right existing on May 31, 2014, to comply with the provisions of this Act by June 1, 2017.";

and in line 23, strike "October" 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 Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 830 - Senator Forehand

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse Victims

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 860 – Senators Gladden, Jones-Rodwell, and Kelley

AN ACT concerning

Public Safety - Photo and Lineup Eyewitness Identification - Procedures

#### SB0860/238878/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 860

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Kelley" and substitute "Kelley, and Forehand"; in line 2, strike "Photo and Lineup"; strike beginning with "requiring" in line 9 down through "programs;" in line 10; strike beginning with "requiring" in line 12 down through "manner;" in line 14; in line 14, after "terms;" insert "providing for the application of this Act; providing for a delayed effective date;"; and in line 18, strike "and (e)".

#### AMENDMENT NO. 2

On page 2, in line 3, after "(I)" insert "1. ADOPT THE POLICE TRAINING COMMISSION'S EYEWITNESS IDENTIFICATION MODEL POLICY; OR

**2.**";

and strike in their entirety lines 14 through 16, inclusive.

On page 3, in line 13, strike "SUSPECTED PERPETRATOR" and substitute "SUSPECT"; strike beginning with the second "STATEMENT" in line 18 down through "PROCEDURE" in line 20 and substitute "DOCUMENTED STATEMENT THAT IS SOUGHT BY THE ADMINISTRATOR WHEN AN IDENTIFICATION IS MADE"; after line 21, insert:

"(II) IN THE OWN WORDS OF THE EYEWITNESS, DESCRIBING
THE EYEWITNESS'S CONFIDENCE LEVEL THAT THE PERSON IDENTIFIED IS THE
PERPETRATOR OF THE CRIME;";

in lines 22 and 24, strike "(II)" and "(III)", respectively, and substitute "(III)" and "(IV)", respectively; strike beginning with "GROUP" in line 25 down through "CRIME" in line 28 and substitute "PERPETRATOR IS PLACED AMONG A GROUP OF OTHER PERSONS WHOSE GENERAL APPEARANCE RESEMBLES THE PERPETRATOR"; and after line 28, insert:

- "(11) "PERPETRATOR" MEANS A PERSON WHO COMMITTED AN OFFENSE.
- (12) "SUSPECT" MEANS A PERSON WHO IS SUSPECTED OF COMMITTING AN OFFENSE.".

On page 4, strike beginning with "AND" in line 7 down through "MEDIA" in line 22 and substitute "THAT THE PERPETRATOR MAY OR MAY NOT BE AMONG THE PERSONS IN THE IDENTIFICATION PROCEDURE".

On pages 4 and 5, strike in their entirety the lines beginning with line 23 on page 4 through line 10 on page 5, inclusive, and substitute:

"(4) WHEN AN IDENTIFICATION IS MADE IN A LIVE LINEUP OR PHOTO ARRAY, THE ADMINISTRATOR SHALL DOCUMENT IN WRITING ALL IDENTIFICATION STATEMENTS MADE BY THE EYEWITNESS.".

On page 5, in line 14, strike "AND"; in line 15, strike "SUSPECT" and substitute "<u>PERPETRATOR</u>"; and in line 17, strike "OR A LIVE LINEUP IS CONDUCTED FOR AN EYEWITNESS" and substitute "; AND

(3) AT LEAST FOUR FILLERS, IN ADDITION TO THE PERPETRATOR, SHALL BE INCLUDED IN A LIVE LINEUP".

On page 6, strike beginning with "UNLESS" in line 1 down through "(2)" in line 3; in lines 3, 17, and 18, strike "(3)", "(3)", and "(2)", respectively, and substitute "(2)", "(2)", and "(1)", respectively; in line 9, strike "IN THE EYEWITNESS'S OWN WORDS"; and strike in their entirety lines 20 through 31, inclusive.

#### AMENDMENT NO. 3

On page 2, in line 1, strike "AUGUST 1, 2014" and substitute "<u>JANUARY 1, 2015</u>"; and in line 8, strike "DECEMBER 31, 2014" and substitute "<u>FEBRUARY 1, 2015</u>".

On page 7, before line 1, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any criminal case commenced before the effective date of this Act.";

in line 1, strike "2." and substitute "3."; and in line 2, strike "July 1, 2014" and substitute "January 1, 2015".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0860/323922/1

BY: Senator Gladden

# AMENDMENTS TO SENATE BILL 860, AS AMENDED

### AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0860/238878/1), in line 5 of Amendment No. 1, strike "providing for a delayed effective date;".

# AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments, in line 10 of Amendment No. 3, strike "January 1, 2015" and substitute "October 1, 2014".

The preceding 2 amendments were read only.

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

The motion was adopted.

#### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

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

Senate Bill 208 – Senators Kelley, Forehand, and Raskin

AN ACT concerning

#### Maryland Collaborative Reproduction Act

#### SB0208/678076/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 208

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 13, after "agreement;" insert "requiring a gestational carrier agreement to be approved by a circuit court prior to the embryo transfer; requiring the parties to a gestational carrier agreement to jointly petition for approval of the agreement; establishing the jurisdiction of the circuit court; specifying the contents of the petition; requiring the court to hold a hearing on the petition within a certain period of time; requiring the court to hold separate hearings under certain circumstances; requiring the petitioning parties to be present at the hearing; requiring the court to issue an order approving the gestational carrier agreement if the court makes certain findings; requiring a certain hearing to be closed to the public; establishing that certain records are not subject to public inspection except under certain circumstances;"; and in line 18, after "parent" insert "or gestational carrier".

On page 2, in line 1, after "penalties;" insert "requiring a certain person to register with the Department of Health and Mental Hygiene under certain circumstances; specifying the information that a person required to register must provide to the Department; requiring the Department to publish certain information on its Web site; authorizing the Department to adopt certain regulations;"; and in line 6, strike "5–914" and substitute "5–916".

#### AMENDMENT NO. 2

On page 5, in line 21, strike "AND"; and in line 23, after "SUBTITLE" insert "; AND

(3) THE AGREEMENT IS APPROVED BY A COURT UNDER § 5–908 OF THIS SUBTITLE".

On page 7, in line 4, strike "AND"; and in line 8, after "NUMBERS" insert "; AND

(IV) BE APPROVED BY A CIRCUIT COURT JUDGE PRIOR TO THE EMBRYO TRANSFER".

On page 9, after line 11, insert:

- "(A) BEFORE AN EMBRYO TRANSFER, THE PARTIES TO A GESTATIONAL CARRIER AGREEMENT SHALL JOINTLY PETITION THE CIRCUIT COURT FOR APPROVAL OF THE GESTATIONAL CARRIER AGREEMENT.
- (B) A PETITION UNDER THIS SECTION MAY BE FILED IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH:
- (1) THE INTENDED PARENT OR GESTATIONAL CARRIER IS

  DOMICILED IF THE INTENDED PARENT OR GESTATIONAL CARRIER HAS BEEN A

  RESIDENT OF THE STATE FOR AT LEAST 90 DAYS;
- (2) THE CHILD IS EXPECTED TO BE BORN, AS DEMONSTRATED BY
  THE GESTATIONAL CARRIER'S PATIENT-PHYSICIAN RELATIONSHIP WITH AN
  OBSTETRICIAN OR OTHER OBSTETRICAL HEALTH CARE PROVIDER LICENSED IN
  THE STATE WHO HAS DELIVERY PRIVILEGES AT A HOSPITAL IN THE STATE
  WHERE THE GESTATIONAL CARRIER INTENDS TO DELIVER THE CHILD; OR
  - (3) THE EMBRYO TRANSFER IS TO BE PERFORMED.
  - (C) A PETITION FILED UNDER THIS SECTION SHALL INCLUDE:
- (1) AN AFFIDAVIT BY EACH ATTORNEY REPRESENTING A PARTY TO THE GESTATIONAL CARRIER AGREEMENT ATTESTING:
- (I) THAT THE REQUIREMENTS OF THIS SUBTITLE HAVE BEEN MET, INCLUDING A SPECIFIC ATTESTATION THAT THE REQUIREMENTS OF \$\ 5-906\ \text{AND } 5-907\ \text{OF THIS SUBTITLE HAVE BEEN MET;}
  - (II) TO THE IDENTITIES OF THE PARTIES;

- (III) TO THE FACT THAT THE ATTORNEY DID NOT REPRESENT BOTH THE INTENDED PARENT OR PARENTS AND THE GESTATIONAL CARRIER AND HER SPOUSE OR PARTNER, IF ANY, DURING THE PREPARATION, COUNSELING, OR NEGOTIATION OF THE GESTATIONAL CARRIER AGREEMENT; AND
- (IV) THAT THE TERMS OF THE GESTATIONAL CARRIER AGREEMENT COMPLY WITH THE REQUIREMENTS SPECIFIED IN THIS SUBTITLE; **AND**
- (2) A COPY OF THE EXECUTED GESTATIONAL CARRIER AGREEMENT.
- **(D) (1)** THE COURT SHALL HOLD A HEARING WITHIN 60 DAYS AFTER THE FILING OF A PETITION UNDER THIS SECTION.
- **(2)** IF A PARTY TO THE PETITION REQUESTS SEPARATE HEARINGS, THE COURT SHALL HOLD SEPARATE HEARINGS ON THE PETITION FOR APPROVAL OF THE GESTATIONAL CARRIER AGREEMENT.
- (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE INTENDED PARENT OR PARENTS, THE GESTATIONAL CARRIER, AND THE GESTATIONAL CARRIER'S SPOUSE OR PARTNER, IF ANY, SHALL BE PRESENT AT A HEARING UNDER THIS SECTION.
- IF A PARTY TO THE PETITION REQUESTS A SEPARATE (II)HEARING UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE PARTIES TO THE GESTATIONAL CARRIER AGREEMENT SHALL BE PRESENT AT THE SEPARATE HEARING APPROPRIATE FOR THAT PARTY.
- **(E)** THE COURT SHALL ISSUE AN ORDER APPROVING A GESTATIONAL CARRIER AGREEMENT IF THE COURT MAKES THE FOLLOWING FINDINGS:
- **(1)** ALL PARTIES TO THE GESTATIONAL CARRIER AGREEMENT HAVE VOLUNTARILY ENTERED INTO THE AGREEMENT AND UNDERSTAND ITS TERMS:

- (2) THE EVALUATIONS REQUIRED UNDER § 5–906 OF THIS SUBTITLE HAVE BEEN CONDUCTED AND THE PARTIES SATISFY THE REQUIREMENTS OF § 5–906 OF THIS SUBTITLE;
- (3) THE GESTATIONAL CARRIER AGREEMENT SATISFIES THE REQUIREMENTS OF § 5–907 OF THIS SUBTITLE;
- (4) ADEQUATE PROVISION HAS BEEN MADE FOR ALL REASONABLE MEDICAL AND ANCILLARY EXPENSES THAT ARE AGREED TO IN THE GESTATIONAL CARRIER AGREEMENT UNTIL THE BIRTH OF THE CHILD, INCLUDING RESPONSIBILITY FOR THOSE EXPENSES IF THE AGREEMENT IS TERMINATED; AND
- (5) THE COMPENSATION, IF ANY, PAID TO THE PROSPECTIVE GESTATIONAL CARRIER IS REASONABLE.
- (F) (1) A HEARING UNDER THIS SECTION SHALL BE CLOSED TO THE PUBLIC.
- (2) RECORDS OF A HEARING UNDER THIS SECTION ARE NOT SUBJECT TO PUBLIC INSPECTION UNDER THE MARYLAND PUBLIC INFORMATION ACT UNLESS:
- (I) ALL PARTIES TO THE PETITION CONSENT TO THE INSPECTION; OR
- (II) A COURT ORDER IS ISSUED ON A SHOWING OF GOOD CAUSE BY THE PARTY PETITIONING FOR THE INSPECTION.

#### **5–909.**".

On page 10, in line 32, strike "5-909." and substitute "5-910.".

On page 11, in line 13, strike "5–910." and substitute "5–911.".

On page 12, in line 5, strike "§ 5–911" and substitute "§ 5–912"; in line 9, strike "5–911." and substitute "5–912."; and strike beginning with "BY" in line 10 down through "EITHER" in line 12 and substitute "AT THE TIME A PETITION FOR APPROVAL OF A GESTATIONAL CARRIER AGREEMENT IS FILED UNDER § 5–908 OF THIS SUBTITLE OR AT ANY OTHER TIME".

On page 14, in line 10, strike " $\S 5-912$ " and substitute " $\S 5-913$ "; in line 23, strike " $\S -912$ ." and substitute " $\S 5-913$ ."; and in line 26, strike " $\S 5-911$ " and substitute " $\S 5-912$ ".

On page 15, in line 16, strike "§ 5-911" and substitute "§ 5-912"; and in lines 19 and 34, strike "5-913." and "5-914.", respectively, and substitute "5-914." and "5-915.", respectively.

#### AMENDMENT NO. 3

On page 8, in line 5, strike "AND"; and in line 13, after "DEATH" insert ": AND

(3) THAT THE GESTATIONAL CARRIER MAY NOT BE REQUIRED TO TERMINATE A PREGNANCY RESULTING FROM THE COLLABORATIVE REPRODUCTION WITHOUT THE CONSENT OF THE GESTATIONAL CARRIER".

On page 11, in line 22, after "(B)" insert "(1)"; in line 23, after "AGREEMENT" insert "AND AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION"; and after line 25, insert:

"(2) A GESTATIONAL CARRIER MAY NOT BE LIABLE FOR CIVIL DAMAGES FOR BREACH OF CONTRACT FOR CARRYING A PREGNANCY TO TERM.".

#### AMENDMENT NO. 4

On page 10 in line 33, and on page 11 in line 11, in each instance, after "PARENT" insert "OR GESTATIONAL CARRIER".

#### AMENDMENT NO. 5

On page 15, after line 34, insert:

"(A) IN THIS SECTION, "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

- (B) THIS SECTION DOES NOT APPLY TO AN ATTORNEY:
- (1) PROVIDING LEGAL ADVICE TO AN INTENDED PARENT OR GESTATIONAL CARRIER; OR
  - (2) PREPARING A GESTATIONAL CARRIER AGREEMENT.
- (C) A PERSON RECEIVING COMPENSATION FOR RECRUITING OR PROCURING A GESTATIONAL CARRIER OR OTHERWISE ARRANGING OR INDUCING AN INTENDED PARENT AND A GESTATIONAL CARRIER TO ENTER INTO A GESTATIONAL CARRIER AGREEMENT IN THE STATE SHALL REGISTER WITH THE DEPARTMENT.
- (D) A PERSON REQUIRED TO REGISTER UNDER SUBSECTION (C) OF THIS SECTION SHALL PROVIDE TO THE DEPARTMENT:
  - (1) THE PERSON'S NAME;
  - (2) THE NAME OF THE PERSON'S COMPANY OR FIRM, IF ANY;
  - (3) THE PERSON'S ADDRESS; AND
  - (4) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.
- (E) THE DEPARTMENT SHALL PUBLISH THE REGISTRATION INFORMATION PROVIDED UNDER SUBSECTION (D) OF THIS SECTION ON THE DEPARTMENT'S WEB SITE.
- (F) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

**5–916.**".

The preceding 5 amendments were read only.

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

The motion was adopted.

#### INTRODUCTION OF RESOLUTIONS

### Senate Resolution No. 580 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Links, Incorporated
in recognition of

your 2014 "Links at the Legislature" in Annapolis. We commend your outstanding work on behalf of the citizens of Maryland to reduce childhood obesity, eliminate school bullying and increase financial literacy for all children.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 17th day of March 2014.

#### Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 611)

#### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

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

#### Senate Bill 299 – Montgomery County Senators

AN ACT concerning

Montgomery County - Maryland Tort Claims Act - Human Services Torts

#### SB0299/998971/1

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 299

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "defendant" insert "and damages shall be limited in a certain manner"; in the same line, strike "altering certain procedures;"; in line 6, strike "providing for the application of this Act;"; in line 11, strike "and 12–106"; and strike in their entirety lines 14 through 18, inclusive.

# AMENDMENT NO. 2

On page 1, strike beginning with the second comma in line 23 down through "TORTS," in line 24; and in line 24, strike the bracket.

On pages 1 and 2, strike beginning with "against" in line 24 on page 1 down through "government" in line 1 on page 2.

On page 2, in line 1, strike the bracket; and in the same line, strike "COURT ARISING OUT OF".

On pages 2 through 4, strike in their entirety the lines beginning with line 21 on page 2 through line 4 on page 4, inclusive.

On page 4, in line 5, 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 Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 685 – Senator Zirkin

AN ACT concerning

Family Law - Child Abuse and Neglect - Provision of Information to Health Care Provider

#### SB0685/968779/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 685

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, strike "Provider" and substitute "Practitioners"; strike beginning with "notify" in line 5 down through "to" in line 7; in line 7, strike "the physician or provider" and substitute "to a health care practitioner"; in line 8, strike "physician or provider" and substitute "health care practitioner or a certain agency, institution, or program under certain circumstances; requiring the Department to work with relevant stakeholders and report the outcome of the work to certain committees of the General Assembly on or before a certain date"; in line 9, strike "a certain physician or"; and in line 10, strike "provider of a child" and substitute "practitioners".

# AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 22 on page 2, inclusive, and substitute:

- "(A) IN THIS SECTION, "HEALTH CARE PRACTITIONER" HAS THE MEANING STATED IN § 1–301 OF THE HEALTH OCCUPATIONS ARTICLE.
- (B) IF REQUESTED BY A HEALTH CARE PRACTITIONER OR ANOTHER AGENCY, INSTITUTION, OR PROGRAM PROVIDING TREATMENT OR CARE TO A CHILD WHO IS THE SUBJECT OF A REPORT OF CHILD ABUSE OR NEGLECT FOR A PURPOSE RELEVANT TO THE TREATMENT OR CARE BEING PROVIDED, THE DEPARTMENT OR LOCAL DEPARTMENT SHALL PROVIDE TO THE REQUESTOR:
- (1) INFORMATION REGARDING THE CONDITION AND WELL-BEING OF THE CHILD;
- (2) INFORMATION REGARDING THE MEDICAL, MENTAL HEALTH, AND DEVELOPMENTAL NEEDS OF THE CHILD;
- (3) THE NAME OF ANY OTHER HEALTH CARE PRACTITIONER IDENTIFIED IN THE RECORD AS PROVIDING CARE OR TREATMENT TO THE CHILD; AND
- (4) ANY OTHER RELEVANT INFORMATION IN THE RECORD OR REPORT.

(C) IN PROVIDING INFORMATION UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT OR LOCAL DEPARTMENT MAY NOT RELEASE INFORMATION RELATED TO THE IDENTITY OF THE PERSON WHO REPORTED THE CHILD ABUSE OR NEGLECT.

<u>SECTION 2. AND BE IT FURTHER ENACTED, That the Department of</u> Human Resources shall:

- (a) work with relevant stakeholders to:
- (1) identify additional policies, procedures, and systems that can be implemented to improve communication between the Department, local departments, and health care practitioners regarding the health care needs of children who are the subject of a report of child abuse or neglect; and
- (2) consider the issues relevant to the adoption by the Department of requirements for affirmative communication with health care practitioners; and
- (b) on or before December 1, 2014, report the outcome of the work conducted under subsection (a) of this section to the Senate Judicial Proceedings Committee and the House Judiciary Committee, in accordance with § 2–1246 of the State Government Article.";

and in line 23, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 708 – Senators Raskin, Benson, Currie, Jones-Rodwell, Madaleno, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning

# Civil Actions - Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments

#### SB0708/858675/1

BY: Judicial Proceedings Committee

### AMENDMENTS TO SENATE BILL 708

(First Reading File Bill)

### AMENDMENT NO. 1

On page 2, in line 23, strike "BY A MORTGAGOR".

On page 2 in line 24, and on page 3 in line 15, in each instance, strike "THAT TERM IS".

#### AMENDMENT NO. 2

On page 3, in line 1, strike "WITHIN 180 DAYS AFTER" and substitute "AFTER"; after line 7, insert:

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

and in lines 8 and 10, strike "(B)" and "(C)", respectively, and substitute "(C)" and "(D)", respectively.

#### The preceding 2 amendments were read only.

Senator Brinkley 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 800 - Senators Ramirez, Forehand, and Raskin

#### AN ACT concerning

# Landlord and Tenant – Retaliatory Actions – Conditions for Relief and Timing of Prohibited Actions

#### SB0800/878178/1

BY: Judicial Proceedings Committee

### AMENDMENTS TO SENATE BILL 800

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Conditions for Relief and"; and strike beginning with "altering" in line 4 down through "circumstances;" in line 6.

# AMENDMENT NO. 2

On page 2 in line 30, and on page 3 in lines 1, 4, and 16, in each instance, strike the bracket.

On page 3, in line 1, strike "ON THE".

#### The preceding 2 amendments were read only.

Senator Brinkley 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 818 - Senator Forehand

AN ACT concerning

# State Government - Human Trafficking Address Confidentiality Program

#### SB0818/258473/1

BY: Judicial Proceedings Committee

# AMENDMENT TO SENATE BILL 818

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Forehand" and substitute "Senators Forehand, Jacobs, and Muse".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0818/133328/1

BY: Senator Kittleman

#### AMENDMENT TO SENATE BILL 818, AS AMENDED

In the Judicial Proceedings Committee Amendments (SB0818/258473/1), in line 2, strike "and Muse" and substitute "Muse, and Kittleman".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 850 – Senator Conway

AN ACT concerning

# Real Property - Prohibition on Acquiring Mortgages or Deeds of Trust by Condemnation

#### SB0850/288872/2

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 850

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "condemnation" insert "<u>during a certain period of</u> time".

#### AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 12 on page 1 through line 3 on page 2, inclusive.

# AMENDMENT NO. 3

On page 2, in line 20, after "LAW," insert "FROM JUNE 1, 2014, TO MAY 30, 2016, BOTH INCLUSIVE,".

#### AMENDMENT NO. 4

On page 2, in line 24, strike "October" and substitute "June".

The preceding 4 amendments were read only.

Senator Rosapepe 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 1095 – Senator Frosh

#### EMERGENCY BILL

AN ACT concerning

#### Real Property - Ground Rents

#### SB1095/818573/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 1095

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "altering a certain definition for purposes of certain provisions of law prohibiting nonjudicial actions to take possession of property;"; in line 9, after "arrears;" insert "altering the manner of giving a certain notice;"; in line 18, after "rent;" insert "establishing that a person awarded possession of property in a certain action takes possession subject to the terms of a certain security instrument;"; in line 20, after "lease;" insert "altering the period of time after which a certain rent is conclusively presumed to be extinguished if no demand or

payment is made for the rent during that period; clarifying that certain prior provisions of law are repealed;"; and in line 21, after "measure;" insert "providing for the effective date of a certain provision of this Act;".

On page 2, in line 1, after "Section" insert "7–113, 8–107,".

#### AMENDMENT NO. 2

On page 2, after line 19, insert:

"<u>7–113.</u>

- (a) (1) In this section the following words have the meanings indicated.
- (2) "Party claiming the right to possession" means a person or successor to any person who:
- (i) <u>Does not have actual possession of a residential property;</u> and
- (ii) Has or claims to have a legal right to possession of the residential property:
  - 1. By the terms of a contract or foreclosure sale;
- 2. UNDER A RESIDENTIAL LEASE OR SUBLEASE
  THAT HAS AN INITIAL TERM OF 99 YEARS RENEWABLE FOREVER AND THAT
  CREATES A LEASEHOLD ESTATE SUBJECT TO THE PAYMENT OF SEMIANNUAL
  INSTALLMENTS OF AN ANNUAL LEASE AMOUNT; or
- <u>[2.] 3.</u> <u>Under a court order, including a court order</u> extinguishing a right of redemption.
- (3) (i) "Protected resident" means an owner or former owner in actual possession of residential property.
- (ii) "Protected resident" includes a grantee, tenant, subtenant, or other person in actual possession by, through, or under an owner or former owner of residential property.

- (iii) "Protected resident" does not include a trespasser or squatter.
- (4) "Residential property" means a building, structure, or portion of a building or structure that is designed principally and is intended for human habitation.
- (5) "Threaten to take possession" means using words or actions intended to convince a reasonable person that a party claiming the right to possession intends to take imminent possession of residential property in violation of this section.
- (6) "Willful diminution of services" means intentionally interrupting or causing the interruption of heat, running water, hot water, electricity, or gas by a party claiming the right to possession for the purpose of forcing a protected resident to abandon residential property.
- (b) (1) Except as provided in paragraph (2) of this subsection, a party claiming the right to possession may not take possession or threaten to take possession of residential property from a protected resident by:
  - (i) Locking the resident out of the residential property;
- (ii) Engaging in willful diminution of services to the protected resident; or
- (iii) Taking any other action that deprives the protected resident of actual possession.
- (2) (i) Except as provided in subparagraph (ii) of this paragraph, a party claiming the right to possession may take possession of residential property from a protected resident only in accordance with a writ of possession issued by a court and executed by a sheriff or constable.
- (ii) A party claiming the right to possession of residential property may use nonjudicial self-help to take possession of the property, if the party:
- 1. Reasonably believes the protected resident has abandoned or surrendered possession of the property based on a reasonable inquiry into the occupancy status of the property;

- 2. Provides notice as provided in subsection (c) of this section; and
- 3. Receives no responsive communication to that notice within 15 days after the later of posting or mailing the notice as required by subsection (c) of this section.
- (c) (1) If a party claiming the right to possession of residential property reasonably believes, based on a reasonable inquiry into the occupancy status of the property, that all protected residents have abandoned or surrendered possession of the residential property, the party claiming the right to possession may post on the front door of the residential property and mail by first—class mail addressed to "all occupants" at the address of the residential property a written notice in substantially the following form:

### "IMPORTANT NOTICE ABOUT EVICTION

A person who claims the right to possess this property believes that this property is abandoned. If you are currently residing in the property, you must immediately contact:

<u>Name</u>	
$\underline{\mathrm{Address}}$	
<u>Telephone</u>	
Date of this notice	

If you do not contact the person listed above within 15 days after the date of this notice, the person claiming possession may consider the property abandoned and seek to secure the property, including changing the locks without a court order.".

(2) The written notice required by this subsection shall be:

- (i) A separate document; and
- (ii) Printed in at least 12 point type.
- (3) The outside of the envelope containing the mailed written notice required by this subsection shall state, on the address side, in bold, capital letters in at least 12 point type, the following: "Important notice to all occupants: eviction information enclosed; open immediately.".
- (d) (1) If in any proceeding the court finds that a party claiming the right to possession violated subsection (b) of this section, the protected resident may recover:
- (i) Possession of the property, if no other person then resides in the property;
  - (ii) Actual damages; and
  - (iii) Reasonable attorney's fees and costs.
  - (2) The remedies set forth in this subsection are not exclusive.
- (e) This section does not apply if the parties are governed by Title 8, Subtitle 2, or Title 8A of this article.".

#### AMENDMENT NO. 3

On page 4, in line 8, after "by" insert "FIRST CLASS MAIL AND BY".

On page 7, in line 20, after "(C)" insert "(1)"; in lines 24 and 26, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; and after line 28, insert:

"(2) IF AT LEAST TWO GOOD FAITH EFFORTS TO SERVE THE LEASEHOLD TENANT UNDER PARAGRAPH (1) OF THIS SUBSECTION ON DIFFERENT DAYS HAVE NOT SUCCEEDED, THE PLAINTIFF MAY EFFECT SERVICE BY:

- (I) FILING AN AFFIDAVIT WITH THE COURT DESCRIBING
  THE GOOD FAITH EFFORTS TO SERVE THE LEASEHOLD TENANT; AND
- (II) 1. MAILING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL TO THE LEASEHOLD TENANT'S LAST KNOWN ADDRESS AND, IF DIFFERENT, TO THE ADDRESS OF THE RESIDENTIAL PROPERTY SUBJECT TO THE GROUND LEASE; AND
- 2. POSTING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED IN A CONSPICUOUS PLACE ON THE RESIDENTIAL PROPERTY SUBJECT TO THE GROUND LEASE.
- (3) THE INDIVIDUAL MAKING SERVICE OF PROCESS UNDER THIS SUBSECTION SHALL FILE PROOF OF SERVICE WITH THE COURT IN ACCORDANCE WITH THE MARYLAND RULES.".

#### AMENDMENT NO. 4

On page 5, in line 24, strike "\$300" and substitute "\$400".

On page 6, in line 8, strike "\$150" and substitute "\$200"; and in line 9, strike "\$450" and substitute "\$500".

#### AMENDMENT NO. 5

On page 7, before line 29, insert:

"(D) A PERSON AWARDED POSSESSION OF PROPERTY IN AN ACTION UNDER THIS SECTION FOR NONPAYMENT OF GROUND RENT UNDER A GROUND LEASE ON RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS TAKES POSSESSION SUBJECT TO THE TERMS OF ANY SECURITY INSTRUMENT RECORDED BEFORE THE FILING OF THE ACTION FOR POSSESSION.";

and in line 29, strike "(D)" and substitute "(E)".

#### AMENDMENT NO. 6

On page 10 in lines 9 and 10, and on page 12 in lines 7 and 8, in each instance, strike "but may also be negotiated with the ground lease holder for a different amount. For information on redeeming" and substitute "AS FOLLOWS:

- (1) FOR A SUM EQUAL TO THE ANNUAL RENT RESERVED MULTIPLIED BY:
- (I) 25, WHICH IS CAPITALIZATION AT 4 PERCENT, IF THE LEASE WAS EXECUTED FROM APRIL 8, 1884, TO APRIL 5, 1888, BOTH INCLUSIVE;
- (II) 8.33, WHICH IS CAPITALIZATION AT 12 PERCENT, IF THE LEASE WAS OR IS CREATED AFTER JULY 1, 1982; OR
- (III) 16.66, WHICH IS CAPITALIZATION AT 6 PERCENT, IF THE LEASE WAS CREATED AT ANY OTHER TIME;
  - (2) FOR A LESSER SUM IF SPECIFIED IN THE LEASE; OR
- (3) FOR A SUM TO WHICH THE PARTIES MAY AGREE AT THE TIME OF REDEMPTION.

THE AMOUNT TO REDEEM YOUR GROUND LEASE IS . IF YOU WISH TO REDEEM".

### AMENDMENT NO. 7

On page 12, after line 13, insert:

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

#### Article – Real Property

# 8–107.

If there is no demand or payment for more than [20] 7 consecutive years of any specific rent reserved out of a particular property or any part of a particular property under any form of lease, the rent conclusively is presumed to be extinguished and the

landlord may not set up any claim for the rent or to the reversion in the property out of which it issued. The landlord also may not institute any suit, action, or proceeding to recover the rent or the property. IN ORDER TO PROVE A DEMAND FOR PAYMENT OF A GROUND RENT, THE LANDLORD SHALL SHOW THAT THE LANDLORD HAS MAILED A BILL TO THE LAST KNOWN ADDRESS OF THE LEASEHOLD TENANT AND TO THE ADDRESS OF THE PROPERTY SUBJECT TO THE GROUND LEASE IN ACCORDANCE WITH § 14–116.1 OF THIS ARTICLE. However, if the landlord is under any legal disability when the period of [20] 7 years of nondemand or nonpayment expires, the landlord has two years after the removal of the disability within which to assert the landlord's rights.

<u>SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 8–402.2(d) and 8–402.3 of Article – Real Property of the Annotated Code of Maryland (2003 Replacement Volume and 2006 Supplement) as in effect on June 30, 2007, be repealed.</u>

<u>SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall</u> take effect June 1, 2015.";

in line 14, strike "3." and substitute "6."; and in the same line, after "That" insert ", except as provided in Section 5 of this Act,".

The preceding 7 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 BUDGET AND TAXATION REPORT #13

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

Senate Bill 235 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

Governor - Pension and Health Benefits

SB0235/309138/1

BY: Budget and Taxation Committee

#### AMENDMENTS TO SENATE BILL 235

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 13, after "allowance;" insert "providing for the application of certain provisions of this Act;".

#### AMENDMENT NO. 2

On page 3, after line 31, insert:

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

### Article - State Personnel and Pensions".

On page 4, after line 28, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any individual who served as Governor of Maryland before January 21, 2015.";

and in line 29, strike "2." and substitute "4.".

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

#### Senate Bill 486 - Senators Manno and Middleton

AN ACT concerning

## Income Tax Credit - Endow Maryland

#### SB0486/349534/1

BY: Budget and Taxation Committee

#### AMENDMENTS TO SENATE BILL 486

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 14, strike beginning with "within" through "application" and substitute "<u>in a timely manner</u>"; in line 18, after "year;" insert "<u>requiring the Department to report certain information to the State Department of Assessments and Taxation and the Comptroller on or before a certain date each year;"; and in the same line, strike "publish a certain list and".</u>

#### AMENDMENT NO. 2

On page 3, in line 11, after "GIFT" insert "WORTH \$500 OR MORE"; in the same line, after "OF" insert ":

(I)";

and in the same line, strike "OR" and substitute "; OR

(II)".

#### AMENDMENT NO. 3

On page 5, in line 9, strike beginning with "WITHIN" through "APPLICATION" and substitute "IN A TIMELY MANNER"; and in line 12, strike "\$1,000,000" and substitute "\$250,000".

#### AMENDMENT NO. 4

On page 5, strike in their entirety lines 18 through 21, inclusive, and substitute:

"(D) ON OR BEFORE JANUARY 31 OF EACH TAXABLE YEAR, THE DEPARTMENT SHALL REPORT TO THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION AND THE COMPTROLLER THE DONATIONS THAT THE DEPARTMENT HAS APPROVED FOR TAX CREDIT CERTIFICATES UNDER THIS SECTION DURING THE PRIOR TAXABLE YEAR.".

#### AMENDMENT NO. 5

On page 5, in line 28, strike "2013" and substitute "2014".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 596 – Senators Peters, Kasemeyer, King, Klausmeier, Raskin, and Robey

AN ACT concerning

Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief –
Extension

### SB0596/319337/1

BY: Budget and Taxation Committee

### AMENDMENTS TO SENATE BILL 596

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 5, after "debt;" insert "altering the amount of a certain subtraction modification;".

### AMENDMENT NO. 2

On page 2, in line 8, strike "\$1,000,000" and substitute "**\$100,000**"; and in line 9, strike "\$2,000,000" and substitute "**\$200,000**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 670 - Senator Middleton

AN ACT concerning

### Income Tax Credit - Qualified Farms - Gleaning

### SB0670/849034/1

BY: Budget and Taxation Committee

### AMENDMENT TO SENATE BILL 670

(First Reading File Bill)

On page 5, in line 2, strike "\$1,000,000" and substitute "\$250,000".

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 981 - Senator Jennings

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### THE COMMITTEE ON FINANCE REPORT #22

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

Senate Bill 592 - Senator Jones-Rodwell

AN ACT concerning

Department of Health and Mental Hygiene – Community Health Workers – Certification and Reimbursement

### SB0592/527978/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 592

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Jones-Rodwell" and substitute "Senators Jones-Rodwell, Conway, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez"; strike beginning with "Department" in line 2 down through "Reimbursement" in line 3 and substitute "Workgroup on Workforce Development for Community Health Workers"; strike beginning with "to" in line 4 down through "Department" in line 8; and in line 10, after "workgroup;" insert "requiring, to the extent practicable, a certain minimum percentage of the membership of the workgroup to be composed of certain individuals;".

### AMENDMENT NO. 2

On page 1, strike in their entirety lines 14 through 23, inclusive; and in line 25 strike "the Laws of Maryland read as follows".

On pages 1 through 3, strike in their entirety the lines beginning with line 26 on page 1 through line 10 on page 3, inclusive.

On page 3, in line 12, after "Administration" insert "jointly"; after line 13, insert:

- "(b) To the extent practicable, at least 50% of the membership of the workgroup shall be composed of individuals who:
  - (1) are directly involved in the provision of nonclinical health care; or
- (2) represent an institution or organization that is directly involved in the provision of nonclinical health care.";

in lines 14 and 19, strike "(b)" and "(c)", respectively, and substitute "(c)" and "(d)", respectively; in line 21, after "Committee" insert ", the Senate Finance Committee,"; and in line 23, strike "3." and substitute "2.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 654 - Senator Middleton

AN ACT concerning

### Health - Down Syndrome - Required Information

### SB0654/597875/1

BY: Finance Committee

### AMENDMENT TO SENATE BILL 654

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, 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.

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

### Senate Bill 790 – Senator Kelley

AN ACT concerning

Health Insurance – Communications Between Carriers and Enrollees – Conformity With the Health Insurance Portability and Accountability Act (HIPAA)

#### SB0790/677574/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 790

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, at the top of the page, insert "<u>EMERGENCY BILL</u>"; in the sponsor line, strike "Senator Kelley" and substitute "<u>Senators Kelley</u>, <u>Astle, Feldman, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez</u>"; and in line 12, after "terms;" insert "<u>providing for the construction of certain provisions of this Act; making this Act an emergency measure;"</u>.

### AMENDMENT NO. 2

On page 2, after line 28 insert:

"(D) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT ACCEPTANCE BY A CARRIER OF ANY OTHER FORM OF WRITTEN REQUEST FROM AN ENROLLEE FOR CONFIDENTIAL COMMUNICATIONS FROM A CARRIER UNDER 45 C.F.R. § 164.522(B)."

### AMENDMENT NO. 3

On page 3, strike beginning with "shall" in line 26 down through "2014" in line 27 and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted".

The preceding 3 amendments were read and 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 795 – Senator Madaleno

AN ACT concerning

### Joint Committee on Ending Homelessness

### SB0795/697979/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 795

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Madaleno" and substitute "Senators Madaleno, Astle, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez"; in line 15, strike "by" and substitute "on or before"; and in the same line, after "year;" insert "providing for a delayed effective date;".

### AMENDMENT NO. 2

On page 2, in line 26, after the semicolon insert "AND"; and strike beginning with "QUARTERLY" in line 27 down through "(3)" in line 28.

On page 3, in line 14, strike "AND"; and in line 15, after the semicolon insert "AND

### (VI) <u>VETERANS EXPERIENCING HOMELESSNESS</u>;".

### AMENDMENT NO. 3

On page 4, in line 25, strike "October 1, 2014" and substitute "June 1, 2015".

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 796 - Senator Madaleno

### AN ACT concerning

### **Human Services - Interagency Council on Homelessness**

### SB0796/147472/1

BY: Finance Committee

### AMENDMENT TO SENATE BILL 796

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Madaleno" and substitute "Senators Madaleno, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez".

### AMENDMENT NO. 2

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

## "(11) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S DESIGNEE; AND":

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

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

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

The preceding 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 874 – Senator Klausmeier

AN ACT concerning

### Health Insurance - Specialty Drugs

### SB0874/477376/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 874

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Klausmeier" and substitute "Senators Klausmeier, Astle, Feldman, Glassman, Kelley, Kittleman, Mathias, Middleton, Pugh, and Ramirez"; in line 10, after "source" insert "or a pharmacy participating in the provider network of the insurer, nonprofit health service plan, or health maintenance organization under certain conditions; authorizing a pharmacy registered under a certain provision of federal law to apply to be a designated pharmacy for a certain purpose, under certain conditions; prohibiting an insurer, nonprofit health service plan, or health maintenance organization from unreasonably withholding certain approval"; and in line 12, after "system;" insert "providing that a certain determination is considered a coverage decision under certain provisions of law; authorizing the Maryland Insurance Commissioner to seek advice from certain persons relating to certain complaints filed with the Commissioner; requiring the expenses for the advice to be paid for as provided under certain provisions of law;".

### AMENDMENT NO. 2

On page 3, in line 17, after "UNDER" insert "INDIVIDUAL, GROUP, OR BLANKET"; and in line 20, after "UNDER" insert "INDIVIDUAL OR GROUP".

### AMENDMENT NO. 3

On page 4, in line 7, after "THROUGH" insert ":

in line 9, after "DRUGS" insert "; OR

- (2) A PHARMACY PARTICIPATING IN THE ENTITY'S PROVIDER NETWORK, IF THE ENTITY DETERMINES THAT THE PHARMACY:
  - (I) MEETS THE ENTITY'S PERFORMANCE STANDARDS; AND
- (II) ACCEPTS THE ENTITY'S NETWORK REIMBURSEMENT RATES.
- (E) (1) A PHARMACY REGISTERED UNDER § 340B OF THE FEDERAL PUBLIC HEALTH SERVICES ACT MAY APPLY TO AN ENTITY SUBJECT TO THIS SECTION TO BE A DESIGNATED PHARMACY UNDER SUBSECTION (D)(1) OF THIS SECTION FOR THE PURPOSE OF ENABLING THE PHARMACY'S PATIENTS WITH HIV, AIDS, OR HEPATITIS C TO RECEIVE THE COPAYMENT OR COINSURANCE MAXIMUM PROVIDED FOR IN SUBSECTION (C) OF THIS SECTION IF:
- (I) THE PHARMACY IS OWNED BY A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN 42 U.S.C. § 254B;
- (II) THE FEDERALLY QUALIFIED HEALTH CENTER PROVIDES
  INTEGRATED AND COORDINATED MEDICAL AND PHARMACEUTICAL SERVICES
  TO HIV POSITIVE, AIDS, AND HEPATITIS C PATIENTS; AND
- (III) THE PRESCRIPTION DRUGS ARE COVERED SPECIALTY DRUGS FOR THE TREATMENT OF HIV, AIDS, OR HEPATITIS C.
- (2) AN ENTITY SUBJECT TO THIS SECTION MAY NOT UNREASONABLY WITHHOLD APPROVAL OF A PHARMACY'S APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION";

and in line 10, strike "(E)" and substitute "(F)".

### AMENDMENT NO. 4

On page 4, after line 11, insert:

- "(G) (1) A DETERMINATION BY AN ENTITY SUBJECT TO THIS SECTION THAT A PRESCRIPTION DRUG IS NOT A SPECIALTY DRUG IS CONSIDERED A COVERAGE DECISION UNDER § 15–10D–01 OF THIS TITLE.
- **(2)** FOR COMPLAINTS FILED WITH THE COMMISSIONER UNDER THIS SUBSECTION, IF THE ENTITY MADE ITS DETERMINATION THAT A PRESCRIPTION DRUG IS NOT A SPECIALTY DRUG ON THE BASIS THAT THE PRESCRIPTION DRUG DID NOT MEET THE CRITERIA LISTED IN SUBSECTION (A)(5)(I) OF THIS SECTION:
- (I)THE COMMISSIONER MAY SEEK ADVICE FROM AN INDEPENDENT REVIEW ORGANIZATION OR MEDICAL EXPERT ON THE LIST COMPILED UNDER § 15–10A–05(B) OF THIS TITLE; AND
- THE EXPENSES FOR ANY ADVICE PROVIDED BY AN (II)INDEPENDENT REVIEW ORGANIZATION OR MEDICAL EXPERT SHALL BE PAID FOR AS PROVIDED UNDER § 15–10A–05(H) OF THIS TITLE.".

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 with amendments:

Senate Bill 889 – Senators Jennings and Glassman

AN ACT concerning

Northeastern Maryland Additive Manufacturing Innovation Authority

### SB0889/317472/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 889

(First Reading File Bill)

On page 1, in line 6, after "Board;" insert "requiring that, to the extent practicable, the members of the Board reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State;"; in line 23, strike "requiring" and substitute "authorizing"; in line 25, after "to" insert "partially"; and in the same line, strike "Authority; requiring" and substitute "Authority, contingent on the commitment of Cecil and Harford counties to contribute funds to the Authority; authorizing".

### AMENDMENT NO. 2

On page 6, strike in their entirety lines 7 through 11, inclusive, and substitute:

"(X) THE COUNTY EXECUTIVE OF CECIL COUNTY, OR THE COUNTY EXECUTIVE'S DESIGNEE;

(XI) THE COUNTY EXECUTIVE OF HARFORD COUNTY, OR THE COUNTY EXECUTIVE'S DESIGNEE;";

in line 16, strike "AND"; in line 19, after "COUNCIL" insert ";

(XV) THE DIRECTOR OF THE CECIL COUNTY PUBLIC LIBRARY, OR THE DIRECTOR'S DESIGNEE;

(XVI) THE DIRECTOR OF THE HARFORD COUNTY PUBLIC LIBRARY, OR THE DIRECTOR'S DESIGNEE;

(XVII) ONE REPRESENTATIVE OF 3D MARYLAND, APPOINTED BY THE DIRECTOR OF 3D MARYLAND;

(XVIII) ONE REPRESENTATIVE OF THE MARYLAND ADVISORY COMMISSION ON MANUFACTURING COMPETITIVENESS, APPOINTED BY THE CHAIR OF THE COMMISSION; AND

(XIX) SIX REPRESENTATIVES OF INDUSTRY WHO REFLECT
THE INFLUENTIAL AND EMERGING INDUSTRIES USING ADDITIVE
MANUFACTURING AS DETERMINED BY THE DEPARTMENT, APPOINTED BY THE
SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT";

and after line 22, insert:

"(4) TO THE EXTENT PRACTICABLE, THE MEMBERS OF THE BOARD SHALL REASONABLY REFLECT THE GEOGRAPHIC, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE STATE."

On page 11, in line 10, after "(3)" insert "(I)"; in the same line, strike "FOR" and substitute "SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR"; in line 11, strike "SHALL" and substitute "MAY"; in lines 11 and 12, strike "OF AT LEAST \$150,000"; after line 12, insert:

"(II) THE STATE ALLOCATION UNDER SUBPARAGRAPH (I) OF
THIS PARAGRAPH IS CONTINGENT ON THE COMMITMENT OF CECIL AND
HARFORD COUNTIES TO CONTRIBUTE FUNDS TO THE AUTHORITY AND SHALL
EQUAL AT LEAST TWO TIMES THE TOTAL AMOUNT CONTRIBUTED BY THE
COUNTIES.";

and in line 14, strike "SHALL" and substitute "MAY".

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 #23

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

Senate Bill 521 – Senators Pinsky, Hershey, Mathias, and Middleton

AN ACT concerning

Agriculture – Poultry Litter – Energy-Generating Cooperative Program

#### SB0521/757979/1

BY: Finance Committee

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Middleton" and substitute "Middleton, Montgomery, and Simonaire"; in line 2, strike "Agriculture - Poultry Litter –" and substitute "Poultry Litter"; in lines 5 and 6, strike "State Department of Agriculture" and substitute "Public Service Commission"; in lines 6 and 7, strike "Energy-Generating Cooperative Advisory Committee" and substitute "Maryland Energy Administration"; strike beginning with "providing" in line 7 down through "cooperative;" in line 9 and substitute "requiring the Commission to determine whether an energy-generating cooperative applicant meets certain requirements; requiring the Commission to adopt certain regulations; requiring an energy-generating cooperative to follow certain procedures for interconnection; requiring the monetary value of subscribed energy produced by an energy-generating cooperative to be determined in a certain manner; requiring the Commission to determine a certain method to ensure that certain limitations are enforced; requiring a cooperative organization to notify an electric company of each cooperative member's interest in a certain total production;"; strike beginning with "requiring" in line 9 down through "company;" in line 11 and substitute "requiring a cooperative organization to compensate an electric company for billing purposes under certain circumstances; prohibiting a certain capacity from exceeding a certain amount in certain locations;"; in line 12, strike "Department" and substitute "Administration"; in line 13, strike "Public Service"; in line 14, after "Act" insert "under certain circumstances"; strike beginning with "establishing" in line 14 down through "Act" in line 26 and substitute "allowing an electric company to use certain generation to reduce certain wholesale purchases; allowing an electric company to require that certain members be billed in a certain manner; requiring the Commission to authorize a certain cost recovery under certain circumstances; requiring the Administration to make a certain report on recommendations for certain tariff structures for energy-generating cooperatives; requiring the Commission to open a certain proceeding; requiring the Commission to issue a certain decision; requiring a certain energy-generating cooperative to operate under a certain offset rate under certain circumstances; limiting the number of energy-generating cooperatives that may operate under a certain offset rate established under this Act for a certain period of time; requiring a certain energy-generating cooperative to operate under a certain offset rate established by the Commission for a certain period of time; requiring the Administration to make a report to the Commission on recommendations for certain tariff structures for community renewable energy-generating systems"; and in line 27, after "to" insert "poultry litter".

On pages 1 and 2, strike beginning with line 29 on page 1 through line 4 on page 2, inclusive.

On page 2, strike in their entirety lines 10 through 14, inclusive.

### AMENDMENT NO. 2

On page 2, in line 33, strike "Agriculture" and substitute "Public Utilities"; and strike line 34 in its entirety.

On page 3, in line 1, strike "10–2001" and substitute "<u>7–306.1</u>"; in line 2, after "(A)" insert "(1)"; in the same line, strike "SUBTITLE" and substitute "<u>SECTION</u>"; after line 3, insert:

"(2) "ADMINISTRATION" MEANS THE MARYLAND ENERGY ADMINISTRATION.

### (3) "BASELINE ANNUAL USAGE" MEANS:

- (I) A COOPERATIVE MEMBER'S ACCUMULATED ELECTRICITY USE IN KILOWATT-HOURS FOR THE 12 MONTHS BEFORE THE COOPERATIVE MEMBER'S MOST RECENT SUBSCRIPTION; OR
- (II) FOR A COOPERATIVE MEMBER WHO DOES NOT HAVE A RECORD OF 12 MONTHS OF ELECTRICITY USE AT THE TIME OF THE COOPERATIVE MEMBER'S MOST RECENT SUBSCRIPTION, AN ESTIMATE OF THE COOPERATIVE MEMBER'S 12 MONTHS OF ELECTRICITY USE IN KILOWATT-HOURS, DETERMINED IN A MANNER APPROVED BY THE COMMISSION.";

strike beginning with "(B)" in line 4 down through "(D)" in line 7 and substitute "(4)"; in line 9, after "THE" insert "ENERGY-GENERATING"; in lines 9, 10, and 13, strike "(1)", "(2)", and "(3)", respectively, and substitute "(I)", "(II)", and "(III)", respectively; in line 10, strike "A RESIDENCE OR PLACE OF BUSINESS THAT IS LOCATED" and substitute "AN ELECTRIC ACCOUNT"; in lines 11 and 12, strike "COOPERATIVE CUSTOMER'S ORGANIZATION" and substitute "ENERGY-GENERATING COOPERATIVE"; in line 13, strike "METERS OR" and substitute "ELECTRIC"; in line

14, after "ACCOUNTS" insert "IN THE SAME ELECTRIC COMPANY SERVICE TERRITORY AS THE ENERGY-GENERATING COOPERATIVE"; in line 15, strike "(E) (1)" and substitute "(5) (I)"; in line 17, strike "FOR A COOPERATIVE MEMBER"; in line 18, strike "(2)" and substitute "(II)"; in line 20, strike "(F) (1)" and substitute "(6) (I)"; after line 21, insert:

## "1. USES PRIMARILY POULTRY LITTER TO GENERATE ELECTRICITY;";

in lines 22, 24, 26, and 28, strike "(I)", "(III)", "(III)", and "(IV)", respectively, and substitute "2.", "3.", "4.", and "5.", respectively; in line 22, after "GENERATES" insert "METERED"; in line 24, after "ITS" insert "COOPERATIVE MEMBERS THE MONETARY VALUE FOR ELECTRICITY"; in lines 24 and 25, strike "ELECTRICITY TO ITS COOPERATIVE MEMBERS" and substitute "FROM ANAEROBIC DECOMPOSITION OF POULTRY LITTER"; and after line 28, insert:

## "6. CREDITS THE MONETARY VALUE FOR ELECTRICITY TO NO MORE THAN 40 ELECTRIC ACCOUNTS;

## 7. HAS A RATED CAPACITY OF NO MORE THAN 1 MEGAWATT;".

On page 4, in lines 1 and 3, strike "(V)" and "(VI)", respectively, and substitute "8." and "9.", respectively; in line 5, strike "(2)" and substitute "(III)"; after line 7, insert:

"(7) "ENERGY-GENERATING COOPERATIVE OFFSET RATE" MEANS A RATE MEASURED IN DOLLARS PER KILOWATT-HOUR THAT CORRESPONDS TO THE RATE A COOPERATIVE MEMBER WOULD HAVE BEEN CHARGED BY AN ELECTRIC COMPANY UNDER THE STANDARD OFFER SERVICE RATE FOR THE COOPERATIVE MEMBER'S CUSTOMER CLASS, AS APPROVED BY THE COMMISSION, DURING THE CURRENT BILLING CYCLE FOR:

### (I) ENERGY;

### (II) CAPACITY; AND

### (III) TRANSMISSION.

(8) "NET EXCESS GENERATION" MEANS THE KILOWATT-HOURS OF ELECTRICITY ATTRIBUTED TO A COOPERATIVE MEMBER'S SHARE OF THE ELECTRICITY GENERATED BY AN ENERGY-GENERATING COOPERATIVE THAT IS IN EXCESS OF THE COOPERATIVE MEMBER'S ELECTRICITY CONSUMPTION DURING THE CURRENT BILLING CYCLE.";

in lines 8, 10, and 13, strike "(G)", "(H)", and "(I)", respectively, and substitute "(9)", "(10)", and "(11)", respectively; strike in its entirety line 15; strike in its entirety line 23; strike in its entirety line 28; in line 16, before "THE" insert "(B)"; and in line 24, before "DUE" insert "(C)".

### AMENDMENT NO. 3

On page 4, in line 29, strike "(A)" and substitute "(D)(1)"; in the same line, strike "PROGRAM ON ENERGY-GENERATING COOPERATIVES" and substitute "POULTRY LITTER ENERGY-GENERATING COOPERATIVE PROGRAM"; in line 30, strike "DEPARTMENT" and substitute "COMMISSION"; in line 31, strike "(B)" and substitute "(2)"; in the same line, strike "DEPARTMENT" and substitute "COMMISSION"; in the same line, strike "COMMITTEE" and substitute "ADMINISTRATION"; and after line 32, insert:

- "(3) THE COMMISSION SHALL DETERMINE WHETHER AN ENERGY-GENERATING COOPERATIVE APPLICANT MEETS THE REQUIREMENTS OF THE PROGRAM.
- (4) THE COMMISSION SHALL ADOPT ALL REGULATIONS NECESSARY TO IMPLEMENT THE PROGRAM, CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION.

### (5) AN ENERGY-GENERATING COOPERATIVE SHALL:

(I) MEET ALL APPLICABLE FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS; AND

- (II) FOLLOW ALL PROCEDURES FOR INTERCONNECTION SPECIFIED IN TITLE 20, SUBTITLE 50, CHAPTER 9 OF THE CODE OF MARYLAND REGULATIONS.
- (6) (I) THE MONETARY VALUE OF SUBSCRIBED ENERGY PRODUCED BY AN ENERGY-GENERATING COOPERATIVE SHALL BE DETERMINED AS PROVIDED UNDER THIS PARAGRAPH.
- (II) 1. THE AMOUNT OF ELECTRICITY GENERATED EACH MONTH AND AVAILABLE FOR ALLOCATION SHALL BE DETERMINED BY A REVENUE QUALITY PRODUCTION METER INSTALLED AND PAID FOR BY THE COOPERATIVE ORGANIZATION.
- 2. EACH BILLING MONTH, AN ELECTRIC COMPANY
  SHALL ALLOCATE THE MONETARY VALUE OF A COOPERATIVE MEMBER'S
  PORTION OF THE METERED ELECTRICITY GENERATED BY AN
  ENERGY-GENERATING COOPERATIVE.
- MEMBER'S SHARE OF THE ELECTRICITY GENERATED BY AN ENERGY-GENERATING COOPERATIVE SHALL BE CALCULATED BY MULTIPLYING THE ENERGY-GENERATING COOPERATIVE OFFSET RATE BY THE KILOWATT-HOURS OF ELECTRICITY GENERATED BY THE ENERGY-GENERATION COOPERATIVE THAT IS:
- A. GENERATED DURING THE CURRENT BILLING CYCLE;
- B. ATTRIBUTED TO THE COOPERATIVE MEMBER'S SUBSCRIPTION; AND
- <u>C.</u> <u>LESS THAN OR EQUAL TO THE COOPERATIVE</u>

  <u>MEMBER'S ELECTRICITY CONSUMPTION MEASURED IN KILOWATT-HOURS</u>

  DURING THE CURRENT BILLING CYCLE.

- 4. A COOPERATIVE MEMBER'S MONTHLY ELECTRIC BILL SHALL BE OFFSET UP TO, BUT NOT INCLUDING, THE CUSTOMER CHARGE BY SUBTRACTING FROM THE COOPERATIVE MEMBER'S MONTHLY ELECTRIC BILL:
- A. THE DOLLAR VALUE OF THE COOPERATIVE MEMBER'S SHARE OF ELECTRICITY GENERATED BY THE ENERGY-GENERATING COOPERATIVE AS DETERMINED UNDER SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH; AND
- B. ANY ACCRUED NET EXCESS GENERATION MULTIPLIED BY THE CURRENT ENERGY-GENERATING COOPERATIVE OFFSET RATE.
- 5. NET EXCESS GENERATION NOT CONSUMED UNDER SUBSUBPARAGRAPH 4B OF THIS SUBPARAGRAPH SHALL BE CARRIED FORWARD FOR A 12-MONTH PERIOD ON A COOPERATIVE MEMBER'S BILL UNTIL CONSUMED, AFTER WHICH THE ELECTRIC COMPANY SHALL PAY THE COOPERATIVE MEMBER FOR THE DOLLAR VALUE OF ANY ACCRUED EXCESS GENERATION REMAINING THAT IS BELOW THE CAP ESTABLISHED UNDER SUBSUBPARAGRAPH 6 OF THIS SUBPARAGRAPH.
- 6. A COOPERATIVE MEMBER MAY NOT RECEIVE A
  PAYMENT FOR NET EXCESS GENERATION UNDER SUBSUBPARAGRAPH 5 OF THIS
  SUBPARAGRAPH THAT EXCEEDS 100% OF THE COOPERATIVE MEMBER'S
  BASELINE ANNUAL USAGE WHEN COMBINED WITH THE KILOWATT-HOURS OF
  ELECTRICITY USED TO OFFSET THE COOPERATIVE MEMBER'S MONTHLY
  ELECTRICITY BILLS DURING THE APPLICABLE 12-MONTH PERIOD.
- THAT THE LIMITATIONS ESTABLISHED UNDER PARAGRAPH (11) OF THIS SUBSECTION ARE ENFORCED.".

### AMENDMENT NO. 4

On page 5, strike in its entirety line 1; in line 2, strike "(A) THE" and substitute "(8) ONCE EACH QUARTER, A"; strike beginning with "THE" in line 3 down through

"BILL" in line 4 and substitute "EACH COOPERATIVE MEMBER'S INTEREST IN THE ENERGY-GENERATING COOPERATIVE'S TOTAL PRODUCTION"; strike in their entirety lines 5 through 7, inclusive; in line 8, strike "(C)" and substitute "(9)"; and after line 11, insert:

- "(10) A COOPERATIVE ORGANIZATION SHALL COMPENSATE THE ELECTRIC COMPANY FOR BILLING SERVICES PROVIDED UNDER THIS SECTION, AS AUTHORIZED BY THE COMMISSION.
- (11) THE COMBINED RATED GENERATING CAPACITY OF ALL ENERGY-GENERATING COOPERATIVES MAY NOT:
- (I) EXCEED 15 MEGAWATTS IN ANY ELECTRIC COMPANY SERVICE TERRITORY; OR
  - (II) EXCEED 30 MEGAWATTS IN THE STATE.
- (12) A COOPERATIVE ORGANIZATION MAY CONTRACT WITH A THIRD PARTY FOR THE THIRD PARTY TO FINANCE, BUILD, CONSTRUCT, LEASE, OR OPERATE AN ENERGY-GENERATING COOPERATIVE.
- (13) THE ADMINISTRATION, THE COMMISSION, AND THE ELECTRIC COMPANY MAY NOT CHANGE THE TERMS OF A CONTRACT THAT COMPLIES WITH THIS SECTION AND ALL OTHER RELEVANT LAWS AND REGULATIONS.
- (14) AN ELECTRIC COMPANY MAY USE AN ENERGY-GENERATING COOPERATIVE'S GENERATION TO REDUCE THE WHOLESALE PURCHASES FROM ITS STANDARD OFFER SERVICE SUPPLIERS.
- (15) AN ELECTRIC COMPANY MAY REQUIRE THAT ALL COOPERATIVE MEMBERS BE BILLED WITHIN THE SAME BILLING GROUP.
- (16) IN A RATE PROCEEDING FILED UNDER TITLE 4, SUBTITLE 2
  OF THIS ARTICLE, THE COMMISSION SHALL AUTHORIZE THE FULL AND TIMELY

COST RECOVERY OF AN ELECTRIC COMPANY'S PRUDENTLY INCURRED COSTS ARISING FROM ITS OBLIGATIONS UNDER THIS SECTION.

- ON OR BEFORE DECEMBER 1, 2015, THE ADMINISTRATION SHALL **(E)** REPORT TO THE COMMISSION ON RECOMMENDATIONS FOR:
- **(1)** TARIFF STRUCTURES FOR ENERGY-GENERATING COOPERATIVES THAT ALLOW ELECTRIC COMPANIES TO RECOVER REASONABLE DISTRIBUTION COSTS AND ADMINISTRATIVE EXPENSES WHILE ENCOURAGING IN-STATE DISTRIBUTED GENERATION BY TAKING INTO ACCOUNT ELECTRIC COMPANY BENEFITS, RATEPAYERS BENEFITS, PUBLIC HEALTH BENEFITS, AND ECONOMIC BENEFITS WHICH MAY INCLUDE:
- **(I)** FAIR AND EQUITABLE SHARING OF THE COSTS TO MAINTAIN THE ELECTRIC DISTRIBUTION SYSTEM BY ALL BENEFICIARIES OF THE DISTRIBUTION INFRASTRUCTURE;
- (II) AVOIDED TRANSMISSION AND DISTRIBUTION LINE LOSSES:
- (III) TRANSMISSION AND DISTRIBUTION UPGRADE **DEFERRALS**:
  - (IV) AVOIDED INTERCONNECTION COSTS:
- (V) ANCILLARY SERVICES AND VOLT-AMPERE REACTIVE (VAR) SUPPORT:
  - (VI) REDUCED LAND COSTS;
  - (VII) DEMAND CHARGE MANAGEMENT;
  - (VIII) ELECTRIC SERVICE RELIABILITY;
- (IX) REDUCED AIR <u>EMISSIONS</u> FROM GENERATION, INCLUDING CARBON DIOXIDE AND CRITERIA POLLUTANTS; AND

- (X) ANY ADDITIONAL FACTORS THE ADMINISTRATION CONSIDERS APPROPRIATE; AND
- (2) ANY ADDITIONAL POLICY CONSIDERATIONS THE ADMINISTRATION CONSIDERS APPROPRIATE.
- (F) (1) (I) ON OR BEFORE JANUARY 1, 2016, THE COMMISSION SHALL OPEN A PROCEEDING TO ESTABLISH, AT THE MINIMUM, AN APPROPRIATE ENERGY-GENERATING COOPERATIVE OFFSET RATE.
- (II) ON OR BEFORE SEPTEMBER 30, 2016, THE COMMISSION SHALL ISSUE A DECISION THAT ESTABLISHES AN APPROPRIATE ENERGY-GENERATING COOPERATIVE OFFSET.
- (2) (I) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ANY ENERGY-GENERATING COOPERATIVE THAT HAS ACQUIRED ALL REQUIRED PERMITS AND HAS BEGUN CONSTRUCTION PRIOR TO A DECISION ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL USE THE ENERGY-GENERATING COOPERATIVE OFFSET RATE DEFINED IN SUBSECTION (A)(7) OF THIS SECTION IN DETERMINING THE CALCULATIONS UNDER SUBSECTION (D)(6)(II) OF THIS SECTION FOR A PERIOD NOT TO EXCEED 10 YEARS.
- 2. No more than eight energy-generating cooperative offset rate defined in subsection (a)(7) of this section in determining the calculations under subsection (b)(6)(ii) of this section.
- (II) ANY ENERGY-GENERATING COOPERATIVE THAT IS NOT COVERED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL USE THE ENERGY-GENERATING COOPERATIVE OFFSET RATE ESTABLISHED BY THE COMMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN DETERMINING THE CALCULATIONS UNDER SUBSECTION (D)(6)(II) OF THIS SECTION FOR A PERIOD NOT TO EXCEED 10 YEARS."

### AMENDMENT NO. 5

On pages 5 through 9, strike in their entirety the lines beginning with line 12 on page 5 through line 18 on page 9, inclusive, and substitute:

### "SECTION 2. AND BE IT FURTHER ENACTED, That:

- (1) Under this section, "community renewable energy generating system" means a renewable energy system that credits its generated electricity, in whole or in part, to an electric company billing accounts of two or more subscribers to the system; and
- (2) On or before December 1, 2015, the Maryland Energy Administration shall report to the Public Service Commission on recommendations for tariff structures for community renewable energy generating systems that allow electric companies to recover reasonable distribution costs and administrative expenses while encouraging in—State distributed generation by taking into account electric company benefits, ratepayer benefits, public health benefits, and economic benefits which may include the factors listed in § 7–306.1(e) of the Public Utilities Article, as enacted by Section 1 of this Act.";

in line 19, strike "2." and substitute "3.".

### The preceding 5 amendments were read only.

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

The motion was adopted.

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

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

### House Bill 11 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment - Bay Restoration Fund - Authorized Uses

#### HB0011/704832/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 11

(Third Reading File Bill)

On page 6, in line 26, strike "<u>has been</u>" and substitute "<u>was</u>"; in line 28, strike "<u>has undergone</u>" and substitute "<u>was the subject of</u>"; in the same line, strike "<u>and hearing</u>"; in line 28, after "<u>process</u>" insert "<u>initiated</u>"; strike beginning with the semicolon in line 29 down through "<u>been</u>" in line 30 and substitute "<u>, and</u>"; and strike beginning with "<u>meeting</u>" in line 30 down through "<u>section</u>" in line 31 and substitute "<u>addressing the considerations specified in subsection (b)(1) of this section;</u>

- (4) that, after February 15, 2014, was the subject of a public hearing held by the governing body for the county where the project will be installed after giving at least 2 weeks' advance notice of the hearing to the public; and
- (5) that has been approved by a majority of the members of the governing body after the public hearing described in item (4) of this subsection".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### THE COMMITTEE ON FINANCE REPORT #24

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

Senate Bill 504 – Senator Kelley

EMERGENCY BILL

AN ACT concerning

Health Insurance - Essential Health Benefits - Pediatric Dental Benefits

### SB0504/377475/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 504

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "requiring the Maryland Health Benefit Exchange to certify stand—alone dental plans for sale outside the Exchange; requiring a stand—alone dental plan to be reviewed and approved by the Maryland Insurance Administration as meeting certain requirements to be certified for sale outside the Exchange; providing for a certain exception to the authority of the Exchange to take certain actions relating to certification of certain plans; authorizing the Exchange to deny, suspend, or revoke the certification of a stand—alone dental plan for sale outside the Exchange under certain circumstances;"; in line 4, strike "Maryland Health Benefit"; in line 6, after "circumstances;" insert "repealing a requirement that the Exchange and the Maryland Insurance Administration conduct a certain study and report the findings and recommendations to the Governor and the General Assembly; defining certain terms;"; in line 11, after "Section" insert "31–115(a) and (k)(1) and"; in line 16, after "Section" insert "31–115(l) and"; and after line 18, insert:

### "BY repealing

Chapter 159 of the Acts of the General Assembly of 2013 Section 8".

### AMENDMENT NO. 2

On page 1, after line 21, insert:

### "<u>31–115.</u>

- (a) The Exchange shall certify:
  - (1) health benefit plans as qualified health plans;
- (2) <u>dental plans as qualified dental plans, which may be offered by</u> carriers as:
  - (i) stand-alone dental plans; or
- (ii) dental plans sold in conjunction with or as an endorsement to qualified health plans; [and]

- (3) vision plans as qualified vision plans, which may be offered by carriers as:
  - (i) stand-alone vision plans; or
- (ii) vision plans sold in conjunction with or as an endorsement to qualified health plans; AND
- (4) STAND-ALONE DENTAL PLANS FOR SALE OUTSIDE THE EXCHANGE.
- (k) (1) Subject to the contested case hearing provisions of Title 10, Subtitle 2 of the State Government Article, and subsection (f) of this section, AND EXCEPT AS PROVIDED IN SUBSECTION (L)(2) OF THIS SECTION, the Exchange may deny certification to a health benefit plan, a dental plan, or a vision plan, or suspend or revoke the certification of a qualified plan, based on a finding that the health benefit plan, dental plan, vision plan, or qualified plan does not satisfy requirements or has otherwise violated standards for certification that are:
- (i) established under the regulations and interim policies adopted by the Exchange to carry out this title; and
- (ii) <u>not otherwise under the regulatory and enforcement</u> authority of the Commissioner.
- (L) (1) TO BE CERTIFIED FOR SALE OUTSIDE THE EXCHANGE, A STAND-ALONE DENTAL PLAN SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATION AS MEETING APPROPRIATE REQUIREMENTS, INCLUDING:
- (I) COVERING THE STATE BENCHMARK PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS;
- (II) COMPLYING WITH ANNUAL LIMITS AND LIFETIME LIMITS APPLICABLE TO ESSENTIAL HEALTH BENEFITS;
- (III) COMPLYING WITH ANNUAL LIMITS ON COST SHARING APPLICABLE TO STAND-ALONE DENTAL PLANS UNDER 45 C.F.R. § 156.150; AND

- (IV) MEETING THE SAME ACTUARIAL VALUE REQUIREMENT FOR THE PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS THAT IS REQUIRED FOR A QUALIFIED DENTAL PLAN.
- (2) SUBJECT TO THE CONTESTED CASE HEARING PROVISIONS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, THE EXCHANGE MAY DENY, SUSPEND, OR REVOKE THE CERTIFICATION OF A STAND-ALONE DENTAL PLAN FOR SALE OUTSIDE THE EXCHANGE IF THE STAND-ALONE DENTAL PLAN DOES NOT SATISFY THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION."

### AMENDMENT NO. 3

On page 2, in line 11, after "(F)" insert "(1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "EXCHANGE CERTIFIED STAND-ALONE DENTAL PLAN"
MEANS A STAND-ALONE DENTAL PLAN THAT HAS BEEN CERTIFIED BY THE
EXCHANGE FOR SALE OUTSIDE THE EXCHANGE UNDER § 31–115 OF THIS TITLE.

### (III) "PURCHASER" MEANS:

- 1. <u>WITH RESPECT TO AN INDIVIDUAL HEALTH</u>
  BENEFIT PLAN, THE INDIVIDUAL APPLYING FOR COVERAGE; AND
- 2. <u>WITH RESPECT TO A SMALL GROUP HEALTH</u>
  BENEFIT PLAN, THE EMPLOYER APPLYING FOR COVERAGE.

**(2)**";

in lines 13, 18, and 20, in each instance, strike "ESSENTIAL"; in the same lines, in each instance, after "DENTAL" insert "ESSENTIAL HEALTH"; in lines 15 and 19, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; in line 21, strike "A QUALIFIED" and substitute "AN EXCHANGE CERTIFIED STAND—ALONE"; and after line 21, insert:

### "(3) A CARRIER SHALL:

- (I) DISCLOSE TO A POTENTIAL PURCHASER, FOR THOSE HEALTH BENEFIT PLANS SOLD OUTSIDE THE EXCHANGE THAT DO NOT PROVIDE THE PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS, THAT THE PLAN DOES NOT INCLUDE THE PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS; AND
- (II) FOR THOSE HEALTH BENEFIT PLANS SOLD OUTSIDE THE EXCHANGE THAT DO NOT PROVIDE THE PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS, INCLUDE ON ITS APPLICATION COMPLETED BY A PURCHASER THE FOLLOWING:

"HAVE YOU OBTAINED STAND-ALONE DENTAL COVERAGE THAT
PROVIDES PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS THROUGH A
MARYLAND HEALTH BENEFIT EXCHANGE CERTIFIED STAND-ALONE DENTAL
PLAN OFFERED OUTSIDE THE MARYLAND HEALTH BENEFIT EXCHANGE?

YES	О
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IF YOU ANSWERED "YES", PLEASE PROVIDE THE NAME OF THE COMPANY ISSUING THE STAND-ALONE DENTAL COVERAGE.

IF YOU ANSWERED "NO", YOU WILL BE ISSUED A HEALTH BENEFIT PLAN THAT INCLUDES THE PEDIATRIC DENTAL ESSENTIAL HEALTH BENEFITS."

(4) THE ADMINISTRATION SHALL PLACE ON ITS WEB SITE A LIST OF THE EXCHANGE CERTIFIED STAND-ALONE DENTAL PLANS IN THE STATE.

Chapter 159 of the Acts of 2013

### [SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Health Benefit Exchange and the Maryland Insurance Administration shall:

- (1) conduct a study of the impact of federal regulations governing the manner in which pediatric dental benefits must be offered and purchased inside and outside the Maryland Health Benefit Exchange, including:
- (i) their effect on the affordability and accessibility of pediatric dental benefits; and
  - (ii) their effect on children's access to dental care; and
- (2) assess the options that may be available to the State to address any adverse consequences of the manner in which pediatric dental benefits must be offered and purchased under the federal regulations.
- (b) On or before December 1, 2014, the Maryland Health Benefit Exchange and the Maryland Insurance Administration shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the findings of the study and any recommendations for further legislative action.]".

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 884 – Senators Pugh, Feldman, Klausmeier, and Mathias

AN ACT concerning

Health Insurance - Incentives for Health Care Practitioners

### SB0884/677171/1

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 884

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 5, after "practitioner" insert "or a set of health care practitioners; defining a certain term".

### AMENDMENT NO. 2

On page 2, in line 12, after "(c)" insert "(1) IN THIS SUBSECTION, "SET OF HEALTH CARE PRACTITIONERS" MEANS:

### (I) A GROUP PRACTICE;

(II) A CLINICALLY INTEGRATED ORGANIZATION ESTABLISHED IN ACCORDANCE WITH SUBTITLE 19 OF THIS TITLE; OR

(III) AN ACCOUNTABLE CARE ORGANIZATION ESTABLISHED IN ACCORDANCE WITH 42 U.S.C. § 1899 AND ANY APPLICABLE FEDERAL REGULATIONS.

**(2)**";

in line 13, after "practitioner" insert "OR A SET OF HEALTH CARE PRACTITIONERS"; in line 15, strike "(1)" and substitute "(I) DOES NOT CREATE A DISINCENTIVE TO THE PROVISION OF MEDICALLY APPROPRIATE OR MEDICALLY NECESSARY HEALTH CARE SERVICES; AND

(II) IF THE CARRIER IS A HEALTH MAINTENANCE ORGANIZATION,";

in line 16, strike the semicolon and substitute a period; strike in their entirety lines 17 through 28, inclusive, and substitute:

- "(3) A BONUS OR OTHER INCENTIVE-BASED COMPENSATION UNDER THIS SUBSECTION:
- (I) IF APPLICABLE, SHALL PROMOTE THE PROVISION OF PREVENTIVE HEALTH CARE SERVICES; OR
- (II) MAY REWARD A HEALTH CARE PRACTITIONER OR A SET
  OF HEALTH CARE PRACTITIONERS, BASED ON SATISFACTION OF PERFORMANCE

MEASURES, IF THE FOLLOWING IS AGREED ON IN WRITING BY THE CARRIER AND THE HEALTH CARE PRACTITIONER OR SET OF HEALTH CARE PRACTITIONERS:

- 1. THE PERFORMANCE MEASURES;
- 2. THE METHOD FOR CALCULATING WHETHER THE PERFORMANCE MEASURES HAVE BEEN SATISFIED; AND
- 3. THE METHOD BY WHICH THE HEALTH CARE PRACTITIONER OR SET OF HEALTH CARE PRACTITIONERS MAY REQUEST RECONSIDERATION OF THE CALCULATIONS BY THE CARRIER.
- (4) ACCEPTANCE OF A BONUS OR OTHER INCENTIVE-BASED COMPENSATION UNDER THIS SUBSECTION SHALL BE VOLUNTARY.
- (5) A CARRIER MAY NOT REQUIRE A HEALTH CARE PRACTITIONER OR A SET OF HEALTH CARE PRACTITIONERS TO PARTICIPATE IN THE CARRIER'S BONUS OR INCENTIVE—BASED COMPENSATION PROGRAM AS A CONDITION OF PARTICIPATION IN THE CARRIER'S PROVIDER NETWORK.
- (6) A HEALTH CARE PRACTITIONER, A SET OF HEALTH CARE PRACTITIONERS, A HEALTH CARE PRACTITIONER'S DESIGNEE, OR A DESIGNEE OF A SET OF HEALTH CARE PRACTITIONERS MAY FILE A COMPLAINT WITH THE ADMINISTRATION REGARDING A VIOLATION OF THIS SUBSECTION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

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

(See Roll Call No. 612)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

### THIRD READING CALENDAR (SENATE BILLS) #57

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

AN ACT concerning

Procurement - Prevailing Wage - Applicability

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

Affirmative – 32 Negative – 15 (See Roll Call No. 613)

The Bill was then sent to the House of Delegates.

Senate Bill 290 - Senators Brochin, Getty, and Jennings, and Zirkin

AN ACT concerning

Baltimore County - Board of Education - Selection of Members

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

Affirmative – 45 Negative – 0 (See Roll Call No. 614)

The Bill was then sent to the House of Delegates.

Senate Bill 694 – Senators Klausmeier, Colburn, Currie, Feldman, King, Kittleman, Mathias, Middleton, Robey, and Young

AN ACT concerning

Health Occupations - Maryland Behavior Analysts Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 615)

The Bill was then sent to the House of Delegates.

### Senate Bill 988 - Senator Pugh

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 616)

The Bill was then sent to the House of Delegates.

# MESSAGE FROM THE HOUSE OF DELEGATES FIRST READING OF HOUSE BILLS

House Bill 947 - Delegate Stein

AN ACT concerning

### Public Safety – Building Codes – Balcony <u>Railing</u> Inspections (Jonathan's Law)

FOR the purpose of requiring a political subdivision certain political subdivisions to require periodic inspections of certain multifamily dwellings with balconies certain balcony railings to ensure that each balcony railing meets certain requirements; authorizing a political subdivision certain political subdivisions to conduct the inspections, authorize a third party to conduct the inspections, or require a certain professional inspector employed by the owner of a multifamily dwelling to conduct and certify the inspections in a certain manner; requiring a political subdivision certain political subdivisions to provide a certain notice to the owner of a multifamily dwelling; 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; prohibiting a unit from being inspected under certain circumstances; prohibiting Baltimore City from issuing or renewing a certain multiple-family dwelling license unless the applicant demonstrates that a professional inspector has completed a certain inspection; requiring Baltimore City to notify the holder of a multiple-family dwelling license of a certain inspection requirement at a certain time; authorizing a political subdivision to charge a fee for a periodic inspection; defining certain terms; requiring a political subdivision to require a certain inspection under this Act of certain multifamily or multiple-family dwellings on or before a certain date; providing that this Act does not require a political subdivision to inspect a certain balcony railing more than once within a certain period of time, with a certain exception; providing for the application of this Act; and generally relating to inspections of <del>balconies</del> <u>certain balcony</u> <u>railings</u> in multifamily dwellings.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–203

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 957 – Delegates Valentino-Smith, Clippinger, DeBoy, Frank, Hubbard, Kaiser, A. Kelly, McMillan, Niemann, B. Robinson, Stocksdale, Swain, and Valderrama

AN ACT concerning

### Impaired Driving - Repeat Offenders - Penalties

FOR the purpose of altering the penalties for a third or subsequent violation of certain prohibitions against driving while impaired by alcohol or drugs; altering the application of certain mandatory sanctions and minimum penalties for repeat offenders to apply to a broader range of drug— and alcohol—related driving offenses; making certain conforming changes; and generally relating to penalties for impaired driving.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–902

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 27-101(f), (i), and (q)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 962 – Delegates Hough, Arora, Boteler, Cluster, Costa, DeBoy, Fraser-Hidalgo, Holmes, Kipke, Kramer, McConkey, McDermott, W. Miller, and Simmons

AN ACT concerning

### State Correctional Facilities - Correctional Officers - Polygraph Examination

FOR the purpose of requiring the Secretary of Public Safety and Correctional Services to require an individual to pass a polygraph examination before being appointed to serve as a correctional officer in a correctional facility; requiring the Secretary to adopt regulations governing the administration of the polygraph examination required by this Act; and generally relating to correctional officers.

BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 3–215(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

### House Bill 973 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

# Washington Suburban Sanitary Commission – Commission Infractions – Watershed Regulations PG/MC 102–14

FOR the purpose of increasing the maximum preset fines that the Washington Suburban Sanitary Commission may establish for certain violations of certain watershed regulations and for a certain repeat offense; increasing the maximum fine for a first or a repeat offense that a person must pay if the District Court finds that the person violated certain Commission watershed regulations; and generally relating to violations of regulations adopted by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities Section 29–102(a) and (e) 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 976 – Prince George's County Delegation

AN ACT concerning

### Prince George's County – State's Attorney – Salary PG 310–14

FOR the purpose of altering the annual salary of the State's Attorney of Prince George's County; providing that this Act does not apply to the salary or compensation of the State's Attorney of Prince George's County while serving in a certain term of office; providing that a certain limitation does not apply to a certain individual; and generally relating to the salary of the State's Attorney of Prince George's County.

BY repealing and reenacting, without amendments,

Article - Criminal Procedure

Section 15–417(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 15–417(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 985 – Delegate Anderson

AN ACT concerning

### Office of the Public Defender - Eligibility for Services

FOR the purpose of repealing a provision of law authorizing the Office of the Public Defender to represent a certain applicant provisionally under certain circumstances; prohibiting the Office of the Public Defender or a certain panel attorney from beginning continuing a certain representation until after a certain bail hearing unless a certain eligibility is determined; requiring the Office of the Public Defender to investigate the financial status of an applicant under all circumstances; altering certain provisions of law so as to require, rather than authorize, the Office of the Public Defender to require an applicant to execute and deliver certain requests or authorizations, to obtain certain information, and to submit certain requests for information to the Department of Labor, Licensing, and Regulation, with a certain exception; making a conforming change; and generally relating to eligibility for the services of the Office of the Public Defender.

BY repealing and reenacting, with amendments, Article – Criminal Procedure

Section 16-210

Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 1006 – Delegates Kaiser, Eckardt, Barkley, Burns, Carr, Cullison, Guzzone, Healey, Howard, Lafferty, Luedtke, A. Miller, Reznik, Sophocleus, F. Turner, Valderrama, Waldstreicher, and Zucker

AN ACT concerning

Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students With Intellectual and Developmental Disabilities – Extension

FOR the purpose of extending the termination date of the Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students With Intellectual and Developmental Disabilities; altering the date by which a certain report is due; and generally relating to the Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students With Intellectual and Developmental Disabilities.

BY repealing and reenacting, with amendments,

Chapter 392 of the Acts of the General Assembly of 2013 Section 1 and 2

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

### House Bill 1015 - Delegates Arora and Clippinger

AN ACT concerning

### Drunk Driving - Transporting a Minor - Ignition Interlock System Program

FOR the purpose of requiring individuals who are convicted of certain alcohol—related driving offenses involving transportation of a minor under a certain age to successfully complete the Ignition Interlock System Program; and generally relating to certain alcohol—related driving offenses involving transportation of a minor under a certain age and the Ignition Interlock System Program.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–404.1(a)(1), (4), and (5) and (d)(1)(ii) and 21–902(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments.

Article – Transportation Section 16–404.1(d)(1)(i) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

# House Bill 1034 – Queen Anne's County Delegation and Kent County Delegation

AN ACT concerning

### Kent County and Queen Anne's County - School Buses - Length of Operation

FOR the purpose of altering the length of time a school bus may be operated in <u>Kent County and Queen Anne's County</u>; and generally relating to school bus operations in <u>Kent County and Queen Anne's County</u>.

BY repealing and reenacting, with amendments,

Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

#### House Bill 1043 – Prince George's County Delegation

AN ACT concerning

# Prince George's County – Deferred Water and Sewer Charges Homeowner Disclosure Act of 2014 PG 413–14

FOR the purpose of requiring a registered home builder in Prince George's County to include certain information relating to deferred water and sewer charges in certain sales contracts under certain circumstances; requiring a certain contract effor the initial sale of residential real property in the county to include certain information relating to deferred water and sewer charges; prohibiting a person or entity establishing certain water and sewer costs for the initial sale of residential real property from amortizing certain costs for more than a certain period of time; authorizing the purchaser to recover certain damages or take certain actions under certain circumstances; prohibiting a person in the county that is incurring certain water and sewer costs from amortizing costs passed on to a purchaser for more than a certain period of time applying certain provisions of law to existing single family residential property in Prince George's County; requiring a certain person that imposes a deferred water and sewer charge to

provide the property owner with a bill including certain information; authorizing the balance owed on a deferred water and sewer assessment to be redeemed for a certain amount; authorizing a sales contract in the county to include the total amount of certain deferred water and sewer charges in the price of certain property; requiring the county to study certain issues relating to deferred water and sewer charges and report its findings to the Prince George's County Senators and the House Delegation on or before a certain date dates; authorizing the county, in completing the studies required under this Act, to consult with certain water and sewer companies; and generally relating to deferred water and sewer charges in Prince George's County.

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 4.5–603 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property Section 14–117(b) and (c) Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Real Property Section 14–117.1 and 14–117.2 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 1047 - Prince George's County Delegation

AN ACT concerning

# Employees' Pension System - Prince George's County <del>- Optional</del> <u>Officials - Membership</u> PG 418-14

FOR the purpose of providing that membership in the Employees' Pension System is optional for certain individuals employed by Prince George's County in certain positions on or after certain dates; requiring individuals who elect to join the Employees' Pension System to make the election within a certain period of time; requiring individuals who elect to join the Employees' Pension System to complete a certain form and file it with the Board of Trustees for the State Retirement and Pension System; providing that membership in the Employees'

Pension System is mandatory for certain individuals; providing that membership in the Employees' Pension System is prohibited for certain individuals; providing that certain individuals who do not make an election to join the Employees' Pension System within a certain period of time may not join the Employees' Pension System; providing that certain individuals' election or failure to elect to join the Employees' Pension System is a one—time, irrevocable decision; requiring the Board of Trustees to adopt certain regulations; requiring the State Retirement Agency to provide a certain report on or before a certain date to the Joint Committee on Pensions; and generally relating to optional membership in the Employees' Pension System for individuals employed by Prince George's County in certain positions.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions Section 23–203 and 23–204(a) and (b)(2) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–204(b)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – State Personnel and Pensions Section 23–204(f) 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 1051 – <del>Delegates Cluster, Aumann, Boteler, Bromwell, DeBoy, Frank, Impallaria, Kach, Lafferty, Malone, McDonough, Minnick, Morhaim, Stein, Szeliga, and Weir Baltimore County Delegation</del>

AN ACT concerning

### Workers' Compensation - Baltimore County Deputy Sheriff

FOR the purpose of providing for enhanced workers' compensation benefits for a deputy sheriff in Baltimore County for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for deputy sheriffs in Baltimore County.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 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) and 9–629 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

#### **House Bill 1137 – Delegate Dumais**

AN ACT concerning

### Crimes – Robbery<del>, Burglary,</del> 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; establishing the offense of breaking and entering the storehouse of another with the intent to steal, take, or carry away certain controlled dangerous substances; providing that a certain penalty applies to a certain offense; 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,  $\frac{6-201(a)}{6-203(a)}$ , 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), 6-201(d) through (h), 6-203, 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) + 6-201(d), 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 Judicial Proceedings.

House Bill 1182 – Delegates Glass, Anderson, Arora, Carter, Clippinger, Dumais, Hough, Hucker, James, Krebs, McComas, McDermott, McDonough, Parrott, Ready, Simmons, Szeliga, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

#### Family Law - Protective Orders - Additional Relief

FOR the purpose of authorizing a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–506(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 1200 – Delegates Pena-Melnyk, Anderson, Barnes, Branch, Braveboy, Carr, Carter, Conaway, Davis, Dumais, Frick, Glenn, Harper, Haynes, Holmes, Nathan-Pulliam, Oaks, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vaughn, Waldstreicher, A. Washington, and Wilson

AN ACT concerning

#### Public Safety - Eyewitness Identification - Procedures

FOR the purpose of requiring, on or before a certain date, each law enforcement agency in the State to adopt and implement a certain policy relating to certain identification procedures and file a copy with the Department of State Police; requiring the Department, on or before a certain date, to compile certain written policies; requiring the Department to allow public inspection of certain policies; requiring that a certain identification procedure be conducted by a certain administrator; requiring certain identification procedures to be conducted in a certain manner; requiring that a certain record of a certain identification procedure be made; requiring evidence of a failure to comply with this Act to be dealt with by a certain court in a certain manner; defining certain terms; providing for a delayed effective date; and generally relating to eyewitness identifications.

BY adding to

Article – Public Safety Section 3–506(d) and 3–506.1 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

House Bill 1202 – Delegates Haddaway-Riccio, Arentz, Arora, Eckardt, Hogan, Jacobs, Krebs, McDermott, Otto, Vitale, and Waldstreicher

AN ACT concerning

# Criminal Law – Distribution of Faked Controlled Dangerous Substance – Substantially Similar Chemical Structure

FOR the purpose of requiring a court, in determining if a person has violated the prohibition against distributing, attempting to distribute, or possessing with intent to distribute a certain noncontrolled substance, to consider whether the chemical structure of the noncontrolled substance is substantially similar to the chemical structure of a controlled dangerous substance; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 5–617 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

House Bill 1212 – Delegates Clippinger, Waldstreicher, Anderson, Arora, Cluster, Dumais, Hammen, McDermott, McHale, Valderrama, and Valentino-Smith

AN ACT concerning

# Use of Text Messaging Device or Handheld Telephone While Driving – Accidents Resulting in Death or Serious Injury – Penalties

FOR the purpose of prohibiting a person from committing a violation of a certain prohibition against using a text messaging device or a handheld telephone while driving that <u>substantially</u> contributes to an accident that <u>directly</u> results in the death or serious bodily injury of another; requiring a person who is involved in a motor vehicle accident that results in the death of or a life threatening injury to another person and who is detained by a police officer who has reasonable

grounds to believe that the person has been driving while using a text messaging device or a handheld telephone in violation of a certain provision of law to provide the officer with certain information regarding the device; establishing certain criminal penalties for a certain violation of this Act; providing that a sentence imposed under this Act shall be separate from and concurrent with a sentence for a certain other crime; providing for the assessment of certain points for a violation of a certain provision of this Act; and generally relating to the prohibitions on using a text messaging device and a handheld telephone while driving.

### BY adding to

Article – Transportation Section 16–402(a)(39), 21–1124.3, and 27–115 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124.1 and 21–1124.2
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

#### House Bill 1245 – Delegates Valentino-Smith and Vallario

AN ACT concerning

### Crime Victim and Crime Victim's Representative – Electronic Notification

FOR the purpose of authorizing a victim or a victim's representative to follow a certain protocol in order to request certain notices in a certain electronic form; authorizing the prosecuting attorney and the clerk of certain courts to provide certain notices in a certain electronic form under certain circumstances; authorizing a certain victim or victim's representative to discontinue certain notices under certain circumstances; requiring the State Board of Victim Services to include information regarding a certain process in a certain pamphlet; requiring the Board to provide certain information to certain persons; requiring the Board to develop a certain protocol in consultation with the Administrative Office of the Courts; defining a certain term; altering a certain definition; and generally relating to crime victims and crime victims' representatives and electronic notifications.

BY repealing and reenacting, with amendments, Article – Criminal Procedure Section 11–101, 11–104, and 11–914 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

# House Bill 1259 – Delegate A. Washington

AN ACT concerning

# Income Tax Checkoff - Developmental Disabilities Services and Support Fund - Designation

FOR the purpose of altering the designation of the "Developmental Disabilities Waiting List Equity Fund Contribution" checkoff on the individual income tax return form; and generally relating to an income tax checkoff system for contributions to provide certain services for individuals with developmental disabilities.

BY repealing and reenacting, with amendments,

Article – Tax – General Section 2–113(a)(1) 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 1302 - Delegates Parrott, Cluster, Glass, Hough, and Serafini

AN ACT concerning

#### Agreements to Defend or Pay the Cost of Defense - Void

FOR the purpose of providing that certain agreements to defend or pay the costs of defending certain promisees or indemnitees against liability for certain damages are against public policy and are void and unenforceable under certain circumstances; providing for the application of this Act; and generally relating to certain agreements to defend or pay the costs of defending certain promisees or indemnitees.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–401(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

#### House Bill 1312 – Delegate Beidle

AN ACT concerning

### Program Open Space Sites - Public Access

FOR the purpose of authorizing a local governing body to use certain Program Open Space funds for the provision of certain public access to certain land; authorizing the Department of Natural Resources to use certain Program Open Space funds to provide or enhance certain public access to certain land; requiring the Department to prepare a certain public access plan consider the feasibility of providing certain public access for certain Program Open Space projects; authorizing the Department to use funds in the Bay Access Areas Fund under Program Open Space to enhance public access to certain bodies of water; requiring certain local governing bodies subdivisions to prepare and submit for review and approval certain public access plans consider the feasibility of providing certain public access for certain Program Open Space projects and to propose certain public access projects for certain Program Open Space land; requiring certain State and local land use plans to include a certain public access plan for certain Program Open Space land; altering a certain declaration of need made by the General Assembly for Program Open Space to include the provision of certain public access to certain facilities; altering a certain intent of the General Assembly; and generally relating to public access to Program Open Space sites.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–902(a) and (b), 5–903(b)(1) and (f), 5–904(a) and (c), and 5–905(a)(2) and (b)(2), and 5–906(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5-905(a)(1)

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 1345 – Delegate McHale (By Request – Maryland Electric Vehicle Infrastructure Council) and Delegates Malone, Clippinger, and Hammen

AN ACT concerning

Electric Vehicles and Recharging Equipment - Rebates and Tax Credits

FOR the purpose of repealing the credit against the State income tax for the cost of certain qualified electric vehicle recharging equipment; establishing, for certain calendar fiscal years, the Electric Vehicle Recharging Equipment Rebate Program to provide certain rebates to certain individuals and business entities for the costs of acquiring and installing certain equipment; requiring the Maryland Energy Administration to administer the Program; providing for the amount of a rebate and a limit on the total amount of rebates that may be issued; limiting the number of rebates that an individual may claim; authorizing the Administration to adopt certain regulations; authorizing the Administration to use the Maryland Strategic Energy Investment Fund to pay for certain rebates; extending the credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles for a certain period of time; altering the type of vehicle the credit applies to; altering the calculation of the credit; providing that the credit may not exceed a certain amount; altering a requirement to transfer certain amounts from the Fund during certain fiscal years; transferring certain money from the Fund to the Transportation Trust Fund in certain fiscal years; defining certain terms; and generally relating to tax incentives for the purchase of electric vehicles and certain rebates for the purchase and installation of electric vehicle recharging equipment.

#### BY repealing

Article – Tax – General Section 10–729 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–2001(a) and (b) and 9–20B–05(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – State Government Section 9–2009 and 9–20B–05(f)(7) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government Section 9–20B–05(f)(6) and (7) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Article – Transportation Section 13–815 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Chapter 389 of the Acts of the General Assembly of 2013 Section 2

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

House Bill 1351 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Conaway, Glenn, Hammen, Harper, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, and Stukes

AN ACT concerning

#### Baltimore City - Special Police Officers and School Police Officers

FOR the purpose of repealing a certain provision of law relating to the appointment of special police officers in Baltimore City; repealing an obsolete provision of law relating to Baltimore City school police officers; and generally relating to special police officers and school police officers in Baltimore City.

#### BY repealing

The Public Local Laws of Baltimore City Section 16–16 Article 4 – Public Local Laws of Maryland (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

# House Bill 1381 – <del>Delegates Sophocleus and George</del> <u>Anne Arundel County</u> Delegation

AN ACT concerning

#### Anne Arundel County - Sheriff - Salary Increases

FOR the purpose of altering the annual salary of the Sheriff of Anne Arundel County for certain calendar years; requiring that beginning with a certain calendar year repealing a certain requirement that the annual salary of the Sheriff equal the salary of a captain in the Anne Arundel County Police Department at a certain rate in the pay scale; providing that this Act does not apply to the salary or compensation of the Sheriff while serving in a certain term of office; providing that a certain limitation does not apply to a certain individual; and generally relating to the salary of the Sheriff of Anne Arundel County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2-309(c)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

#### House Bill 1390 - St. Mary's County Delegation

AN ACT concerning

#### St. Mary's County - Public Officials - Salaries

FOR the purpose of altering the salary of the Treasurer of St. Mary's County, the Sheriff of St. Mary's County, the Judges of the Orphans' Court for St. Mary's County, the President of the Board of County Commissioners of St. Mary's County, and the County Commissioners of St. Mary's County; providing for the application of this Act; and generally relating to the salaries of public officials of St. Mary's County.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–203

Annotated Code of Maryland

(2013 Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2-309(t)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2-108(s)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary's County

Section 26–3A.

Article 19 – Public Local Laws of Maryland

(2007 Edition and February 2013 Supplement, as amended)

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

# House Bill 1393 - St. Mary's County Delegation

AN ACT concerning

# St. Mary's County – John Hanson Briscoe Circuit Courthouse <u>for St. Mary's</u> <u>County</u>

FOR the purpose of renaming the St. Mary's County Circuit Courthouse, located in Leonardtown, St. Mary's County, the John Hanson Briscoe Circuit Courthouse for St. Mary's County; and generally relating to the renaming of the St. Mary's County Circuit Courthouse, located in Leonardtown, St. Mary's County.

#### BY adding to

The Public Local Laws of St. Mary's County Section 19–3. Article 19 – Public Local Laws of Maryland (2007 Edition and February 2013 Supplement, as amended)

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

## House Bill 1399 – Washington County Delegation

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, within a certain time frame and subject to certain conditions; providing that the County Commissioners of Washington County shall receive a certain salary in certain years; altering the additional amount that the County Commissioner elected President of the Board shall receive each year; altering the amount that each County Commissioner may be reimbursed each year for certain expenses; 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 Judicial Proceedings.

### House Bill 58 – Delegate Haddaway-Riccio

AN ACT concerning

### Talbot County - Chesapeake Bay Critical Area - Prosecution or Civil Suit for **Certain Violations**

FOR the purpose of requiring a criminal prosecution or a suit for a civil penalty for a <del>certain offense</del> certain offenses occurring in the Chesapeake Bay Critical Area in Talbot County to be brought within a certain number of years after the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays or the local authorities in fact knew or reasonably should have known of a certain violation; providing for the application of a certain exception in certain instances; providing for the application of this Act; and generally relating to prosecutions and civil suits for certain offenses occurring in Talbot County.

BY repealing and reenacting, without with amendments,

Article – Courts and Judicial Proceedings

Section 5–106(a) and 5–107

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)

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

# House Bill 79 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

#### Courts - Juveniles - Expungement of Records

FOR the purpose of authorizing a person to file a certain petition for expungement of certain juvenile records; requiring the court to serve a certain petition on a certain State's Attorney; authorizing the court to order the expungement of a certain record under certain circumstances; requiring the court to consider certain criteria in its consideration of a certain petition for expungement of records; authorizing the court to grant a certain petition for expungement without a hearing under certain circumstances; authorizing and requiring the court to deny a certain petition for expungement under certain circumstances; requiring the court to order the expungement of certain records under certain circumstances; authorizing and requiring the court to hold a certain hearing under certain circumstances; requiring the custodian of certain records to advise in writing certain persons regarding compliance with a certain court order requiring expungement under certain circumstances; authorizing the filing of an appeal by certain persons under certain circumstances; providing that this Act does not apply to certain records; defining certain terms; and generally relating to juveniles and expungement of records.

#### BY adding to

Article – Courts and Judicial Proceedings Section 3–8A–27.1 Annotated Code of Maryland (2013 Replacement Volume and 2013 Supplement)

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

#### House Bill 93 – <del>Delegate Murphy</del> <u>Delegates Murphy and Waldstreicher</u>

AN ACT concerning

### Criminal Law - Animal Cruelty - Payment of Costs

FOR the purpose of authorizing a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to pay, in addition to any other fines and costs, all reasonable costs, not exceeding a certain amount, incurred in removing, housing, treating, euthanizing, or disposing of an animal confiscated from the defendant, except under certain circumstances; requiring a certain person who removes an animal under certain circumstances to notify the animal's owner of the right of the owner to surrender ownership of the animal to the agency that removed the animal; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,

Article – Criminal Law Section <del>10–604,</del> 10–606, 10–607, <del>and</del> 10–608, <u>and 10–615</u> Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

#### House Bill 116 – Delegate Conaway

AN ACT concerning

#### Public Safety - Law Enforcement Officers - Video Cameras

FOR the purpose of requiring authorizing a certain law enforcement officer to wear a video camera affixed to the law enforcement officer's uniform while on duty; requiring that any interaction between a law enforcement officer and a member of the public be recorded; prohibiting a video camera from making an audio recording; requiring that a recording be preserved by a law enforcement agency for a certain period of time; requiring a law enforcement agency to develop certain policies and procedures; providing that this Act does not apply to a law enforcement officer who is on detective duty; defining certain terms; and generally relating to law enforcement officers and video cameras.

#### 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 Judicial Proceedings.

#### House Bill 118 – Delegate Luedtke

# Greenhouse Gas Emissions Reductions - Progress Report - Ocean Acidification

# Task Force to Study the Impact of Ocean Acidification on State Waters

FOR the purpose of requiring the Department of the Environment to include an analysis of the best available science regarding ocean acidification and certain potential effects of acidification in a certain report; requiring the Department to make recommendations on potential strategies to mitigate certain effects of ocean acidification in a certain report; and generally relating to ocean acidification establishing the Task Force to Study the Impact of Ocean Acidification on State Waters; 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 analyze certain information and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Impact of Ocean Acidification on State Waters.

BY repealing and reenacting, with amendments.

Article - Environment
Section 2-1209
Annotated Code of Maryland
(2013 Replacement Volume)

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

# House Bill 180 – Dorchester County Delegation

AN ACT concerning

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

FOR the purpose of authorizing the Dorchester County Sanitary Commission to request the county tax collector to conduct a sale of real property to enforce a lien representing certain unpaid assessments or charges, in accordance with certain procedures; authorizing the tax collector in Dorchester County to conduct a county tax sale for the purpose of enforcing a certain lien; and generally relating to the levy and collection of benefit assessments by the Dorchester County Sanitary Commission.

BY repealing and reenacting, with amendments,

Article – Environment Section 9–658 Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement)

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

#### House Bill 181 - Carroll County Delegation

AN ACT concerning

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

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Carroll County; authorizing the Clerk of the Circuit Court for Carroll County to collect certain appearance of counsel fees; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 7–204(a)

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

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

#### **House Bill 182 – Carroll County Delegation**

AN ACT concerning

#### Carroll County - Sheriff - Salary

FOR the purpose of requiring that the Sheriff of Carroll County receive a certain annual salary beginning on a certain date and thereafter; providing that this Act does not apply to the salary or compensation of the Sheriff of Carroll County while serving in a certain term of office; providing that a certain limitation does not apply to a certain individual; and generally relating to the salary of the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 2-309(h)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

House Bill 286 – Delegates Valentino-Smith, Arora, Clippinger, Howard, Rosenberg, Swain, and Valderrama

AN ACT concerning

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

FOR the purpose of providing that a person who violates extending the statute of limitations for a violation of a certain provision of law prohibiting using a firearm in the commission of a crime of violence or felony is not covered by the 1-year statute of limitations for a misdemeanor; and generally relating to prohibitions on the use of a firearm in the commission of a crime of violence or felony and statutes of limitations.

### 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

<u>Article – Courts and Judicial Proceedings</u>

Section 5–106(dd)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with without amendments,

Article – Criminal Law

Section 4-204

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 294 – Delegates Carter, Anderson, Braveboy, Burns, Dwyer, Glass, Glenn, Jones, Nathan-Pulliam, Oaks, Pena-Melnyk, B. Robinson, Smigiel, Swain, V. Turner, Valentino-Smith, and Walker

AN ACT concerning

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

FOR the purpose of altering requiring the Police Training Commission to require that certain entrance—level and annual in—service training conducted by the State and each county and municipal police training school and required by the Police Training Commission to include certain training consistent with certain provisions; and generally relating to entrance—level and annual in—service training requirements for law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Public Safety Section 3–207 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

#### House Bill 318 - Garrett County Delegation

AN ACT concerning

#### Garrett County - Salary Study Commission - Member Replacement

FOR the purpose of altering the membership of the Garrett County Salary Study Commission to include a member appointed by the County Commissioners of Garrett County; repealing obsolete language; and generally relating to the Garrett County Salary Study Commission.

BY repealing and reenacting, with amendments,

The Public Local Laws of Garrett County

Section 32.41

Article 12 – Public Local Laws of Maryland

(2005 Edition and October 2013 Supplement, as amended)

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

#### House Bill 343 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

### Allegany County and Garrett County – Boards of Education – Removal of Ex Officio Member

FOR the purpose of repealing the requirement that the Chair of the Board of County Commissioners of Allegany County or any county commissioner serve as an ex officio member of the Allegany County Board of Education; repealing the requirement that the Chair or Vice Chair of the Board of County Commissioners of Garrett County serve as an ex officio member of the Garrett County Board of Education; making conforming changes; making stylistic changes; and generally relating to membership of the Allegany County and Garrett County Boards of Education.

BY repealing and reenacting, with amendments,

Article – Education Section 3–201(a) and (b), 3–203, and 3–601(a) and (b) 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 344 – Charles County Delegation**

AN ACT concerning

# Charles County – Sunday Car <u>Sales – Sales</u> Blue Law Exemption <u>– Enabling Authority</u>

FOR the purpose of authorizing the Charles County Commissioners to adopt an ordinance authorizing a new or used car dealer in Charles County to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or certificate of title for a motor vehicle on Sunday; and generally relating to enabling authority for Sunday car sales in Charles County.

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 18–101 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

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

#### House Bill 345 – Delegates Rosenberg, Clippinger, Holmes, and Hough

AN ACT concerning

#### Courts - Certificate of Merit - Provider of Professional Services

FOR the purpose of altering the definition of "claim", for purposes of certain provisions of law requiring a person who originally files a certain claim in a circuit court against certain professionals to file a certificate of a qualified expert, to include a certain claim against a certain person or entity through which professional services were performed; altering the definition of "qualified expert", for purposes of certain provisions of law requiring a person who originally files a certain claim in a circuit court against certain professions to file a certificate of

a qualified expert, to exclude an individual who is a certain licensed or certified professional under the laws of another jurisdiction; requiring the contents of the certificate of a qualified expert to include a statement from a qualified expert that the licensed professional, or a certain person or entity through which professional services were performed, failed to meet a certain standard; making a certain clarifying change; providing for the application of this Act; and generally relating to a certain certificate of merit for certain negligent actions.

#### BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–2C–01

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section <del>3-2C-01 and</del> 3-2C-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 350 - Delegates Haddaway-Riccio and Eckardt

AN ACT concerning

# Education – Talbot County Board of Education – Lease of Public School Facility

FOR the purpose of authorizing the Talbot County Board of Education to lease a public school facility to an organization that operates a certain educational and recreational program, subject to a certain determination and certain limitations; and generally relating to the authority of the Talbot County Board of Education to lease a public school facility to certain organizations for certain purposes.

BY repealing and reenacting, with amendments,

Article - Education

Section 7–108

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 390 - Dorchester County Delegation

AN ACT concerning

# Office of the State's Attorney – Dorchester County – Authority to Appoint Criminal Investigators

FOR the purpose of authorizing the State's Attorney for Dorchester County to appoint certain criminal investigators, subject to the approval of the Dorchester County Council; authorizing the State's Attorney for Dorchester County to designate a chief investigator and assign other ranks and titles to certain criminal investigators under certain circumstances; providing that a criminal investigator who is appointed under this Act shall serve at the pleasure of the State's Attorney for Dorchester County, is subject to the regulations of the State's Attorney for Dorchester County, shall perform the duties that the State's Attorney for Dorchester County designates, shall take a certain oath of office, shall meet certain criteria regarding training and experience, may serve a certain summons or subpoena, may wear or display certain badges, and is not subject to the Law Enforcement Officers' Bill of Rights; authorizing the State's Attorney for Dorchester County to designate a criminal investigator as a peace officer under certain circumstances; providing that a criminal investigator designated as a peace officer may not be subject to the Law Enforcement Officers' Bill of Rights; authorizing a criminal investigator designated as a peace officer to arrest a certain person, serve a certain warrant, summons, or subpoena, and possess and carry a certain firearm; and generally relating to the Office of the State's Attorney for Dorchester County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–410
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

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

House Bill 397 – Delegates Simmons, Dumais, Carter, Anderson, Arora, Conaway, Glass, K. Kelly, McComas, McDermott, Rosenberg, Smigiel, Valderrama, Valentino-Smith, Vallario, Vitale, and Waldstreicher Waldstreicher, and Costa

AN ACT concerning

## Peace Orders and Protective Orders - Consent Orders - Shielding

FOR the purpose of <u>authorizing a petitioner to file a written request to shield court records relating to a peace order or protective order proceeding under certain circumstances;</u> authorizing a <del>respondent who consents to the entry of a peace order or protective order to file a written request to shield petitioner or a respondent to file a written request to shield court records relating to the a peace order or protective order proceeding if the respondent consented to the</del>

entry of the peace order or protective order under certain circumstances; altering the circumstances under which a court is required to order the shielding of all court records relating to a peace order or protective order proceeding if a certain petition was denied or dismissed; authorizing a respondent to refile a written request to shield court records relating to a peace order or protective order proceeding under certain circumstances; requiring the court, under certain circumstances, to order the shielding of all court records relating to a peace order or protective order proceeding if the respondent <del>consents</del> consented to the entry of the peace order or protective order; authorizing the court, under certain circumstances, to deny a request to shield court records relating to a peace order or protective order proceeding for good cause; requiring the court, in ruling on a certain motion for access to a shielded record, to balance the person's need for access with the petitioner's right to privacy and the potential harm of certain adverse consequences to the petitioner that the disclosure may create; authorizing the Governor's Office of Crime Control and Prevention, in consultation with the Maryland Judiciary, to adopt certain regulations; altering a certain definition; making certain clarifying and conforming changes; and generally relating to the shielding of certain peace order and protective order records.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1510
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–512
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 422 – Delegates Hixson, Barve, Cardin, Frush, Kach, Kramer, McMillan, Stukes, F. Turner, and A. Washington

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 Judicial Proceedings.

# House Bill 434 – Delegates Arora and Barve, Barve, and A. Miller

AN ACT concerning

#### Personal Property Tax Returns Reports - Electronic Filing

FOR the purpose of requiring the State Department of Assessments and Taxation to allow persons required to file a personal property tax return report to file the return report and pay the filing fee electronically through the Department's Web site; authorizing the Department to charge a processing fee for payments made electronically; providing that a fee may be charged for each electronic filing; providing for the application of this Act; and generally relating to electronic filing of personal property tax returns reports.

BY repealing and reenacting, without amendments,

Article – Tax – Property Section 11–101 through 11–103 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement) BY adding to

Article – Tax – Property

Section 11–104

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 485 – Frederick County Delegation

AN ACT concerning

#### Frederick County - Sheriff - Salary

FOR the purpose of altering the salary of the Sheriff of Frederick County; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; making stylistic changes; and generally relating to the salary of the Sheriff of Frederick County.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 2-309(1)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

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

#### House Bill 599 – Delegate Dumais

AN ACT concerning

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

FOR the purpose of requiring a certain hearing board to exclude certain evidence obtained during an investigation or interrogation by requiring a certain court to grant appropriate relief on a finding that a law enforcement agency of a law enforcement officer obtained evidence in violation of a certain right or law under certain circumstances; and generally relating to the Law Enforcement Officer Officers' Bill of Rights.

#### BY repealing and reenacting, without amendments,

Article - Public Safety

Section 3-107(a)

**Annotated Code of Maryland** 

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section  $\frac{3-107(f)}{3}$  3-105

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

#### House Bill 656 - Delegates Ready, Anderson, Hough, McComas, and Mitchell

AN ACT concerning

#### Estates and Trusts - Personal Representatives and Guardians - Standards

FOR the purpose of defining "serious crime" for purposes of a certain prohibition against a register of wills or court granting letters of administration to a person convicted of a serious crime; providing a certain exception to the prohibition; prohibiting a court, unless good cause is shown, from appointing, as a guardian of the person of a minor or disabled person, a person who has been convicted of a certain crime; prohibiting a court, unless good cause is shown, from appointing, as a guardian of the property of a minor or disabled person, a person who has been convicted of a certain crime; providing for the application of this Act; and generally relating to personal representatives or guardians of persons or property.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 5-105

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Estates and Trusts

Section 11–114

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 665 – Delegates Kramer, Barkley, Fraser-Hidalgo, A. Miller, S. Robinson, Simmons, Stocksdale, and Valderrama

AN ACT concerning

Crimes Relating to Animals - Surgery on Dogs - Penalties

FOR the purpose of prohibiting a person, other than a licensed veterinarian using anesthesia <u>when appropriate</u>, from performing certain procedures on a dog; establishing penalties for a violation of this Act; and generally relating to crimes relating to animals.

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 Judicial Proceedings.

House Bill 667 – Delegates Kramer, Barkley, Fraser-Hidalgo, A. Miller, S. Robinson, Simmons, Stocksdale, and Valderrama

AN ACT concerning

# Crimes Relating to Animals – Unauthorized Surgical Devocalization of Cat or Dog – Penalties

FOR the purpose of prohibiting a person from surgically debarking or sileneing devocalizing a dog or cat; authorizing a certain veterinarian to surgically debark or silence devocalize a dog or cat under certain circumstances; defining a certain term; providing penalties for a violation of this Act; and generally relating to crimes relating to animals.

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 Judicial Proceedings.

# House Bill 668 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

#### Income Tax Credit - Health Enterprise Zones - Modifications

FOR the purpose of allowing certain Health Enterprise Zone employers a credit, in a certain amount, against the State income tax for hiring a qualified position in a Health Enterprise Zone; requiring the employer to create a certain number of jobs during a certain time period; requiring the Comptroller to certify the applicability of the credit for each employer; defining a certain term; extending

the applicability of certain income tax credits to a certain taxable year; requiring the Department of Health and Mental Hygiene, in consultation with the Community Health Resources Commission, to give special consideration to certain applicants when certifying applications for certain tax credits; extending the termination date of a certain Act to a certain date; and generally relating to income tax credits for certain initiatives within certain Health Enterprise Zones.

BY repealing and reenacting, with amendments,

Article – Tax – General Section 10–731 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Chapter 3 of the Acts of the General Assembly of 2012 Section 5 and 6

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

House Bill 695 – Delegates McComas, Clippinger, Cluster, Dumais, Dwyer, Elliott, Glass, K. Kelly, Krebs, McDermott, Sophocleus, Stocksdale, Swain, Valentino-Smith, and Wood

AN ACT concerning

# Crimes – Obstructing Justice – Tampering With or Fabricating Physical Evidence

FOR the purpose of prohibiting a person from destroying, altering, concealing, or removing physical evidence that the person believes may be used in a certain pending or future official proceeding with the intent to impair the verity or availability of the physical evidence in the proceeding; prohibiting a person from fabricating physical evidence with the intent that the fabricated physical evidence be introduced in a certain pending or future official proceeding; prohibiting a person from introducing fabricated physical evidence in a certain official proceeding under certain circumstances; establishing a certain penalty; and generally relating to tampering with or fabricating physical evidence.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 9–301(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY adding to

Article - Criminal Law

Section 9–307 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

# House Bill 697 – Delegates Valderrama, Arora, Clippinger, and Valentino-Smith

AN ACT concerning

#### Crimes - Threat of Mass Violence

FOR the purpose of prohibiting a person from threatening to commit\_or causing to be committed, a certain crime of violence that would place others at substantial risk of death or serious physical injury if there are certain probable consequences is a certain result of the threat; establishing that this Act applies to a threat made by oral or written communication or electronic mail; establishing that a person who violates this Act is guilty of the misdemeanor of making a threat of mass violence; establishing a penalty for a violation of this Act; requiring a court to order a person convicted under this Act to reimburse certain persons; providing for the venue for a prosecution under this Act; defining certain terms; and generally relating to the misdemeanor of making a threat of mass violence.

### BY adding to

Article – Criminal Law

Section 3–1001 to be under the new subtitle "Subtitle 10. Threat of Mass Violence"

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

#### House Bill 782 – Delegate Clippinger

AN ACT concerning

#### Criminal Law - Third Degree Sexual Offense - Burglary

FOR the purpose of establishing that engaging in sexual contact with another without the consent of the other in connection with a first, second, or third degree burglary constitutes sexual offense in the third degree; establishing that, to be convicted under a certain provision of law, the defendant also must be convicted of a certain crime; altering the definitions of "tier I sex offender", "tier II sex offender", and "tier III sex offender" applicable to provisions relating to sex offender registration to include certain acts constituting sexual offense in the

third degree; providing for the application of this Act; and generally relating to sexual offense in the third degree.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 3-307

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–701(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 11–701(o), (p), and (q)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 807 – Delegates Lee, Clippinger, Cullison, DeBoy, Gutierrez, Healey, Howard, A. Kelly, McComas, McDonough, McMillan, B. Robinson, S. Robinson, and Stocksdale

AN ACT concerning

# Criminal Law <u>- Burglary in the First Degree</u> - Home Invasion <del>and Armed Home Invasion</del>

FOR the purpose of prohibiting a person from breaking and entering the dwelling of another and committing a crime of violence against a person in the dwelling; prohibiting a person from employing or displaying a dangerous weapon during the commission of a home invasion; establishing a unit of prosecution for a certain violation; establishing certain criminal penalties; authorizing a sentence imposed under this Act to be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the home invasion or armed home invasion; defining certain terms; altering a certain definition; increasing the maximum penalty of imprisonment for breaking and entering the dwelling of another with the intent to commit a crime of violence; designating a certain offense to be the felony of home invasion; and generally relating to the prohibition against home invasion home invasion.

#### BY adding to

Section 3-1001 and 3-1002 to be under the new subtitle "Subtitle 10. Home Invasion"

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section <del>14-101(a)</del> <u>6-202</u>

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 812 – Delegates Lee, Beidle, Boteler, Burns, Carr, Cullison, DeBoy, Elliott, Gaines, Glenn, Gutierrez, Haynes, Healey, Hixson, Howard, A. Kelly, K. Kelly, A. Miller, Minnick, Pena-Melnyk, B. Robinson, Stukes, F. Turner, Vaughn, and A. Washington

AN ACT concerning

#### Education - Middle Schools - Automated External Defibrillators

FOR the purpose of altering a requirement that certain county boards of education develop and implement a certain automated external defibrillator program that meets certain requirements in high schools to include middle schools; and generally relating to requiring middle schools to have an automated external defibrillator program.

BY repealing and reenacting, with amendments,

Article – Education

Section 7-425

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 857 – Delegates Smigiel, Dwyer, and Glass

AN ACT concerning

#### Courts - Attorneys - Subpoena Procedures and Forms for Circuit Courts

FOR the purpose of authorizing an attorney or any other officer of the court entitled to the issuance of a subpoena by a clerk of a court to obtain from the clerk of the court a subpoena that is signed and sealed by the clerk of court; authorizing the attorney or other officer of the court to photocopy or otherwise copy and use a certain subpoena for service; and generally relating to subpoenas.

#### BY adding to

Article – Courts and Judicial Proceedings Section 1–505 Annotated Code of Maryland (2013 Replacement Volume and 2013 Supplement)

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

#### House Bill 921 – Delegate Hough

AN ACT concerning

### Criminal Procedure - Certificate of Completion

FOR the purpose of authorizing the Department of Public Safety and Correctional Services to issue a certain certificate of completion to a certain offender who meets certain requirements; requiring the Department to make a certain report on or before a certain date; providing for the application of this Act; defining a certain term; and generally relating to certificates of completion.

### BY adding to

Article – Correctional Services Section 7–103 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 923 – Delegates Zucker, Hixson, Afzali, Arora, Barve, Bobo, Boteler, Branch, Cardin, Clippinger, Frick, George, Guzzone, Hammen, Harper, Howard, Ivey, Kach, Kaiser, Lafferty, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Olszewski, Pena-Melnyk, Ready, Serafini, Stein, Stukes, Summers, F. Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

# Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension

FOR the purpose of extending certain termination provisions relating to a certain income tax subtraction modification for certain discharged mortgage debt; altering the amount of a certain subtraction modification; and generally relating to an income tax subtraction modification for mortgage forgiveness debt relief.

BY repealing and reenacting, without amendments,

Article – Tax – General Section 10–207(a) and (y) Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Chapter 545 of the Acts of the General Assembly of 2012 Section 3

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

#### **House Bill 939 – Caroline County Delegation**

AN ACT concerning

#### Caroline County and Talbot County - Annual Financial Report - Filing Date

FOR the purpose of altering the date by which Caroline County is and Talbot County are required to file a certain financial report with the Department of Legislative Services; and generally relating to the date by which Caroline County is and Talbot County are required to file a financial report.

BY repealing and reenacting, with amendments,

Article – Local Government Section 16–304 Annotated Code of Maryland (2013 Volume)

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

#### House Bill 16 – Delegate Smigiel

AN ACT concerning

#### Cecil County - Board of Elections - Membership

FOR the purpose of altering the number of regular members of the Cecil County Board of Elections; requiring the members of the local board to be of certain political parties; requiring that a vacancy on the local board be filled in a certain manner; providing for a delayed effective date; and generally relating to the membership of the Cecil County Board of Elections.

BY repealing and reenacting, with amendments, Article – Election Law Section 2–201(l) 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 138 – Montgomery County Delegation

AN ACT concerning

## Montgomery County – Archery Hunting – Safety Zone MC 5–14

FOR the purpose of establishing for archery hunters in Montgomery County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Montgomery County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(g)

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 321 – Frederick County Delegation

AN ACT concerning

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

FOR the purpose of authorizing the governing body of Frederick County to exempt certain real property owned by certain trusts from the county property tax under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a certain property tax exemption in Frederick County.

#### BY adding to

Article – Tax – Property

Section 7–518

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 406 – Delegates Beitzel, K. Kelly, Myers, Parrott, and Serafini

AN ACT concerning

#### Allegany County, Garrett County, and Washington County - Sunday Hunting

FOR the purpose of authorizing the Department of Natural Resources to allow a person in Allegany County, Garrett County, or Washington County to hunt any game <u>bird or game</u> mammal, <u>except migratory game birds and wetland game birds</u>, on a Sunday on certain land during the open season for that game <u>bird or game</u> mammal; <u>making certain conforming changes</u>; and generally relating to Sunday hunting in Allegany County, <u>and Garrett County</u>, and <u>Washington County</u>.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

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 432 – Delegates Beitzel, K. Kelly, Myers, Parrott, and Serafini

AN ACT concerning

# Allegany County, <u>Frederick County</u>, Garrett County, and Washington County – Deer Hunting – Sundays

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt deer on certain property on certain Sundays in Allegany County, <u>Frederick County</u>, Garrett County, and Washington County, subject to certain provisions of law; and generally relating to the regulation of deer hunting by the Department of Natural Resources.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

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 562 – Delegates Howard, Cane, Griffith, Pena-Melnyk, Swain, V. Turner, Valderrama, and Vaughn

AN ACT concerning

#### Election Law - Use of Campaign Funds for Meeting and Conference Expenses

FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals, and registration expenses to attend certain meetings or conferences as an allowable expenditure of funds from a campaign account under the State election law; and generally relating to the use of campaign funds to pay expenses for a candidate's or an elected official's attendance at certain meetings and conferences.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(o)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(aa)

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 582 - Delegate Beidle Delegates Beidle and Parrott

AN ACT concerning

### **Licensed Tree Experts - Notification**

FOR the purpose of requiring a licensed tree expert to provide certain notice to the Department of Natural Resources of the status of any company that engages in the business or work of the treatment, care, or removal of trees under the tree expert's license and of the liability and property damage insurance and workers' compensation insurance carried by each company; and generally relating to required notifications by licensed tree experts.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–417

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 596 – Delegates Morhaim and Elliott

AN ACT concerning

# State Board of Pharmacy – Wholesale Distributors – Notification to Pharmacy

FOR the purpose of requiring a wholesale distributor to notify a pharmacy within a certain time period before the wholesale distributor imposes a limit on the quantity of a prescription drug or prescription device distributed to the pharmacy; requiring a wholesale distributor, while a limit is in effect, to provide a pharmacy with a certain update with a certain frequency; establishing the circumstances in which a notification and an update are not required; and generally relating to wholesale distributors and notification to a pharmacy.

BY adding to

Article – Health Occupations Section 12–6C–09(f) 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 598 - Delegate Dumais

AN ACT concerning

# Law Enforcement Officers' Bill of Rights – Prosecutorial Disclosures – Punitive Action

FOR the purpose of prohibiting punitive action from being taken against a law enforcement officer based solely on the fact that a prosecutorial agency determined that it must disclose information about the law enforcement officer to the defense under certain circumstances; specifying that this Act does not limit a law enforcement agency from taking punitive action against a law enforcement officer based on the underlying acts or omissions for which information about the law enforcement officer was disclosed; providing for the construction of this Act; 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; and generally relating to prosecutorial disclosures and the Law Enforcement Officers' Bill of Rights.

BY adding to

Article – Public Safety Section 3–106.1 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

House Bill 625 – Delegates Nathan-Pulliam, Costa, Cullison, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Pena-Melnyk, Reznik, and V. Turner, U. Turner, Bromwell, Donoghue, Elliott, Hammen, Kipke, Krebs, McDonough, Oaks, Pendergrass, Ready, and Tarrant

#### EMERGENCY BILL

AN ACT concerning

### Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014

FOR the purpose of altering the scope of certain provisions of law relating to coverage of cancer chemotherapy to include certain policies or contracts issued or delivered by certain entities that provide essential health benefits required under certain provisions of federal law; providing for the application of this Act; providing for the construction of this Act making this Act an emergency measure; and generally relating to health insurance coverage for cancer chemotherapy.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–846 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

House Bill 699 – Delegates Murphy, Barve, Branch, Fisher, Glenn, A. Miller, Serafini, Stukes, Valderrama, Walker, A. Washington, and Wilson

AN ACT concerning

# Income Tax – Subtraction Modification – Unreimbursed Expenses of Foster Parents

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain unreimbursed expenses incurred by certain foster parents on behalf of a foster child; providing that only certain expenses may be included in the subtraction; prohibiting certain expenses from being included in the subtraction modification; requiring the Department of Human Resources, on or before a certain date, to submit a certain list to the Comptroller; providing that the subtraction may not exceed a certain amount; defining a certain term certain terms; providing for the application of this Act; and generally relating to a subtraction modification for unreimbursed foster child expenses.

BY repealing and reenacting, without amendments,

Article – Tax – General Section 10–208(a) Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Tax – General Section 10–208(u) 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 743 – Delegates Clagett, Barnes, Barve, Beidle, Bohanan, Branch, Braveboy, Bromwell, Busch, Cane, Carr, Carter, Conway, Cullison, Davis, DeBoy, Donoghue, Dumais, Frick, Gaines, Griffith, Guzzone, Hammen, Haynes, Healey, Hixson, Holmes, Hubbard, James, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Oaks, Olszewski, Pena-Melnyk, Pendergrass, Proctor, B. Robinson, Rudolph, Stein, Tarrant, F. Turner, V. Turner, Vallario, Waldstreicher, Walker, Weir, and Zucker

AN ACT concerning

# Spending Transparency Act Income Tax Forms – Graphical Representation of General Fund Expenditures

FOR the purpose of requiring the Comptroller to include on certain income tax forms a demonstrative representation of how much of each dollar that the General Fund receives is spent on certain categories; providing that the representation may be in graphical or pictorial form; requiring the Comptroller, in consultation with the Department of Budget and Management and the Department of Legislative Services, to make certain determinations; requiring the Comptroller to post the

representation on the Comptroller's Web site and to include it in certain instructions on the Web site; and generally relating to a requirement that the Comptroller include certain information on certain tax forms.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2-104(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 784 – Delegates A. Miller, Barkley, and Elliott, and Cardin

AN ACT concerning

# Income and Sales Tax Incentives - Emergency Preparedness Equipment Income Tax Credit - Emergency Backup Generators

FOR the purpose of allowing a qualified nursing home to claim a refundable credit against the State income tax in the amount of sales and use tax paid for the purchase of certain backup generators; establishing a tax-free period each year during which a certain sales and use tax exemption for the sale of certain emergency preparedness items is provided; requiring the Comptroller to publish a certain list on or before a certain date; authorizing the Comptroller to amend a certain list under certain circumstances; defining certain terms; providing for the application and termination of certain provisions of this Act; and generally relating to tax incentives to encourage the purchase of certain emergency preparedness equipment defining a certain term; providing for the application and termination of this Act; and generally relating to an income tax credit for certain qualified nursing homes.

BY adding to

Article - Tax - General

Section 10-736 and 11-228.1

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 791 – Delegate Bromwell (By Request)

AN ACT concerning

State Board of Examiners in Optometry – Cease and Desist Orders, Injunctive Relief, and Penalties FOR the purpose of authorizing the State Board of Examiners in Optometry to issue a cease and desist order or obtain injunctive relief for a violation of certain provisions of law; providing that certain actions may be brought by certain persons in certain counties; providing that proof of certain damages is not required for certain actions; 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 Examiners in Optometry Fund; providing for the application of certain provisions of this Act; and generally relating to the State Board of Examiners in Optometry, cease and desist orders, injunctive relief, and penalties.

#### BY adding to

Article – Health Occupations Section 11–320 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 11–501, 11–502, and 11–504
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 11–505
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 794 – Delegates M. Washington, Branch, Braveboy, Cullison, Davis, Donoghue, Dumais, Glenn, Harper, Haynes, Kaiser, A. Kelly, McIntosh, A. Miller, S. Robinson, Rudolph, and Zucker

AN ACT concerning

# Department of Planning - Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project

FOR the purpose of <u>establishing the Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project;</u> requiring the Department of <u>Planning Housing and Community Development</u> to select <u>and monitor</u> a coordinating entity to oversee the <u>Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration</u> Project; establishing the purpose of the

Project; requiring the coordinating entity to be selected through a competitive request for proposal or by sole source contract; requiring the coordinating entity to determine the number and characteristics of unaccompanied homeless youth and young adults in certain jurisdictions Continuums of Care using certain methods; requiring the coordinating entity to assign each youth participant a unique identifier; requiring the Department of Planning to provide certain technical assistance; requiring the Department Departments to make every effort to identify non–State sources of funding to fund the cost of the Project; providing for the termination of this Act; requiring the coordinating entity to submit a certain report on or before a certain date; making this Act subject to a certain contingency; and generally relating to the Unaccompanied Maryland Homeless Youth and Young Adult Count Demonstration Project.

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

House Bill 823 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

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

FOR the purpose of consolidating the insurance laws of the State that apply to health maintenance organizations; clarifying the application of the insurance laws of the State to health maintenance organizations; repealing certain obsolete provisions of law; declaring the intent of the General Assembly; making conforming changes; and generally relating to health maintenance organizations and the insurance laws of the State.

BY repealing and reenacting, with amendments,

Article – Health – General Section 19–706 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2–112, 5–608(t), 15–118, 15–401 through 15–403.1, 15–803, 15–818, 15–823, 15–903, 15–1501, 27–209, 27–302 through 27–304, 27–305(c), 27–504, and 27–606

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 833 – Delegates McIntosh, Anderson, Branch, Carter, Clippinger, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and M. Washington M. Washington, and Cardin

AN ACT concerning

#### Baltimore City - Tax-Exempt Property - Certification of Use

FOR the purpose of requiring certain organizations that own property in Baltimore City that is not subject to property tax to submit a certain application to the State Department of Assessments and Taxation on or before a certain date certain dates; requiring that the application include a certification that certain property not subject to property tax is in current actual use for a certain tax-exempt purpose; specifying the form and oath required for the application; providing that a property subject to this Act for which an application has not been filed on or before a certain date certain dates shall be subject to property tax on a certain date certain dates; requiring that a property for which an application is filed after a certain date certain dates not be subject to property tax effective in certain taxable years; requiring certain organizations that own property in Baltimore City that is not subject to property tax to notify certain persons within a certain period of time after the property ceases to be used for a certain tax-exempt purpose; providing for a delayed effective date; and generally relating to requiring a certification of a current tax-exempt use of certain property in Baltimore City that is not subject to property tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property Section 7–202 and 7–204 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY adding to

Article – Tax – Property Section 7–204.1 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 863 – Delegates McIntosh, Anderson, Branch, Carter, Clippinger, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and M. Washington M. Washington, and Cardin

AN ACT concerning

# Property Tax - Exemption - Baltimore Green Space Community-Managed Open Space

FOR the purpose of exempting property owned by Baltimore Green Space and a certain community open space management entity, used exclusively as community—managed open space, and subject to a certain agreement from property tax; authorizing the governing body of a county or municipal corporation to enact certain provisions to carry out the exemption; defining certain terms; providing for the application of this Act; and generally relating to an exemption from property tax.

BY adding to

Article – Tax – Property Section 7–245 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 876 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

# Baltimore City - Property Tax Credit for Historic or Heritage Properties - Calculation

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to implement, by law, a certain property tax credit that may not exceed a certain amount under certain circumstances; authorizing the Mayor and City Council of Baltimore City to adopt certain requirements and procedures to carry out the tax credit; requiring a certain value to be determined by the State Department of Assessments and Taxation; requiring a certain value to be determined by certain professional appraisers; excluding Baltimore City from a certain calculation for a certain property tax credit; and generally relating to a property tax credit for historic and heritage properties in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Tax – Property Section 9–204.1 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 916 – Delegates Kramer and Mitchell

AN ACT concerning

#### Corporations and Real Estate Investment Trusts - Miscellaneous Provisions

FOR the purpose of providing that a Maryland corporation or a real estate investment trust has the power to renounce certain business opportunities in certain documents or by certain resolutions; repealing certain provisions of law prohibiting the declaration or payment of a dividend payable in shares of one class of a corporation's stock to holders of shares of another class of the corporation's stock unless approved in a certain manner; altering the circumstances under which a corporation registered as an open-end company may redeem shares of its stock from any stockholder; requiring each nominee for director of a corporation to have the qualifications required by the charter or bylaws of the corporation; providing that a director of a corporation holds office until the time the director ceases to have certain qualifications under certain circumstances; specifying how the directors who hold over and continue to serve as directors must be determined under certain circumstances; clarifying the circumstances under which certain actions may be taken without a meeting of the board of directors or a committee of the board; clarifying that certain references to a majority or other proportion of directors refer to a majority or other proportion of votes entitled to be cast by the directors; establishing a certain limitation on a board's sole power to take certain actions relating to special meetings of stockholders; providing that a certain interest with which a proxy may be coupled includes an interest as a party to a certain voting agreement; authorizing two or more stockholders to enter into a written agreement requiring voting rights to be exercised in a certain manner under certain circumstances; altering the circumstances under which the approval of the stockholders and articles of transfer or share exchange are not required; altering the manner in which a certain merger of a Maryland corporation or Maryland real estate investment trust must be approved; establishing that a merger of a subject corporation with or into an acquiring entity may be effected under certain circumstances; requiring the board of directors of a certain Maryland corporation to adopt a certain resolution approving a certain merger under certain circumstances; requiring an other entity to advise, authorize, and approve a certain transaction in a certain manner under certain circumstances; requiring a certain acquiring entity to give a certain notice of a certain transaction to certain stockholders of record under certain circumstances; providing that a minority stockholder of a subject corporation has a right to demand and receive certain payment of shares under certain circumstances; altering the information that must be included in articles of consolidation, merger, share exchange, or transfer under certain circumstances; providing that certain information included in articles of consolidation, merger, share exchange, or transfer may be made dependent on facts ascertainable outside the articles; altering the basis for determining when fair value of the stock of a Maryland corporation is determined; altering the circumstances in which a certain stockholder is authorized to demand fair value of the stockholder's stock; altering the circumstances in which a certain stockholder must file a certain

written objection to a certain transaction; repealing certain provisions of law requiring the president or director of a certain corporation, the charter of which has been revived, to call a meeting of the stockholders for a certain purpose; altering the manner in which an other entity converting to a certain Maryland corporation or a real estate investment trust must execute articles of incorporation or a declaration of trust; providing that a real estate investment trust is a separate legal entity; providing that a real estate investment trust is formed by filing a declaration of trust for record with the State Department of Assessments and Taxation; defining certain terms; making certain conforming and stylistic changes; and generally relating to corporations and real estate investment trusts.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 2–103, 2–309(c), 2–310.1, 2–403(a), 2–404(b), 2–405, 2–408(c) and (d), 2–502(e), 2–507(d), 3–104(a), 3–105(a), 3–109, 3–202, 3–203, 3–901(c), 8–102, 8–201, 8–301, 8–501.1(c), and 8–701(c)

Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Corporations and Associations Section 2–510.1 and 3–106.1 Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement)

#### BY repealing

Article – Corporations and Associations Section 3–511 Annotated Code of Maryland (2007 Replacement Volume and 2013 Supplement)

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

#### House Bill 932 - Delegates Murphy, Jameson, Wilson, and Wood

AN ACT concerning

# Charles County - Property Tax Credit - Senior Citizens Receiving Social Security Benefits

FOR the purpose of authorizing the governing body of Charles County to grant a property tax credit against the county property tax imposed on real property that is owned and used as the principal residence of an individual who is at least a certain age and receives any benefit under the Social Security Act; authorizing the governing body of Charles County to provide for the amount, duration, additional eligibility criteria, application process, and other aspects of

the credit; providing for the application of this Act; and generally relating to a property tax credit for senior citizens receiving Social Security benefits in Charles County.

BY adding to

Article – Tax – Property Section 9–310(j) 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 936 – Delegates McIntosh, Anderson, Carter, Clippinger, Conaway, Glenn, Hammen, Harper, McHale, Oaks, Rosenberg, Stukes, Tarrant, and M. Washington M. Washington, and Cardin

AN ACT concerning

### Baltimore City – Homestead Assessment Cap Increase and Property Tax Rate Reduction – Study

FOR the purpose of requiring the Department of Legislative Services to complete a study on the feasibility and effects of increasing Baltimore City's homestead property tax credit assessment cap and using the increased revenue to offset a reduction in the City's property tax rate; requiring the study to make certain estimates; requiring the study to consider certain matters; requiring the Department to submit a report of its findings and any recommendations to certain persons on or before a certain date; providing for the termination of this Act; and generally relating to a study of Baltimore City's homestead property tax credit assessment cap and property tax rate.

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

House Bill 943 – Delegates McIntosh, Anderson, Branch, Carter, Clippinger, Conaway, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and M. Washington, and Cardin

AN ACT concerning

#### Baltimore City - Property Tax Equity - Study

FOR the purpose of requiring the Department of Legislative Services to complete a study analyzing whether Baltimore City's property tax structure places an equitable burden on homeowners, renters, and commercial property owners; requiring the study to examine certain issues; requiring the study to consider certain factors; requiring the Department to submit a report of its findings and

any recommendations to certain persons on or before a certain date; providing for the termination of this Act; and generally relating to a study of the equity of Baltimore City's property tax structure.

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

#### House Bill 950 – Delegate Hogan

AN ACT concerning

# Property Tax – Charitable, Educational, or Religious Properties – Tax on Formerly Exempt Property

FOR the purpose of providing that, except under certain circumstances, when certain charitable, educational, or religious property that was formerly exempt from property tax under certain provisions of law is sold and the property is no longer entitled to the exemption, the property tax is payable for the remainder of the taxable year from the date of transfer; providing for the application of this Act; and generally relating to the property tax and certain exemptions for charitable, educational, or religious property.

BY repealing and reenacting, without amendments,

Article – Tax – Property Section 7–202(b)(1) <u>and 7–204</u> Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Tax – Property Section <del>7–202(e)</del> <u>7–104(e)</u> Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

#### BY repealing and reenacting, with amendments,

Article - Tax - Property
Section 7-204
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 960 – Montgomery County Delegation

AN ACT concerning

Montgomery County - Alcoholic Beverages - Residency Requirement <del>Exemption</del>

#### MC 22-14

FOR the purpose of exempting providing that in 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 may be satisfied by residency in certain jurisdictions; providing that the requirement that certain officers of a corporation or club, or an authorized person applying on behalf of a limited liability company for an alcoholic beverages license in the County be registered voters of and reside in the County may be satisfied by residency in certain jurisdictions; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages Section 9–101(a), (b), and (c)(1) 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 Education, Health, and Environmental Affairs.

### House Bill 991 - Delegates Haddaway-Riccio and Eckardt

AN ACT concerning

## **Queen Anne's County and Talbot County - Board of Elections - Membership**

FOR the purpose of altering the number of regular members of the Queen Anne's County Board of Elections and the Talbot County Board of Elections; requiring the members of the local board boards to be of certain political parties; requiring that a vacancy on the local board boards be filled in a certain manner; providing for a delayed effective date; and generally relating to the membership of the Queen Anne's County Board of Elections and the Talbot County Board of Elections.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–201(l)

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 1019 - Prince George's County Delegation

AN ACT concerning

# Prince George's County – Adults With Developmental Disabilities Citizen's Advisory Committee – Sunset Repeal PG 421–14

FOR the purpose of repealing the termination date of certain provisions of law establishing the Adults with Developmental Disabilities Citizen's Advisory Committee; and generally relating to the Adults with Developmental Disabilities Citizen's Advisory Committee.

BY repealing and reenacting, with amendments, Chapter 687 of the Acts of the General Assembly of 2012 Section 3

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

#### House Bill 1048 – Prince George's County Delegation

AN ACT concerning

# Prince George's County – School Facilities Surcharge Exemption – Capitol College Student Housing and Residential Revitalization Projects PG 408–14

FOR the purpose of establishing an exemption from the Prince George's County school facilities surcharge for multi–family housing designated as student housing in a certain area within the campus of Capitol College <u>and for single family attached dwelling units in certain residential projects within the Developed Tier</u>; and generally relating to <u>an exemption exemptions</u> from the Prince George's County school facilities surcharge.

BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George's County

Section 10-192.01(b)(4)(A)

Article 17 – Public Local Laws of Maryland

(2011 Edition, as amended)

(As enacted by Chapter 431 of the Acts of the General Assembly of 2003, Chapter 166 of the Acts of the General Assembly of 2007, and Chapter 108 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, without amendments,

The Public Local Laws of Prince George's County

Section 10–192.01(b)(5)

Article 17 – Public Local Laws of Maryland

(2011 Edition, as amended)

#### BY adding to

The Public Local Laws of Prince George's County Section 10–192.01(b)(6) Article 17 – Public Local Laws of Maryland (2011 Edition, as amended)

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

#### House Bill 1059 - Delegate Clagett

AN ACT concerning

#### Transportation - Highway User Revenues - Local Government Reporting

FOR the purpose of requiring each county and each municipality that receives highway user revenues to submit a report on or before a certain date each year to the State Highway Administration, the Governor, and certain committees of the General Assembly that documents the actual costs and lawful uses of highway user revenues in the preceding fiscal year and the expenditure budget of the current fiscal year; repealing obsolete language; and generally relating to requiring local governments to report on their expenditures of highway user revenues.

BY repealing and reenacting, without amendments,

Article – Transportation Section 8–401 and 8–409(a) and (b) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 8–408 and 8–412 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 1060 - Delegates James and Rudolph

AN ACT concerning

### Northeastern Maryland Additive Manufacturing Innovation Authority

FOR the purpose of establishing the Northeastern Maryland Additive Manufacturing Innovation Authority; providing for the purposes of the Authority; establishing an Executive Board for the Authority; providing for the composition, chair, and

meetings of the Board; requiring that, to the extent practicable, the members of the Board reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Board to establish certain committees; requiring the Board to appoint an Executive Director with certain duties; requiring the Department of Business and Economic Development, the Cecil County Office of Economic Development, and the Harford County Office of Economic Development jointly to provide staff, office space, and operational support for the Authority; authorizing the Authority to select and retain certain legal counsel, additional staff, and professional consultants; authorizing the Authority to exercise certain powers; requiring the Authority to undertake certain activities to further the purposes of this Act; establishing the applicability of certain other provisions of law to the Authority and its officers and employees and to the Board; authorizing the State and Cecil and Harford counties jointly to finance the Authority and its activities; requiring the Authority to submit certain work programs and budget information to the Department on or before a certain date each year; requiring the Department to review and forward a certain submission and recommendation to the Department of Budget Management; requiring authorizing the Governor, beginning with a certain fiscal year, to include in the State budget for each fiscal year, an appropriation of a certain amount to partially support the Authority; requiring Authority, contingent on the commitment of Cecil and Harford counties to contribute funds to the Authority; authorizing the governing bodies of Cecil and Harford counties each year to appropriate funds to the Authority for a certain purpose; authorizing the Authority to accept additional money from certain sources; requiring the Authority to cooperate with certain governmental units; establishing the Northeastern Maryland Additive Manufacturing Innovation Authority Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Authority to administer the Fund; requiring the State Treasurer to hold the Fund separately and to make certain investments: requiring certain earnings to accrue to the Fund; requiring the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; requiring certain money not awarded to remain in 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; defining certain terms; and generally relating to the Northeastern Maryland Additive Manufacturing Innovation Authority.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 9–101(a) and (c)
Annotated Code of Maryland
(2008 Volume and 2013 Supplement)

BY adding to Article – Economic Development Section 13–1201 through 13–1212 to be under the new subtitle "Subtitle 12. Northeastern Maryland Additive Manufacturing Innovation Authority" 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.

#### House Bill 1087 - Delegates McMillan and Holmes

AN ACT concerning

### Motor Vehicles - Maximum Period of Idling - Repeal Prohibition Against <u>Unattended Motor Vehicle - Exception</u>

FOR the purpose of repealing the prohibition against a motor vehicle engine idling for more than a certain amount of time; repealing certain exceptions to the prohibition; and generally relating to the repeal of the prohibition against a motor vehicle engine idling for more than a certain amount of time creating an exception to the prohibition against leaving an unattended motor vehicle under certain circumstances for a motor vehicle that operates unattended for a certain period of time under certain circumstances; and generally relating to the prohibition against unattended motor vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation
Section <del>22-402(e)</del> 21-1101
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

<u>Article – Transportation</u>

Section 22–402(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

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

House Bill 1181 – Delegates Hixson, Kaiser, A. Miller, and Walker

AN ACT concerning

### Fairness in Negotiations Act Public School Labor Relations Board - Sunset Repeal and Reporting Requirement

FOR the purpose of repealing the termination date of certain provisions relating to the Public School Labor Relations Board; requiring the Board to report to the General Assembly on certain information and certain recommendations on or before a certain date; 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 Finance.

House Bill 1222 - Delegates Haynes, Anderson, Aumann, Barkley, Barnes, Barve, Bates, Beidle, Bobo, Bohanan, Boteler, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carr, Carter, Clagett, Conway, Costa, Davis, DeBoy, Dumais, Eckardt, Elliott, Frank, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Healey, Hixson, Howard, Ivey, James, Jameson, Jones, Kach, Kaiser, K. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McHale, McIntosh, W. Miller, Minnick, Mitchell, Mizeur, Morhaim, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Olszewski. Pendergrass. Proctor. B. Robinson. Rosenberg, Rudolph, Schuh, Simmons, Smigiel, Sophocleus, Stein, Stocksdale, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Weir, and Wood

AN ACT concerning

#### Ruth M. Kirk Public Social Work Scholarship

FOR the purpose of altering the workforce shortage fields eligible for a Workforce Shortage Student Assistance grant to include social workers under certain circumstances; naming a certain grant to be the Ruth M. Kirk Public Social Work Scholarship; and generally relating to social workers as a workforce shortage field under the Workforce Shortage Student Assistance grants program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–708

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 1236 – Delegates Parrott, Glass, Krebs, McDermott, and Serafini

AN ACT concerning

# Health – Reporting of Death and Burial or Disposal of Body – Requirements and Penalties

FOR the purpose of requiring certain individuals who have personal knowledge of the death of another individual or who have personally discovered a body to provide certain notice of the death within a certain time period to a certain law enforcement officer, physician, or 9-1-1 system; prohibiting an individual from burying or disposing of a body except in a certain manner; establishing certain penalties; and generally relating to reporting a death and burying or disposing of a body.

BY repealing and reenacting, without amendments,

Article - Health - General

Section 5-101

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY adding to

Article – Health – General

Section 5–514

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

# House Bill 1267 – Delegates Hubbard, Costa, Cullison, Kach, Nathan-Pulliam, and Pena-Melnyk

AN ACT concerning

# Assertive Community Treatment (ACT) – Targeted Outreach, Engagement, and Department of Health and Mental Hygiene – Outpatient Services Programs Stakeholder Workgroup

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to convene a stakeholder workgroup to examine certain outpatient services programs and develop a certain proposal; requiring the Department of Health and Mental Hygiene to recommend certain draft legislation; requiring the Secretary 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; establishing the Targeted Outreach, Engagement, and ACT Services Program in the Department of Health and Mental Hygiene; requiring the Program to provide certain services and supports to certain individuals; requiring the Department to identify certain individuals and to develop a certain petition and process: establishing eligibility criteria for the Program; authorizing certain individuals to file a petition; requiring a petition to be filed with the Department and to contain certain information; requiring the Department to make a certain determination; requiring the Department to arrange for a certain Program provider to initiate contact with an eligible individual within a certain time period; requiring the Department to develop certain guidelines; requiring a Program provider to contact or attempt to contact an eligible individual until the individual enrolls in the Program or no longer meets eligibility criteria: requiring the Program to meet certain behavioral health needs of an eligible individual in a certain manner; requiring the development of a certain service plan for certain individuals within a certain time period; authorizing the Department to provide certain services and supports before the adoption of a service plan: requiring a service plan to be reviewed and modified periodically to make a certain determination; requiring the Program to use certain funds for certain services and in a certain manner; establishing requirements for certain meetings; requiring a client to be informed of certain services and to be a full partner in the creation and implementation of a certain plan; requiring a client to be informed about a certain directive and to be offered assistance in completing the directive under certain circumstances; providing that a certain directive shall be enforceable in accordance with certain laws; prohibiting the Department from discontinuing outreach if the Department has certain knowledge; prohibiting the Department from discharging a client until the client takes certain action; requiring a Program provider seeking to discharge a client to take certain action; requiring certain clients to be reinstated to the Program under certain circumstances; requiring a Program provider to use certain services in a certain manner and ensure that a client enrolls in certain programs; requiring the Department to develop and provide a certain rate for certain services: requiring the Department to provide certain funds to local mental health authorities; requiring the Department to document certain information, monitor certain outcome data using a certain collection system, ensure that certain services and supports are provided without disruption, expand the content and coverage of a certain system for a certain purpose, and

establish a certain committee to make certain recommendations; authorizing a client to appeal certain adverse actions; authorizing a client to appeal certain actions in accordance with a certain law; providing that a client shall continue to receive certain services and supports under certain circumstances; requiring the Department to secure the services of an alternate provider under certain circumstances; requiring the Department, in consultation with stakeholders, to adopt certain regulations; defining certain terms; and generally relating to the Targeted Outreach, Engagement, and ACT Services Program an outpatient services programs stakeholder workgroup.

#### BY adding to

Article - Health - General

Section 10-1501 through 10-1510 to be under the new subtitle "Subtitle 15.

Targeted Outreach, Engagement, and ACT Services Program"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1296 – Delegates Kach and Olszewski, Olszewski, Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

### Prescription Drug Monitoring Program – Review and Reporting of Possible Misuse or Abuse of Monitored Prescription Drugs

FOR the purpose of authorizing the Prescription Drug Monitoring Program, in accordance with certain regulations, to review prescription monitoring data for a certain purpose and, under certain circumstances, report possible misuse or abuse of a monitored prescription drug to a certain prescriber or dispenser; requiring the Program, before reporting the possible misuse or abuse of a monitored prescription drug, to obtain from the technical advisory committee to the Program certain clinical guidance and interpretation; requiring the Secretary of Health and Mental Hygiene to adopt regulations that specify the process for the Program's review of prescription monitoring data and reporting of possible misuse or abuse of a monitored prescription drug; altering the purpose of the technical advisory committee; making a stylistic change; and generally relating to the Prescription Drug Monitoring Program and the review of prescription monitoring data and reporting of possible misuse or abuse of a monitored prescription drug.

BY repealing and reenacting, without amendments, Article – Health – General

Section 21–2A–02(a)

Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–2A–04, 21–2A–06, and 21–2A–07
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1352 – <del>Delegate Morhaim</del> <u>Delegates Morhaim</u>, <u>Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, McDonough, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner</u>

AN ACT concerning

## Secretary of State and Attorney General – Charitable Enforcement and Protection of Charitable Assets

FOR the purpose of authorizing the Attorney General to take certain actions relating to investigations of alleged violations of laws relating to charitable organizations and charitable representatives; repealing the authority of a designee of the Secretary of State to investigate certain violations; repealing certain authority for the legal counsel for the Office of the Secretary of State to administer oaths and examine an individual under oath; providing that a failure of the Attorney General to enforce a certain violation does not constitute a waiver of certain provisions or rights; altering the permissible circuit courts in which the Attorney General may sue for a certain order; adding the issuance of a cease and desist order by the Attorney General to the circumstances in which a person may request a certain hearing; authorizing the Attorney General to make reciprocal agreements with other states for certain purposes; establishing the Charitable Enforcement Fund as a special, nonlapsing fund in the Office of the Secretary of State; specifying the purpose of the Fund; requiring the Secretary of State to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing that a certain provision of law does not apply to the Fund; repealing requirements for certain written consent; altering certain fees; requiring certain amounts of certain fees to be distributed to the Fund for a certain use; expanding the types of advertising the broadcaster, publisher, or printer of which is not liable for a certain violation, except under certain circumstances; prohibiting a person from taking certain actions against an individual because the individual provided certain information to certain persons; requiring the Attorney General to represent the public interest in the protection of charitable assets; authorizing

the Attorney General to take certain actions relating to charitable assets; authorizing the Secretary of State or and the Attorney General to enter into a settlement agreement under certain circumstances; authorizing the Attorney General to sue in a circuit court for a certain order; providing that certain remedies are in addition to and do not limit certain powers and duties of the Secretary of State and the Attorney General; providing that a certain enforcement action or other remedy is subject to certain immunity or limitation on liability; requiring the Secretary of State and the Attorney General, on or before a certain date, to convene a certain workgroup, composed of certain representatives, and to submit certain reports to the Governor and the General Assembly; requiring the Secretary of State and the Attorney General to review, make recommendations, and submit certain reports, on or before certain dates, on charitable organizations that fail to pay a certain fee or file a certain report; declaring the intent of the General Assembly that certain fee increases be used for certain purposes; providing for the effective dates of this Act; defining certain terms; making stylistic and conforming changes; clarifying language; and generally relating to the powers and duties of the Secretary of State and the Attorney General for charitable enforcement and protection of charitable assets.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 6–205 and 6–206 to be under the amended subtitle "Subtitle 2. Powers and Duties of the Secretary of State and the Attorney General"; 6–302, 6–402(b), 6–407(b), 6–5A–02, and 6–621

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Business Regulation

Section 6–2A–01 to be under the new subtitle "Subtitle 2A. Charitable Enforcement Fund"; 6–407(d), 6–622; and 6.5–101 through 6.5–103 to be under the new title "Title 6.5. Protection of Charitable Assets"

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 6–402(a) and 6–407(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)76. and 77.
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - State Finance and Procurement
Section 6-226(a)(2)(ii)78.
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 1406 – <del>Delegate Kipke</del> Delegates Kipke and Afzali

AN ACT concerning

### Election Law - Signed Voting Authority Cards - Maintenance

FOR the purpose of requiring <u>each local board of elections to maintain</u> voting authority cards that have been signed under a certain provision of law <del>to be maintained</del> for a certain period of time <u>and in a certain manner</u>; and generally relating to the maintenance of signed voting authority cards.

BY repealing and reenacting, with amendments,

Article – Election Law Section 2–106 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 1409 – <del>Delegates McMillan and George</del> <u>Anne Arundel County</u> <u>Delegation</u>

AN ACT concerning

### Anne Arundel County – Collection of Hotel Taxes and Distribution of Revenues – City of Annapolis

FOR the purpose of providing that Anne Arundel County may authorize the City of Annapolis to collect certain hotel tax revenue generated in the City of Annapolis; requiring the City of Annapolis to distribute and retain a certain percentage of the revenue under certain circumstances; and generally relating

to the collection and distribution of hotel tax revenue generated in the City of Annapolis.

BY repealing and reenacting, without amendments,

Article – Local Government Section 20–603(a) Annotated Code of Maryland (2013 Volume)

BY repealing and reenacting, with amendments,

Article – Local Government Section 20–603(b) Annotated Code of Maryland (2013 Volume)

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

House Bill 1458 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

### Correctional Services - Charges Recommending Discipline - Investigative Period

FOR the purpose of establishing that a certain time period after which a certain appointing authority in the Department of Public Safety and Correctional Services may not bring charges recommending the imposition of discipline against a correctional officer does not apply to certain charges of criminal activity under certain circumstances; and generally relating to disciplinary procedures for correctional officers.

BY repealing and reenacting, with amendments,

Article – Correctional Services Section 10–907 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 207 – Chair, Health and Government Operations Committee and Chair, Appropriations Committee (By Request – Departmental – General Services)

AN ACT concerning

# State Capital Projects – High Performance Buildings <u>– Maryland Green</u> Building Council

FOR the purpose of altering the definition of a "high performance building" as it applies to certain provisions of law relating to State capital projects; requiring the Maryland Green Building Council to establish a process for receiving public input; and generally relating to State capital projects for the construction and renovation of high performance buildings and the Maryland Green Building Council.

BY repealing and reenacting, with amendments,

Article - State Finance and Procurement

Section 3–602.1 and 4–809(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 223 – <del>Delegate Rosenberg</del> <u>Delegates Rosenberg and Cardin</u>

AN ACT concerning

### Property Tax Credit - Urban Agricultural Property - Applicability

FOR the purpose of altering the eligibility criteria for a certain property tax credit for certain agricultural property; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to provide for a refund of certain property taxes paid for certain taxable years under certain circumstances; altering a certain definition; providing for the application of this Act; and generally relating to a property tax credit for agricultural property.

BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 9–253

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 314 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Clippinger, Conaway, Glenn, Harper, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

AN ACT concerning

#### Baltimore City - Property Tax Credit - Newly Constructed Dwellings

FOR the purpose of extending the period of time during which owners of newly constructed dwellings in Baltimore City may qualify for a property tax credit; repealing certain provisions of law allowing for an amnesty period for owners who were denied the tax credit for failing to meet the application deadline; providing for the application of this Act; and generally relating to the property tax credit for newly constructed dwellings in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Tax – Property Section 9–304(d) 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 323 - Frederick County Delegation

AN ACT concerning

#### Frederick County - Hotel Rental Tax - Transient Charge

FOR the purpose of altering the definition of a "transient charge" as it relates to a hotel charge for sleeping accommodations that is subject to the hotel rental tax in Frederick County; and generally relating to the hotel rental tax in Frederick County.

BY repealing and reenacting, with amendments,

Article – Local Government Section 20–401 Annotated Code of Maryland (2013 Volume)

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

#### House Bill 492 – Delegate Frick

AN ACT concerning

#### Municipal Property Taxes - Annual Budget Ordinance and Special Rates

FOR the purpose of requiring the governing body of a municipal corporation, in selecting classes of property subject to a municipal corporation property tax, to select only certain classes of property and establish certain classes of taxable property in a certain ordinance; providing for the application of this Act; and generally relating to municipal corporation property taxes.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–203 and 6–303(a)
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 510 – Chair, Ways and Means Committee (By Request – Departmental – Planning)

AN ACT concerning

### Sustainable Communities Tax Credit Program - Extension and Alteration

FOR the purpose of extending and altering the Sustainable Communities Tax Credit Program; providing for a certain tax credit for rehabilitation of certain small commercial properties under certain circumstances; prohibiting the Director of the Maryland Historical Trust from issuing tax credit certificates for small commercial properties under certain circumstances; repealing a certain tax credit for certain rehabilitations; requiring the Director of the Maryland Historical Trust to adopt certain regulations, which shall include certain fees; altering the time period in which the Trust must receive a certain fee; prohibiting the Trust from accepting an application for a commercial rehabilitation project under certain circumstances; altering a certain limit on the award of initial credit certificates for commercial rehabilitation projects in a single jurisdiction; altering a certain tax credit for high performance buildings; requiring the amount of a certain tax credit to remain in the Sustainable Communities Tax Credit Reserve Fund under certain circumstances: requiring the Governor to include an appropriation to a certain reserve fund for certain fiscal years; extending through a certain fiscal year certain authority for the Director to issue certain initial credit certificates; providing for the expiration of certain tax credits or the revocation of certain credits under certain circumstances; requiring the Director to notify certain persons on or before a certain date; requiring the Director to provide a certain report to the Comptroller: requiring the Maryland Historical Trust to develop certain outreach programs related to the tax credit; altering, adding, and repealing certain defined terms; making certain technical changes; and generally relating to the Sustainable Communities Tax Credit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Chapter 76 of the Acts of the General Assembly of 2004, as amended by Chapter 425 of the Acts of the General Assembly of 2013 Section 2 1.(h)

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

# House Bill 873 – Delegates Conway, Arentz, Cane, Eckardt, Otto, Proctor, Rudolph, and Smigiel

AN ACT concerning

#### Vehicle Laws - Divided Highways - Speed Limits and Crosswalks

FOR the purpose of requiring providing that, on a divided highway that has traffic lights located in certain areas, each intersection that has a traffic light shall may also have a crosswalk through the divided highway; altering the maximum speed limits limit on certain divided highways in certain areas; requiring the State Highway Administration or a local jurisdiction to give certain notice to certain members of the General Assembly before increasing the speed limit above a certain threshold on certain highways; requiring the State Highway Administration or a local jurisdiction to hold a public hearing within a certain area of the State to address issues related to the proposed speed limit increase if any of certain members of the General Assembly requests the public hearing within a certain time period; 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 Marvland

(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)

#### BY adding to

<u>Article – Transportation</u>
<u>Section 21–801.1(b–1)</u>
<u>Annotated Code of Maryland</u>
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 883 – Delegates A. Miller, Arora, Barkley, Barve, Bobo, Boteler, Carr, Cullison, Dumais, Fraser-Hidalgo, Frick, George, Gutierrez, Guzzone, Hucker, A. Kelly, McMillan, Pena-Melnyk, S. Robinson, F. Turner, and A. Washington A. Washington, and Cardin

AN ACT concerning

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

FOR the purpose of establishing the Task Force to Study Safe and Healthy School Hours for Maryland Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting Task Force members from receiving compensation, but authorizing reimbursement for certain expenses under the Standard State Travel Regulations; requiring the Task Force to study and make recommendations relating to alternative school day starting times for Maryland public schools; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Safe and Healthy School Hours for Maryland Public Schools.

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

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

House Bill 908 - Delegate Nathan-Pulliam

AN ACT concerning

### State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensing, Certification, Regulation, Violations, and Penalties

FOR the purpose of requiring the State Board of Nursing to establish, on or before a certain date, a certain program through which the Criminal Justice Information System Central Repository reports to the Board certain criminal history information for certain applicants; requiring the Board to notify certain applicants that certain fingerprints will be retained by the Central Repository and certain criminal information will be reported to the Board; authorizing the Board to enter into a certain agreement; establishing requirements for the Board to place certain licensees and certificate holders on inactive status and to reactivate certain licenses and certificates if certain documentation of a medical condition is submitted to the Board; altering the duration of a certain application for inactive status; prohibiting the Board from charging a certain fee; providing that a certain inactive status may not be considered certain disciplinary action or reported to certain entities, employers, or insurance companies as certain disciplinary action; providing that certain licenses expire on a certain day; repealing certain prohibitions on the lapsing of certain licenses and certificates under certain circumstances; authorizing the Board to require terms on certain agreements to accept the surrender of certain licenses and certificates; providing that agreements to accept the surrender of certain licenses and certificates are final orders and public records; clarifying that the Board may deny or grant licenses or certificates subject to certain reprimand, probation, or suspension under certain circumstances; altering and adding certain grounds for disciplinary action for certain licensees and certificate holders; repealing certain requirements that certain individuals return certain licenses or certificates to the Board or file certain verified statements; authorizing the Board to require certain licensees or certificate holders that receive certain sanctions to comply with certain terms and conditions determined by the Board; repealing a certain requirement that certain hearing notices bear certain postmarks; authorizing the Board to send certain advisory letters to holders of multistate licensing privileges; clarifying that certain Board decisions may not be stayed while judicial review is pending; altering certain reinstatement requirements for certain licenses and certificates; clarifying the Board's authority for certain licensure, practice on the multistate licensing privilege, and certification; requiring criminal history records checks for certain applicants for certification as medication technicians and for certain medication technicians on or after a certain date: clarifying certain requirements for hearings for certain certificate holders or applicants; authorizing the Board to suspend certain certificates under certain circumstances; repealing certain provisions and penalties for certain persons that fail to report certain employment or placement of registered nurses and licensed practical nurses; authorizing the Board to issue certain cease and desist orders and impose certain fines under certain circumstances; requiring the Board to pay certain fines to the Board of Nursing Fund; authorizing certain injunctive relief for certain conduct under certain circumstances; defining certain terms; making stylistic changes; and generally relating to the regulation by the State Board of Nursing of nurses, nursing assistants, medication technicians, and electrologists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–101, 8–303, 8–309, 8–312(a) and (g)(1), 8–313, 8–314, 8–316 through 8–319, 8–6A–01, <del>8–6A–05(e),</del> 8–6A–08(g) <del>and (k)</del>, 8–6A–10 through 8–6A–12, 8–6B–01, 8–6B–14(b), (h), and (i), 8–6B–15, 8–6B–18, 8–6B–19(c), 8–6B–22, 8–6B–27, 8–6B–29, and 8–710

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health Occupations Section 8–322, 8–6A–08(l), 8–6A–10.1, 8–6A–17, 8–6B–29, 8–707, and 8–708 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY repealing

Article – Health Occupations

Section 8–707

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 1001 – Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Branch, Cane, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, Walker, A. Washington, M. Washington, and Zucker

#### AN ACT concerning

# Education – Federal Elementary and Secondary Education Act – <del>Waivers</del> Waiver Requests

FOR the purpose of requiring <del>certain waivers from the federal Elementary and Secondary Education Act requested by the State Department of Education to the United States Department of Education to be consistent with State law and regulations; requiring the Department to adopt certain regulations before</del>

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

BY adding to

Article - Education

Section 2–107

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

#### House Bill 1133 - Delegates O'Donnell, Bohanan, and Wood

AN ACT concerning

### Calvert County and St. Mary's County - Archery Hunting - Safety Zone

FOR the purpose of establishing for archery hunters in <u>Calvert County and</u> St. Mary's County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in <u>Calvert County and</u> St. Mary's County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10-410(g)

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 1157 – Delegate Hubbard

AN ACT concerning

#### Health Occupations - Massage Therapy - Authority to Practice

FOR the purpose of requiring applicants for a license or registration from the State Board of Chiropractic and Massage 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 certain information to the Board and to certain applicants; providing that certain information is confidential and may be used only for certain purposes; authorizing the subject of a certain criminal history records check to contest the contents of a certain statement; requiring an individual to be registered by the State Board of Chiropractic and Massage Therapy Examiners before the individual may practice massage therapy in a certain setting; requiring an applicant for a certain license to have submitted to a certain eriminal history records check to qualify for a license; altering certain educational requirements an applicant for a license to practice massage therapy must meet to qualify for a license; requiring an applicant for a certain registration to have submitted to a certain criminal history records check to qualify for a registration; altering certain educational requirements an applicant for a registration to practice massage in a certain setting must meet to qualify for registration; requiring the Board to issue a license or registration to an applicant who pays a certain fee and meets certain requirements: requiring the Board to include certain information on each license and registration that the Board issues; requiring the Board to consider certain factors on receipt of the criminal history record of certain applicants in determining whether to grant a license or registration; repealing a certain provision of law that prohibits an individual who is registered to practice nontherapeutic massage from practicing in certain offices, hospitals, or facilities; requiring the Board to waive certain education requirements under this Act for certain individuals licensed or registered by the Board before a certain date; altering certain definitions; repealing a certain definition; making conforming changes; and generally relating to the practice of massage therapy in the State.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 3–5A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 3–5A–01(c), (i), and (j), 3–5A–04, 3–5A–06, and 3–5A–11(b) to be under the amended subtitle "Subtitle 5A. Licensure and Registration of Massage Therapists"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health Occupations Section <del>3–5A–05.1 and</del> 3–5A–06.1 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY repealing

Article – Health Occupations Section 3–5A–01(h) and 3–5A–08 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY renumbering

Article – Health Occupations Section 3–5A–09 through 3–5A–16, respectively to be Section 3–5A–08 through 3–5A–15, respectively Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

House Bill 1167 – Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Cane, Cardin, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, A. Washington, M. Washington, and Zucker, and Fraser-Hidalgo

#### AN ACT concerning

#### Teachers and Principals - Performance Evaluation Criteria - Use of Student Growth Data

FOR the purpose of renaming certain model performance evaluation criteria; prohibiting certain performance evaluation criteria from requiring the use of certain student growth data before a certain year; prohibiting a county board of education from being required to adopt certain model performance evaluation eriteria providing for the application of this Act; and generally relating to the use of student growth data in performance evaluation criteria.

BY repealing and reenacting, with amendments, Article – Education

Section 6-202(c)

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 1215 – Delegates Bohanan, Barve, Healey, Hixson, Jameson, Kaiser, Murphy, and Wilson

AN ACT concerning

# Higher Education – 2+2 Transfer Scholarship

FOR the purpose of renaming the Community College Transfer Scholarship to be the 2+2 Transfer Scholarship and altering certain elements of the scholarship program; altering the institutions at which the scholarship may be used, qualifications for the scholarship, and the annual amount of the award; specifying that the scholarship may be used for a certain period of time; altering the requirements for maintaining the award; repealing a certain employment obligation associated with the scholarship; requiring certain funds to be transferred from a certain fund for certain purposes under certain circumstances; and generally relating to the 2+2 Transfer Scholarship.

BY repealing and reenacting, without amendments,

Article – Education

Section 10–101(c) and (m) and 18–101(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Education

Section 18–107(c); and 18–2501 through 18–2506 to be under the amended subtitle "Subtitle 25. HOPE for Nontraditional Students – 2+2 Transfer Scholarship Program"

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

### BY repealing

Article - Education

Section 18-2507

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Education

Section 18-2507

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 1235 – Delegates Bromwell and Hammen

AN ACT concerning

# Community Integrated Medical Home Program and Patient Centered Medical Home Program

FOR the purpose of establishing the Community Integrated Medical Home Program; establishing the mission of the Community Integrated Medical Home Program; requiring the Community Integrated Medical Home Program to take certain actions to carry out its mission; requiring the Community Integrated Medical Home Program to be administered jointly by the Maryland Health Care Commission and the Department of Health and Mental Hygiene; providing that the Commission and the Department shall have primary responsibility for certain elements of the Community Integrated Medical Home Program; requiring the Department to identify and certify entities that provide certain services and supports; establishing the Community Integrated Medical Home Program advisory body; requiring the advisory body to provide make certain advice recommendations; requiring the Commission and the Secretary of Health and Mental Hygiene to appoint the members of the advisory body and determine the frequency and location of its meetings; establishing the Patient Centered Medical Home Program; requiring the Patient Centered Medical Home Program to promote development of patient centered medical homes, require certain entities to meet certain standards, and be administered by the Commission, in consultation with the Department; requiring the Commission. in consultation with the Department, to establish certain requirements, certain metrics, a certain methodology, and certain goals; authorizing the Commission, in consultation with the Department, to require a carrier to implement a certain program; requiring a carrier and a managed care organization to participate in the Patient Centered Medical Home Program, under certain circumstances; prohibiting a group model health maintenance organization from being required to participate in the Patient Centered Medical Home Program; authorizing certain payors to participate in the Patient Centered Medical Home Program; requiring the Commission, in consultation with the Department, to adopt regulations for certain certification; requiring certification to meet certain requirements; requiring the Commission, in consultation with the Department, to establish a certain accreditation program; authorizing the Commission to establish and collect certain fees; requiring the Commission to pay certain funds into the Maryland Health Care Commission Fund; requiring a carrier that is participating in a certain program or that has been authorized by the Commission to implement a certain program to pay for coordination of certain services; extending the termination date of certain provisions of law relating to

the Maryland Patient Centered Medical Home Program; establishing the intent of the General Assembly that the Commission discontinue a certain program before a certain date, under certain circumstances; requiring the Department; in consultation with the Commission, to develop a certain model and submit a report on the model recommendations of the advisory body and the development of the Community Integrated Medical Home Program to the Governor and certain legislative committees; defining certain terms; and generally relating to the Community Integrated Medical Home Program and the Patient Centered Medical Home Program.

## BY adding to

Article - Health - General

Section 19–1B–01 through <del>19–1B–06</del> <u>19–1B–03</u> to be under the new subtitle "Subtitle 19–1B. Community Integrated Medical Home Program"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

## BY repealing and reenacting, without amendments,

Article - Insurance

Section 15-1801

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

### BY repealing and reenacting, with amendments,

Article - Insurance

Section 15-1802

**Annotated Code of Maryland** 

(2011 Replacement Volume and 2013 Supplement)

### BY repealing and reenacting, with amendments,

Chapter 5 of the Acts of the General Assembly of 2010 Section 3

## BY repealing and reenacting, with amendments,

Chapter 6 of the Acts of the General Assembly of 2010 Section 3

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

House Bill 1260 – Delegates Barve, Beidle, Branch, Clagett, Costa, Fraser-Hidalgo, Gilchrist, Hixson, Kach, A. Miller, Mizeur, and Olszewski

AN ACT concerning

State Government - Open Data Policy - Council on Open Data

FOR the purpose of establishing a State policy that open data be machine readable and released to the public in certain ways; establishing a Council on Open Data; providing for the composition, appointment, terms, chairs, and staffing of the Council; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Council to establish certain work groups; requiring the Council to meet a certain number of times each year; requiring the Council to promote the policy on open data by providing certain guidance and policy recommendations, coordinating certain staff, identifying certain costs and funding mechanisms and advising the Governor and General Assembly on certain budget matters, inviting and encouraging certain entities and branches of government to use certain portals, create certain portals, or adopt certain policies, and establishing a certain plan for providing certain open data, advocating for certain practices, and making certain recommendations on the purchasing of certain data processing devices, systems, or software; requiring the Council to establish certain purchasing guidelines for certain data processing devices or systems before a certain date; requiring the Council to report to the Governor and the General Assembly on or before a certain date each year; requiring certain State entities to use certain purchasing guidelines on or after a certain date; specifying the terms of the initial members of the Council; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the establishment of a policy on open data and a Council on Open Data.

# BY adding to

Article - State Government

Section 10–1401 through 10–1404 to be under the new subtitle "Subtitle 14. Open Data"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article - State Finance and Procurement

Section 14-417

**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 1275 – <del>Delegate Frush</del> <u>Delegates Frush</u>, <u>Beidle, Cane, Healey, Holmes, McMillan, and Stein</u>

AN ACT concerning

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

FOR the purpose of prohibiting, except under certain circumstances, a manufacturer, distributor, factory branch, or one of its affiliates from requiring, attempting to require, coercing, or attempting to coerce or coercing a dealer to purchase certain goods or services from certain vendors under certain circumstances; providing for the construction of a certain prohibition under this Act; repealing a requirement that certain factors be considered in determining whether a dealer has been reasonably compensated; requiring a manufacturer, distributor, or factory branch licensed in the State to specify in writing to each of its motor vehicle dealers in the State certain dealer obligations and certain information relating to the compensation of dealers for certain parts and labor; establishing certain requirements for the reasonable compensation of dealers with respect to certain parts and labor; requiring a dealer to make a certain submission to a licensee; providing for the calculation of a dealer's labor rate and parts mark-up percentage for certain purposes; establishing requirements for a certain schedule of compensation; providing that certain repair orders for labor and parts do not constitute qualifying repair orders under this Act; requiring a licensee to compensate a dealer for certain parts given to a dealer at no cost; establishing that a certain schedule of compensation will be presumed to be accurate; requiring a licensee to begin compensation of a dealer under the schedule within certain periods of time under certain circumstances; providing for certain rebuttal of the presumption of accuracy of the schedule of compensation; providing for the resolution of certain matters relating to the schedule of compensation; prohibiting a licensee from making or requiring certain calculations or establishing certain special parts or component numbers; prohibiting a licensee from requiring, influencing, or attempting to influence or coercing a dealer to change certain prices; prohibiting a licensee from taking certain adverse action against a dealer under certain circumstances; and generally relating to relationships between motor vehicle dealers and motor vehicle manufacturers, distributors, factory branches, and their affiliates.

BY adding to

Article – Transportation Section 15–207(k) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–212
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 1547 – <del>Delegate O'Donnell</del> <u>Delegates O'Donnell, Beidle, Cane,</u> Holmes, Jacobs, Norman, Otto, Vitale, Weir, and Wilson

### AN ACT concerning

# Hunting Licenses - Exemption for Retired Members of the Armed Forces

FOR the purpose of creating an exemption from the requirement to obtain a hunting license under certain circumstances for a person who is a former member of the armed forces of the United States; providing that the exemption applies only to hunting on certain farmland that is under certain ownership; requiring a person who hunts under the exemption to possess certain identification, written permission, and, under certain circumstances, hunting stamps; and generally relating to exemptions from the requirement to obtain a hunting license.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–301(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–301(c)

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 33 - Delegate Smigiel

AN ACT concerning

# Criminal Law - Professional Counselors and Therapists - Conduct (Lynette's Law)

FOR the purpose of prohibiting a certain professional counselor or therapist from engaging in a sexual act, sexual contact, or vaginal intercourse with a person who is receiving counseling from the professional counselor or therapist or received counseling from the professional counselor or therapist within a certain period of time; prohibiting a certain professional counselor or therapist from knowingly, and with intent to deceive, making a false statement concerning the person's criminal record on an employment application; providing for a certain statute of limitations for the prosecution of a violation of this Act; defining certain terms; and generally relating to the conduct of professional counselors and therapists.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 3–307 Annotated Code of Maryland (2012 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 9-509
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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)

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

### House Bill 83 - Delegate Simmons

AN ACT concerning

# **Maryland Trust Act**

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; providing for the role of a court in the administration of a trust; providing that a trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of a trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring a trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring a trustee to respond promptly to a certain request for information; requiring a trustee to provide certain notice to certain beneficiaries; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of a trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; providing for a delayed effective date; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

### BY repealing

Article – Estates and Trusts

Section 14–101 through 14–116 and the subtitle "Subtitle 1. General Provisions" Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

## BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1006 to be under the new title "Title 14.5. Maryland Trust Act"

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

# House Bill 157 – Delegates Krebs, Bates, Elliott, W. Miller, Ready, and Stocksdale

AN ACT concerning

### Open Meetings Act - Advance Notice of Meeting - Agenda

# <u>Joint Committee on Transparency and Open Government – Study on</u> Requiring Public Bodies to Provide Agendas Under the Open Meetings Act

FOR the purpose of requiring a public body to include an agenda containing certain information in the advance notice of a meeting held by a certain public body; and generally relating to notices of meetings held by public bodies the Joint Committee on Transparency and Open Government to conduct a study on requiring public bodies to provide agendas under the Open Meetings Act; requiring that the study take into consideration certain factors; requiring the Joint Committee to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Joint Committee on Transparency and Open Government and the Study on Requiring Public Bodies to Provide Agendas Under the Open Meetings Act.

BY repealing and reenacting, with amendments,

Article - State Government

Section 10-506

**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 881 – Delegates Glenn, Morhaim, Anderson, Arora, Barve, Bobo, Boteler, Branch, Braveboy, Cane, Cardin, Carr, Carter, Clagett, Cullison, Donoghue, Dumais, Dwyer, Elliott, Frank, Fraser-Hidalgo, Glass, Glenn, Guzzone, Haynes, Hixson, Hogan, Hubbard, Hucker, Ivey, Kach, A. Kelly, Lafferty, McIntosh, McMillan, A. Miller, Minnick, Mizeur, Murphy, Niemann, Oaks, Ready, Reznik, B. Robinson, S. Robinson, Smigiel, Stein, Swain, Tarrant, F. Turner, V. Turner, Valderrama, Waldstreicher, M. Washington, Weir, and Zucker, Hammen, Pendergrass, Bromwell, Costa, Kipke, Nathan-Pulliam, Pena-Melnyk, Barnes, Beidle, DeBoy, Frush, Gilchrist, Gutierrez, Harper, Howard, Kaiser, Kramer, McConkey, Mitchell, Simmons, Stukes, Summers, Vaughn, A. Washington, and Wilson

AN ACT concerning

### Medical Marijuana - Natalie M. LaPrade Medical Marijuana Commission

FOR the purpose of altering the purpose of the Natalie M. LaPrade Medical Marijuana Commission to include the registration and regulation of certain physicians, the publishing and dissemination of certain information, and the research of certain issues; requiring the Commission to develop certain identification cards; requiring the Commission to develop and maintain a certain Web site; authorizing the Commission to set reasonable fees to cover certain costs;

altering the contents of the Natalie M. LaPrade Medical Marijuana Commission Fund to include certain fees collected by the Commission; requiring the Commission to approve certain individuals as certifying physicians; requiring a physician to submit a certain proposal to the Commission to be registered as a certifying physician; encouraging and authorizing the Commission to approve certain applications; providing that a qualifying patient may be a patient of the certifying physician or referred to the certifying physician; requiring a certifying physician to provide each written certification to the Commission; requiring the Commission to issue certain identification cards under certain circumstances; authorizing a certifying physician to discuss medical marijuana with certain patients; providing that certain qualifying patients and caregivers may obtain medical marijuana only from a licensed grower; providing that certain qualifying patients may obtain medical marijuana only through the patient's caregiver; requiring each certifying physician to submit a certain annual report to the Commission; authorizing a certifying physician to apply for a renewal of a registration on a certain basis; requiring the Commission to grant or deny a renewal of a registration based on a certifying physician's performance in complying with certain regulations; providing that a certifying physician shall be protected from certain penalties for certain actions; altering the contents of a certain report the Commission is required to make to the Governor and General Assembly each year; altering the number of medical marijuana growers the Commission may license; providing for the term of an initial and renewed medical marijuana grower license; providing for the form of an application to operate as a medical marijuana grower; encouraging the Commission to license medical marijuana growers that grow certain strains of marijuana and prepare marijuana in a range of routes of administration; requiring the Commission to seek to achieve racial, ethnic, and geographic diversity when licensing medical marijuana growers; requiring certain growers to submit a certain annual report to the Commission beginning on a certain date; requiring an entity seeking licensure as a medical marijuana grower to meet local zoning and planning requirements; prohibiting the Commission from setting certain site and planning requirements; authorizing an entity licensed to grow marijuana under certain provisions of law to provide marijuana to certain patients or certain caregivers and to distribute marijuana at certain facilities; authorizing a qualifying patient to obtain marijuana from certain facilities; requiring an entity licensed to grow marijuana under certain provisions of law to ensure that certain safety precautions are followed by certain facilities; adding to the persons that may not be subject to arrest, prosecution, or certain penalties, or be denied any right or privilege, for the medical use of marijuana; providing that a person may not distribute, possess, manufacture, or use marijuana that has been diverted from a qualifying patient; providing that this Act may not be construed to require a hospital or hospice program to report certain information to the Commission; requiring the Commission to adopt certain regulations on or before a certain date; defining certain terms; making certain conforming changes; and generally relating to the Natalie M. LaPrade Medical Marijuana Commission and medical marijuana.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 13–3301 through 13–3303 and 13–3307 through 13–3311

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Health – General Section 13–3307 and 13–3313 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General Section 13–3304 through 13–3306 Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

# House Bill 918 – <del>Delegate Costa</del> <u>Delegates Costa, Clippinger, and M. Washington</u>

AN ACT concerning

# Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records

FOR the purpose of requiring a person to have a license before doing business as a buyer of personal property by means of an automated purchasing machine in the State; establishing the application and renewal processes for a buyer's license; requiring applicants for a buyer's license and a certain resident agent of an applicant or a licensee to apply for a national and State criminal history records check; authorizing the Secretary of Labor, Licensing, and Regulation to issue a license under certain circumstances; authorizing the Secretary to deny, suspend, or revoke a license, reprimand a licensee, or impose a certain penalty under certain circumstances; requiring the Secretary to provide certain hearing procedures before certain actions are taken; requiring the Secretary to inform each primary law enforcement unit of each license that is issued, renewed, changed to a new business location, denied, suspended, or revoked; requiring a buyer to ensure that each automated purchasing machine that the buyer owns or operates in the State meets certain requirements; requiring an automated purchasing machine to require a seller of certain personal property to provide certain information before the completion of a certain transaction; requiring an automated purchasing machine to verify certain information through certain documentation submitted by a seller; establishing certain record keeping and reporting requirements for a buyer; requiring a buyer to submit certain reports

to the primary law enforcement unit if certain information cannot be determined at a certain time; providing that certain reporting requirements may not be construed to require a buyer to incur a certain financial burden; requiring a buyer to keep all personal property bought for a certain period of time; requiring a buyer to provide certain personal property to the primary law enforcement unit on request and at the cost of the buyer; requiring a buyer to make certain personal property available for inspection by the primary law enforcement unit at a certain time; requiring buyers to remove certain personal property from an automated purchasing machine in a certain manner and to provide a certain notice; authorizing the primary law enforcement unit to inspect personal property being removed from an automated purchasing machine at the time of removal; requiring a buyer to have an individual screen transactions; requiring a buyer to keep certain records regarding screeners; requiring a buyer to contact the primary law enforcement unit if personal property is determined to be stolen and to return personal property to the primary law enforcement unit free of charge; prohibiting an automated purchasing machine operator a buyer from buying or offering to buy personal property from a minor; prohibiting a buyer from buying an electronic device under certain circumstances; establishing certain penalties for a violation of this Act; exempting certain automated purchasing machines from this Act; providing that this Act preempts the right of any county or municipality to regulate automated purchasing machines or operators of automated purchasing machines and supersedes any existing law of a county or municipality that regulates automated purchasing machines or operators of automated purchasing machines under certain circumstances; requiring the Secretary to adopt certain regulations; providing for the designation of certain primary law enforcement units for a certain purpose; defining certain terms; and generally relating to automated purchasing machines.

### BY adding to

Article – Business Regulation

Section 20–101 through 20–502 to be under the new title "Title 20. Automated Purchasing Machines"

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

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

House Bill 920 – Delegates McIntosh, Clippinger, Anderson, Branch, Carter, Glenn, Hammen, Harper, Haynes, McHale, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and M. Washington M. Washington, and Cardin

AN ACT concerning

**Baltimore City Residential Retention Act** 

FOR the purpose of allowing a homeowner who has received the homestead property tax credit for a dwelling in Baltimore City to receive a homestead credit for a newly purchased dwelling in Baltimore City under certain circumstances; requiring that the credit for a newly purchased dwelling be calculated in a certain manner; providing that a homeowner may receive the larger of the homestead property tax credit amounts as calculated using certain methods; providing for the application and termination of this Act; providing that the credit does not apply to the State property tax; requiring a homeowner to submit an application to the State Department of Assessments and Taxation to receive the credit in a certain manner and within a certain timeframe; requiring that the credit be calculated in a certain manner; prohibiting a homeowner from receiving the credit or a portion of the credit if the homeowner's property tax liability would be reduced in a certain manner; prohibiting a recipient of the credit from receiving certain other property tax credits; prohibiting the credit from being transferred in a certain manner; providing that a homeowner may receive a homestead property tax credit calculated in a certain manner after termination of the credit; requiring Baltimore City to allocate funds of no more than a certain amount to pay the cost of the credit; requiring the Department to review and approve applications for the credit in a certain manner; requiring the Department to compute the credit and provide certain materials to Baltimore City; authorizing the Department to adopt regulations to carry out the credit after consultation and with the consent of Baltimore City; requiring the Department and Baltimore City to confer regarding the implementation of the credit and submit a report to certain persons on or before a certain date; requiring the Department and Baltimore City to jointly evaluate the efficacy of the credit and submit a report on or before a certain date; providing for the effective dates, application, and termination of this Act; defining a certain term; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article - Tax - Property

Section 9–105(a)(1), (5), (7), and (9), (b), (d)(3), and (e)(1) and (2)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 9-105(d)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

### BY adding to

Article - Tax - Property

Section 9-105(d)(7) 9-105(o)

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 955 – Delegates Dumais, Clippinger, Fraser-Hidalgo, Lee, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

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

FOR the purpose of prohibiting a person from using certain personal identifying information or the identity of an individual without consent to invite, encourage, or solicit another to commit a sexual crime against the individual; establishing certain penalties; authorizing a State's Attorney or the Attorney General to investigate and prosecute a violation of this Act; providing that when the Attorney General exercises the authority to investigate and prosecute a violation of this Act, the Attorney General has certain powers and duties of a State's Attorney; specifying venue for the prosecution of a violation of this Act; defining certain terms; and generally relating to sexual crimes and the use of personal identifying information or the identity of another.

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 959 – Delegates A. Kelly, Costa, Cullison, Donoghue, Hubbard, Kach, Kipke, Love, Morhaim, Nathan-Pulliam, Pena-Melnyk, and V. Turner

AN ACT concerning

# State Board of Physicians - Qualifications for Licensure and Definitions

FOR the purpose of clarifying that certain applicants who have failed a certain examination a certain number of times or more must pass the examination, be otherwise qualified, and satisfy certain other requirements to qualify for a license to practice medicine; altering the definition of "board certified", for purposes of provisions of law governing physicians, to increase the number of certifying boards by which a physician may be certified; and generally relating to the State Board of Physicians, qualifications for licensure, and definitions.

BY repealing and reenacting, with amendments, Article – Health Occupations Section 14–101(c) and 14–307(e) and (g) 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 963 – Delegates A. Kelly, Barve, Carr, Clippinger, Costa, Cullison, Donoghue, Dumais, Fraser-Hidalgo, Gilchrist, Gutierrez, Lee, Luedtke, A. Miller, Pena-Melnyk, Reznik, S. Robinson, Waldstreicher, A. Washington, and M. Washington M. Washington, Bromwell, Elliott, Hammen, Hubbard, Kach, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

# Hospitals – Requirements Protocol for Sexual Assault Medical Forensic Examinations and Reporting Planning Committee

FOR the purpose of requiring that certain hospitals provide, on or before a certain date, have a protocol to provide certain access to sexual assault medical forensic examinations by forensic nurse examiners or physicians to certain victims; requiring certain hospitals to report certain information to the Department of Health and Mental Hygiene on or before a certain date each year; establishing the Planning Committee to Implement Improved Access to Sexual Assault Medical Forensic Examinations in Maryland; providing for the composition, chair, and staffing of the Planning Committee and reimbursement for expenses for members of the Planning Committee; providing for the duties of the Planning Committee; requiring the Planning Committee to submit a certain report to the Governor and certain legislative committees on or before a certain date; providing for the termination of a certain provision of this Act; and generally relating to hospitals and requirements protocols for sexual assault medical forensic examinations and reporting the Planning Committee.

BY adding to

Article – Health – General Section 19–310.2 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

### House Bill 1017 - Prince George's County Delegation

AN ACT concerning

# Prince George's County – Board of Education – Elected Member Vacancy – Approval of Appointment PG 422–14

FOR the purpose of requiring the County Executive of Prince George's County to transmit to the clerk of the Prince George's County Council the name of a certain appointee to fill a certain vacancy on the Prince George's County Board of Education; altering a provision relating to County Council rejection of a certain appointment to establish that, if the County Council does not disapprove the appointment within a certain time period, the appointment shall be considered approved; and generally relating to the membership of the Prince George's County Board of Education.

BY repealing and reenacting, without amendments,

Article - Education

Section 3–1002(a)(1) and (3) and (h)(1) and (2)

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3-1002(h)(6)

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 1025 – Delegates Hixson, Gutierrez, Guzzone, Haynes, Jones, Proctor, B. Robinson, Sophocleus, Swain, M. Washington, and Zucker

AN ACT concerning

# State Personnel - Contractual Employees - Preferences Filling of Vacant Positions

FOR the purpose of requiring that certain selection plans for certain employment in the State Personnel Management System include information that selection for a certain position may be limited to consideration of certain contractual employees; authorizing certain appointing authorities to select certain candidates from a list of certain contractual employees; requiring an appointing authority to take certain actions if certain contractual employees may be eligible for a certain position; requiring an appointing authority to apply a certain credit on certain selection tests for certain contractual employees; requiring certain independent personnel systems in State government to provide certain hiring preferences for include consideration of hiring certain

contractual employees; and generally relating to hiring contractual employees for positions in State government.

BY repealing and reenacting, with amendments,

Article – Education Section 12–111, 14–104(h)(1), 14–408(a), and 16–510(a) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Article – State Personnel and Pensions Section 7–202, 7–203, <u>and</u> 7–204(c)<del>, and 7–207(b)</del> Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 2–103.4(a) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 1026 – Delegates A. Kelly, Hucker, Barkley, Barnes, Bobo, Braveboy, Clippinger, Cullison, Frick, Glenn, Gutierrez, Haynes, Impallaria, Kramer, Love, McHale, A. Miller, Mitchell, Oaks, Olszewski, Pena-Melnyk, Pendergrass, Reznik, S. Robinson, Valderrama, Vaughn, and A. Washington

AN ACT concerning

## Labor and Employment - Unpaid Parental Leave - Birth or Adoption of a Child

FOR the purpose of providing certain employees a certain number of workweeks of unpaid parental leave in a certain period under certain circumstances; authorizing an employer to deny unpaid parental leave to an eligible employee under certain circumstances; authorizing, under certain circumstances, an employer to require an eligible employee, or an eligible employee to elect, to substitute paid vacation leave for any part of or all of the period of parental leave; authorizing an employer to require an eligible employee to provide written notice of the eligible employee's intention to take parental leave under certain circumstances; requiring that an eligible employee returning to work after taking leave be restored to the position of employment held by the employee when the leave began under certain circumstances; authorizing an employer, during the period of parental leave, to terminate employment of an eligible employee only for cause; requiring an employer to maintain certain

health coverage for the duration of the eligible employee's leave under certain circumstances; authorizing an employer, except under certain circumstances, to recover the premium for maintaining certain health coverage by deducting the amount of the premium from certain wages; requiring an employer to pay certain commissions to certain employees during any period of parental leave; requiring the Commissioner of Labor and Industry to adopt certain regulations; requiring the Commissioner to take certain actions regarding certain violations of certain provisions of law; authorizing the Attorney General to take a certain action under a certain provision of this Act; authorizing an employee to bring an action against an employer for certain damages under certain circumstances; prohibiting certain acts; authorizing the Commissioner to conduct, under certain circumstances, an investigation regarding whether a certain provision of law has been violated; defining certain terms; providing for the construction of this Act; and generally relating to parental leave for the birth or adoption of a child.

### BY adding to

Article – Labor and Employment

Section 3–103(i); and 3–1201 through 3–1211 to be under the new subtitle "Subtitle 12. Parental Leave Act"

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

### House Bill 1033 – Queen Anne's County Delegation

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 Education, Health, and Environmental Affairs.

## House Bill 1035 – Prince George's County Delegation

AN ACT concerning

# Prince George's County Juvenile Court and School Safety Workgroup – Continuation, Membership, Membership and Duties PG 305–14

FOR the purpose of altering the membership and duties of the Prince George's County Juvenile Court and School Safety Workgroup; requiring the Workgroup to report its findings and recommendations to the Prince George's County Delegation on or before a certain date; extending the termination date of the Workgroup; and generally relating to the Prince George's County Juvenile Court and School Safety Workgroup.

BY repealing and reenacting, with amendments, Chapter 677 of the Acts of the General Assembly of 2013 Section 1(b), (f), and (g) and 2

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

# House Bill 1042 – Delegates Anderson, Cullison, and Pena-Melnyk

AN ACT concerning

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

FOR the purpose of requiring the State Board of Morticians and Funeral Directors to issue an executor license to an applicant if the applicant is the appointed personal representative of a deceased surviving spouse's estate under certain circumstances; requiring a certain personal representative of a surviving spouse's estate to be licensed by the Board; altering the number of days after the death of a licensed mortician, funeral director, or surviving spouse that certain documentation is required to be submitted to the Board by an applicant for an executor license; requiring an applicant for an executor license to submit to the Board, within a certain time period, the name of a licensed funeral director or mortician who has agreed to apply for a certain pre-need trustee license; altering the number of months for which an executor license is valid; requiring the Board to provide for the term of an executor license, rather than specifying the term in a certain provision of law; providing that the term of an executor license may not exceed a certain number of months; authorizing the Board to renew an executor license for a certain time period under certain circumstances; establishing a pre-need trustee license; requiring the Board to issue a pre-need trustee license to an applicant under certain circumstances;

providing that a pre-need trustee license authorizes the license holder to manage pre-need accounts held by a funeral establishment until the closing or sale of the funeral establishment; establishing the term of a pre-need trustee license; providing that a pre-need trustee license holder may be the supervising mortician in a funeral establishment; applying a certain section of law to a certain owner of a funeral establishment; requiring a certain mortician to post a certain notice and record a certain message within a certain period of time after the death of a certain owner; requiring a licensed pre-need trustee to send a letter to certain holders of certain pre-need contracts regarding certain options available under certain provisions of law; requiring a certain letter to be returned within a certain period of time after receipt and to include certain information; requiring that for any letter not returned within a certain period of time, certain pre-need funds be considered unclaimed property; requiring a licensed pre-need trustee, within a certain time period, to identify to the Board and the licensed executor certain pre-need bank trust money; requiring the licensed pre-need trustee to make a certain claim against a certain estate; requiring the licensed executor to transfer certain money to the abandoned property office in the Office of the Comptroller; requiring a licensed pre-need trustee to send a certain list to the Board containing certain information regarding pre-need accounts within a certain period of time after the death of a certain owner; requiring a licensed pre-need trustee to send a certain list to the Board containing certain information regarding unclaimed cremains within a certain period of time after the death of a certain owner; requiring the Board to work with the State Anatomy Board to ensure proper distribution of certain cremains; requiring a licensed pre-need trustee to send certain information to the Board in a certain format; and generally relating to the State Board of Morticians and Funeral Directors and the regulation of morticians, funeral directors, and funeral establishments.

BY repealing and reenacting, with amendments,

Article – Health Occupations Section 7–308.1(a), (b), and (f) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Health Occupations Section 7–308.2 and 7–308.3 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 1075 - Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

# Public Utilities Washington Suburban Sanitary Commission – System Development Charge – Definitions PG/MC 106–14

FOR the purpose of defining the terms "apartment unit" and "property" for purposes of certain provisions of law relating to system development charges imposed by the Washington Suburban Sanitary Commission; altering the definition of "new service" to include a direct connection of an improvement or building and a connection through an existing on–site system; and generally relating to system development charges imposed by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 25-401

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 1088 – <del>Delegate Morhaim</del> <u>Delegates Morhaim</u>, <u>Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner</u>

AN ACT concerning

# Health Occupations – <del>Ophthalmologists Who Store and Administer Drugs – Exclusion From Maryland Pharmacy Act</del> <u>Compound Drugs – Provision to</u> Ophthalmologists for Office Use

FOR the purpose of providing that the Maryland Pharmacy Act does not limit the right of ophthalmologists to store in a certain office and administer to a certain patient, without a prescription, certain drugs for the emergency treatment of certain eye conditions; and generally relating to the exclusion of ophthalmologists from the Maryland Pharmacy Act authorizing a pharmacy for which a pharmacy permit has been issued by the State Board of Pharmacy and a sterile compounding facility to provide to an ophthalmologist for office use, without a certain prescription, certain compound drugs for certain purposes; requiring the pharmacy or sterile compounding facility to require the ophthalmologist to provide certain information to the pharmacy or sterile compounding facility; requiring the Board to monitor changes in certain federal law, regulation, and guidance and report to the Governor and General Assembly

on those changes on or before a certain date; and generally relating to the provision of compound drugs to ophthalmologists.

### 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 <del>12–102(h), (i), and (i)</del> 12–403(b)(20) and (21)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY adding to

<u>Article – Health Occupations</u>

Section 12–403(b)(22) and 12–4A–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 1093 – Howard County Delegation

AN ACT concerning

# Howard County Board of Education – Members – Salary Increase Ho. Co. 2–14

FOR the purpose of altering the amount of compensation of the chairman and other elected members of the Howard County Board of Education; establishing a certain scholarship for the student member of the board; specifying that the student member may be reimbursed for certain expenses; providing that this Act does not apply to the salary or compensation of the chairman or other elected members of the board during a certain term of office; clarifying certain language; and generally relating to the members of the Howard County Board of Education.

BY repealing and reenacting, with amendments,

Article - Education

Section 3–703

Annotated Code of Marvland

(2008 Replacement Volume and 2013 Supplement)

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

House Bill 1109 – Delegates Swain, Anderson, Arora, Carter, Clippinger, Cluster, Conaway, Dumais, Hough, K. Kelly, McComas, McDermott, Niemann, Rosenberg, Valderrama, Vallario, Waldstreicher, and A. Washington

AN ACT concerning

### Criminal Procedure - Search Warrants - Procedures

FOR the purpose of requiring an application for a search warrant to be dated; providing the ways in which an application for a search warrant may be submitted to a judge; providing the ways in which an applicant for a search warrant and a judge may converse about a search warrant application; providing the ways in which a judge may issue a search warrant; requiring a judge to file a copy of a certain search warrant, application, and affidavit with the court; requiring a certain law enforcement officer to give a copy of a certain search warrant, application, and affidavit to a certain occupant or leave a copy of the warrant, application, and affidavit at certain premises; requiring a certain law enforcement officer to prepare a certain return which shall include a certain date and time; requiring a certain law enforcement officer to give a copy of a certain return to a certain occupant or leave a copy at certain premises; requiring a certain law enforcement officer to file a copy of a certain return with the court in a certain manner; and generally relating to search warrants.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure Section 1–203(a) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 1124 – Delegates Luedtke, Barkley, Barnes, Bobo, Cardin, Carr, DeBoy, Frush, Gilchrist, Gutierrez, Guzzone, Haddaway-Riccio, Healey, Hixson, Hucker, Kach, A. Kelly, Kramer, Malone, McIntosh, McMillan, Mizeur, S. Robinson, Rosenberg, Stein, Tarrant, F. Turner, Waldstreicher, and A. Washington

AN ACT concerning

### Criminal Law - Possession of Dangerous and or Wild Animals

FOR the purpose of altering the list of entities and individuals to which certain provisions relating to dangerous <del>and</del> or wild animals, including a prohibition on

importing into the State, offering for sale, trading, bartering, possessing, breeding, or exchanging certain animals, do not apply; prohibiting the holder of a certain federal exhibitor's license from possessing certain animals not possessed by the holder on a certain date under certain circumstances; authorizing a holder of a certain federal exhibitor's license to replace certain animals that were owned by the holder on a certain date if certain conditions are met; prohibiting a person from allowing a member of the public to come in direct contact with certain animals; requiring an owner of certain animals to report certain potential exposures to disease to the local animal control authority within a certain period of time 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; and generally relating to the possession of dangerous and or wild animals.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–621
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

House Bill 1127 – <del>Delegate Tarrant</del> <u>Delegates Tarrant, Bromwell, Costa, Cullison, Donoghue, Elliott, Hammen, Hubbard, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, and V. Turner</u>

AN ACT concerning

#### Health Insurance - Incentives for Health Care Practitioners

FOR the purpose of altering the circumstances under which a health insurance carrier is not prohibited from providing bonuses or other incentive—based compensation to a health care practitioner or a set of health care practitioners; defining a certain term; and generally relating to incentives for health care practitioners under health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–113(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments.

Article – Insurance Section 15–113(c) Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

# House Bill 1161 - Delegates Waldstreicher, Carr, Rosenberg, and Smigiel

AN ACT concerning

# Criminal Procedure – Electronic Device Location Information – <del>Warrant</del> Order

FOR the purpose of prohibiting an agent of the State or a political subdivision of the State from obtaining certain location information without a warrant issued under this Act; authorizing a court to issue a certain warrant order authorizing and directing a law enforcement officer to obtain certain location information from a certain electronic device under certain circumstances; providing requirements for the warrant order; allowing extensions of the warrant order under certain circumstances; requiring a certain notification under certain circumstances; providing for the discovery and admissibility of certain evidence; providing certain exceptions to the warrant order requirement under certain circumstances; requiring a certain court to make a certain report; requiring the Administrative Office of the Courts to make a certain annual report; defining certain terms; and generally relating to obtaining information concerning the location of electronic devices.

# BY adding to

Article – Criminal Procedure Section 1–203.1 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 1164 – Delegates Luedtke, Barkley, Barnes, Cullison, Fraser-Hidalgo, Harper, Haynes, Hixson, Kaiser, Lafferty, Lee, Morhaim, Oaks, Olszewski, S. Robinson, and Zucker Zucker, A. Miller, Walker, and A. Washington

**EMERGENCY BILL** 

AN ACT concerning

# Common Core State Maryland College and Career-Ready Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup

FOR the purpose of establishing the Common Core State Maryland College and Career-Ready Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup; providing for the composition, chairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to hold its first meeting on or before a certain date; requiring the Workgroup to assess certain needs, design certain plans, and make certain recommendations regarding certain matters; requiring the Workgroup to submit a preliminary and a final report of its findings and recommendations to the Governor, the State Department Board of Education, and the General Assembly on or before a certain date; requiring the Workgroup to report any recommendations for legislation relating to certain matters to the Governor and the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Common Core State Maryland College and Career-Ready Standards and PARCC Implementation Review Workgroup.

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

# House Bill 1168 – Southern Maryland Delegation

AN ACT concerning

# **Electricity - Certificate - Wind Turbines - Limitation**

FOR the purpose of prohibiting the Public Service Commission from granting final approval for, and a person from undertaking, construction of a certain wind–powered generating station above certain heights within a certain area areas before a certain date; requiring the Commission to consider certain information when evaluating a proposal for a certificate of public convenience and necessity for certain facilities; altering the scope of a certain exception to the requirement to obtain a certificate of public convenience and necessity under certain circumstances; providing for the termination of this Act; defining a certain term; providing for the application of this Act; and generally relating to wind turbines and certificates of public convenience and necessity.

BY repealing and reenacting, with amendments,

Article – Public Utilities
Section 7–207 and 7–207.1(a)(1)(ii)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article - Public Utilities

Section 7-207.1(a)(1)(ii)

**Annotated Code of Maryland** 

(2010 Replacement Volume and 2013 Supplement)

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

# House Bill 1170 - Delegate James Harford County Delegation

AN ACT concerning

### Harford County - Alcoholic Beverages - Residency Requirements

FOR the purpose of altering certain residency requirements for certain business applicants for alcoholic beverages licenses in Harford County; altering a requirement that a certain applicant for certain alcoholic beverages licenses own a certain percentage of a certain business, subject to a certain exception; making certain stylistic and conforming changes; and generally relating to alcoholic beverages in Harford County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–101(a), (b), (c), and (k)

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 1194 – Delegates Braveboy, Anderson, Barkley, Barnes, Branch, Burns, Carr, Carter, Conaway, Davis, Fraser-Hidalgo, Gaines, Gilchrist, Glass, Glenn, Gutierrez, Harper, Haynes, Holmes, Howard, Ivey, Mitchell, Mizeur, Nathan-Pulliam, Oaks, Pena-Melnyk, Proctor, B. Robinson, Stukes, Summers, Swain, Tarrant, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vaughn, Waldstreicher, Walker, A. Washington, and M. Washington M. Washington, Bohanan, Jones, Griffith, Stocksdale, Zucker, and Eckardt

AN ACT concerning

# Historically Black Colleges and Universities – <del>Parity and Investment</del> Evaluation

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(e) 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)

FOR the purpose of requiring the Maryland Higher Education Commission in collaboration with a certain agency to contract for a certain evaluation of Historically Black Colleges and Universities in Maryland; requiring the evaluation to include certain information and recommendations in certain areas; requiring that a report be submitted by a certain date to the Governor and certain legislative entities; and generally relating to Historically Black Colleges and Universities.

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

House Bill 1233 – Delegates Bromwell, Cullison, Frank, Hubbard, Kach, Kipke, Morhaim, Nathan-Pulliam, Oaks, Reznik, Szeliga, Tarrant, and V. Turner, Costa, Donoghue, Elliott, Hammen, Krebs, McDonough, Murphy, Pena-Melnyk, Pendergrass, and Ready

AN ACT concerning

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

FOR the purpose of requiring the Maryland Health Care Commission to work with certain payors and providers to attain benchmarks for overriding a payor's step therapy or fail–first protocol; requiring the benchmarks to include, on or before a certain date, establishment, by each payor that requires a step therapy or fail–first protocol, of a process for a provider to override the step therapy or fail–first protocol of the payor; limiting the duration of a step therapy or fail–first protocol imposed by a certain insurer, nonprofit health service plan, or health maintenance organization; prohibiting the a certain insurer, nonprofit health service plan, or health maintenance organization from imposing a step therapy or fail–first protocol on an insured or enrollee under certain circumstances; prohibiting certain provisions of this Act from being construed to require certain coverage; repealing certain obsolete provisions of law; defining certain terms; making certain provisions of this Act applicable to health maintenance organizations; and generally relating to step therapy or fail–first protocols in health insurance policies and contracts.

BY repealing and reenacting, with amendments,

Article – Health – General Section 19–108.2 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Health – General Section 19–706(0000) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Insurance Section 15–141 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

### House Bill 1256 - Delegates Hough, Afzali, Dwyer, and Ready

AN ACT concerning

# Food Processing Plants - License Fees - Civic and Nonprofit Organizations

FOR the purpose of limiting to a certain amount the fee that may be charged for a food processing plant license under certain provisions of law to certain civic and nonprofit organizations under certain circumstances; and generally relating to license fees for food processing plants.

BY repealing and reenacting, without amendments, Article – Health – General Section 21–301(g) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General Section 21–308 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

# House Bill 1258 – <del>Delegate Pendergrass</del> <u>Delegates Pendergrass and</u> Donoghue

AN ACT concerning

# Health Occupations – Maryland Environmental Health Specialists Act – Revisions

FOR the purpose of requiring the Board of Environmental Health Specialists to adopt regulations that include the establishment of a certain seasonal environmental health specialist—in—training program and a certain condition regarding participation in the program; repealing the requirement that the Board, under certain circumstances, reinstate the license of certain licensed environmental health specialists; requiring the Board, under certain circumstances, to place licensed environmental health specialists on inactive or nonrenewed status for a period not to exceed a certain number of years; requiring the Board to provide certain licensed environmental health specialists with written notification of certain information; requiring the Board, under certain circumstances, to reactivate the license of certain licensed environmental health specialists; and generally relating to the Maryland Environmental Health Specialists Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations Section 21–305 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

### BY repealing

Article – Health Occupations Section 21–310 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

### BY adding to

Article - Health Occupations

Section 21–310 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 1314 – Delegate Hucker

AN ACT concerning

# Maryland Wage Payment and Collection Law – Awards of Certain Fees and Costs and Prohibition Against Retaliation

FOR the purpose of requiring authorizing the court, on a certain finding in an action on behalf of an employee for a violation of the Maryland Wage Payment and Collection Law, to award the Attorney General reasonable counsel fees and other costs; requiring authorizing the court, on a certain finding in an action by an employee for a violation of the Maryland Wage Payment and Collection Law, to award the employee reasonable counsel fees and other costs; prohibiting an employer from taking certain adverse actions against an employee under certain circumstances; establishing that a certain penalty applies to a violation of this Act; defining a certain term; clarifying certain language; and generally concerning the Maryland Wage Payment and Collection Law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 3–507 and 3–507.2 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Labor and Employment Section 3–507.3 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment Section 3–508(a) and (c)(1) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

# House Bill 1334 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

# Maryland-National Capital Park and Planning Commission – Regulations to Prohibit Smoking <del>or Use of Electronic Cigarettes</del> PG/MC 112-14

FOR the purpose of requiring the Maryland–National Capital Park and Planning Commission to adopt regulations, on or before a certain date, to prohibit on property under its jurisdiction the smoking of certain tobacco products; providing for certain exemptions and exclusions; providing that the regulations may prohibit certain electronic eigarettes or similar products; and generally relating to regulations by the Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, with amendments,

Article – Land Use Section 17–207 Annotated Code of Maryland (2012 Volume and 2013 Supplement)

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

House Bill 1366 - Delegates Cardin, Howard, Gutierrez, Aumann, and Frush

AN ACT concerning

# Public Schools - Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction - Graduation Requirement (Breanna's Law)

FOR the purpose of requiring a public school student to complete instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to graduate from high school beginning with students entering a <del>certain grade in a certain year;</del> requiring each county board of education to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in certain schools beginning in a certain year, using a certain instructional program, and incorporating certain skills; requiring, if the instruction is offered for certification, a certain individual to conduct the instruction providing that a certain instructional course may not be offered for a certain certification; authorizing, if the instruction is not offered for <del>certification,</del> a certain individual to facilitate, provide, or oversee the instruction; requiring the State Department of Education to develop a process to monitor the implementation of certain provisions of law; defining certain terms; and generally relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and high school graduation requirements for certain public school students in the State.

BY adding to

Article – Education Section 7–205.2 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 1403 – Delegates Norman, Niemann, Beidle, Fraser-Hidalgo, Gilchrist, Healey, Hogan, McMillan, and Stein

AN ACT concerning

# Homestead Exemption - Bankruptcy - Interest in Manufactured Home

FOR the purpose of altering certain provisions of law concerning an exemption for a certain amount in an individual's interest in owner-occupied, residential real property in a certain bankruptcy proceeding to include an interest in a certain manufactured home; providing for the application of this Act; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 11–504(f)(1) Annotated Code of Maryland (2013 Replacement Volume and 2013 Supplement)

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

# House Bill 1415 – Montgomery County Delegation Delegates Kaiser, Carr, Cullison, Fraser-Hidalgo, Frick, Luedtke, Ivey, Cardin, and Mizeur

### CONSTITUTIONAL AMENDMENT

AN ACT concerning

# Chief Executive Officer or County Executive – Special Election to Fill a Vacancy in Office $\frac{MC-23-14}{C}$

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; authorizing a special election to fill a vacancy in the office of chief executive officer or county executive of a charter county to be conducted by mail; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act under certain circumstances; 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 and 9–501(a), (b), and (c)
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–401 and 9–501(d)
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 Education, Health, and Environmental Affairs.

House Bill 1417 - Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

AN ACT concerning

**Unemployment Insurance - Work Sharing** 

FOR the purpose of altering certain provisions that apply to the work sharing unemployment insurance program; clarifying the intent of the program; requiring that a decision by the Secretary of Labor, Licensing, and Regulation to disapprove a work sharing plan shall identify the reasons for the disapproval; altering the requirements for a work sharing plan; prohibiting the Secretary from approving certain work sharing plans; altering certain eligibility criteria for certain affected employees; altering the computation of work sharing benefits; authorizing certain individuals to be paid certain unemployment insurance benefits under certain circumstances; providing that a decision of the Secretary to revoke approval of a work sharing plan is final and not subject to appeal; altering the benefit charging provisions for employing units that participate in work sharing; providing that certain affected employees are eligible to receive certain extended benefits; providing that certain provisions of federal unemployment insurance law shall be given effect under certain circumstances: providing for the impact of certain provisions of State law that are in conflict with certain provisions of federal unemployment insurance law; defining certain terms; altering certain definitions; and generally relating to the work sharing unemployment insurance program.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–611(d), 8–1201 through 8–1204 8–1204, and 8–1206 through 8–1208

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8-611(b) and (g) and 8-1205

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

### BY adding to

Article – Labor and Employment

Section 8-1209 and 8-1210

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

### House Bill 1430 – Delegate Hubbard

AN ACT concerning

Health – State Children's Environmental Health and Protection Advisory Council – Composition FOR the purpose of altering the composition of the State Children's Environmental Health and Protection Advisory Council; increasing the number of members of the Advisory Council; and generally relating to the State Children's Environmental Health and Protection Advisory Council.

BY repealing and reenacting, without amendments,

Article – Health – General Section 13–1503 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General Section 13–1504 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

### House Bill 1431 – Delegate Hubbard

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 Finance.

### House Bill 1442 – Delegate Oaks

AN ACT concerning

### Maryland Transit Administration - Free Ridership for State Employees

FOR the purpose of requiring the Maryland Transit Administration to extend to employees of the Judicial Branch and the Legislative Branch of State government the application of any program, policy, or practice through which free ridership on transit vehicles is offered to employees of the Executive Branch of State government; and generally relating to the Maryland Transit Administration and free ridership for State employees.

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

# House Bill 1453 – <del>Delegates Jones, Burns, DeBoy, and Nathan-Pulliam</del> Baltimore County Delegation <del>and Delegate Cardin</del>

AN ACT concerning

# Education - Baltimore County School Board Nominating Commission Baltimore County - Board of Education - Selection of Members

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

BY repealing and reenacting, with amendments,

Article - Education

Section <del>3-108 and</del> 3-109 and 3-114

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

#### BY adding to

<u>Article – Education</u>

Section 3–2A–01 through 3–2A–09 to be under the new subtitle "Subtitle 2A.

Baltimore County"

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 1456 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

### Department of Health and Mental Hygiene - Board of Review - Jurisdiction

FOR the purpose of limiting the jurisdiction of the Board of Review of the Department of Health and Mental Hygiene to hear and determine appeals from decisions of the Secretary of Health and Mental Hygiene and units in the Department; authorizing the Board to hear and determine any appeal from a decision of the Secretary in a contested case concerning an individual's eligibility for or participation in certain programs; excluding from the Board's review jurisdiction certain Maryland Medical Assistance Program eligibility decisions delegated by the Secretary to the Maryland Health Benefit Exchange; providing that a person aggrieved by a certain adverse determination subject to review by the Board forgo review by the Board and instead petition for judicial review; providing that certain decisions are affirmed if the Board does not issue a decision within a certain period of time after submitting the notice of appeal; providing that any party may seek an appeal from a decision of the Board; repealing certain obsolete provisions of law; requiring the Department to study the continued role of the Board and report its findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; making conforming changes; and generally relating to the jurisdiction of the Board of Review of the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 2-206, 2-207, 10-511, 10-524, 19-330, and 19-732

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1A-311, 2-316, 3-316, 4-319, 5-313, 7-320, 8-318, 8-6B-21, 9-309, 9-316, 10-317, 11-318, 12-316, 12-412, 13-318, 14-408, 15-313, 16-315, 17-512, 18-316, 19-313, 20-308, and 20-315

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1542 – Delegates O'Donnell, Hubbard, and Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

# Department of Health and Mental Hygiene – Newborn Screening Program Fund – Establishment

FOR the purpose of establishing the Newborn Screening Program Fund; requiring the Secretary of Health and Mental Hygiene to administer the Fund; providing for the uses, purposes, sources of funding, investment of money, and auditing of the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring the Secretary to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Fund; defining a certain term; and generally relating to the Newborn Screening Program Fund in the Department of Health and Mental Hygiene.

#### BY adding to

Article – Health – General Section 13–111(f) and 13–113 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

House Bill 1545 - Delegates Conway, M. Washington, and DeBoy

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; providing for the application of this Act; honoring certain collective bargaining agreements subject to certain terms and requirements; providing that certain individuals exclusively represented maintain certain representation under certain circumstances; 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 Finance.

# House Bill 1552 – Wicomico County Delegation

AN ACT concerning

### Wicomico County - Orphans' Court Judges - Salaries

FOR the purpose of altering the salary of each judge of the Orphans' Court for Wicomico County; providing for the application of this Act; and generally relating to the compensation of judges of the Orphans' Court for Wicomico County.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2-108(w)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

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

AN ACT concerning

# <u>Civil Actions</u> <u>Foreclosure Sales of Residential Property</u> – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments

FOR the purpose of altering the time period within which a civil action on certain specialties shall be filed; authorizing a certain party, within a certain time period, to file a motion for a deficiency judgment under certain circumstances; requiring a certain party that files a certain motion for a deficiency judgment to file within a certain time period; requiring the a certain party to serve the a certain motion in accordance with certain procedures; providing for the application of certain sections of this Act; providing that any cause of action for a deficiency judgment on a certain deed of trust, mortgage, or promissory note that accrues before a certain date must be filed within a certain time period under certain circumstances; providing that any motion for a deficiency judgment on a certain deed of trust, mortgage, or promissory note for which an auditor's report has final ratification must be filed within a certain time period under certain circumstances; defining certain terms; and generally relating to specialties and deficiency judgments in connection with foreclosure sales of residential property.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–101
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–102
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

Article – Real Property Section 7–105.13 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

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

House Bill 297 – The Speaker (By Request – Administration) and Delegates Rosenberg, Hixson, Kaiser, Barkley, Busch, Guzzone, Hammen, Howard, Hucker, Lafferty, Luedtke, Nathan-Pulliam, Olszewski, Pena-Melnyk, Pendergrass, Reznik, Swain, Tarrant, V. Turner, and A. Washington, and Carr

AN ACT concerning

### Prekindergarten Expansion Act of 2014

FOR the purpose of expanding prekindergarten services to certain 4-year-old children; altering the name of the Judith P. Hoyer Early Child Care and Childhood Education Enhancement Program; changing the name of a certain grant; establishing a Preschool Services Grant; authorizing the Department of Education to distribute a certain grant to be used for a certain purpose; requiring certain providers to obtain accreditation by a certain date: requiring the Department to establish certain procedures for certain grants; requiring certain recipients of certain grants to perform certain duties; requiring the Department to conduct a certain evaluation; requiring a certain report by a certain date; establishing the Prekindergarten Expansion Grant Program; identifying the purpose of the Program; requiring the Department to administer the Program; requiring the Program to be a competitive grant program for certain providers; requiring the Department to take measures to achieve geographic diversity among certain vendors; establishing certain criteria for priority consideration to participate in the Program; establishing certain uses for grant funds; authorizing the Department to establish certain policies and procedures and additional eligibility criteria for certain purposes; requiring a certain qualified vendor to receive a grant in a certain year under certain circumstances; requiring funds for the Program to be as provided in a certain budget; requiring certain vendors to certify certain information prior to receiving a certain grant; authorizing the Governor to provide funds for certain purposes; requiring a certain funding level to be maintained if funds are provided in the budget; prohibiting certain uses of funds; requiring the Department to perform certain functions; establishing the Prekindergarten Expansion Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Department to make a certain report to the General

Assembly on or before a certain date annually; exempting a certain fund from a certain provision of law; defining certain terms; requiring a certain study to include certain information and certain findings; requiring a certain study and a certain plan to be submitted by a certain date; and generally relating to the Prekindergarten Expansion Grant Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 5-217

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–101.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

### BY adding to

Article - Education

Section 7–101.2

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article - State Finance and Procurement

Section 6-226(a)(1) and (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 Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

House Bill 298 – The Speaker (By Request – Administration) and Delegates Costa, Cullison, Frick, Gaines, Glenn, Hammen, Hucker, Kaiser, A. Kelly, Luedtke, Oaks, Pena-Melnyk, Reznik, and F. Turner

AN ACT concerning

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

FOR the purpose of authorizing the Health Services Cost Review Commission, consistent with Maryland's all-payer model contract, to establish hospital rate levels and rate increases in a certain manner and promote and approve certain alternative methods of rate determination and payment; increasing the total amount of user fees that the Commission may assess on certain facilities; altering the contents of a certain annual report the Commission is required to submit to certain individuals and the General Assembly requiring the Commission to submit to certain individuals and the General Assembly. beginning on a certain date, a certain update and, under certain circumstances, certain notification; requiring the Commission to require certain facilities to disclose publicly the revenue generated by the facilities in providing health services; requiring the Commission to review for reasonableness and certify the revenue of certain facilities; requiring the Commission to develop certain guidelines, receive certain confirmation, and post certain budget agreements on the Commission's Web site; altering the circumstances under which the Commission may adopt regulations establishing alternative methods for financing certain costs; requiring certain facilities to notify the Commission within a certain time period prior to executing any financial transaction, contract, or other agreement that would result in more than a certain percentage of certain voting rights or governance reserve powers being transferred to or assumed by another person or entity; authorizing the Commission to review the quality and efficiency of certain services for a certain purpose; authorizing the Commission, for a certain purpose, to review and approve or disapprove the reasonableness of the amount of revenue that a certain facility sets or requests; repealing a certain provision of law authorizing the Commission to promote and approve certain methods of rate determination and payment under certain circumstances; requiring certain facilities, health maintenance organizations, insurers, nonprofit health service plans, fraternal benefit societies, and certain managed care organizations to comply with a certain contract; requiring certain workgroups to consider certain matters and include the findings on the matters in a certain report; and generally relating to the Health Services Cost Review Commission.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–207(b)(6), (7), and (8), 19–212, 19–213(c)(1), 19–214(b), 19–217, and

19–219, and 19–710(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY adding to

<u>Article – Health – General</u>

Section 19–207(b)(9) and (10)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–213(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

#### BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–604

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

House Bill 349 – Delegates Vitale, Bates, Beidle, Eckardt, Elliott, Frank, Frush, George, Krebs, Love, McConkey, McMillan, Norman, Pena-Melnyk, Schuh, Sophocleus, and Stocksdale Stocksdale, and Smigiel

AN ACT concerning

# Education - Maintenance of Effort - Lease Payment Exclusion Study of Alternative Financing Methods for the Purpose of School Construction

FOR the purpose of excluding certain lease payments made by a county board of education from the maintenance of effort calculation; and generally relating to maintenance of effort funding requiring the Department of Legislative Services to conduct a certain study on the use of certain alternative financing methods by certain local school systems for school construction; requiring the Department to make a certain report on or before a certain date; and generally relating to the Study of Alternative Financing Methods for the Purpose of School Construction.

#### BY repealing and reenacting, with amendments,

Article - Education

Section 5-202(d)(3)(i)

**Annotated Code of Maryland** 

(2008 Replacement Volume and 2013 Supplement)

(As enacted by Chapter 647 of the Acts of the General Assembly of 2013)

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

House Bill 402 – Delegates Oaks, Krebs, Barkley, Carter, Cullison, Donoghue, Eckardt, Frank, Gutierrez, Howard, Hubbard, Ivey, A. Kelly, Kipke, McDonough, McIntosh, Mizeur, Murphy, Nathan-Pulliam, Pena-Melnyk, Ready, B. Robinson, Rosenberg, V. Turner, and M. Washington, Tarrant, Kach, and Pendergrass

AN ACT concerning

# Health Occupations – State Board of <u>Physicians –</u> Naturopathic <u>Medicine</u> Doctors

FOR the purpose of establishing the State Board of Naturopathic Medicine Naturopathic Medicine Advisory Committee within the State Board of Pharmacy: specifying providing for the composition of the Beard Committee; specifying providing for the terms of a Board Committee member; requiring the Governor to appoint a new member, under certain circumstances, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Board Committee to elect a chair and any other officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to determine the times and places of its meetings; specifying that a Board member is entitled to certain compensation and reimbursement; authorizing the Board to employ a staff under certain circumstances; authorizing the Board to adopt certain regulations and appoint certain committees: specifying the duties of the Board Committee; establishing the State Board of Naturopathic Medicine Fund; authorizing the Board to set reasonable fees under certain circumstances: requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes; specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; requiring the Legislative Auditor to audit the accounts and transactions of the Fund: requiring the Board to adopt certain regulations; requiring the Board to set certain fees; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees of the Board; requiring the fees to be used for a certain purpose; specifying that a person who gives information to the Board Committee or otherwise participates in its activities has a certain immunity from liability; requiring, beginning on a certain date, certain individuals to have a certain license before practicing naturopathic medicine in the State; prohibiting the Board from discriminating against an applicant or a licensee for certain reasons; requiring an individual to meet certain

requirements to qualify for a license; requiring an applicant to submit certain information to the Board, complete and submit a certain written attestation, and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; specifying that a license authorizes a licensee to order and perform certain examinations, order and interpret the reports of certain studies, and dispense, administer, order or perform certain other dispense or order certain therapies and medicines, utilize certain routes of administration, provide certain education and counseling, and perform naturopathic musculoskeletal mobilization; specifying that a license does not authorize a licensee to prescribe or administer certain substances or devices, perform certain procedures, use certain anesthetics, practice or claim to practice as a certain health care professional, or take certain other actions; specifying that the Board may authorize a licensee to perform certain procedures under certain circumstances; specifying the term of a license; requiring the Board to send certain information to licensees a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status under certain circumstances; requiring the Board to issue a license to a naturopathic doctor who is on inactive status under certain circumstances; requiring the Board to reinstate the license of a naturopathic doctor who failed to renew the license under certain circumstances; prohibiting a licensed naturopathic doctor from surrendering a license under certain circumstances; authorizing the Board or a disciplinary panel to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; specifying that certain investigations, reports, and recommendations are confidential under certain circumstances; requiring the Board or a disciplinary panel to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with certain provisions of law; requiring a disciplinary panel to order the suspension and the revocation of a license under certain circumstances; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas, administer oaths, and issue certain orders under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period: requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board or a disciplinary panel to take certain action under certain circumstances; prohibiting an order of the Board or a disciplinary panel from being stayed pending judicial review; authorizing the Board to make a certain appeal; prohibiting the Board from reinstating a certain license under certain circumstances; requiring a licensed naturopathic doctor to follow certain federal, State, and local laws; authorizing a licensed naturopathic doctor to receive a certain fee; requiring a naturopathic doctor to display a certain notice under certain circumstances; prohibiting an individual from practicing, attempting to practice, or offering to practice naturopathic medicine in the State without a license; providing for certain penalties; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; establishing a certain short title; specifying that this Act does not limit certain rights of certain individuals; specifying the purposes of certain provisions of this Act; providing that a person is not civilly liable for certain actions under certain circumstances; requiring the Board to hold its first Board meeting within a certain time period after the Governor has appointed the initial Board members; providing for the terms of the initial Board Committee members; stating the intent of the General Assembly regarding the initial funding of the Board; requiring the Board to reimburse the General Fund under certain circumstances; providing for the termination of this Act under certain circumstances; providing that the Committee is subject to a certain evaluation in a certain year; requiring the Board to convene a certain workgroup to study the development of a naturopathic formulary in the State and the routes of administration that may be used by a naturopathic doctor when administering natural medicines; providing for the membership of the workgroup; requiring the workgroup to conduct a certain review, make certain recommendations, and provide a certain report to certain committees of the General Assembly on or before a certain date; requiring the Board to conduct a certain examination and provide certain information to the Naturopathic Medicine Advisory Board; defining certain terms; and generally relating to the State Board of Naturopathic Medicine and the licensing of naturopathic doctors.

### BY renumbering

Article – State Government Section 8–403(b)(36) through (56), respectively to be Section 8–403(b)(37) through (57), respectively Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Courts and Judicial Proceedings
Section 5-725
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health Occupations

Section <del>7.5–101 through 7.5–702</del> <u>14–5F–01 through 14–5F–32</u> to be under the new <del>title</del> <u>subtitle</u> "<del>Title 7.5.</del> <u>Subtitle 5F.</u> Naturopathic Doctors"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8-403(a) 8-405(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY adding to repealing and reenacting, with amendments,

Article – State Government

Section 8-403(b)(36) 8-405(b)(5)

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 549 – Delegates Stukes, Anderson, Arora, Clippinger, Conaway, Harper, Ivey, Mitchell, Oaks, B. Robinson, Rosenberg, Simmons, Summers, and Tarrant

AN ACT concerning

# General Provisions - Commemorative Days - Juneteenth National Freedom Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Juneteenth National Freedom Day; 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 commemorative days.

#### BY adding to

Article – State Government

Section 13–413

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

### BY renumbering

Article - General Provisions

Section 7-409 through 7-412

to be Section 7–410 through 7–413

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (4lr1244) of the Acts of the General Assembly of 2014)

#### BY adding

Article – General Provisions

Section 7-409

Annotated Code of Maryland
(As enacted by Chapter \_\_\_\_ (4lr1244) 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 579 – Delegates Kramer, Barkley, Fraser-Hidalgo, A. Miller, Simmons, and Valderrama

AN ACT concerning

# Commissioner of Labor and Industry – Authority – Enforcement of Local Minimum Wage Laws

FOR the purpose of requiring the Commissioner of Labor and Industry to enforce a local minimum wage law; specifying that the Commissioner has the same powers and duties in enforcing a local minimum wage law as the Commissioner has to enforce certain provisions of State law; authorizing the Commissioner, on the Commissioner's own initiative or on receipt of a written complaint, to investigate whether a local minimum wage law has been violated; authorizing the Commissioner to delegate any power or duty of the Commissioner under a certain provision of this Act; and generally relating to the authority of the Commissioner of Labor and Industry to enforce local minimum wage laws.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 3–102 and 3–104 Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Labor and Employment Section 3–103(i) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 701 – Delegates Lee, Beidle, Bobo, Cardin, Carr, Cullison, DeBoy, Dumais, Dwyer, Frush, Gutierrez, Guzzone, Haddaway-Riccio, Healey, Howard, Jameson, Jones, A. Kelly, Lafferty, McComas, McDonough, A. Miller, Morhaim, Ready, S. Robinson, Rosenberg, Sophocleus, Stocksdale, F. Turner, Valderrama, and A. Washington

# Criminal Law - Child Kidnapping and Prostitution for the Purpose of <u>Committing a Sexual Crime</u> - Penalty

FOR the purpose of reclassifying as a felony a certain offense relating to child kidnapping and prostitution involving a child under a certain age; altering the penalty for a certain provision of law relating to child kidnapping and prostitution involving an individual under a certain age; altering the elements of a certain prohibition involving persuading or enticing from a certain place or knowingly secreting or harboring an individual under a certain age for purposes of prostitution or committing a certain sexual crime so as to prohibit the act of persuading or enticing from a certain place and knowingly secreting or harboring an individual under a certain age for the purpose of committing a certain sexual crime; reclassifying the offense as a felony and altering the maximum penalty of imprisonment; making a conforming change; and generally relating to child kidnapping and prostitution.

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 11–305 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

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

House Bill 727 – Delegates Olszewski, Hucker, Barkley, Barnes, Braveboy, Burns, Carr, DeBoy, Frick, Frush, Glenn, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Kramer, Love, Luedtke, McHale, Minnick, Mitchell, Murphy, Niemann, Reznik, B. Robinson, Stukes, Swain, V. Turner, Valderrama, Valentino-Smith, Vaughn, A. Washington, M. Washington, Weir, and Zucker Zucker, and Fraser-Hidalgo

AN ACT concerning

# Procurement - Prevailing Wage - Applicability

FOR the purpose of repealing a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition; specifying the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies by altering certain definitions; providing for the application of this Act; and generally relating to the applicability of the Prevailing Wage Law.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 17–201 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 759 - Calvert County Delegation

AN ACT concerning

#### Calvert County - Deer Hunting - Sundays

FOR the purpose of authorizing the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays in Calvert County, subject to certain provisions of law; and generally relating to the regulation of deer hunting by the Department of Natural Resources.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

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 793 – Delegates Kach, Bromwell, Elliott, and Olszewski, Olszewski, Costa, Cullison, Donoghue, Hammen, Hubbard, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

# Pharmacy Benefits Managers - Pharmacy Contracts - <del>Payments</del> <u>Maximum</u> <u>Allowable Cost Pricing</u>

FOR the purpose of requiring a pharmacy benefits manager to include in its contract with a pharmacy, a pharmacy services administration organization, or a group purchasing organization the methodology used by the pharmacy benefits manager to calculate a certain reimbursement paid for each drug, medical product, and device that is a covered pharmacy benefit administered by the pharmacy benefits manager; requiring a pharmacy benefits manager to include in its contract with a pharmacy, a pharmacy services administration organization, or a group purchasing organization certain information and a certain methodology, make available to a contracted pharmacy a certain list and a certain maximum allowable cost, review and make certain adjustments to the maximum allowable cost, make available to a contracted pharmacy certain updates, allow a contracted pharmacy to resubmit a claim for payment under certain circumstances, and provide a process for a contracted pharmacy to

appeal the maximum allowable cost; establishing certain requirements for the appeal process: requiring a pharmacy benefits manager, if it denies an appeal. to provide the reason for the denial and identify a certain national drug code product: requiring a pharmacy benefits manager to adjust the maximum allowable cost in a certain manner and provide a certain notice under certain circumstances; prohibiting a pharmacy benefits manager from requiring a pharmacy to dispense a prescription for a certain contractual reimbursement amount; defining certain terms; providing for the application of this Act; and generally relating to pharmacy benefits managers and payments to pharmacies for covered drugs, medical products, and devices each contract with a contracted pharmacy, the sources used to determine maximum allowable cost pricing; requiring the pharmacy benefits manager to update its pricing information with a certain frequency and provide a means by which contracted pharmacies may review pricing updates in a certain format; requiring a pharmacy benefits manager to maintain a procedure to eliminate products from a certain list for a certain purpose; requiring a pharmacy benefits manager to ensure that certain conditions are met before placing a prescription drug on a maximum allowable cost list; requiring each contract between a pharmacy benefits manager and a contracted pharmacy to include a certain process for appealing, investigating, and resolving disputes regarding maximum allowable cost pricing; defining certain terms; providing for a delayed effective date; and generally relating to contracts between pharmacy benefits managers and contracted pharmacies and maximum allowable cost pricing.

BY adding to

Article – Insurance Section 15–1628.1 <del>and 15–1628.2</del> Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

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

House Bill 813 – Delegates M. Washington, Rudolph, Braveboy, Cullison, Davis, Donoghue, Dumais, Eckardt, Glenn, Harper, Haynes, Kaiser, A. Kelly, Kipke, McIntosh, A. Miller, Ready, S. Robinson, Schulz, Szeliga, and Zucker Zucker, Swain, Hammen, Pendergrass, Bromwell, Costa, Elliott, Hubbard, Kach, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

#### **Joint Committee on Ending Homelessness**

FOR the purpose of creating a Joint Committee on Ending Homelessness; specifying the membership of the Committee; providing that members of the Committee serve at the pleasure of the appointing officer; providing for the appointment of cochairmen of the Committee; establishing that a majority of the full authorized membership of the Committee is a quorum; providing staff for the Committee; requiring the Committee to hold certain hearings and consider certain votes on certain bills or resolutions; establishing the powers and duties of the Committee; requiring the Governor's Interagency Council on Homelessness to cooperate fully with the Committee, keep the Committee fully informed as to the Council's priorities and progress, and submit a certain report to the Committee on or before a certain date each year; requiring the Committee to submit a certain report to the General Assembly by on or before a certain date each year; providing for a delayed effective date; and generally relating to the Joint Committee on Ending Homelessness.

BY adding to

Article – State Government Section 2–10A–15 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

### House Bill 825 - Delegate McConkey Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – State's Attorney and Deputy, Assistant, and Temporary Assistant State's Attorneys – Annual Salary and Compensation

FOR the purpose of altering, beginning on a certain date and under certain eircumstances, providing that the annual salary of the State's Attorney for Anne Arundel County; shall be certain amounts for certain calendar years; repealing a certain provision of law that requires a certain increase in the salary of the State's Attorney for Anne Arundel County each calendar year; providing that the State's Attorney may set certain salaries and compensation subject to the approval of the county council; providing for the application of this Act; making a stylistic change; and generally relating to the salary and compensation of the State's Attorney, deputy State's Attorneys, assistant State's Attorneys, and temporary assistant State's Attorneys for Anne Arundel County.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure Section 15–403(a) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Article – Criminal Procedure Section 15–403(b) and (c) Annotated Code of Maryland (2008 Replacement Volume and 2013 Supplement)

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

House Bill 14 – Chair, Health and Government Operations Committee (By Request – Departmental – General Services) (By Request – Departmental – Minority Affairs, Office of)

AN ACT concerning

# Small Business Reserve Program – Procurements by Designated Procurement Units

FOR the purpose of requiring that all certain procurements by a designated procurement unit that fall within a certain dollar value range be designated for the Small Business Reserve program subject to a certain condition; altering a certain definition; declaring the intent of the General Assembly; requiring the Council for the Procurement of Health, Educational, and Social Services and the Secretary of General Services or the Secretary's designee to conduct a certain study and report to the Board of Public Works and the General Assembly on or before a certain date; and generally relating to the designation of certain procurements for the Small Business Reserve program.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 14-501 and 14-504

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 14–502

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 166 – Delegates Arora, Kipke, Afzali, Bromwell, Cullison, Elliott, A. Kelly, Krebs, McDermott, Oaks, Pena-Melnyk, Ready, Reznik, Smigiel, Tarrant, and Valderrama Valderrama, Hammen, Pendergrass, Donoghue, Hubbard, Kach, McDonough, Morhaim, Murphy, Nathan-Pulliam, and V. Turner

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

FOR the purpose of altering the effective date of certain regulations adopted under the Administrative Procedure Act; and generally relating to regulations adopted under the Administrative Procedure Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10-117

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

### House Bill 183 - Carroll County Delegation

AN ACT concerning

# Carroll County – Local Government Tort Claims Act – Industrial Development Authority

FOR the purpose of altering the definition of a "local government" under the Local Government Tort Claims Act to include a certain nonprofit corporation in Carroll County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Carroll County or its employees; providing for the application of this Act; and generally relating to the inclusion of certain nonprofit entities in Carroll County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-301(d) and 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 217 - Washington County Delegation

AN ACT concerning

#### Maryland Income Tax Refund - Washington County - Warrants

FOR the purpose of altering the requirement for the Comptroller to withhold Maryland income tax refunds of certain individuals with outstanding warrants

to include residents of Washington County or individuals who have outstanding warrants from Washington County; providing for the termination of this Act; and generally relating to withholding income tax refunds for individuals with outstanding warrants.

BY repealing and reenacting, without amendments,

Article – Tax – General Section 13–935 and 13–937 through 13–940 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General Section 13–936 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 313 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Mitchell, B. Robinson, Stukes, and Tarrant

AN ACT concerning

# Maryland Income Tax Refund - Baltimore City - Warrants

FOR the purpose of altering the requirement for the Comptroller to withhold Maryland income tax refunds from certain individuals with outstanding warrants to include residents of Baltimore City or individuals who have outstanding warrants from Baltimore City; providing for the termination of this Act; and generally relating to withholding income tax refunds from individuals with outstanding warrants.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 13–935 and 13–937 through 13–940
Annotated Code of Maryland
(2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 13–936
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 329 - Frederick County Delegation

AN ACT concerning

### Frederick County - Gaming Permits

FOR the purpose of increasing the number of gaming events that a certain organization in Frederick County may hold in a calendar year in which the major prize has a value of more than a certain amount; and generally relating to gaming events in Frederick County.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 13–1304(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 13–1304(f) 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 367 – Worcester County Delegation

AN ACT concerning

#### Worcester County - Bingo Board - Repeal

FOR the purpose of abolishing the Worcester County Bingo Board; repealing the provisions describing the composition, qualifications of members, salaries, expenses, tenure, filling of vacancies, and all other elements pertaining to the Bingo Board; providing that the Worcester County Department of Development Review and Permitting take the place of the Bingo Board and that the Department adopt reasonable regulations to administer and enforce the bingo laws in the county; requiring the Department to exercise control and supervision over all games of bingo and to prevent bingo from being conducted in a certain manner; authorizing the Department and its inspectors to enter certain places at any time; requiring an applicant for a bingo license to submit to the Department a certain application; requiring an applicant to pay to the Department a certain license fee; requiring the Department to pay license fees to the county commissioners, issue licenses, and approve certain lease agreements; authorizing the Department to deny or revoke a license under certain circumstances; requiring that a licensee's employees and terms of

employment be approved by the Department; requiring licensees to submit certain statements at certain times to the Department; requiring the Department to submit certain reports to the county commissioners; requiring a certain representative to consult with the Department and to send certain materials to the Department by a certain date; defining a certain term; and generally relating to bingo in Worcester County.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 13–2601 and 13–2602 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 13–2605, 13–2606, and 13–2608 through 13–2615 Annotated Code of Maryland (2012 Replacement Volume and 2013 Supplement)

#### BY repealing

Article – Criminal Law Section 13–2607 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 378 – Delegates Otto, Cane, Conway, Eckardt, Haddaway-Riccio, Jacobs, Malone, McDermott, Weir, and Wood

AN ACT concerning

# Somerset County – Service Award Program for Emergency Medical Services and Fire and Rescue Personnel

FOR the purpose of authorizing the Board of County Commissioners for Somerset County to establish a volunteer service award program for qualified members of volunteer fire departments, ambulance companies, and rescue squads; providing for a delayed effective date; and generally relating to benefits for Somerset County emergency medical services and fire and rescue personnel.

#### BY adding to

Article – Public Safety Section 7–212.1 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 592 – Delegates Morhaim <del>and Hammen, Hammen, Kach,</del> Pena-Melnyk, and Oaks

AN ACT concerning

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

FOR the purpose of altering the standard for approval by certain clinical review panels of the administration of certain medication to certain individuals with mental disorders admitted to certain facilities; and generally relating to clinical review panels and the administration of medication to individuals with mental disorders.

BY repealing and reenacting, without amendments,

Article – Health – General Section 10–708(a) and (b) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General Section 10–708(g) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

House Bill 593 – Delegates Krebs, Costa, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

#### Morticians and Funeral Directors - Pre-Need Contracts

FOR the purpose of requiring that certain disclosure statements in pre—need contracts inform a buyer of whether the contract is a guaranteed contract, guaranteed in part contract, or nonguaranteed contract and, under certain circumstances, list the funeral goods and services or cash advance items that are not guaranteed; requiring certain disclosure statements to contain a certain statement and certain amounts paid under certain contracts; repealing a requirement that the disclosure statements contain a certain price; providing that if certain disclosures are made, pre—need contracts may be guaranteed contracts.

guaranteed in part contracts, or nonguaranteed contracts and may include cash advance items or goods and services that are not guaranteed; 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; repealing a certain provision of law requiring morticians, funeral directors, or surviving spouses to agree to accept certain benefits as certain payment for certain services and merchandise; defining certain terms; making a conforming change; and generally relating to morticians and funeral directors and pre-need contracts.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 7–101(v)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7-405

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 658 – Delegates Carter, Glass, Hough, Parrott, and Smigiel Smigiel, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

# Public Information Act - State Public Information Act Compliance Board - Establishment

<u>Joint Committee on Transparency and Open Government – Study on Appeals</u> <u>Under the Maryland Public Information Act</u>

FOR the purpose of establishing the State Public Information Act Compliance Board; providing for the composition, chair, terms, and meetings of the Board; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Office of the Attorney General to provide staff for the Board; providing for the powers and duties of the Board; authorizing any person to file a certain complaint with the Board; requiring that the complaint contain certain information and be signed

by the complainant: requiring the Board to take certain action regarding a complaint; requiring a custodian who receives a complaint from the Board to file a certain response within a certain time period; requiring the Board to maintain the confidentiality of a certain public record; authorizing the Board, under certain circumstances, to hold a certain conference; providing that a certain conference held by the Board is not a contested case; providing that compliance by a custodian with an order of the Board is not a certain admission and may not be used as evidence in a certain proceeding; repealing certain provisions of law related to the administrative review of a decision to deny inspection of a public record; specifying the terms of the initial members of the Board; defining a certain term; and generally relating to the State Public Information Act Compliance Board requiring the Joint Committee on Transparency and Open Government to conduct a study on how to improve the administrative process for resolving appeals under the Marvland Public Information Act; requiring that the study take into consideration certain factors; requiring the Joint Committee to report to certain committees on or before a certain date; providing for the termination of this Act; and generally relating to the Joint Committee on Transparency and Open Government and the Study on Appeals Under the Maryland Public Information Act.

### BY repealing and reenacting, with amendments,

Article - General Provisions

Section 4-101; and the amended part designation "Part VI. Judicial Review" immediately preceding Section 4-361

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. 270) of the Acts of the General Assembly of 2014)

#### BY adding to

Article - General Provisions

Section 4–1A–01 through 4–1A–09 to be under the new subtitle "Subtitle 1A. State Public Information Act Compliance Board"

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. 270) of the Acts of the General Assembly of 2014)

#### BY repealing

Article - General Provisions

Section 4-361

**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 702 – Delegates Vaughn, Haddaway-Riccio, Howard, McHale, Schulz, Swain, and Valentino-Smith

AN ACT concerning

#### Professional Land Surveyors - Licensure Qualifications - Revisions

FOR the purpose of requiring certain applicants for a license to practice land surveying to apply for a license on or before a certain date to qualify for licensure with certain qualifications; altering certain educational, experiential, and examination requirements for applicants for a license to practice land surveying; authorizing the Board of Professional Land Surveyors to waive certain examination requirements or require certain applicants for a license to practice land surveying in the State to pass certain examination requirements examinations; making certain stylistic changes; and generally relating to revisions to licensure qualifications for professional land surveyors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 15–305 and 15–311
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 761 – <del>Delegate Hammen</del> <u>Delegates Hammen, Holmes, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Ready, Reznik, and V. Turner</u>

AN ACT concerning

# Health Insurance - Specialty Drugs

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a copayment or coinsurance requirement on a covered specialty drug that exceeds a certain dollar amount; providing for an annual increase to the copayment or coinsurance requirement limit; providing that, under certain circumstances, certain provisions of law or certain regulations do not preclude certain insurers, nonprofit health service plans, and health maintenance organizations from requiring a covered specialty drug to be obtained through a certain source or a pharmacy participating in the provider network of the insurer, nonprofit health service plan, or health maintenance organization under certain conditions; authorizing a pharmacy registered under a certain provision of federal law to apply to be a designated pharmacy for a certain purpose, under certain conditions; prohibiting an

insurer, nonprofit health service plan, or health maintenance organization from unreasonably withholding certain approval; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for specialty drugs through a managed care system; providing that a certain determination is considered a coverage decision under certain provisions of law; authorizing the Maryland Insurance Commissioner to seek advice from certain persons relating to certain complaints filed with the Commissioner; requiring the expenses for the advice to be paid for as provided under certain provisions of law; defining certain terms; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to specialty drugs.

#### BY adding to

Article – Insurance Section 15–847 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

#### BY adding to

Article – Health – General Section 19–706(0000) Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

# House Bill 796 – Delegates V. Turner, Barnes, Healey, Hubbard, Ivey, Murphy, Summers, Swain, Valderrama, and A. Washington

AN ACT concerning

#### Procurement - Debarment - Violations of Law

FOR the purpose of providing that a person may be debarred from entering into a contract with the State if the person, or a certain other person connected to the person, has been convicted of a violation of certain provisions of federal law or State law or, under certain circumstances, has been found to have willfully or knowingly violated certain provisions of State law; and generally relating to debarment from State contracts.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 16–203
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 856 – Delegates Nathan-Pulliam, <u>Tarrant</u>, Bohanan, Burns, Cane, Carr, Costa, Cullison, Frush, Griffith, Gutierrez, Hammen, Hubbard, Kach, A. Kelly, Morhaim, Oaks, Pena-Melnyk, Reznik, and V. Turner

AN ACT concerning

# Task Force on Community Health Workers Workgroup on Workforce Development for 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 requiring the Department of Health and Mental Hygiene and the Maryland Insurance Administration to establish a certain stakeholder workgroup; requiring, to the extent practicable, a certain minimum percentage of the membership of the workgroup to be composed of certain individuals; requiring the workgroup to conduct a certain study and make certain recommendations; requiring the workgroup to report its findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to community health workers.

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

House Bill 874 – Delegates Pena-Melnyk, Busch, Costa, Hammen, Hubbard, Nathan-Pulliam, Tarrant, and V. Turner

AN ACT concerning

# County Health Officers – Authority of County Governing Body and Secretary of Health and Mental Hygiene

FOR the purpose of requiring the governing body of a county to establish a certain process for making a recommendation to the Secretary of Health and Mental Hygiene for the appointment of a health officer committee if a vacancy occurs in the position of health officer for the county; establishing the duties of the committee; repealing a provision of law establishing that the health officer for a county serves at the pleasure of the governing body of the county and the Secretary of Health and Mental Hygiene; providing that a health officer may be removed from office for cause by the governing body of the county or the

Secretary; providing for the confidentiality of certain information; requiring certain meetings relating to the removal of a county health officer to be closed; providing for the construction of this Act; providing for a delayed effective date; and generally relating to county health officers and the appointment and removal authority of county governing bodies and the Secretary of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 3–302
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

#### House Bill 912 - Delegates Smigiel, Carr, Rosenberg, and Waldstreicher

AN ACT concerning

#### Courts - Electronic Communications - Privacy

FOR the purpose of altering provisions of law governing the manner in which an investigative or law enforcement officer may require a wire or electronic communication service to disclose the contents of certain wire or electronic communications; requiring a certain probable cause for the issuance of a certain warrant under certain circumstances; requiring a court that issues a certain warrant to indicate a certain deadline to a certain service provider; authorizing service of the warrant on a certain service provider; requiring a certain service provider to produce certain information; authorizing a certain service provider to request a certain extension; authorizing the court to grant an extension under certain circumstances; authorizing a service provider to provide certain information on the request of an agent of this State or a political subdivision of this State in response to a certain request under certain circumstances: requiring a certain subscriber to be provided a certain notice; authorizing a certain subscriber to seek judicial review of a certain warrant, court order, or subpoena; requiring a certain agent to provide a certain notice under certain circumstances in a certain manner; authorizing a court to grant a certain application to direct a certain service provider not to make a certain notification under certain circumstances; authorizing a court to grant a certain application under certain circumstances; providing for the admissibility of certain communications content: requiring a certain court to annually submit a certain report to the Administrative Office of the Courts on a certain date; requiring the Administrative Office of the Courts to annually submit a certain report to the General Assembly on a certain date; providing for a certain cause of action; defining certain terms; expanding the application of a provision of law that requires an investigative or law enforcement officer to obtain a certain search warrant in order to require a provider of wire or electronic communication service to disclose the contents of wire or electronic communication that is in electronic storage in a wire or electronic communications system for 180 days or less to a wire or electronic communication that is in electronic storage for any amount of time; making certain stylistic and conforming changes; and generally relating to the privacy of electronic communications.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 10–4A–04 <del>and 10–4A–06</del>

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Courts and Judicial Proceedings

Section 10-4A-09 and 10-4A-10

**Annotated Code of Maryland** 

(2013 Replacement Volume and 2013 Supplement)

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

# House Bill 1118 – Delegates Clagett, Barve, Beidle, DeBoy, Frick, Olszewski, and Walker

AN ACT concerning

### Economic Development - Office of the Business Ombudsman - Establishment

FOR the purpose of establishing the Office of the Business Ombudsman in the Office of the Governor; specifying the purpose of the Office of the Business Ombudsman; requiring the Office to establish, maintain, and update each year a certain list of business assistance programs and services; requiring the Office to implement a certain business fairness and responsiveness service; requiring the Office to develop and maintain a certain program regarding permits required for business initiatives, projects, and activities; requiring the Office to establish and implement certain procedures to assist certain applicants for permits; requiring the Office to submit a certain report to the Governor and certain standing committees of the General Assembly each year; requiring the Governor to include certain funds in the State budget in certain fiscal years; defining certain terms; and generally relating to the Office of the Business Ombudsman.

#### BY adding to

Article – Economic Development

Section 14–201 through 14–204 to be under the new subtitle "Subtitle 2. Office of the Business Ombudsman"

Annotated Code of Maryland

(2008 Volume and 2013 Supplement)

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

### House Bill 1205 - Frederick County Delegation

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 Education, Health, and Environmental Affairs.

#### House Bill 1385 – Washington County Delegation

AN ACT concerning

#### Washington County Gaming Commission - Membership - Conflict of Interest

FOR the purpose of repealing certain provisions of law prohibiting a member of the Washington County Gaming Commission from serving on the gaming commission under certain circumstances; requiring the gaming commission to adopt certain regulations; and generally relating to the Washington County Gaming Commission.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–2416(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Criminal Law

Section 13–2416(f)

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 1388 – <del>Delegate Pena-Melnyk</del> <u>Delegates Pena-Melnyk, Cardin,</u> Howard, Ivey, Kaiser, A. Miller, Stukes, Summers, and F. Turner

AN ACT concerning

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

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 Education, Health, and Environmental Affairs.

### House Bill 1436 - Calvert County Delegation

AN ACT concerning

# Calvert County - Salaries of County Officials and County Commissioner Retirement Plan Participation

FOR the purpose of authorizing a County Commissioner of Calvert County to participate in the Calvert County Employees Retirement Savings Plan; altering the salaries of the Sheriff of Calvert County, Orphans' Court Judges for Calvert County, and Calvert County Treasurer; providing for the application of this Act; and generally relating to the salaries of certain Calvert County officials and the participation of the County Commissioners of Calvert County in the Calvert County Employees Retirement Savings Plan.

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 2–101
Article 5 – Public Local Laws of Maryland
(2002 Edition and July 2011 Supplement, as amended)

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

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments, Article – Local Government Section 16–202(a) Annotated Code of Maryland (2013 Volume)

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

## House Bill 1491 - Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

# Transportation – Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line

FOR the purpose of providing that a member of the Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line is entitled to reimbursement of expenses under certain State regulations as provided in the State budget; clarifying language; and generally relating to the Citizens' Advisory Council for the Baltimore Corridor Transit Study – Red Line.

BY repealing and reenacting, with amendments,

Chapter 2 of the Acts of the General Assembly of the Special Session of 2006 Section 2

BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the Special Session of 2006 Section 2

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

## House Bill 1493 – Allegany County Delegation

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 Judicial Proceedings.

## **House Bill 1533 – Delegate Dumais**

AN ACT concerning

## Commission on Child Custody Decision Making - Extension

FOR the purpose of altering the dates by which requiring the Commission on Child Custody Decision Making is required to submit an additional interim report and of its findings and recommendations on or before a certain date; extending the date by which the Commission is required to submit a final report of its findings and recommendations; extending the termination date of the Commission; and generally relating to the Commission on Child Custody Decision Making.

BY repealing and reenacting, with amendments, Chapter 633 of the Acts of the General Assembly of 2013 Section 1(g) and 2

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

House Bill 693 — <del>Delegate Bromwell</del> <u>Delegates Bromwell, Costa, Cullison, Donoghue, Hammen, Hubbard, Kach, A. Kelly, Kipke, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner</u>

#### **EMERGENCY BILL**

AN ACT concerning

#### Health Insurance - Essential Health Benefits - Pediatric Dental Benefits

FOR the purpose of requiring the Maryland Health Benefit Exchange to certify stand-alone dental plans for sale outside the Exchange; requiring a stand-alone dental plan to be reviewed and approved by the Maryland Insurance Administration as meeting certain requirements to be certified for sale outside the Exchange; providing for a certain exception to the authority of the Exchange to take certain actions relating to certification of certain plans; authorizing the Exchange to deny, suspend, or revoke the certification of a stand-alone dental plan for sale outside the Exchange under certain circumstances; providing that a health benefit plan offered by a health insurance carrier outside the Maryland Health Benefit Exchange to individuals or small employers is not required to include certain pediatric dental benefits under certain circumstances; repealing a requirement that the Exchange and the Maryland Insurance Administration conduct a certain study and report the findings and recommendations to the Governor and the General Assembly; defining certain terms; making this Act an emergency measure; and generally relating to health benefit plans offered outside the Maryland Health Benefit Exchange.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–115(a) and (k)(1) and 31–116(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

## BY adding to

Article – Insurance Section <u>31–115(l)</u> and <u>31–116(f)</u> Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement)

## BY repealing

<u>Chapter 159 of the Acts of the General Assembly of 2013</u> Section 8

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

House Bill 861 – Delegates Fraser-Hidalgo, Arora, Barkley, Hixson, Kramer, Luedtke, McIntosh, Mizeur, and Waldstreicher

AN ACT concerning

## Agriculture - Easements - Renewable Energy Generation Facilities

FOR the purpose of requiring, on written request of a landowner in an application to purchase an easement, an easement to authorize the landowner to use the land subject to the easement for renewable energy generation under certain circumstances; requiring, on written request of a landowner, authorizing a written request of a landowner to be approved by the Maryland Agricultural Land Preservation Foundation to amend an easement to authorize the landowner to use the land subject to the easement for renewable energy generation under certain circumstances; altering the composition of the Maryland Agricultural Land Preservation Fund; prohibiting the Foundation from approving the use of land subject to an easement for renewable energy generation after a certain date; prohibiting the installation of certain wind turbines exceeding certain heights in certain areas of the State; requiring a facility owner to remit a certain percentage of a certain lease payment to the Maryland Agricultural Land Preservation Fund; authorizing the Foundation to charge certain costs to cover certain expenses; requiring the Foundation to adopt certain regulations; providing for the application of this Act; declaring the intent of the General Assembly; requiring the Foundation to make a certain report to certain committees of the General Assembly by a certain date; defining a certain term certain terms; and generally relating to use of land under an easement held by the Maryland Agricultural Land Preservation Foundation.

## BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–505(b) and 2–513(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

## BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2-509

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

## BY adding to

Article – Agriculture

Section 2–513(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

## BY repealing and reenacting, with amendments,

Article - Agriculture

Section 2-513(e)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)

## BY repealing and reenacting, without amendments,

Article - Public Utilities

Section 7-701(r)

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 867 – Delegates Arora, Afzali, Anderson, Barkley, Bobo, Carter, Clippinger, Conaway, Dumais, Frush, McDermott, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Sophocleus, Swain, F. Turner, Valderrama, Vallario, and Waldstreicher

## AN ACT concerning

#### Maryland False Claims Act

FOR the purpose of prohibiting certain actions constituting false claims against a governmental entity; providing certain penalties for making false claims; requiring the court to consider and give special attention to certain factors in determining the amount of fines and penalties provided for in certain provisions of this Act; providing that this Act does not apply to certain claims, records, or

statements; authorizing a person and a governmental entity to file a civil action against a person who makes a certain false claim under certain circumstances; providing for the procedures to be followed in the civil action and for certain remedies under the action; requiring the governmental entity to investigate a certain civil action; requiring the governmental entity to make certain efforts to coordinate certain investigations and to establish a certain objective for the governmental entity; authorizing the governmental entity to intervene and proceed with a certain civil action with or without the person who initiated the action; requiring the court to dismiss the action if the governmental entity elects not to intervene in the action; authorizing the governmental entity to pursue certain alternative remedies; providing certain limitations on civil actions filed under this Act; prohibiting a person from taking retaliatory action against an employee, a contractor, or an agent under certain circumstances; authorizing an employee, a contractor, or an agent to file a civil action against a person who takes retaliatory action against the employee, contractor, or agent under certain circumstances; providing certain remedies for retaliatory action; establishing that certain remedies provided under this Act are in addition to certain other appropriate legal and equitable relief; requiring the Comptroller to deposit a certain penalty or damages into the General Fund of the State; requiring the Office of the Attorney General and the attorney for each county and Baltimore City to report certain information annually to the General Assembly: defining certain terms; providing for a delayed effective date; and generally relating to false claims against governmental entities.

## BY adding to

Article – General Provisions

Section 8–101 through 8–111 to be under the new title "Title 8. False Claims"

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 Judicial Proceedings.

House Bill 907 - Delegates Olszewski, Barkley, Bohanan, DeBoy, Elliott, Guzzone, Kach, Kaiser, Krebs, Lafferty, Luedtke, McComas, McMillan, Mitchell, Morhaim, Murphy, Schulz, Simmons, Sophocleus, Stocksdale, and Wilson, and Cardin

AN ACT concerning

## Video Lottery Facility Payouts - Intercepts for Child Support Payments

FOR the purpose of requiring a video lottery operation licensee to submit certain information to the Child Support Enforcement Administration about an individual at a video lottery facility who is declared a winner of a certain prize; requiring the Administration to determine whether the individual is in arrears of child support payments by determining whether the individual is listed in a

certain registry; specifying certain circumstances under which a video lottery operation licensee may pay winnings to an individual; requiring the Administration to inform the licensee and the licensee to deduct a certain amount from a prize if an individual is found to be in arrears of child support payments: requiring the licensee to forward the deduction to the Administration and to pay to the individual the portion of the prize that remains; specifying the amount of a certain administrative fee and the manner in which proceeds from the administrative fee are to be distributed; requiring the creation and maintenance of a child support registry by the Administration or a certain private entity; requiring the Administration to enter certain information in the registry; requiring the Governor to include in a certain budget bill a certain appropriation to create and administer the registry; authorizing the State Lottery and Gaming Control Commission to impose a certain penalty; specifying that a video lottery operation licensee is not liable under certain circumstances to an individual to whom child support is owed; requiring the Administration to report to the General Assembly on or before a certain date; requiring the State Lottery and Gaming Control Commission and the Department of Human Resources to adopt certain regulations; defining a certain term the Child Support Enforcement Administration, the Comptroller, and the Lottery and Gaming Control Agency jointly to establish a certain program on or before a certain date; authorizing the Administration, the Comptroller, and the Agency to adopt certain regulations; requiring the Department of Human Resources. the Comptroller, and the Agency jointly to report to the General Assembly on or before a certain date; and generally relating to video lottery facility payouts and child support payments.

#### BY adding to

Article – State Government Section 9–1A–02.1 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 1031 – Delegates Anderson, Cullison, and Pena-Melnyk

AN ACT concerning

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

FOR the purpose of authorizing certain inspections of licensed funeral establishments to include, under certain circumstances, advance notice that an inspector may be in a certain region for a certain purpose; requiring a certain licensee or an employee of the licensee to give certain access to certain members or employees of the State Board of Morticians and Funeral Directors for the purpose of conducting certain inspections of certain funeral establishments, including

access to certain areas of the funeral establishments; authorizing certain staff members of the State Board of Morticians and Funeral Directors to call certain supervising morticians and request certain access to certain areas of a funeral establishment under certain circumstances; requiring certain supervising morticians to immediately provide certain staff members with the location of the key or access code to certain areas of a funeral establishment; providing that certain employees are not required to accompany certain staff while the staff conducts certain inspections; requiring certain inspections to be conducted during certain hours; providing for the application of certain provisions of this Act; requiring the Board to provide the results of certain inspections to certain licensees or supervising morticians within a certain period of time; and generally relating to the inspection of funeral establishments by the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–409
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 1166 – Delegates Anderson, Waldstreicher, Branch, Cardin, Carter, Clippinger, Conaway, Glenn, Gutierrez, Harper, Haynes, Holmes, Ivey, Luedtke, McIntosh, Mizeur, Oaks, Reznik, B. Robinson, Rosenberg, Simmons, Stukes, Swain, Tarrant, F. Turner, Valderrama, A. Washington, and Wilson

AN ACT concerning

# **Maryland Second Chance Act of 2014**

FOR the purpose of authorizing a person to petition the court to shield certain eourt records and police records information relating to a certain conviction at a certain time; providing that, if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; providing that a certain person is not entitled to eligible for shielding if the person is a defendant in a pending criminal proceeding; providing that a certain conviction is eligible for shielding at a certain time; providing that if a person is not eligible for shielding of one conviction in a unit, the person is not eligible for shielding of any other conviction in the unit; requiring the court have a copy of a certain petition served on the State's Attorney; authorizing the court to order the shielding of certain records after taking certain objections or information into consideration; requiring the court to hold a hearing and order the shielding of certain records under certain circumstances; requiring authorizing the court

to deny a certain petition under certain circumstances; 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; requiring the court to send a certain written notice to certain victims; 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 this Act; clarifying that this Act does not prevent a person from obtaining a certain record of another person from a certain custodian with the consent of the other person; clarifying that this Act does not prevent a person from obtaining a certain record on request from the appropriate custodian of records; defining certain terms; and generally relating to the shielding of court records and police records convictions.

#### BY adding to

Article - Criminal Procedure

Section 10–301 through  $\frac{10-306}{10-303}$  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 Judicial Proceedings.

House Bill 1292 – Delegates Jones, Anderson, Barkley, Braveboy, Clagett, Clippinger, Conaway, Costa, Fraser-Hidalgo, Frush, Glenn, Gutierrez, Guzzone, Haynes, Healey, Howard, Hucker, Kramer, Lee, McHale, Mizeur, Morhaim, Nathan-Pulliam, Niemann, Pena-Melnyk, Proctor, B. Robinson, Rosenberg, Stukes, Swain, V. Turner, Vaughn, A. Washington, M. Washington, Wilson, and Zucker

AN ACT concerning

## District Court of Maryland Employees - Collective Bargaining

FOR the purpose of establishing collective bargaining rights for certain employees of the District Court of Maryland; establishing the State Judicial Employees Labor Relations Board as an independent unit of State government; providing for the composition, chair, staffing, powers, and duties of the Board; providing for the staggering of terms of the members of the Board; requiring the Board to appoint an Executive Director of the Board; specifying the powers and duties of the Executive Director; requiring the Board to recognize one statewide bargaining unit; requiring the Board to adopt certain regulations related to the establishment of a certain bargaining unit and the designation of an exclusive representative; requiring the Board to conduct certain investigations; authorizing the Board to hold certain hearings under certain circumstances; authorizing certain persons to petition a certain court for a certain purpose; applying certain provisions of law to certain employees, the District Court of Maryland, the Chief Judge of the District Court, the Administrative Office of the Courts, and the exclusive representative for certain employees; providing for the duties of a certain exclusive representative; requiring the District Court of Maryland and an employee organization to negotiate in a certain manner under certain circumstances; requiring the Board to conduct a certain hearing or authorize a certain arbitrator to conduct a hearing for a certain purpose under certain circumstances; requiring collective bargaining to include certain matters; authorizing collective bargaining to include negotiations relating to service fees; providing that negotiations shall conclude with a memorandum of understanding that covers certain matters; providing that a memorandum of understanding is not valid under certain circumstances; providing for the ratification of a memorandum of understanding; providing that the Judiciary has the right to determine certain budgetary, employment, and personnel practices; providing that certain provisions of this Act and a certain agreement do not limit or otherwise interfere with certain powers of the Governor, the Judiciary, or the General Assembly; defining a certain term; specifying the terms of the initial members of the Board; and generally relating to collective bargaining for employees of the District Court of Maryland.

BY adding to

Article – Courts and Judicial Proceedings Section 2–609 Annotated Code of Maryland (2013 Replacement Volume and 2013 Supplement)

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

House Bill 1349 – Delegates Braveboy, Anderson, Branch, Burns, Carr, Carter, Conaway, Davis, Glenn, Gutierrez, Harper, Haynes, Healey, Howard, Hucker, Ivey, McHale, Mitchell, Nathan-Pulliam, Oaks, Pena-Melnyk, Proctor, B. Robinson, Stukes, Summers, Swain, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vaughn, Walker, A. Washington, and M. Washington, M. Washington, Hammen, Pendergrass, Cullison, A. Kelly, Reznik, and Tarrant

AN ACT concerning

## **Public Safety Diversity Act of 2014**

FOR the purpose of requiring the Department of State Police, when it advertises for or recruits new employees, to include advertising that is targeted toward racial minority certain communities and individuals; requiring rule governing promotion of a Department employee that requires the promotion decision to be made by a board to require the board to be racially and gender diverse; requiring a certain disciplinary hearing board to be racially and gender diverse under certain circumstances; requiring the fair practices officer of the Department to meet certain qualifications; requiring the Department to report to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to diversity in public safety.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 2-402

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Public Safety

Section 2-402.1

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY repealing and reenacting, with amendments,

Article - Public Safety

Section 2-404 and 3-107

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments.

Article – State Personnel and Pensions Section 5–207 Annotated Code of Maryland (2009 Replacement Volume and 2013 Supplement)

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

## House Bill 1506 – Delegate Conway

AN ACT concerning

## Wicomico County - Northeast Maryland Waste Disposal Authority

FOR the purpose of authorizing Wicomico County to become a participating county in the Northeast Maryland Waste Disposal Authority by the County Council of Wicomico County filing certified copies of a resolution of participation with the Secretary of State and the Department of Legislative Services; and generally relating to Wicomico County and the Northeast Maryland Waste Disposal Authority.

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 3–903(a) 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 1530 – St. Mary's County Delegation

#### EMERGENCY BILL

AN ACT concerning

## St. Mary's County Metropolitan Commission - Collection of Unpaid Charges

FOR the purpose of repealing provisions that require certain connection charges and a certain system improvement charge of the St. Mary's County Metropolitan Commission to be treated as County taxes for collection purposes; repealing provisions that require property subject to a certain connection charge or a certain system improvement charge to be sold at the same time and in the same manner as properties are sold for County taxes under certain circumstances; repealing provisions that prohibit certain property redeemed from a County tax sale or sold after a final tax sale from being redeemed or sold until certain connection charges due on it are paid; repealing a provision that requires a certain unpaid water and sewer service bill to be collectible from the owner of

the property served in a certain manner; requiring the St. Mary's County Metropolitan Commission to establish certain procedures by which an owner of certain residential property may apply for a waiver or an extension of time to pay certain charges under certain circumstances, including a method by which the owner may appeal a certain decision of the Commission to the Board of County Commissioners or an entity designated by the Board of County Commissioners; making this Act an emergency measure; and generally relating to the collection of unpaid charges of the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary's County Section 113–12 D., 113–14 G., and 113–29 M. Article 19 – Public Local Laws of Maryland (2007 Edition and February 2013 Supplement, as amended)

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

## House Bill 1531 – St. Mary's County Delegation

### EMERGENCY BILL

AN ACT concerning

# St. Mary's County Metropolitan Commission – Water and Sewer Service Charges – Volunteer Fire Departments and Rescue Squads – Exemption

FOR the purpose of exempting certain property owned or leased by certain volunteer fire departments and volunteer rescue squads from the imposition of certain water or sewer service charges by the St. Mary's County Metropolitan Commission; making this Act an emergency measure; and generally relating to water and sewer service charges imposed by the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–14
Article 19 – Public Local Laws of Maryland

(2007 Edition and February 2013 Supplement, as amended)

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

Senator Robey 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 1112 - Senator Robey

AN ACT concerning

## Howard County – Alcoholic Beverages – Population Restrictions on Class A Licenses

FOR the purpose of limiting the number of Class A licenses of any type that the Board of License Commissioners of Howard County may issue based on a certain license—to—population ratio using county population data as determined by the latest federal census; providing a certain exception; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 9-214(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY adding to

Article 2B – Alcoholic Beverages

Section 9–214(f)

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

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

## **QUORUM CALL**

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

(See Roll Call No. 617)

#### **ADJOURNMENT**

At 12:19 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 14, 2014, Calendar Day, Wednesday, March 19, 2014.

## Annapolis, Maryland Legislative Day: March 14, 2014 Calendar Day: Wednesday, March 19, 2014 10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Reverend John P. Seltzer, St. John's Lutheran Church, guest of Senator Jennings.

(See Exhibit A of Appendix III)

The Journal of March 13, 2014 was read and approved.

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

## **QUORUM CALL**

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

(See Roll Call No. 619)

#### LETTERS OF REASSIGNMENT

## ANNOUNCEMENT BY THE PRESIDENT

House Bill 33 – Delegate Smigiel

AN ACT concerning

# Criminal Law - Professional Counselors and Therapists - Conduct (Lynette's Law)

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

Read and ordered journalized.

## **QUORUM CALL**

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

(See Roll Call No. 620)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

## THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 299 - Montgomery County Senators

AN ACT concerning

Montgomery County - Maryland Tort Claims Act - Human Services Torts

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

Affirmative -46 Negative -0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

Senate Bill 486 - Senators Manno and Middleton

AN ACT concerning

Income Tax Credit - Endow Maryland

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

Affirmative – 46 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the House of Delegates.

Senate Bill 504 – Senator Kelley

EMERGENCY BILL

AN ACT concerning

Health Insurance - Essential Health Benefits - Pediatric Dental Benefits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 623)

The Bill was then sent to the House of Delegates.

Senate Bill 596 – Senators Peters, Kasemeyer, King, Klausmeier, Raskin, and Robey

AN ACT concerning

Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 624)

The Bill was then sent to the House of Delegates.

Senate Bill 670 – Senator Middleton

AN ACT concerning

Income Tax Credit - Qualified Farms - Gleaning

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

Affirmative – 46 Negative – 0 (See Roll Call No. 625)

The Bill was then sent to the House of Delegates.

Senate Bill 685 - Senator Zirkin

AN ACT concerning

Family Law - Child Abuse and Neglect - Provision of Information to Health
Care Provider Practitioners

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

Affirmative – 46 Negative – 0 (See Roll Call No. 626)

The Bill was then sent to the House of Delegates.

Senate Bill 818 – <del>Senator Forehand</del> <u>Senators Forehand</u>, <u>Jacobs</u>, <u>and Muse</u> <u>Muse</u>, <u>and Kittleman</u>

AN ACT concerning

State Government - Human Trafficking Address Confidentiality Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 627)

The Bill was then sent to the House of Delegates.

Senate Bill 884 – Senators Pugh, Feldman, Klausmeier, and Mathias

AN ACT concerning

**Health Insurance – Incentives for Health Care Practitioners** 

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

Affirmative – 46 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

Senate Bill 981 – Senator Jennings

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 629)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #59

Senate Bill 350 – Senators Brochin, Klausmeier, and Zirkin

AN ACT concerning

Motor Vehicles - Speed Monitoring Systems - Local Jurisdictions

Speed Monitoring Systems Reform Act of 2014

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

Affirmative – 46 Negative – 0 (See Roll Call No. 630)

The Bill was then sent to the House of Delegates.

Senate Bill 592 – <del>Senator Jones Rodwell</del> <u>Senators Jones Rodwell, Conway, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez</u>

AN ACT concerning

Department of Health and Mental Hygiene - Community Health Workers 
Certification and Reimbursement

Workgroup on Workforce Development for Community Health Workers

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

Affirmative – 45 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the House of Delegates.

Senate Bill 654 – <del>Senator Middleton</del> <u>Senators Middleton, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez</u>

AN ACT concerning

Health - Down Syndrome - Required Information

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

Affirmative – 46 Negative – 0 (See Roll Call No. 632)

The Bill was then sent to the House of Delegates.

Senate Bill 790 – <del>Senator Kelley</del> <u>Senators Kelley, Astle, Feldman, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez</u>

#### EMERGENCY BILL

AN ACT concerning

Health Insurance – Communications Between Carriers and Enrollees – Conformity With the Health Insurance Portability and Accountability Act (HIPAA)

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

Affirmative – 46 Negative – 0 (See Roll Call No. 633)

The Bill was then sent to the House of Delegates.

Senate Bill 795 – <del>Senator Madaleno</del> <u>Senators Madaleno</u>, <u>Astle, Feldman</u>, <u>Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh</u>, and Ramirez

AN ACT concerning

**Joint Committee on Ending Homelessness** 

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

Affirmative – 46 Negative – 0 (See Roll Call No. 634)

The Bill was then sent to the House of Delegates.

Senate Bill 796 – <del>Senator Madaleno</del> <u>Senators Madaleno, Astle, Brinkley, Feldman, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, and Ramirez</u>

AN ACT concerning

Human Services - Interagency Council on Homelessness

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

Affirmative – 46 Negative – 0 (See Roll Call No. 635)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 636)

The Bill was then sent to the House of Delegates.

Senate Bill 830 - Senator Forehand

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Child Abuse Victims

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

Affirmative – 46 Negative – 0 (See Roll Call No. 637)

The Bill was then sent to the House of Delegates.

Senate Bill 874 – <del>Senator Klausmeier</del> <u>Senators Klausmeier</u>, <u>Astle, Feldman</u>, <u>Glassman, Kelley, Kittleman, Mathias, Middleton, Pugh, and Ramirez</u>

AN ACT concerning

**Health Insurance – Specialty Drugs** 

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

Affirmative – 46 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

Senate Bill 889 – Senators Jennings and Glassman

AN ACT concerning

Northeastern Maryland Additive Manufacturing Innovation Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 11 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment - Bay Restoration Fund - Authorized Uses

## FLOOR AMENDMENT

#### HB0011/923729/1

BY: Senator Conway

## AMENDMENT TO HOUSE BILL 11

(Third Reading File Bill)

On page 4, in line 15, strike "(III)" and substitute "(III)".

The preceding amendment was read and adopted.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 640)

The Bill was then sent to the House of Delegates.

#### LAID OVER BILLS

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

Senate Bill 348 – Senator Manno

AN ACT concerning

# Texting While Driving - Accidents Resulting in Death or Serious Injury - Penalties

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

#### SB0348/108976/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 348

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 5 and 6, strike "contributes to" and substitute "causes"; and strike beginning with "requiring" in line 7 down through "device;" in line 12.

## AMENDMENT NO. 2

On page 2, in line 20, strike "CONTRIBUTES TO" and substitute "CAUSES".

On page 3, strike in their entirety lines 9 through 21, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0348/423227/1

BY: Senator Getty

## AMENDMENTS TO SENATE BILL 348

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 4, after the first "of" insert "altering a certain prohibition against using a text messaging device while operating a motor vehicle to prohibit an individual from using the individual's hands to use a text messaging device for certain purposes while operating a motor vehicle under certain circumstances;".

## AMENDMENT NO. 2

On page 2, in line 16, after "use" insert "THE INDIVIDUAL'S HANDS TO USE".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 860 – Senators Gladden, Jones-Rodwell, and Kelley

AN ACT concerning

Public Safety - Photo and Lineup Eyewitness Identification - Procedures

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR GLADDEN.

FLOOR AMENDMENT

#### SB0860/323922/1

BY: Senator Gladden

## AMENDMENTS TO SENATE BILL 860, AS AMENDED

### AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0860/238878/1), in line 5 of Amendment No. 1, strike "providing for a delayed effective date;".

## AMENDMENT NO. 2

On page 3 of the Judicial Proceedings Committee Amendments, in line 10 of Amendment No. 3, strike "January 1, 2015" and substitute "October 1, 2014".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 208 – Senators Kelley, Forehand, and Raskin

AN ACT concerning

## Maryland Collaborative Reproduction Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

#### SB0208/678076/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 208

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 13, after "agreement;" insert "requiring a gestational carrier agreement to be approved by a circuit court prior to the embryo transfer; requiring the parties to a gestational carrier agreement to jointly petition for approval of the agreement; establishing the jurisdiction of the circuit court; specifying the contents of the petition; requiring the court to hold a hearing on the petition within a certain period of time; requiring the court to hold separate hearings under certain circumstances; requiring the petitioning parties to be present at the hearing; requiring

the court to issue an order approving the gestational carrier agreement if the court makes certain findings; requiring a certain hearing to be closed to the public; establishing that certain records are not subject to public inspection except under certain circumstances;"; and in line 18, after "parent" insert "or gestational carrier".

On page 2, in line 1, after "penalties;" insert "requiring a certain person to register with the Department of Health and Mental Hygiene under certain circumstances; specifying the information that a person required to register must provide to the Department; requiring the Department to publish certain information on its Web site; authorizing the Department to adopt certain regulations;"; and in line 6, strike "5–914" and substitute "5–916".

## AMENDMENT NO. 2

On page 5, in line 21, strike "AND"; and in line 23, after "SUBTITLE" insert "; AND

(3) THE AGREEMENT IS APPROVED BY A COURT UNDER § 5–908 OF THIS SUBTITLE".

On page 7, in line 4, strike "AND"; and in line 8, after "NUMBERS" insert "; AND

(IV) BE APPROVED BY A CIRCUIT COURT JUDGE PRIOR TO THE EMBRYO TRANSFER".

On page 9, after line 11, insert:

- "(A) BEFORE AN EMBRYO TRANSFER, THE PARTIES TO A GESTATIONAL CARRIER AGREEMENT SHALL JOINTLY PETITION THE CIRCUIT COURT FOR APPROVAL OF THE GESTATIONAL CARRIER AGREEMENT.
- (B) A PETITION UNDER THIS SECTION MAY BE FILED IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH:
- (1) THE INTENDED PARENT OR GESTATIONAL CARRIER IS

  DOMICILED IF THE INTENDED PARENT OR GESTATIONAL CARRIER HAS BEEN A

  RESIDENT OF THE STATE FOR AT LEAST 90 DAYS;

- (2) THE CHILD IS EXPECTED TO BE BORN, AS DEMONSTRATED BY THE GESTATIONAL CARRIER'S PATIENT-PHYSICIAN RELATIONSHIP WITH AN OBSTETRICIAN OR OTHER OBSTETRICAL HEALTH CARE PROVIDER LICENSED IN THE STATE WHO HAS DELIVERY PRIVILEGES AT A HOSPITAL IN THE STATE WHERE THE GESTATIONAL CARRIER INTENDS TO DELIVER THE CHILD; OR
  - (3) THE EMBRYO TRANSFER IS TO BE PERFORMED.
  - (C) A PETITION FILED UNDER THIS SECTION SHALL INCLUDE:
- (1) AN AFFIDAVIT BY EACH ATTORNEY REPRESENTING A PARTY TO THE GESTATIONAL CARRIER AGREEMENT ATTESTING:
- (I) THAT THE REQUIREMENTS OF THIS SUBTITLE HAVE BEEN MET, INCLUDING A SPECIFIC ATTESTATION THAT THE REQUIREMENTS OF \$\\$5-906\$ AND 5-907 OF THIS SUBTITLE HAVE BEEN MET;
  - (II) TO THE IDENTITIES OF THE PARTIES;
- (III) TO THE FACT THAT THE ATTORNEY DID NOT REPRESENT BOTH THE INTENDED PARENT OR PARENTS AND THE GESTATIONAL CARRIER AND HER SPOUSE OR PARTNER, IF ANY, DURING THE PREPARATION, COUNSELING, OR NEGOTIATION OF THE GESTATIONAL CARRIER AGREEMENT; AND
- (IV) THAT THE TERMS OF THE GESTATIONAL CARRIER
  AGREEMENT COMPLY WITH THE REQUIREMENTS SPECIFIED IN THIS SUBTITLE;
  AND
- (2) A COPY OF THE EXECUTED GESTATIONAL CARRIER AGREEMENT.
- (D) (1) THE COURT SHALL HOLD A HEARING WITHIN 60 DAYS AFTER THE FILING OF A PETITION UNDER THIS SECTION.

- **(2)** IF A PARTY TO THE PETITION REQUESTS SEPARATE HEARINGS, THE COURT SHALL HOLD SEPARATE HEARINGS ON THE PETITION FOR APPROVAL OF THE GESTATIONAL CARRIER AGREEMENT.
- **(3) (I)** SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE INTENDED PARENT OR PARENTS, THE GESTATIONAL CARRIER, AND THE GESTATIONAL CARRIER'S SPOUSE OR PARTNER, IF ANY, SHALL BE PRESENT AT A HEARING UNDER THIS SECTION.
- (II) IF A PARTY TO THE PETITION REQUESTS A SEPARATE HEARING UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE PARTIES TO THE GESTATIONAL CARRIER AGREEMENT SHALL BE PRESENT AT THE SEPARATE HEARING APPROPRIATE FOR THAT PARTY.
- **(E)** THE COURT SHALL ISSUE AN ORDER APPROVING A GESTATIONAL CARRIER AGREEMENT IF THE COURT MAKES THE FOLLOWING FINDINGS:
- **(1)** ALL PARTIES TO THE GESTATIONAL CARRIER AGREEMENT HAVE VOLUNTARILY ENTERED INTO THE AGREEMENT AND UNDERSTAND ITS TERMS:
- **(2)** THE EVALUATIONS REQUIRED UNDER § 5–906 OF THIS SUBTITLE HAVE BEEN CONDUCTED AND THE PARTIES SATISFY THE REQUIREMENTS OF § 5–906 OF THIS SUBTITLE;
- **(3)** THE GESTATIONAL CARRIER AGREEMENT SATISFIES THE REQUIREMENTS OF § 5–907 OF THIS SUBTITLE;
- **(4)** ADEQUATE PROVISION HAS BEEN MADE FOR ALL REASONABLE MEDICAL AND ANCILLARY EXPENSES THAT ARE AGREED TO IN THE GESTATIONAL CARRIER AGREEMENT UNTIL THE BIRTH OF THE CHILD, INCLUDING RESPONSIBILITY FOR THOSE EXPENSES IF THE AGREEMENT IS TERMINATED; AND
- **(5)** THE COMPENSATION, IF ANY, PAID TO THE PROSPECTIVE GESTATIONAL CARRIER IS REASONABLE.

- (F) (1) A HEARING UNDER THIS SECTION SHALL BE CLOSED TO THE PUBLIC.
- (2) RECORDS OF A HEARING UNDER THIS SECTION ARE NOT SUBJECT TO PUBLIC INSPECTION UNDER THE MARYLAND PUBLIC INFORMATION ACT UNLESS:
- (I) ALL PARTIES TO THE PETITION CONSENT TO THE INSPECTION; OR
- (II) A COURT ORDER IS ISSUED ON A SHOWING OF GOOD CAUSE BY THE PARTY PETITIONING FOR THE INSPECTION.

## <u>5–909.</u>".

On page 10, in line 32, strike "5-909." and substitute "5-910.".

On page 11, in line 13, strike "5-910." and substitute "5-911.".

On page 12, in line 5, strike "§ 5–911" and substitute "§ 5–912"; in line 9, strike "5–911." and substitute "5–912."; and strike beginning with "BY" in line 10 down through "EITHER" in line 12 and substitute "AT THE TIME A PETITION FOR APPROVAL OF A GESTATIONAL CARRIER AGREEMENT IS FILED UNDER § 5–908 OF THIS SUBTITLE OR AT ANY OTHER TIME".

On page 14, in line 10, strike " $\S 5-912$ " and substitute " $\S 5-913$ "; in line 23, strike " $\S -912$ ." and substitute " $\S 5-913$ ."; and in line 26, strike " $\S 5-911$ " and substitute " $\S 5-912$ ".

On page 15, in line 16, strike "§ 5-911" and substitute "§ 5-912"; and in lines 19 and 34, strike "5-913." and "5-914.", respectively, and substitute "5-914." and "5-915.", respectively.

#### AMENDMENT NO. 3

On page 8, in line 5, strike "AND"; and in line 13, after "DEATH" insert "; AND

**(3)** THAT THE GESTATIONAL CARRIER MAY NOT BE REQUIRED TO TERMINATE A PREGNANCY RESULTING FROM THE COLLABORATIVE REPRODUCTION WITHOUT THE CONSENT OF THE GESTATIONAL CARRIER".

On page 11, in line 22, after "(B)" insert "(1)"; in line 23, after "AGREEMENT" insert "AND AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION"; and after line 25, insert:

"(2) A GESTATIONAL CARRIER MAY NOT BE LIABLE FOR CIVIL DAMAGES FOR BREACH OF CONTRACT FOR CARRYING A PREGNANCY TO TERM.".

## AMENDMENT NO. 4

On page 10 in line 33, and on page 11 in line 11, in each instance, after "PARENT" insert "OR GESTATIONAL CARRIER".

## AMENDMENT NO. 5

On page 15, after line 34, insert:

- "(A) IN THIS SECTION, "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.
  - (B) THIS SECTION DOES NOT APPLY TO AN ATTORNEY:
- **(1)** PROVIDING LEGAL ADVICE TO AN INTENDED PARENT OR **GESTATIONAL CARRIER; OR** 
  - **(2)** PREPARING A GESTATIONAL CARRIER AGREEMENT.
- (C) A PERSON RECEIVING COMPENSATION FOR RECRUITING OR PROCURING A GESTATIONAL CARRIER OR OTHERWISE ARRANGING OR INDUCING AN INTENDED PARENT AND A GESTATIONAL CARRIER TO ENTER INTO A GESTATIONAL CARRIER AGREEMENT IN THE STATE SHALL REGISTER WITH THE DEPARTMENT.
- A PERSON REQUIRED TO REGISTER UNDER SUBSECTION (C) OF THIS (D) SECTION SHALL PROVIDE TO THE DEPARTMENT:

- (1) THE PERSON'S NAME;
- (2) THE NAME OF THE PERSON'S COMPANY OR FIRM, IF ANY;
- (3) THE PERSON'S ADDRESS; AND
- (4) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.
- (E) THE DEPARTMENT SHALL PUBLISH THE REGISTRATION INFORMATION PROVIDED UNDER SUBSECTION (D) OF THIS SECTION ON THE DEPARTMENT'S WEB SITE.
- (F) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

**5–916.**".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 708 – Senators Raskin, Benson, Currie, Jones-Rodwell, Madaleno, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning

Civil Actions – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments

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

#### SB0708/858675/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 708

(First Reading File Bill)

### AMENDMENT NO. 1

On page 2, in line 23, strike "BY A MORTGAGOR".

On page 2 in line 24, and on page 3 in line 15, in each instance, strike "THAT TERM IS".

### AMENDMENT NO. 2

On page 3, in line 1, strike "WITHIN 180 DAYS AFTER" and substitute "AFTER"; after line 7, insert:

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

and in lines 8 and 10, strike "(B)" and "(C)", respectively, and substitute "(C)" and "(D)", respectively.

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 800 – Senators Ramirez, Forehand, and Raskin

AN ACT concerning

Landlord and Tenant – Retaliatory Actions – Conditions for Relief and Timing of Prohibited Actions

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

#### SB0800/878178/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 800

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 2, strike "Conditions for Relief and"; and strike beginning with "altering" in line 4 down through "circumstances;" in line 6.

## AMENDMENT NO. 2

On page 2 in line 30, and on page 3 in lines 1, 4, and 16, in each instance, strike the bracket.

On page 3, in line 1, strike "ON THE".

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 850 – Senator Conway

AN ACT concerning

# Real Property – Prohibition on Acquiring Mortgages or Deeds of Trust by Condemnation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

#### SB0850/288872/2

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 850

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "condemnation" insert "during a certain period of time".

#### AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 12 on page 1 through line 3 on page 2, inclusive.

## AMENDMENT NO. 3

On page 2, in line 20, after "LAW," insert "FROM JUNE 1, 2014, TO MAY 30, 2016, BOTH INCLUSIVE,".

## AMENDMENT NO. 4

On page 2, in line 24, strike "October" and substitute "June".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1095 – Senator Frosh

EMERGENCY BILL

AN ACT concerning

## **Real Property - Ground Rents**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

#### SB1095/818573/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 1095

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "altering a certain definition for purposes of certain provisions of law prohibiting nonjudicial actions to take possession of property;"; in line 9, after "arrears;" insert "altering the manner of giving a certain notice;"; in line 18, after "rent;" insert "establishing that a person awarded possession of property in a certain action takes possession subject to the terms of a certain security instrument;"; in line 20, after "lease;" insert "altering the period of time after which a certain rent is conclusively presumed to be extinguished if no demand or payment is made for the rent during that period; clarifying that certain prior provisions of law are repealed;"; and in line 21, after "measure;" insert "providing for the effective date of a certain provision of this Act;".

On page 2, in line 1, after "Section" insert "7–113, 8–107,".

#### AMENDMENT NO. 2

On page 2, after line 19, insert:

"<u>7–113.</u>

- (a) (1) In this section the following words have the meanings indicated.
- (2) "Party claiming the right to possession" means a person or successor to any person who:
- (i) <u>Does not have actual possession of a residential property;</u> and
- (ii) <u>Has or claims to have a legal right to possession of the residential property:</u>
  - 1. By the terms of a contract or foreclosure sale;
- 2. UNDER A RESIDENTIAL LEASE OR SUBLEASE
  THAT HAS AN INITIAL TERM OF 99 YEARS RENEWABLE FOREVER AND THAT
  CREATES A LEASEHOLD ESTATE SUBJECT TO THE PAYMENT OF SEMIANNUAL
  INSTALLMENTS OF AN ANNUAL LEASE AMOUNT; or
- <u>[2.] 3.</u> <u>Under a court order, including a court order</u> extinguishing a right of redemption.
- (3) (i) "Protected resident" means an owner or former owner in actual possession of residential property.
- (ii) "Protected resident" includes a grantee, tenant, subtenant, or other person in actual possession by, through, or under an owner or former owner of residential property.
- (iii) "Protected resident" does not include a trespasser or squatter.

- (4) "Residential property" means a building, structure, or portion of a building or structure that is designed principally and is intended for human habitation.
- (5) "Threaten to take possession" means using words or actions intended to convince a reasonable person that a party claiming the right to possession intends to take imminent possession of residential property in violation of this section.
- (6) "Willful diminution of services" means intentionally interrupting or causing the interruption of heat, running water, hot water, electricity, or gas by a party claiming the right to possession for the purpose of forcing a protected resident to abandon residential property.
- (b) (1) Except as provided in paragraph (2) of this subsection, a party claiming the right to possession may not take possession or threaten to take possession of residential property from a protected resident by:
  - (i) Locking the resident out of the residential property;
- (ii) Engaging in willful diminution of services to the protected resident; or
- (iii) Taking any other action that deprives the protected resident of actual possession.
- (2) (i) Except as provided in subparagraph (ii) of this paragraph, a party claiming the right to possession may take possession of residential property from a protected resident only in accordance with a writ of possession issued by a court and executed by a sheriff or constable.
- (ii) A party claiming the right to possession of residential property may use nonjudicial self-help to take possession of the property, if the party:
- 1. Reasonably believes the protected resident has abandoned or surrendered possession of the property based on a reasonable inquiry into the occupancy status of the property;
- 2. Provides notice as provided in subsection (c) of this section; and

- 3. Receives no responsive communication to that notice within 15 days after the later of posting or mailing the notice as required by subsection (c) of this section.
- (c) (1) If a party claiming the right to possession of residential property reasonably believes, based on a reasonable inquiry into the occupancy status of the property, that all protected residents have abandoned or surrendered possession of the residential property, the party claiming the right to possession may post on the front door of the residential property and mail by first—class mail addressed to "all occupants" at the address of the residential property a written notice in substantially the following form:

## "IMPORTANT NOTICE ABOUT EVICTION

A person who claims the right to possess this property believes that this property is abandoned. If you are currently residing in the property, you must immediately contact:

<u>Name</u>	
<u>Address</u>	
<u>Telephone</u>	
Date of this notice	

If you do not contact the person listed above within 15 days after the date of this notice, the person claiming possession may consider the property abandoned and seek to secure the property, including changing the locks without a court order.".

- (2) The written notice required by this subsection shall be:
  - (i) A separate document; and

- (ii) Printed in at least 12 point type.
- (3) The outside of the envelope containing the mailed written notice required by this subsection shall state, on the address side, in bold, capital letters in at least 12 point type, the following: "Important notice to all occupants: eviction information enclosed; open immediately.".
- (d) (1) If in any proceeding the court finds that a party claiming the right to possession violated subsection (b) of this section, the protected resident may recover:
- (i) Possession of the property, if no other person then resides in the property;
  - (ii) Actual damages; and
  - (iii) Reasonable attorney's fees and costs.
  - (2) The remedies set forth in this subsection are not exclusive.
- (e) This section does not apply if the parties are governed by Title 8, Subtitle 2, or Title 8A of this article.".

### AMENDMENT NO. 3

On page 4, in line 8, after "by" insert "FIRST CLASS MAIL AND BY".

On page 7, in line 20, after "(C)" insert "(1)"; in lines 24 and 26, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; and after line 28, insert:

- "(2) IF AT LEAST TWO GOOD FAITH EFFORTS TO SERVE THE LEASEHOLD TENANT UNDER PARAGRAPH (1) OF THIS SUBSECTION ON DIFFERENT DAYS HAVE NOT SUCCEEDED, THE PLAINTIFF MAY EFFECT SERVICE BY:
- (I) FILING AN AFFIDAVIT WITH THE COURT DESCRIBING
  THE GOOD FAITH EFFORTS TO SERVE THE LEASEHOLD TENANT; AND

- (II) 1. MAILING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FIRST-CLASS MAIL TO THE LEASEHOLD TENANT'S LAST KNOWN ADDRESS AND, IF DIFFERENT, TO THE ADDRESS OF THE RESIDENTIAL PROPERTY SUBJECT TO THE GROUND LEASE; AND
- 2. POSTING A COPY OF ALL THE DOCUMENTS REQUIRED TO BE SERVED IN A CONSPICUOUS PLACE ON THE RESIDENTIAL PROPERTY SUBJECT TO THE GROUND LEASE.
- (3) THE INDIVIDUAL MAKING SERVICE OF PROCESS UNDER THIS SUBSECTION SHALL FILE PROOF OF SERVICE WITH THE COURT IN ACCORDANCE WITH THE MARYLAND RULES.".

## AMENDMENT NO. 4

On page 5, in line 24, strike "\$300" and substitute "\$400".

On page 6, in line 8, strike "\$150" and substitute "\$200"; and in line 9, strike "\$450" and substitute "\$500".

#### AMENDMENT NO. 5

On page 7, before line 29, insert:

"(D) A PERSON AWARDED POSSESSION OF PROPERTY IN AN ACTION UNDER THIS SECTION FOR NONPAYMENT OF GROUND RENT UNDER A GROUND LEASE ON RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS TAKES POSSESSION SUBJECT TO THE TERMS OF ANY SECURITY INSTRUMENT RECORDED BEFORE THE FILING OF THE ACTION FOR POSSESSION.";

and in line 29, strike "(D)" and substitute "(E)".

#### AMENDMENT NO. 6

On page 10 in lines 9 and 10, and on page 12 in lines 7 and 8, in each instance, strike "but may also be negotiated with the ground lease holder for a different amount. For information on redeeming" and substitute "AS FOLLOWS:

- (1) FOR A SUM EQUAL TO THE ANNUAL RENT RESERVED MULTIPLIED BY:
- (I) 25, WHICH IS CAPITALIZATION AT 4 PERCENT, IF THE LEASE WAS EXECUTED FROM APRIL 8, 1884, TO APRIL 5, 1888, BOTH INCLUSIVE;
- (II) 8.33, WHICH IS CAPITALIZATION AT 12 PERCENT, IF THE LEASE WAS OR IS CREATED AFTER JULY 1, 1982; OR
- (III) 16.66, WHICH IS CAPITALIZATION AT 6 PERCENT, IF THE LEASE WAS CREATED AT ANY OTHER TIME;
  - (2) FOR A LESSER SUM IF SPECIFIED IN THE LEASE; OR
- (3) FOR A SUM TO WHICH THE PARTIES MAY AGREE AT THE TIME OF REDEMPTION.

THE AMOUNT TO REDEEM YOUR GROUND LEASE IS . IF YOU WISH TO REDEEM".

#### AMENDMENT NO. 7

On page 12, after line 13, insert:

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

## Article – Real Property

8–107.

If there is no demand or payment for more than [20] 7 consecutive years of any specific rent reserved out of a particular property or any part of a particular property under any form of lease, the rent conclusively is presumed to be extinguished and the landlord may not set up any claim for the rent or to the reversion in the property out of which it issued. The landlord also may not institute any suit, action, or proceeding to recover the rent or the property. IN ORDER TO PROVE A DEMAND FOR PAYMENT OF A GROUND RENT, THE LANDLORD SHALL SHOW THAT THE LANDLORD HAS

MAILED A BILL TO THE LAST KNOWN ADDRESS OF THE LEASEHOLD TENANT AND TO THE ADDRESS OF THE PROPERTY SUBJECT TO THE GROUND LEASE IN ACCORDANCE WITH § 14–116.1 OF THIS ARTICLE. However, if the landlord is under any legal disability when the period of [20] 7 years of nondemand or nonpayment expires, the landlord has two years after the removal of the disability within which to assert the landlord's rights.

<u>SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 8–402.2(d) and 8–402.3 of Article – Real Property of the Annotated Code of Maryland (2003 Replacement Volume and 2006 Supplement) as in effect on June 30, 2007, be repealed.</u>

SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect June 1, 2015.";

in line 14, strike "3." and substitute "6."; and in the same line, after "That" insert ", except as provided in Section 5 of this Act,".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB1095/293623/1

BY: Senator Frosh

#### AMENDMENTS TO SENATE BILL 1095, AS AMENDED

#### AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB1095/818573/1), in Amendment No. 1, strike beginning with "<u>establishing</u>" in line 4 down through "<u>instrument</u>" in line 6 and substitute "<u>requiring that each lienholder of record be made a party to a certain action for possession of property</u>".

#### AMENDMENT NO. 2

On page 7 of the Judicial Proceedings Committee Amendments, in Amendment No. 5, strike beginning with "(D)" in line 2 down through "POSSESSION." in line 7 and substitute:

"(D) EACH LIENHOLDER OF RECORD SHALL BE MADE A PARTY TO AN ACTION UNDER THIS SECTION FOR NONPAYMENT OF GROUND RENT UNDER A GROUND LEASE ON RESIDENTIAL PROPERTY THAT IS OR WAS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 235 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

## Governor - Pension and Health Benefits

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

#### SB0235/309138/1

BY: Budget and Taxation Committee

#### AMENDMENTS TO SENATE BILL 235

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 13, after "allowance;" insert "providing for the application of certain provisions of this Act;".

#### AMENDMENT NO. 2

On page 3, after line 31, insert:

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

Article – State Personnel and Pensions".

On page 4, after line 28, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to

have any effect on or application to any individual who served as Governor of Maryland before January 21, 2015.";

and in line 29, strike "2." and substitute "4.".

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 521 – Senators Pinsky, Hershey, Mathias, and Middleton

AN ACT concerning

Agriculture - Poultry Litter - Energy-Generating Cooperative Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

#### SB0521/757979/1

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 521

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Middleton" and substitute "Middleton, Montgomery, and Simonaire"; in line 2, strike "Agriculture – Poultry Litter –" and substitute "Poultry Litter"; in lines 5 and 6, strike "State Department of Agriculture" and substitute "Public Service Commission"; in lines 6 and 7, strike "Energy—Generating Cooperative Advisory Committee" and substitute "Maryland Energy Administration"; strike beginning with "providing" in line 7 down through "cooperative;" in line 9 and substitute "requiring the Commission to determine whether an energy—generating cooperative applicant meets certain requirements; requiring the Commission to adopt certain regulations; requiring an energy—generating cooperative to follow certain procedures for interconnection; requiring the monetary value of subscribed energy produced by an energy—generating cooperative to be determined in a certain manner; requiring the Commission to determine a certain method to ensure that certain limitations are enforced; requiring a cooperative organization to notify an electric company of each cooperative member's

interest in a certain total production;"; strike beginning with "requiring" in line 9 down through "company;" in line 11 and substitute "requiring a cooperative organization to compensate an electric company for billing purposes under certain circumstances; prohibiting a certain capacity from exceeding a certain amount in certain locations;"; in line 12, strike "Department" and substitute "Administration"; in line 13, strike "Public Service"; in line 14, after "Act" insert "under certain circumstances"; strike beginning with "establishing" in line 14 down through "Act" in line 26 and substitute "allowing an electric company to use certain generation to reduce certain wholesale purchases; allowing an electric company to require that certain members be billed in a certain manner; requiring the Commission to authorize a certain cost recovery under certain circumstances; requiring the Administration to make a certain report on recommendations for certain tariff structures for energy-generating cooperatives; requiring the Commission to open a certain proceeding; requiring the Commission to issue a certain decision; requiring a certain energy-generating cooperative to operate under a certain offset rate under certain circumstances; limiting the number of energy-generating cooperatives that may operate under a certain offset rate established under this Act for a certain period of time; requiring a certain energy-generating cooperative to operate under a certain offset rate established by the Commission for a certain period of time; requiring the Administration to make a report to the Commission on recommendations for certain tariff structures for community renewable energy-generating systems"; and in line 27, after "to" insert "poultry litter".

On pages 1 and 2, strike beginning with line 29 on page 1 through line 4 on page 2, inclusive.

On page 2, strike in their entirety lines 10 through 14, inclusive.

#### AMENDMENT NO. 2

On page 2, in line 33, strike "Agriculture" and substitute "Public Utilities"; and strike line 34 in its entirety.

On page 3, in line 1, strike "10–2001" and substitute "<u>7–306.1</u>"; in line 2, after "(A)" insert "(1)"; in the same line, strike "SUBTITLE" and substitute "<u>SECTION</u>"; after line 3, insert:

"(2) "ADMINISTRATION" MEANS THE MARYLAND ENERGY ADMINISTRATION.

## (3) "BASELINE ANNUAL USAGE" MEANS:

(I) A COOPERATIVE MEMBER'S ACCUMULATED ELECTRICITY USE IN KILOWATT-HOURS FOR THE 12 MONTHS BEFORE THE COOPERATIVE MEMBER'S MOST RECENT SUBSCRIPTION; OR

(II) FOR A COOPERATIVE MEMBER WHO DOES NOT HAVE A RECORD OF 12 MONTHS OF ELECTRICITY USE AT THE TIME OF THE COOPERATIVE MEMBER'S MOST RECENT SUBSCRIPTION, AN ESTIMATE OF THE COOPERATIVE MEMBER'S 12 MONTHS OF ELECTRICITY USE IN KILOWATT-HOURS, DETERMINED IN A MANNER APPROVED BY THE COMMISSION.";

strike beginning with "(B)" in line 4 down through "(D)" in line 7 and substitute "(4)"; in line 9, after "THE" insert "ENERGY-GENERATING"; in lines 9, 10, and 13, strike "(1)", "(2)", and "(3)", respectively, and substitute "(I)", "(II)", and "(III)", respectively; in line 10, strike "A RESIDENCE OR PLACE OF BUSINESS THAT IS LOCATED" and substitute "AN ELECTRIC ACCOUNT"; in lines 11 and 12, strike "COOPERATIVE ORGANIZATION" substitute "ENERGY-GENERATING CUSTOMER'S and COOPERATIVE"; in line 13, strike "METERS OR" and substitute "ELECTRIC"; in line 14, after "ACCOUNTS" insert "IN THE SAME ELECTRIC COMPANY SERVICE TERRITORY AS THE ENERGY-GENERATING COOPERATIVE"; in line 15, strike "(E) (1)" and substitute "(5) (I)"; in line 17, strike "FOR A COOPERATIVE MEMBER"; in line 18, strike "(2)" and substitute "(II)"; in line 20, strike "(F) (1)" and substitute "(6) (I)": after line 21, insert:

# "1. USES PRIMARILY POULTRY LITTER TO GENERATE ELECTRICITY;";

in lines 22, 24, 26, and 28, strike "(I)", "(III)", "(III)", and "(IV)", respectively, and substitute "2.", "3.", "4.", and "5.", respectively; in line 22, after "GENERATES" insert "METERED"; in line 24, after "ITS" insert "COOPERATIVE MEMBERS THE MONETARY VALUE FOR ELECTRICITY"; in lines 24 and 25, strike "ELECTRICITY TO ITS COOPERATIVE MEMBERS" and substitute "FROM ANAEROBIC DECOMPOSITION OF POULTRY LITTER"; and after line 28, insert:

# "6. CREDITS THE MONETARY VALUE FOR ELECTRICITY TO NO MORE THAN 40 ELECTRIC ACCOUNTS;

# 7. HAS A RATED CAPACITY OF NO MORE THAN 1 MEGAWATT;".

On page 4, in lines 1 and 3, strike "(V)" and "(VI)", respectively, and substitute "8." and "9.", respectively; in line 5, strike "(2)" and substitute "(III)"; after line 7, insert:

- "(7) "ENERGY-GENERATING COOPERATIVE OFFSET RATE" MEANS A RATE MEASURED IN DOLLARS PER KILOWATT-HOUR THAT CORRESPONDS TO THE RATE A COOPERATIVE MEMBER WOULD HAVE BEEN CHARGED BY AN ELECTRIC COMPANY UNDER THE STANDARD OFFER SERVICE RATE FOR THE COOPERATIVE MEMBER'S CUSTOMER CLASS, AS APPROVED BY THE COMMISSION, DURING THE CURRENT BILLING CYCLE FOR:
  - (I) ENERGY;
  - (II) CAPACITY; AND
  - (III) TRANSMISSION.
- (8) "NET EXCESS GENERATION" MEANS THE KILOWATT-HOURS OF ELECTRICITY ATTRIBUTED TO A COOPERATIVE MEMBER'S SHARE OF THE ELECTRICITY GENERATED BY AN ENERGY-GENERATING COOPERATIVE THAT IS IN EXCESS OF THE COOPERATIVE MEMBER'S ELECTRICITY CONSUMPTION DURING THE CURRENT BILLING CYCLE.";

in lines 8, 10, and 13, strike "(G)", "(H)", and "(I)", respectively, and substitute "(9)", "(10)", and "(11)", respectively; strike in its entirety line 15; strike in its entirety line 23; strike in its entirety line 28; in line 16, before "THE" insert "(B)"; and in line 24, before "DUE" insert "(C)".

#### AMENDMENT NO. 3

On page 4, in line 29, strike "(A)" and substitute "(D)(1)"; in the same line, strike "PROGRAM ON ENERGY-GENERATING COOPERATIVES" and substitute

- "POULTRY LITTER ENERGY-GENERATING COOPERATIVE PROGRAM"; in line 30, strike "DEPARTMENT" and substitute "COMMISSION"; in line 31, strike "(B)" and substitute "(2)"; in the same line, strike "DEPARTMENT" and substitute "COMMISSION"; in the same line, strike "COMMITTEE" and substitute "ADMINISTRATION"; and after line 32, insert:
- "(3) THE COMMISSION SHALL DETERMINE WHETHER AN ENERGY-GENERATING COOPERATIVE APPLICANT MEETS THE REQUIREMENTS OF THE PROGRAM.
- (4) THE COMMISSION SHALL ADOPT ALL REGULATIONS NECESSARY TO IMPLEMENT THE PROGRAM, CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION.
  - (5) AN ENERGY-GENERATING COOPERATIVE SHALL:
- (I) MEET ALL APPLICABLE FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS; AND
- (II) FOLLOW ALL PROCEDURES FOR INTERCONNECTION SPECIFIED IN TITLE 20, SUBTITLE 50, CHAPTER 9 OF THE CODE OF MARYLAND REGULATIONS.
- (6) (I) THE MONETARY VALUE OF SUBSCRIBED ENERGY PRODUCED BY AN ENERGY-GENERATING COOPERATIVE SHALL BE DETERMINED AS PROVIDED UNDER THIS PARAGRAPH.
- MONTH AND AVAILABLE FOR ALLOCATION SHALL BE DETERMINED BY A REVENUE QUALITY PRODUCTION METER INSTALLED AND PAID FOR BY THE COOPERATIVE ORGANIZATION.
- 2. EACH BILLING MONTH, AN ELECTRIC COMPANY
  SHALL ALLOCATE THE MONETARY VALUE OF A COOPERATIVE MEMBER'S
  PORTION OF THE METERED ELECTRICITY GENERATED BY AN
  ENERGY-GENERATING COOPERATIVE.

- THE DOLLAR VALUE OF A COOPERATIVE 3. MEMBER'S SHARE OF THE ELECTRICITY GENERATED BY AN ENERGY-GENERATING COOPERATIVE SHALL BE CALCULATED BY MULTIPLYING THE ENERGY-GENERATING COOPERATIVE OFFSET RATE BY THE KILOWATT-HOURS OF ELECTRICITY GENERATED BY THE ENERGY-GENERATION **COOPERATIVE THAT IS:**
- GENERATED DURING THE CURRENT BILLING Α. CYCLE;
- В. ATTRIBUTED TO THE COOPERATIVE MEMBER'S SUBSCRIPTION; AND
- **C**. LESS THAN OR EQUAL TO THE COOPERATIVE MEMBER'S ELECTRICITY CONSUMPTION MEASURED IN KILOWATT-HOURS DURING THE CURRENT BILLING CYCLE.
- A COOPERATIVE MEMBER'S MONTHLY ELECTRIC 4. BILL SHALL BE OFFSET UP TO, BUT NOT INCLUDING, THE CUSTOMER CHARGE BY SUBTRACTING FROM THE COOPERATIVE MEMBER'S MONTHLY ELECTRIC BILL:
- THE DOLLAR VALUE OF THE COOPERATIVE Α. MEMBER'S SHARE OF ELECTRICITY GENERATED BY THE ENERGY-GENERATING COOPERATIVE AS DETERMINED UNDER SUBSUBPARAGRAPH 3 OF THIS SUBPARAGRAPH; AND
- В. ANY ACCRUED NET EXCESS GENERATION MULTIPLIED BY THE CURRENT ENERGY-GENERATING COOPERATIVE OFFSET RATE.
- **5.** NET EXCESS GENERATION NOT CONSUMED UNDER SUBSUBPARAGRAPH 4B OF THIS SUBPARAGRAPH SHALL BE CARRIED FORWARD FOR A 12-MONTH PERIOD ON A COOPERATIVE MEMBER'S BILL UNTIL CONSUMED, AFTER WHICH THE ELECTRIC COMPANY SHALL PAY THE

COOPERATIVE MEMBER FOR THE DOLLAR VALUE OF ANY ACCRUED EXCESS GENERATION REMAINING THAT IS BELOW THE CAP ESTABLISHED UNDER SUBSUBPARAGRAPH 6 OF THIS SUBPARAGRAPH.

- 6. A COOPERATIVE MEMBER MAY NOT RECEIVE A PAYMENT FOR NET EXCESS GENERATION UNDER SUBSUBPARAGRAPH 5 OF THIS SUBPARAGRAPH THAT EXCEEDS 100% OF THE COOPERATIVE MEMBER'S BASELINE ANNUAL USAGE WHEN COMBINED WITH THE KILOWATT-HOURS OF ELECTRICITY USED TO OFFSET THE COOPERATIVE MEMBER'S MONTHLY ELECTRICITY BILLS DURING THE APPLICABLE 12-MONTH PERIOD.
- THAT THE LIMITATIONS ESTABLISHED UNDER PARAGRAPH (11) OF THIS SUBSECTION ARE ENFORCED.".

#### AMENDMENT NO. 4

On page 5, strike in its entirety line 1; in line 2, strike "(A) THE" and substitute "(8) ONCE EACH QUARTER, A"; strike beginning with "THE" in line 3 down through "BILL" in line 4 and substitute "EACH COOPERATIVE MEMBER'S INTEREST IN THE ENERGY-GENERATING COOPERATIVE'S TOTAL PRODUCTION"; strike in their entirety lines 5 through 7, inclusive; in line 8, strike "(C)" and substitute "(9)"; and after line 11, insert:

- "(10) A COOPERATIVE ORGANIZATION SHALL COMPENSATE THE ELECTRIC COMPANY FOR BILLING SERVICES PROVIDED UNDER THIS SECTION, AS AUTHORIZED BY THE COMMISSION.
- (11) THE COMBINED RATED GENERATING CAPACITY OF ALL ENERGY-GENERATING COOPERATIVES MAY NOT:
- (I) EXCEED 15 MEGAWATTS IN ANY ELECTRIC COMPANY SERVICE TERRITORY; OR
  - (II) EXCEED 30 MEGAWATTS IN THE STATE.

- (12) A COOPERATIVE ORGANIZATION MAY CONTRACT WITH A THIRD PARTY FOR THE THIRD PARTY TO FINANCE, BUILD, CONSTRUCT, LEASE, OR OPERATE AN ENERGY-GENERATING COOPERATIVE.
- (13) THE ADMINISTRATION, THE COMMISSION, AND THE ELECTRIC COMPANY MAY NOT CHANGE THE TERMS OF A CONTRACT THAT COMPLIES WITH THIS SECTION AND ALL OTHER RELEVANT LAWS AND REGULATIONS.
- (14) AN ELECTRIC COMPANY MAY USE AN ENERGY-GENERATING COOPERATIVE'S GENERATION TO REDUCE THE WHOLESALE PURCHASES FROM ITS STANDARD OFFER SERVICE SUPPLIERS.
- (15) AN ELECTRIC COMPANY MAY REQUIRE THAT ALL COOPERATIVE MEMBERS BE BILLED WITHIN THE SAME BILLING GROUP.
- (16) IN A RATE PROCEEDING FILED UNDER TITLE 4, SUBTITLE 2 OF THIS ARTICLE, THE COMMISSION SHALL AUTHORIZE THE FULL AND TIMELY COST RECOVERY OF AN ELECTRIC COMPANY'S PRUDENTLY INCURRED COSTS ARISING FROM ITS OBLIGATIONS UNDER THIS SECTION.
- ON OR BEFORE DECEMBER 1, 2015, THE ADMINISTRATION SHALL **(E)** REPORT TO THE COMMISSION ON RECOMMENDATIONS FOR:
- **(1)** TARIFF STRUCTURES FOR ENERGY-GENERATING COOPERATIVES THAT ALLOW ELECTRIC COMPANIES TO RECOVER REASONABLE DISTRIBUTION COSTS AND ADMINISTRATIVE EXPENSES WHILE ENCOURAGING IN-STATE DISTRIBUTED GENERATION BY TAKING INTO ACCOUNT ELECTRIC COMPANY BENEFITS, RATEPAYERS BENEFITS, PUBLIC HEALTH BENEFITS, AND ECONOMIC BENEFITS WHICH MAY INCLUDE:
- **(I)** FAIR AND EQUITABLE SHARING OF THE COSTS TO MAINTAIN THE ELECTRIC DISTRIBUTION SYSTEM BY ALL BENEFICIARIES OF THE DISTRIBUTION INFRASTRUCTURE;

(II) AVOIDED TRANSMISSION AND DISTRIBUTION LINE LOSSES;

(III) TRANSMISSION AND DISTRIBUTION UPGRADE

- DEFERRALS;
- (IV) AVOIDED INTERCONNECTION COSTS;
- (VAR) SUPPORT;
  - (VI) REDUCED LAND COSTS;
  - (VII) DEMAND CHARGE MANAGEMENT;
  - (VIII) ELECTRIC SERVICE RELIABILITY;
- (IX) REDUCED AIR EMISSIONS FROM GENERATION, INCLUDING CARBON DIOXIDE AND CRITERIA POLLUTANTS; AND
- (X) ANY ADDITIONAL FACTORS THE ADMINISTRATION CONSIDERS APPROPRIATE; AND
- (2) ANY ADDITIONAL POLICY CONSIDERATIONS THE ADMINISTRATION CONSIDERS APPROPRIATE.
- (F) (1) (I) ON OR BEFORE JANUARY 1, 2016, THE COMMISSION SHALL OPEN A PROCEEDING TO ESTABLISH, AT THE MINIMUM, AN APPROPRIATE ENERGY-GENERATING COOPERATIVE OFFSET RATE.
- (II) ON OR BEFORE SEPTEMBER 30, 2016, THE COMMISSION SHALL ISSUE A DECISION THAT ESTABLISHES AN APPROPRIATE ENERGY-GENERATING COOPERATIVE OFFSET.
- (2) (I) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2
  OF THIS SUBPARAGRAPH, ANY ENERGY-GENERATING COOPERATIVE THAT HAS

ACQUIRED ALL REQUIRED PERMITS AND HAS BEGUN CONSTRUCTION PRIOR TO A DECISION ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL USE THE ENERGY-GENERATING COOPERATIVE OFFSET RATE DEFINED IN SUBSECTION (A)(7) OF THIS SECTION IN DETERMINING THE CALCULATIONS UNDER SUBSECTION (D)(6)(II) OF THIS SECTION FOR A PERIOD NOT TO EXCEED 10 YEARS.

- 2. NO MORE THAN EIGHT ENERGY-GENERATING
  COOPERATIVES MAY USE THE ENERGY-GENERATING COOPERATIVE OFFSET
  RATE DEFINED IN SUBSECTION (A)(7) OF THIS SECTION IN DETERMINING THE
  CALCULATIONS UNDER SUBSECTION (D)(6)(II) OF THIS SECTION.
- (II) ANY ENERGY-GENERATING COOPERATIVE THAT IS NOT COVERED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL USE THE ENERGY-GENERATING COOPERATIVE OFFSET RATE ESTABLISHED BY THE COMMISSION UNDER PARAGRAPH (1) OF THIS SUBSECTION IN DETERMINING THE CALCULATIONS UNDER SUBSECTION (D)(6)(II) OF THIS SECTION FOR A PERIOD NOT TO EXCEED 10 YEARS."

## AMENDMENT NO. 5

On pages 5 through 9, strike in their entirety the lines beginning with line 12 on page 5 through line 18 on page 9, inclusive, and substitute:

#### "SECTION 2. AND BE IT FURTHER ENACTED, That:

- (1) <u>Under this section</u>, "community renewable energy generating system" means a renewable energy system that credits its generated electricity, in whole or in part, to an electric company billing accounts of two or more subscribers to the system; and
- (2) On or before December 1, 2015, the Maryland Energy Administration shall report to the Public Service Commission on recommendations for tariff structures for community renewable energy generating systems that allow electric companies to recover reasonable distribution costs and administrative expenses while encouraging in—State distributed generation by taking into account electric company benefits, ratepayer benefits, public health benefits, and economic benefits which may include the factors listed in § 7–306.1(e) of the Public Utilities Article, as enacted by Section 1 of this Act.";

in line 19, strike "2." and substitute "3.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0521/703820/1

BY: Senator Colburn

#### AMENDMENT TO SENATE BILL 521, AS AMENDED

On page 1 of the Finance Committee Amendments (SB0521/757979/1), in line 2 of Amendment No. 1, strike "and Simonaire" and substitute "Simonaire, and Colburn".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #38

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

Senate Bill 1033 – Senators Brinkley and Young

AN ACT concerning

Frederick County - Alcoholic Beverages - Wine Sampling or Tasting

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 1079 - Senator Mathias

AN ACT concerning

#### Worcester County - Alcoholic Beverages Licenses - Town of Berlin

#### SB1079/924738/1

BY: Education, Health, and Environmental Affairs Committee

## AMENDMENTS TO SENATE BILL 1079

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "– Town of Berlin"; and in line 5, after "Berlin" insert ", the corporate limits of the Town of Snow Hill, or the corporate limits of the City of Pocomoke".

#### AMENDMENT NO. 2

On page 2, in line 12, strike "OR"; and in line 14, after "BERLIN" insert ";

## 7. THE CORPORATE LIMITS OF THE TOWN OF SNOW

## HILL; OR

## 8. THE CORPORATE LIMITS OF THE CITY OF

## POCOMOKE".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB1079/793121/1

BY: Senator Mathias

#### AMENDMENTS TO SENATE BILL 1079, AS AMENDED

#### AMENDMENT NO. 1

In the Education, Health, and Environmental Affairs Committee Amendments (SB1079/924738/1), in line 2 of Amendment No. 1, strike the first comma and substitute "or"; and strike beginning with ", or" in line 2 down through "Pocomoke" in line 3.

#### AMENDMENT NO. 2

In the Education, Health, and Environmental Affairs Committee Amendments, in line 1 of Amendment No. 2, after ";" insert "OR"; and strike beginning with "; OR" in line 3 down through "POCOMOKE" in line 5.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON FINANCE REPORT #25

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

Senate Bill 737 – Senators Pugh, Benson, Currie, Forehand, King, Manno, McFadden, Montgomery, Muse, Ramirez, and Raskin

AN ACT concerning

Labor and Employment - Parental Leave - Birth or Adoption of a Child

#### SB0737/957773/1

BY: Finance Committee

#### <u>AMENDMENTS TO SENATE BILL 737</u>

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Forehand, King, Manno, McFadden," and substitute "Feldman, Forehand, King, Manno, McFadden, Middleton,"; in line 2, after "Employment –" insert "Unpaid"; in line 4, after "circumstances;" insert "authorizing an employer to deny unpaid parental leave to an eligible employee under certain circumstances; authorizing, under certain circumstances, an employer to require an eligible employee, or an eligible employee to elect, to substitute paid leave for any part of or all of the period of parental leave;"; in line 9, after "circumstances;" insert "authorizing an employer, during the period of parental leave, to terminate employment of an eligible employee only for cause;"; in line 11, after "circumstances;" insert "authorizing an employer, except under certain circumstances, to recover the premium for maintaining certain health coverage by deducting the amount of the premium from certain wages; requiring an employer to pay certain commissions to certain employees during any period of parental leave;"; in line 17, strike "providing

for certain penalties;"; and in line 25, strike "Maryland Family and Medical" and substitute "Parental".

#### AMENDMENT NO. 2

On page 2, in line 8, strike "MARYLAND FAMILY AND MEDICAL" and substitute "PARENTAL"; strike in their entirety lines 12 and 13; in lines 14 and 24, strike "(C)" and "(D)", respectively, and substitute "(B)" and "(C)", respectively; in line 20, after "INDIVIDUAL" insert ":

**(I)**";

and in line 23, after "15" insert "; OR

#### (II) WHO IS AN INDEPENDENT CONTRACTOR".

On page 3, in lines 5 and 10, strike "(E)" and "(F)", respectively, and substitute "(D)" and "(E)", respectively; strike in their entirety lines 12 and 13; in line 15, strike "AN" and substitute:

## "(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN";

strike beginning with "FOR" in line 18 down through "CHILD" in line 19; and after line 21, insert:

- "(B) AN EMPLOYER MAY DENY UNPAID PARENTAL LEAVE TO AN ELIGIBLE EMPLOYEE IF:
- (1) THE DENIAL IS NECESSARY TO PREVENT SUBSTANTIAL AND GRIEVOUS ECONOMIC INJURY TO THE OPERATIONS OF THE EMPLOYER; AND
- (2) THE EMPLOYER NOTIFIES THE EMPLOYEE OF THE DENIAL BEFORE THE EMPLOYEE BEGINS TAKING THE LEAVE.
- (C) IF AN EMPLOYER PROVIDES PAID LEAVE TO AN ELIGIBLE EMPLOYEE, THE EMPLOYER MAY REQUIRE THE ELIGIBLE EMPLOYEE, OR THE ELIGIBLE EMPLOYEE MAY ELECT, TO SUBSTITUTE THE PAID LEAVE FOR ANY PART OF OR ALL OF THE PERIOD OF PARENTAL LEAVE.".

On page 4, in line 8, after "MAY" insert ":

**(1)**";

in lines 11, 13, and 17, strike "(1)", "(2)", and "(3)", respectively, and substitute "(I)", "(III)", and "(IIII)", respectively; in line 20, after "EMPLOYMENT" insert "; AND

(2) DURING THE PARENTAL LEAVE PERIOD, TERMINATE EMPLOYMENT OF AN ELIGIBLE EMPLOYEE ONLY FOR CAUSE";

in line 22, after "(A)" insert "(1)"; strike beginning with "EXCEPT" in line 22 down through "DURING" in line 23 and substitute "DURING"; and in line 28, strike "(B) (1)" and substitute "(2) (I)".

On page 5, in line 1, strike "(2)" and substitute "(III)"; in the same line, strike "SUBSECTION" and substitute "PARAGRAPH"; after line 3, insert:

- "(3) AN EMPLOYER MAY RECOVER A PREMIUM UNDER PARAGRAPH
  (2)(I) OF THIS SUBSECTION BY DEDUCTING THE AMOUNT OF THE PREMIUM
  FROM THE WAGES PAID TO THE EMPLOYEE ON THE TERMINATION OF
  EMPLOYMENT UNDER § 3–505 OF THIS TITLE.
- (B) IF AN ELIGIBLE EMPLOYEE WORKS ON A COMMISSION BASIS, AN EMPLOYER SHALL PAY TO THE ELIGIBLE EMPLOYEE DURING ANY PERIOD OF PARENTAL LEAVE ANY COMMISSION THAT BECOMES DUE BECAUSE OF WORK THE ELIGIBLE EMPLOYEE PERFORMED BEFORE TAKING PARENTAL LEAVE.";

in line 13, strike "APPLICANT OR"; strike in their entirety lines 23 through 28, inclusive; and in line 29, strike "(C)" and substitute "(B)".

On page 6, strike beginning with ", REASONABLE" in line 1 down through "FEES," in line 2; in line 3, strike "(D)" and substitute "(C)"; in line 10, in each instance, strike "SECRETARY" and substitute "COMMISSIONER"; and strike in their entirety lines 27 through 29, 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:

Senate Bill 977 - Senator Feldman

AN ACT concerning

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

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 985 – Senator Frosh

AN ACT concerning

Maryland Clean Energy Financing and Risk Management Program

SB0985/447879/1

BY: Finance Committee

## AMENDMENTS TO SENATE BILL 985

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after "Energy" insert "<u>Center – Green Banks and Clean Bank</u>"; in the same line, strike "and Risk Management Program" and substitute "<u>Study</u>".

On pages 1 and 2, strike beginning with "establishing" in line 3 on page 1 down through "terms;" in line 3 on page 2 and substitute "<u>requiring the Maryland Clean Energy Center</u>, in collaboration with the Maryland Energy Administration, to conduct a study of green banks and clean bank financing initiatives; requiring the Center, in collaboration with the Administration, to consult with certain persons or entities;

requiring the Center, in collaboration with the Administration, to consider certain items in its analysis and make certain recommendations; requiring the Center, in collaboration with the Administration, to submit certain reports to certain committees of the General Assembly on or before certain dates;".

On page 2, in lines 4 and 5, strike "Financing and Risk Management Program" and substitute "Center and a study of green banks and clean bank financing".

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 5 on page 3, inclusive.

#### AMENDMENT NO. 2

On page 3, strike beginning with "Section(s)" in line 7 down through "respectively." in line 9 and substitute ":

- (a) The Maryland Clean Energy Center, in collaboration with the Maryland Energy Administration, shall conduct a study of green banks and clean bank financing initiatives, including aspects of implementation and funding, as specified under this section.
- (b) In conducting the study, the Center, in collaboration with the Administration, shall consult with any person or entity that the Center determines appropriate, including utilities, industry representatives, financial organizations, and the Coalition for Green Capital.
- (c) <u>In conducting the study, the Center, in collaboration with the Administration, shall:</u>
- (1) review the structure and organization of green banks and clean bank financing initiatives established in other states;
- (2) examine the method of capitalization of established green banks and clean bank financing initiatives;
- (3) examine the sources, type, and amount of private capital leveraged or invested in connection with the establishment of a green bank or clean bank financing initiative;

- (4) review the financial services provided by existing green banks and clean bank financing initiatives;
- (5) review the need to provide low-cost financing to clean energy, renewable energy, and energy efficiency projects; consider whether to warehouse and securitize clean energy, renewable energy, and energy efficiency financial instruments; and review any other gaps in the availability of financing for clean energy, renewable energy, and energy efficiency projects in the State;
- (6) review the impact of existing Maryland financial programs on the renewable and energy conservation industries; and
- (7) consider any other relevant information that the Center or Administration determines appropriate.
- (d) Based on its analysis in conducting the study, the Center, in collaboration with the Administration, shall make recommendations as to:
- (1) the need for a green bank or clean bank financing initiative in the State;
- (2) the scope of a proposed green bank or clean bank financing initiative, including target industries and financing capabilities;
- (3) the possible sources of capital for a green bank or clean bank financing initiative;
- (4) the best method for establishing a green bank or clean bank financing initiative in the State; and
- (5) any other relevant aspect relating to green banks and clean bank financing initiatives that the Center or Administration determines appropriate.
- (e) (1) On or before December 1, 2014, the Center, in collaboration with the Administration, shall submit an interim report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee and the House Economic Matters Committee.

(2) On or before December 1, 2015, the Center, in collaboration with the Administration, shall submit a final report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee and the House Economic Matters Committee.".

## AMENDMENT NO. 3

On pages 3 through 17, strike in their entirety the lines beginning with line 10 on page 3 through line 8 on page 17, inclusive.

On page 17, in line 9, strike "3." and substitute "2.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1053 - Senator Glassman

AN ACT concerning

Maryland Building Performance Standards - Energy Codes - Local Authority

Favorable report adopted.

FLOOR AMENDMENT

#### SB1053/503922/1

BY: Senator Glassman

#### AMENDMENT TO SENATE BILL 1053

(First Reading File Bill)

On page 3, in line 2, strike "OR"; and in line 4, after "CODE" insert "; OR

(III) CHAPTER 11, "ENERGY EFFICIENCY", OF THE INTERNATIONAL RESIDENTIAL CODE".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

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

House Bill 346 – Chair, Environmental Matters Committee (By Request – Departmental – Planning)

AN ACT concerning

Maryland Historical Trust - Review of Capital Projects - Duties of Director

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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, Stocksdale, and Szeliga

AN ACT concerning

Maryland Estate Tax - Unified Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

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

Senate Bill 602 – The President and Senators Forehand, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Getty, Gladden, Glassman, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Mathias, McFadden, Middleton, Miller, Montgomery, Peters, Pugh, Robey, Stone, Young, and Zirkin

AN ACT concerning

## Maryland Estate Tax - Unified Credit

#### SB0602/899435/1

BY: Budget and Taxation Committee

## AMENDMENTS TO SENATE BILL 602

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zirkin" and substitute "Zirkin, Reilly, Shank, and Simonaire"; in line 3, after "of" insert "altering the size of an estate required to file an estate tax return;"; in line 6, after "tax;" insert "making a conforming change;"; in line 15, after "Section" insert "7–305(b) and"; and in the same line, after "(3)" insert "and (c)(3)".

#### AMENDMENT NO. 2

On page 1, after line 20, insert:

"7–305.

(b) If a federal estate tax return is not required to be filed but a federal estate tax return would be required to be filed if the applicable exclusion amount under § 2010(c) of the Internal Revenue Code were no greater than [\$1,000,000]THE APPLICABLE EXCLUSION AMOUNT SPECIFIED UNDER § 7–309(B) OF THIS SUBTITLE, the person who would be responsible for filing the federal estate tax return shall complete, under oath, and file a Maryland estate tax return with the Comptroller or the register 9 months after the date of the death of the decedent."

#### AMENDMENT NO. 3

On page 2 in line 30, and on page 3 in line 23, in each instance, strike "2017" and substitute "2019".

On page 2 in lines 34 and 36, and on page 3 in lines 13 and 15, in each instance, strike "2014" and substitute "2015".

On page 2 in line 35, and on page 3 in line 14, in each instance, strike "\$1,750,000" and substitute "\$1,500,000".

On page 2 in line 36, and on page 3 in lines 2, 15, and 17, in each instance, strike "2015" and substitute "2016".

On page 3, in lines 1 and 16, in each instance, strike "\$2,500,000" and substitute "\$2,000,000"; in line 2, strike "AND"; in lines 2, 4, 17, and 19, in each instance, strike "2016" and substitute "2017"; in lines 3 and 18, in each instance, strike "\$3,500,000" and substitute "\$3,000,000"; in line 4, strike "2017" and substitute "2018; AND

## 5. \$4,000,000 FOR A DECEDENT DYING ON OR AFTER JANUARY 1, 2018, BUT BEFORE JANUARY 1, 2019";

in line 19, strike "2017" and substitute "2018;

# 5. \$4,000,000 FOR A DECEDENT DYING ON OR AFTER JANUARY 1, 2018, BUT BEFORE JANUARY 1, 2019";

and in line 20, strike "5." and substitute "6.".

#### AMENDMENT NO. 4

On page 3, after line 23, insert:

- "(c) (3) If the value of qualified agricultural property that passes from the decedent to or for the use of a qualified recipient exceeds \$5,000,000, the Maryland estate tax imposed on the Maryland estate of the decedent may not exceed the sum of:
- (i) 16% of the amount by which the decedent's taxable estate, excluding the value of all qualified agricultural property that passes from the decedent

to or for the use of a qualified recipient, exceeds [\$1,000,000] THE APPLICABLE EXCLUSION AMOUNT SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION; and

(ii) 5% of the amount by which the value of qualified agricultural property that passes from the decedent to or for the use of a qualified recipient exceeds \$5,000,000.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

#### SB0602/649937/1

BY: Budget and Taxation Committee

#### AMENDMENT TO SENATE BILL 602

(First Reading File Bill)

On page 1, in the sponsor line, strike "Montgomery,".

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:

Senate Bill 892 - Senator Middleton

#### EMERGENCY BILL

AN ACT concerning

## Maryland Estate Tax – Transfer of Qualified Agricultural Property by a Qualified Recipient

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 899 – Senator Hershey

AN ACT concerning

**Kent County - Gaming - Permits** 

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

#### SB1070/149838/1

BY: Budget and Taxation Committee

## AMENDMENT TO SENATE BILL 1070

(First Reading File Bill)

On page 3, in lines 19, 21, 23, 25, and 27, strike "\$4,000", "\$4,500", "\$5,000", "\$6,000", and "\$7,000", respectively, and substitute "\$3,750", "\$4,000", "\$4,250", "\$4,500", and "\$4,750", respectively; in line 26, strike "AND"; and in line 28, after "2017" insert ", BUT BEFORE JANUARY 1, 2019; AND

(VI) \$5,000 FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2018".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## **QUORUM CALL**

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

(See Roll Call No. 641)

## **ADJOURNMENT**

At 11:28 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 15, 2014, Calendar Day, Thursday, March 20, 2014.

## Annapolis, Maryland Legislative Day: March 15, 2014 Calendar Day: Thursday, March 20, 2014 10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Mandy Sayers, Covenant United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of March 14, 2014 was read and approved.

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

## **QUORUM CALL**

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

(See Roll Call No. 643)

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 596 – Senator Catherine E. Pugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland Chapters of Delta Sigma Theta Sorority, Inc.
in recognition of
your 101 years of service and Delta Day in Annapolis.
Your service continues to impact the
community and transform lives.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 20th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 644)

#### THE COMMITTEE ON RULES REPORT #13

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

#### Senate Bill 1066 - Senator Raskin

AN ACT concerning

#### Fairness in Negotiations Act – Sunset Repeal

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 1103 - Senator Jones-Rodwell

AN ACT concerning

#### Baltimore City - Alcoholic Beverages - Class C 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 1112 – Senator Robey

AN ACT concerning

## Howard County - Alcoholic Beverages - Population Restrictions on Class A Licenses

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

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

## House Bill 173 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

## Public Safety - Prohibition of Polygraph Examinations by Employers - Exemption

The bill was re-referred to the Committee on Finance.

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

House Bill 459 – Chair, Ways and Means Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

## Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants

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

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

House Bill 553 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

## Housing - Energy-Efficient Homes Construction Loan 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 Finance:

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

The bill was re-referred to the Committee on Finance.

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

House Bill 615 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

#### Climate Risk Reduction Act

### **Coast Smart Council**

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

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

House Bill 629 – Chair, Health and Government Operations Committee (By Request – Departmental – General Services)

AN ACT concerning

## Environmentally Preferable Procurement – Maryland Green Purchasing Committee

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

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

House Bill 822 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Participation in Program – City of Hyattsville and Satellite Organizations

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:

House Bill 1457 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

## State Correctional Officers' Bill of Rights - Definition of Correctional Officer

The bill was re-referred to the Committee on Judicial Proceedings.

#### **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 #7

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 #7 March 20, 2014

#### District Court, Baltimore City (District 1)

1. David Brian Aldouby

District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

2. James Green

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

3. Flynn M. Owens

District 46

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

4. Diana E. Smith

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

## **District Court, Charles County (District 4)**

5. Andrea R.S. Watkins

District 28

Judge of the District Court of Maryland, District 4, Charles County; appointed to serve a term of ten years

## **District Court, Montgomery County (District 6)**

6. Eric J. Nee

District 14

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years

7. Margaret Marie Schweitzer

District 17

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years

## Special Appeals, Court of

8. Kevin Francis Arthur

District 41

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

9. Andrea M. Leahy

District 9

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

10. Michael Wilson Reed

District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

## African American History and Culture, Commission on

11. Lopez D. Matthews, Jr., Ph.D. 23 Greens Landing Court Randallstown, MD 21133 District 10

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2011

## **Apprenticeship and Training Council**

12. Brian S. Cavey 138 Virginia Avenue Pasadena, MD 21122 District 31

Member of the Apprenticeship and Training Council; appointed to serve remainder of a term of four years from July 1, 2013

## Architects, State Board of

13. Cynthia E. Shonaiya 6401 Clifton Forge Circle Catonsville, MD 21228 District 10

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

## **Aviation Commission, Maryland**

14. Gregory V. Billups 12822 Meadowbrook Lane Waldorf, MD 20601

District 28

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

15. Anwer Hasan 6548 Ballymore Lane Clarksville, MD 21029

District 13

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2011

## Blind Industries and Services of Maryland, Board of Trustees of

16. Melba J. Taylor 11902 Frost Drive Bowie, MD 20720 District 23

Member of the Board of Trustees of Blind Industries and Services of Maryland; appointed to serve a term of three years from July 1, 2013

## Center for School Safety, Governing Board of the Maryland

17. Valerie S. Carr 1415 Isted Road Glen Burnie, MD 21060 District 31

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

18. DeWayne Wickham 9825 Mill Centre Drive, Apt. 443 Owings Mills, MD 21117

District 11

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2013

## Clean Energy Center, Board of Directors for Maryland

19. Anton J. Cohen 18 Windermere Court Rockville, MD 20852

District 16

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve remainder of a term of four years from July 1, 2013

## Controlled Hazardous Substance Advisory Council

20. Michael J. Wolf 5510 Amesfield Court Rockville, MD 20853

District 19

Member of the Controlled Hazardous Substance Advisory Council; reappointed to serve a term of ten years from July 1, 2012

## **Elections, State Board of**

21. Patrick J. Hogan 18804 Keiffer Way Montgomery Village, MD 20886 District 39

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

#### **Emergency Number Systems Board**

22. E. Colton O'Donoghue 3141 Fox Valley Drive West Friendship, MD 21794 District 9

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2011

## Food Center Authority, Maryland

23. Mark W. Hill, LTC 103 Persimmon Circle Reisterstown, MD 21136 District 11

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2009

#### Foresters, State Board of

24. Michael J. Huneke 2035 Whiteford Road Whiteford, MD 21160

District 35

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

## Historical Trust, Board of Trustees of the Maryland

25. Barrie Parsons Tilghman 1009 Monitor Court Salisbury, MD 21801

District 38

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2012

## Industrial Development Financing Authority, Maryland

26. Carla A. Nealy 15 Menteith Court Nottingham, MD 21236 District 8

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2009

#### Labor Relations Board, Public School

27. Ronald S. Boozer 3005 Manhattan Avenue Baltimore, MD 21215 District 41

Member of the Public School Labor Relations Board; appointed to serve remainder of a term of four years from July 1, 2010

## Landscape Architects, Board of Examiners

28. Gareth Diedrick 412 Bloomfield Lane Upper Marlboro, MD 20774

District 23

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July 1, 2013

29. Suzanne F. Grefsheim 10934 Clermont Avenue, P.O. Box 175 Garrett Park, MD 20896 District 17

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July 1, 2013

30. David E. Locke 113 Deepdene Road Baltimore, MD 21210 District 41

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July  $1,\,2011$ 

## Morgan State University Board of Regents

31. Frances Murphy Draper 3100 Stonecliff Drive, #404 Pikesville, MD 21209 District 42

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

#### **Patuxent River Commission**

32. Steven E. Darcey 2550 Ritchie Marlboro Road Upper Marlboro, MD 20774 District 25

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

## Physicians, State Board of

33. Jacqueline B. Brown 6701 Park Heights Avenue Baltimore, MD 21215 District 41

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

## Plumbing, State Board of

34. Keith R. Horton 5223 Cedgate Road Baltimore, MD 21206

District 45

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

#### **Professional Standards and Teacher Education Board**

35. Ronald S. Goldblatt, Esq. 115 Kingswood Road Annapolis, MD 21401

District 33

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2012

36. Maleeta Kitchen 5639 Harpers Farms Road, Unit D Columbia, MD 21044 District 12

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2011

## Real Estate Commission, State

37. J. Nicholas D'Ambrosia 6334 Grant Chapman Drive La Plata, MD 20646 District 28

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2013

## Rural Legacy Board, Advisory Committee to the

38. James W. Constable 2300 Shepperd Road Monkton, MD 21111

District 5

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve remainder of a term of three years from July 1, 2011 and a term of three years from July 1, 2014

#### Social Work Examiners, State Board of

39. Lois J. Meltzer 2 Pomona East #409 Baltimore, MD 21208

District 11

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

40. Deborah M. Ramelmeier 1618 Trestle Street Mt. Airy, MD 21771

District 4

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

41. Sherryl L. Silberman 12312 Timber Grove Road Owings Mills, MD 21117 District 11

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

## Veterinary Medical Examiners, State Board of

42. Perry S. Crowl, D.V.M. 2164 Misty Meadow Road Finksburg, MD 21048

District 5

Member of the State Board of Veterinary Medical Examiners; appointed to serve a term of five years from June 1, 2014

## Waterworks and Waste Systems Operators, State Board of

43. Noelle Anuszkiewicz 1179 Green Holly Drive Annapolis, MD 21409 District 30

Member of the State Board of Waterworks and Waste Systems Operators; appointed to serve remainder of a term of four years from July 1, 2009 and a term of four years from July 1, 2013

## Wellmobile Program Advisory Board, Governor's

44. Maria Arcia-Hird 13502 Autumn End Terrace Laurel, MD 20707 District 21

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2012

45. Christopher J. King 3233 Theodore R. Hagans Drive, NE Washington, DC 20018 District 99

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2013

## Women, Maryland Commission for

46. Homayara Haque Aziz, M.D. 2514 Symphony Lane Gambrills, MD 21054 District 33

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2010 and a term of four years from July 1, 2014

47. Lorna P. Forde

District 15

7 Town Commons Court Germantown, MD 20874

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2010 and a term of four years from July 1, 2014

#### **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.

## Aviation Commission, Maryland

S-1. Maurice A. Bellan, Esq. 4450 Cross Country Drive Ellicott City, MD 21042 District 9

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2011

S–2. Gerry L. Brewster

District 5

14520 Cuba Road Cockeysville, MD 21030

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

S-3. Erwin L. Greenberg 3448 Butler Road Glyndon, MD 21031 District 5

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2013

## S-4. Raymond C. Nichols

District 38

11810 Porfin Drive Berlin, MD 21811

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2013

## S–5. Michele K. Ryan

District 33

910 Boom Way

Annapolis, MD 21401

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

## S-6. William P. Wentworth, Jr.

District 38

7 Trinity Place

Berlin, MD 21811

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2011

#### Boiler Rules, Board of

## S-7. Eric Harvey

District 37

9851 Bantry Road Easton, MD 21601

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2014

#### S-8. Brian M. Wodka

District 5

808 Walker Station Court

Parkton, MD 21120

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2014

## Chesapeake Employers' Insurance Company, Board for the

## S–9. Joseph Merryman Coale, III

District 42

1317 Boyce Avenue

Towson, MD 21204

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2013

S-10. Charles H. Dankmeyer, Jr.

District 30

908 Burnett Avenue Arnold, MD 21012

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2013

S-11. Paul V. Gill, Sr.

District 44

1107 Haverhill Road Baltimore, MD 21229

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2014

S-12. Lewis C. Powell

District 28

5750 Cabinwood Court Indian Head, MD 20640

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2014

## Women, Maryland Commission for

S-13. Cara E. Tenenbaum

District 18

4831 Flanders Avenue Kensington, MD 20895

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2014

#### **Local Nominees**

**Please Note:** Local Nominees are not required to appear before the Senate Executive Nominations Committee.

## **Baltimore City Orphans' Court**

L-1. Stephan W. Fogleman, Esq. 726 S. Clinton Street
Baltimore, MD 21224

District 46

Member of the Baltimore City Orphans' Court; appointed to serve remainder of a term of four years from the General Election of 2010

## **Carroll County Board of Elections**

L–2. April Rose 1100 Algernon Drive Westminster, MD 21157 District 4

Member of the Carroll County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

## College of Southern Maryland, Board of Trustees of the

L–3. Samuel C. Jones 11928 Lyons Glen Court Dunkirk, MD 20754 District 27

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve remainder of a term of five years from July 1, 2010

## **Garrett County Liquor Control Board**

L–4. Michael Jay Fratz 7119 Sang Run Road McHenry, MD 21541

District 1

Member of the Garrett County Liquor Control Board; reappointed to serve a term of six years from June 1, 2014

## **Queen Anne's County Board of Elections**

L–5. Juanita L. Carter 304 Walnut Street Centreville, MD 21617

District 36

Member of the Queen Anne's County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

## **Queen Anne's County Orphans' Court**

L–6. Thomas M. Walsh, M.D. 113 River Run Queenstown, MD 21658 District 36

Member of the Queen Anne's County Orphans' Court; appointed to serve remainder of a term of four years from the General Election of 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for March 21, 2014.

The motion was adopted.

#### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #22

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

Senate Bill 345 - Senator Muse

AN ACT concerning

Real Property - Residential Leases - Interest on Security Deposits

SB0345/708278/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 345

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Muse" and substitute "Senators Muse and Young".

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 515 - Senators Gladden, Currie, and Miller

AN ACT concerning

Juvenile Law - Transfer of Cases to Juvenile Court

SB0515/198279/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 515

(First Reading File Bill)

On page 1, in line 10, strike ", 4–202.1,"; and after line 12, insert:

"BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 4–202.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)".

On page 2, in lines 1, 10, 17, 18, 26, and 29, in each instance, strike the bracket; in line 1, strike "A"; strike beginning with "the" in line 12 down through "(2)" in line 14; in line 16, strike "(3)" and substitute "(2)"; and in lines 18, 26, and 29, strike "(C)", "(D)", and "(E)", respectively.

On page 3, in lines 1, 4, 9, 18, 21, 22, and 27, in each instance, strike the bracket; and in lines 1, 4, 9, 18, 21, and 22, strike "(F)", "(G)", "(H)", "(I)", "(D)", and "(G)", respectively.

On page 4, in lines 30 and 32, in each instance, strike the bracket; and in line 30, strike "4-202(c)(3)" and substitute "4-202(c)(2)".

On page 5, in lines 11, 12, 13, and 15, in each instance, strike the bracket; in line 12, strike the comma; and in line 14, strike "or (2)".

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 698 – Senators Shank, Raskin, Forehand, Hershey, Jacobs, Kelley, Klausmeier, Muse, Ramirez, Reilly, Simonaire, Stone, and Young

AN ACT concerning

Criminal Procedure – Electronic Device Location Information – Warrant

SB0698/868374/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 698

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Warrant" and substitute "Order"; strike beginning with "prohibiting" in line 3 down through "Act;" in line 5; in line 5, strike "warrant" and substitute "order authorizing and directing a law enforcement officer to obtain certain location information from a certain electronic device"; in lines 6, 7, and 9, in each instance, strike "warrant" and substitute "order"; and in line 8, strike "and admissibility".

#### AMENDMENT NO. 2

On page 1, after line 24, insert:

"(2) "COURT" MEANS THE DISTRICT COURT OR A CIRCUIT COURT HAVING JURISDICTION OVER THE CRIME BEING INVESTIGATED, REGARDLESS OF THE LOCATION OF THE ELECTRONIC DEVICE FROM WHICH LOCATION INFORMATION IS SOUGHT.".

On page 2, in line 1, strike "(2)" and substitute "(3) (I)"; in line 2, after "SERVICE," insert "AS DEFINED IN § 10–401 OF THE COURTS ARTICLE, A"; in line 3, after "SERVICE," insert "AS DEFINED IN § 10–4A–01(C) OF THE COURTS ARTICLE,"; in the same line, after "OR" insert "A GEOGRAPHIC"; after line 3, insert:

## "(II) "ELECTRONIC DEVICE" DOES NOT INCLUDE:

- 1. AN AUTOMATIC IDENTIFICATION SYSTEM INSTALLED ON A VESSEL IN ACCORDANCE WITH TITLE 33, PART 164.46 OF THE CODE OF FEDERAL REGULATIONS; OR
- <u>2. A VESSEL MONITORING SYSTEM (VMS) OR A VMS</u>

  <u>UNIT INSTALLED ON BOARD A VESSEL FOR VESSEL MONITORING IN</u>

  <u>ACCORDANCE WITH TITLE 50, PART 648 OF THE CODE OF FEDERAL</u>

  <u>REGULATIONS.</u>

(4) "EXIGENT CIRCUMSTANCES" MEANS AN EMERGENCY OR OTHER JUDICIALLY RECOGNIZED EXCEPTION TO CONSTITUTIONAL WARRANT REQUIREMENTS.";

in line 4, strike "(3)" and substitute "(5)"; strike beginning with "PAST" in line 4 down through "DEVICE" in line 7 and substitute "REAL-TIME OR PRESENT INFORMATION CONCERNING THE GEOGRAPHIC LOCATION OF AN ELECTRONIC DEVICE THAT IS GENERATED BY OR DERIVED FROM THE OPERATION OF THAT DEVICE"; in lines 8, 11, 13, and 16, strike "(4)", "(5)", "(6)", and "(7)", respectively, and substitute "(6)", "(7)", "(8)", and "(9)", respectively; in line 16, after "USES" insert "OR POSSESSES"; strike beginning with "AN" in line 18 down through "COMMITTED" in line 29 and substitute:

"A COURT MAY ISSUE AN ORDER AUTHORIZING OR DIRECTING A LAW ENFORCEMENT OFFICER TO OBTAIN LOCATION INFORMATION FROM AN ELECTRONIC DEVICE AFTER DETERMINING FROM AN APPLICATION DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT:

(I) A MISDEMEANOR OR FELONY HAS BEEN, IS BEING, OR WILL BE COMMITTED BY THE OWNER OR USER OF THE ELECTRONIC DEVICE OR BY THE INDIVIDUAL ABOUT WHOM LOCATION INFORMATION IS BEING SOUGHT; AND

#### (II) THE LOCATION INFORMATION BEING SOUGHT:

1. IS EVIDENCE OF, OR WILL LEAD TO EVIDENCE OF, THE MISDEMEANOR OR FELONY BEING INVESTIGATED; OR

2. <u>WILL LEAD TO THE APPREHENSION OF AN INDIVIDUAL FOR WHOM AN ARREST WARRANT HAS BEEN PREVIOUSLY ISSUED";</u>

in line 30, strike "(3)" and substitute "(2)"; and in the same line, strike "A WARRANT" and substitute "AN ORDER".

#### AMENDMENT NO. 3

On page 3, in line 5, strike "(2)" and substitute "(1)"; in line 7, strike "EVIDENCING THAT PROBABLE CAUSE EXISTS"; in line 8, strike "(4)" and substitute "(3)"; in the same line, strike "THE WARRANT" and substitute "AN ORDER ISSUED UNDER THIS SECTION"; strike beginning with the first "THE" in line 11 down through "THE" in line 12 and substitute "THE TYPE OF"; in line 15, strike "APPLICABLE" and substitute "KNOWN"; in line 17, strike "A" and substitute "KNOWN AND IF THE OWNER IS A"; in line 22, strike "WARRANT" and substitute "ORDER"; after line 22, insert:

"(II) AUTHORIZE THE EXECUTING LAW ENFORCEMENT OFFICER TO OBTAIN THE LOCATION INFORMATION WITHOUT GIVING NOTICE TO THE OWNER OR USER OF THE ELECTRONIC DEVICE OR TO THE INDIVIDUAL ABOUT WHOM THE LOCATION INFORMATION IS BEING SOUGHT;";

in line 23, strike "(II)" and substitute "(III)"; strike beginning with "FIRST" in line 23 down through "OF" in line 24 and substitute "PERIOD OF TIME FOR WHICH"; in line 24, after "AUTHORIZED" insert "TO BE OBTAINED"; in line 25, strike "(III)" and substitute "(IV)"; and strike beginning with "THOSE" in line 27 down through "IS" in line 28 and substitute "THE PERIOD OF TIME".

On page 4, strike beginning with "A" in line 4 down through "ISSUED" in line 6 and substitute "The Period of Time During which Location information MAY BE OBTAINED UNDER THE AUTHORITY OF AN ORDER UNDER SUBSECTION (B) OF THIS SECTION MAY NOT EXCEED 30 DAYS UNLESS EXTENDED AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION"; strike beginning with "IF" in line 7 down through "VOID" in line 8 and substitute "Location information SHALL BEGIN TO BE OBTAINED BY THE APPLICANT WITHIN 10 DAYS AFTER THE ORDER IS ISSUED OR, IF APPLICABLE, THE ORDER SHALL BE DELIVERED TO THE SERVICE PROVIDER WITHIN 10 CALENDAR DAYS AFTER THE ORDER IS ISSUED"; strike in their entirety lines 9 through 17, inclusive, and substitute:

"(2) IF NEITHER OF THE EVENTS DESCRIBED IN SUBSECTION (C)(1)(II) OF THIS SECTION OCCURS WITHIN 10 CALENDAR DAYS OF THE ISSUANCE OF THE ORDER, THE ORDER IS VOID.

- (3) (I) THE AUTHORITY TO OBTAIN LOCATION INFORMATION UNDER THE ORDER MAY BE EXTENDED BEYOND 30 CALENDAR DAYS ON A FINDING OF CONTINUING PROBABLE CAUSE.
- (II) AN EXTENSION UNDER THIS PARAGRAPH MAY NOT EXCEED AN ADDITIONAL 30 CALENDAR DAYS, UNLESS THE COURT FINDS CONTINUING PROBABLE CAUSE AND DETERMINES THAT GOOD CAUSE EXISTS FOR A LONGER EXTENSION.";

in line 18, strike "WARRANT" and substitute "ORDER"; in line 19, strike "A" and substitute "KNOWN AND IF THE OWNER IS A"; in line 20, strike "OWNER" and substitute "SUBSCRIBER"; and strike beginning with "MUST" in line 22 down through "DELAYED" in line 29 and substitute "SHALL:

(I) STATE THE GENERAL NATURE OF THE LAW ENFORCEMENT INQUIRY; AND

#### (II) INFORM THE USER OR OWNER:

- 1. <u>IF APPLICABLE, THAT LOCATION INFORMATION</u>

  MAINTAINED BY THE SERVICE PROVIDER WAS SUPPLIED TO A LAW

  ENFORCEMENT OFFICER;
- 2. <u>IF APPLICABLE, OF THE TELEPHONE NUMBER</u>
  ASSOCIATED WITH THE ELECTRONIC DEVICE;
- 3. OF THE DATES FOR WHICH THE LOCATION INFORMATION WAS SUPPLIED;
  - 4. WHETHER NOTIFICATION WAS DELAYED; AND
  - 5. WHICH COURT AUTHORIZED THE ORDER".

#### AMENDMENT NO. 4

On page 5, in line 1, strike "THE"; in line 2, strike "7" and substitute "10"; strike beginning with "FIRST" in line 2 down through "INFORMATION" in line 3 and

Substitute "THE EXPIRATION OF THE ORDER"; in line 5, after "RULES" insert "OR THIS SUBTITLE"; strike beginning with "NOTIFICATION" in line 6 down through "AUTHORIZED" in line 8 and substitute "APPLICATION, AFFIDAVIT, AND ORDER BE SEALED AND THAT THE NOTIFICATION REQUIRED UNDER THIS SECTION BE DELAYED FOR A PERIOD OF 30 CALENDAR DAYS"; strike beginning with "GRANT" in line 23 down through "DELAYED" in line 25 and substitute "ORDER THAT NOTIFICATION UNDER THIS SECTION BE DELAYED BEYOND 30 CALENDAR DAYS"; in line 26, strike "THERE IS" and substitute "A LAW ENFORCEMENT OFFICER PROVIDES"; in line 29, strike "THE"; in the same line, after "EVIDENCE" insert "THAT NOTICE SHOULD BE FURTHER DELAYED TO PRESERVE THE CONTINUATION OF THE INVESTIGATION"; in line 30, strike "(1)"; in line 31, strike "WARRANT" and substitute "ORDER"; and in the same line, strike "ADDITIONAL".

On page 6, strike in their entirety lines 1 through 3, inclusive; in line 4, strike "(1)"; in line 5, strike "AN AGENT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE" and substitute "A LAW ENFORCEMENT OFFICER"; in lines 8 and 10, strike "(I)" and "(II)", respectively, and substitute "(1)" and "(2)", respectively; strike beginning with "ORDER" in line 8 down through "SERVICES;" in line 9 and substitute "EXIGENT CIRCUMSTANCES; OR"; strike beginning with "AND" in line 10 down through the second "THE" in line 11 and substitute "OR"; strike beginning with the semicolon in line 12 down through "DANGER" in line 19; strike in their entirety lines 20 through 26, inclusive; and in lines 28 and 30, in each instance, strike "WARRANT" and substitute "ORDER".

On page 7, in line 5, strike "WARRANT" and substitute "ORDER".

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 922 - Senator Stone

AN ACT concerning

Crime Victim and Crime Victim's Representative – Electronic Notification

#### SB0922/218073/1

BY: Judicial Proceedings Committee

#### AMENDMENT TO SENATE BILL 922

(First Reading File Bill)

On page 4, in line 22, strike "AND"; and in line 24, after "VENDOR" insert ": AND

7. A COMMITMENT UNIT THAT A COURT ORDERS TO RETAIN CUSTODY OF AN INDIVIDUAL".

On page 5, in line 10, after "MAIL" insert ", TO NOTIFY THE PROSECUTING ATTORNEY,"; and in line 34, after "FORM" insert "OR THE REGISTRATION INFORMATION FOR THE VICTIM OR THE VICTIM'S REPRESENTATIVE".

On page 6, in line 2, after "FORM" insert "OR THE REGISTRATION INFORMATION FOR THE VICTIM OR THE VICTIM'S REPRESENTATIVE".

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. 645)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #60

Senate Bill 208 – Senators Kelley, Forehand, and Raskin

AN ACT concerning

## Maryland Collaborative Reproduction Act

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

Affirmative -42 Negative -2 (See Roll Call No. 646)

The Bill was then sent to the House of Delegates.

Senate Bill 235 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

#### Governor - Pension and Health Benefits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

Senate Bill 348 – Senator Manno

AN ACT concerning

## Texting While Driving - Accidents Resulting in Death or Serious Injury - Penalties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

Senate Bill 521 – Senators Pinsky, Hershey, Mathias, <del>and Middleton</del> Middleton, Montgomery, <del>and Simonaire</del> Simonaire, and Colburn

AN ACT concerning

## Agriculture - Poultry Litter - Poultry Litter Energy-Generating Cooperative Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 649)

The Bill was then sent to the House of Delegates.

Senate Bill 708 – Senators Raskin, Benson, Currie, Jones-Rodwell, Madaleno, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Rosapepe, and Stone

AN ACT concerning

Civil Actions – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments

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

Affirmative – 46 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the House of Delegates.

Senate Bill 800 – Senators Ramirez, Forehand, and Raskin

AN ACT concerning

Landlord and Tenant – Retaliatory Actions – Conditions for Relief and Timing of Prohibited Actions

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

Affirmative – 34 Negative – 12 (See Roll Call No. 651)

The Bill was then sent to the House of Delegates.

Senate Bill 850 – Senator Conway

AN ACT concerning

Real Property – Prohibition on Acquiring Mortgages or Deeds of Trust by Condemnation

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

Affirmative – 43 Negative – 3 (See Roll Call No. 652)

The Bill was then sent to the House of Delegates.

Senate Bill 860 – Senators Gladden, Jones-Rodwell, <del>and Kelley</del> <u>Kelley</u>, and Forehand

AN ACT concerning

Public Safety - Photo and Lineup Eyewitness Identification - Procedures

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

Affirmative – 46 Negative – 0 (See Roll Call No. 653)

The Bill was then sent to the House of Delegates.

Senate Bill 1033 – Senators Brinkley and Young

AN ACT concerning

Frederick County - Alcoholic Beverages - Wine Sampling or Tasting

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

Affirmative – 46 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

Senate Bill 1079 - Senator Mathias

AN ACT concerning

Worcester County - Alcoholic Beverages Licenses - Town of Berlin

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

Affirmative – 46 Negative – 0 (See Roll Call No. 655)

The Bill was then sent to the House of Delegates.

Senate Bill 1095 – Senator Frosh

EMERGENCY BILL

AN ACT concerning

Real Property - Ground Rents

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

Affirmative – 46 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the House of Delegates.

#### THIRD READING CALENDAR (SENATE BILLS) #61

Senate Bill 602 – The President and Senators Forehand, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Getty, Gladden, Glassman, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Mathias, McFadden, Middleton, Miller, Montgomery, Peters, Pugh, Robey, Stone, Young, and Zirkin

AN ACT concerning

#### Maryland Estate Tax - Unified Credit

Senator Hershey moved, duly seconded, to place **Senate Bill 602** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

#### SB0602/823928/1

BY: Senator Hershey

#### AMENDMENT TO SENATE BILL 602

(Bill as Printed for Third Reading)

On page 1, in the sponsor line, strike "and Simonaire" and substitute "Simonaire, and Hershey".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 737 – Senators Pugh, Benson, Currie, <del>Forehand, King, Manno, McFadden, King, Manno, McFadden, Middleton, Montgomery, Muse, Ramirez, and Raskin</del>

AN ACT concerning

Labor and Employment – <u>Unpaid</u> Parental Leave – Birth or Adoption of a Child

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

Affirmative – 44 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the House of Delegates.

Senate Bill 892 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Maryland Estate Tax – Transfer of Qualified Agricultural Property by a Qualified Recipient

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

Affirmative – 46 Negative – 0 (See Roll Call No. 658)

The Bill was then sent to the House of Delegates.

Senate Bill 899 – Senator Hershey

AN ACT concerning

**Kent County - Gaming - Permits** 

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

Affirmative – 46 Negative – 0 (See Roll Call No. 659)

The Bill was then sent to the House of Delegates.

Senate Bill 977 - Senator Feldman

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 660)

The Bill was then sent to the House of Delegates.

Senate Bill 985 – Senator Frosh

AN ACT concerning

Maryland Clean Energy <u>Center - Green Banks and Clean Bank</u> Financing and Risk Management <u>Program - Study</u>

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

Affirmative – 46 Negative – 0 (See Roll Call No. 661)

The Bill was then sent to the House of Delegates.

Senate Bill 1053 - Senator Glassman

AN ACT concerning

Maryland Building Performance Standards - Energy Codes - Local Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 662)

The Bill was then sent to the House of Delegates.

Senate Bill 1070 – Senators DeGrange, Astle, Benson, Colburn, Currie, Dyson, Edwards, Forehand, Glassman, Madaleno, Manno, Mathias, Montgomery, Peters, Ramirez, Reilly, Robey, and Zirkin

AN ACT concerning

Income Tax – Subtraction Modification – Volunteer Fire, Rescue, and Emergency Medical Services Members

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

Affirmative – 46 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #4

House Bill 346 - Chair, Environmental Matters Committee (By Request - Departmental - Planning)

AN ACT concerning

## Maryland Historical Trust - Review of Capital Projects - Duties of Director

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

Affirmative – 45 Negative – 0 (See Roll Call No. 664)

The Bill was then sent to the House of Delegates.

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, Stocksdale, and Szeliga

AN ACT concerning

#### Maryland Estate Tax - Unified Credit

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

Affirmative – 36 Negative – 10 (See Roll Call No. 665)

The Bill was then sent to the House of Delegates.

## THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #39

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

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

AN ACT concerning

Health Occupations - State Board of Naturopathic Medicine

#### SB0314/934337/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 314

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 2, after "of" insert "Physicians —"; in the same line, strike "Medicine" and substitute "Doctors"; in line 3, strike "State Board of Naturopathic Medicine" and substitute "Naturopathic Medicine Advisory Committee within the State Board of Physicians"; in lines 3 and 4, in each instance, strike "specifying" and substitute "providing for"; in lines 4 and 14, in each instance, strike "Board" and substitute "Committee"; strike beginning with "requiring" in line 4 down through "circumstances;" in line 7; in line 7, strike "Board" and substitute "Committee"; in lines 7 and 8, strike "and any other officers"; strike beginning with "requiring" in line 8 down through "committees;" in line 14; strike beginning with "establishing" in line 15 down through "Fund;" in line 25 and substitute "requiring the Board to adopt certain regulations; requiring the Board to set certain fees; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees of the Board; requiring the fees to be used for a certain purpose;"; and in line 25, strike "Board" and substitute "Committee".

On page 2, in line 1, after "Board" insert ", complete and submit a certain written attestation,"; strike beginning with "order" in line 3 down through "other" in line 5 and substitute "dispense or order certain"; strike beginning with "specifying" in line 11 down through "circumstances;" in line 12; in lines 21 and 27, in each instance, after "Board" insert "or a disciplinary panel"; strike beginning with "authorizing" in line 24 down through "circumstances;" in line 27; in line 29, after "law;" insert "requiring a disciplinary panel to order the suspension and the revocation of a license under certain circumstances;"; strike beginning with "requiring" in line 36 down through "period;" in line 37; in line 40, after "Board" insert "or a disciplinary panel"; in line 41, after "circumstances;" insert "prohibiting an order of the Board or a disciplinary panel from being stayed pending judicial review; authorizing the Board to make a certain appeal;"; in line 46, after "practicing" insert ", attempting to practice, or offering to practice"; and in the same line, after "license;" insert "providing for certain penalties;".

On page 3, strike beginning with "requiring" in line 4 down through "members;" in line 6; in line 7, strike "Board" and substitute "Committee"; strike beginning with

"stating" in line 7 down through "circumstances;" in line 9; in line 10, after "circumstances;" insert "providing that the Committee is subject to a certain evaluation in a certain year;"; in line 11, after "State" insert "and the routes of administration that may be used by a naturopathic doctor when administering natural medicines"; in line 15, after "date;" insert "requiring the Board to conduct a certain examination and provide certain information to the Naturopathic Medicine Advisory Board;"; strike beginning with "the" in line 15 down through "and" in line 16; strike in their entirety lines 17 through 27; in line 30, strike "7.5–101 through 7.5–702" and substitute "14–5F–01 through 14–5F–32"; in the same line, strike "title" and substitute "subtitle"; in the same line, strike "Title 7.5." and substitute "Subtitle 5F."; in line 36, strike "8–403(a)" and substitute "8–405(a)"; in line 39, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 41, strike "8–403(b)(36)" and substitute "8–405(b)(5)".

#### AMENDMENT NO. 2

On page 4, strike in their entirety lines 2 through 5, inclusive; in line 6, strike "2. AND BE IT FURTHER ENACTED" and substitute "1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND"; strike in their entirety lines 8 through 15, inclusive; in line 17, strike "TITLE 7.5." and substitute "SUBTITLE 5F."; strike line 18 in its entirety; in line 19, strike "7.5–101." and substitute "14–5F–01."; in line 20, strike "TITLE" and substitute "SUBTITLE"; and in line 27, after "OFFERS" insert "A–YEAR".

On page 5, in line 8, after "EDUCATION;" insert "OR".

On pages 5 and 6, strike beginning with "; OR" in line 18 on page 5 down through "PROGRAMS" in line 5 on page 6.

On page 6, strike line 6 in its entirety and substitute:

## "(C) "BOARD" MEANS THE STATE BOARD OF PHYSICIANS.

# (D) "COMMITTEE" MEANS THE NATUROPATHIC MEDICINE ADVISORY COMMITTEE.";

in line 7, strike "(D)" and substitute "(E)"; strike in their entirety lines 9 through 12, inclusive; and in line 17, after "USING" insert "ONLY".

On page 7, in lines 6 and 18, strike "7.5–102." and "7.5–103.", respectively, and substitute "14-5F-02." and "14-5F-03.", respectively; in lines 7, 10, and 19, in each instance, strike "TITLE" and substitute "SUBTITLE"; and after line 26, insert:

## "14-5F-04.

THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND PRACTICE OF NATUROPATHIC MEDICINE.

#### 14-5F-05.

- (A) **(1)** THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND RENEWAL OF LICENSES AND THE OTHER SERVICES THE BOARD PROVIDES TO NATUROPATHIC DOCTORS.
- **(2)** THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM AND THE OTHER SERVICES PROVIDED TO NATUROPATHIC DOCTORS.
- (B) **(1)** THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER.
- **(2)** THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE BOARD ESTABLISHED UNDER § 14–201 OF THIS TITLE.
- (C) THE FEES SHALL BE USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS SUBTITLE.".

On pages 7 through 12, strike in their entirety the lines beginning with line 27 on page 7 through line 10 on page 12, inclusive, and substitute:

## "<u>14–5F–06.</u>

THERE IS A NATUROPATHIC MEDICINE ADVISORY COMMITTEE WITHIN THE BOARD.

## 14-5F-07.

- (A) (1) THE COMMITTEE CONSISTS OF FIVE MEMBERS APPOINTED BY THE BOARD AS FOLLOWS:
- (I) TWO SHALL BE INDIVIDUALS WHO PRACTICE NATUROPATHIC MEDICINE AND WHO:
  - 1. ON OR AFTER OCTOBER 1, 2014:
- A. ARE CERTIFIED BY THE NORTH AMERICAN BOARD OF NATUROPATHIC EXAMINERS; AND
  - B. HAVE A MINIMUM OF 2 YEARS EXPERIENCE; AND
- 2. ON OR AFTER MARCH 1, 2016, ARE LICENSED NATUROPATHIC DOCTORS;
- (II) ONE SHALL BE A PRACTICING LICENSED PHYSICIAN OR PRACTICING DOCTOR OF OSTEOPATHY WHO IS A MEMBER OF THE BOARD;
- (III) ONE SHALL BE A PRACTICING LICENSED PHYSICIAN OR PRACTICING LICENSED DOCTOR OF OSTEOPATHY WITH EXPERIENCE WORKING WITH NATUROPATHIC DOCTORS; AND
  - (IV) ONE SHALL BE A CONSUMER MEMBER.
- (2) THE BOARD SHALL APPOINT THE NATUROPATHIC DOCTOR MEMBERS FROM A LIST OF NAMES SUBMITTED BY THE MARYLAND ASSOCIATION OF NATUROPATHIC PHYSICIANS.
- (B) EACH NATUROPATHIC DOCTOR MEMBER OF THE COMMITTEE SHALL BE:
  - (1) IN GOOD STANDING WITH THE BOARD; AND

- A RESIDENT OF THE STATE WHO HAS BEEN ENGAGED ACTIVELY IN THE PRACTICE OR INSTRUCTION OF NATUROPATHIC MEDICINE FOR AT LEAST 5 YEARS IMMEDIATELY BEFORE APPOINTMENT.
- (C) THE PHYSICIAN OR DOCTOR OF OSTEOPATHY MEMBERS OF THE COMMITTEE SHALL BE IN GOOD STANDING WITH THE BOARD.
  - (D) THE CONSUMER MEMBER OF THE COMMITTEE:
- (1) SHALL BE A RESIDENT OF THE STATE AND A MEMBER OF THE **GENERAL PUBLIC:**
- **(2)** MAY NOT BE OR EVER HAVE BEEN LICENSED TO PRACTICE A HEALTH OCCUPATION UNDER THIS ARTICLE; AND
- MAY NOT HAVE A SUBSTANTIAL PERSONAL, BUSINESS, **(3)** PROFESSIONAL, OR PECUNIARY CONNECTION WITH NATUROPATHIC EDUCATION, BUSINESS, OR PRACTICE.
  - (E) (1) THE TERM OF A MEMBER IS 4 YEARS.
- **(2)** THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMITTEE ON OCTOBER 1, 2014.
- **(3)** AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- **(4)** A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL TERMS.
- FROM AMONG ITS MEMBERS, THE COMMITTEE SHALL ELECT A (F) CHAIR EVERY 2 YEARS.

14-5F-08.

IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE, THE COMMITTEE SHALL:

- (1) DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS TO CARRY OUT THIS SUBTITLE;
- (2) DEVELOP AND RECOMMEND TO THE BOARD PROCEDURES FOR THE ISSUANCE OF LICENSES TO APPLICANTS WHO QUALIFY FOR LICENSURE BY RECIPROCITY;
- (3) EVALUATE THE CONTENT OF ANY CLINICAL, PRACTICAL, OR RESIDENCY REQUIREMENT FOR LICENSURE;
- (4) PROVIDE ANY SERVICE AND PERFORM ANY FUNCTION THAT IS NECESSARY TO FULFILL ITS PURPOSES;
- (5) DEVELOP AND RECOMMEND TO THE BOARD EXAMINATION STANDARDS, CONSISTENT WITH THE STANDARDS ENUMERATED IN THIS SUBTITLE, FOR LICENSURE AND TIMES AT WHICH THE EXAMINATIONS WILL BE GIVEN;
- (6) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF ETHICS FOR LICENSED NATUROPATHIC DOCTORS; AND
- (7) DEVELOP AND RECOMMEND TO THE BOARD CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL.".

On page 12, in lines 11 and 17, strike "**7.5–207.**" and "**7.5–301.**", respectively, and substitute "<u>14–5F–09.</u>" and "<u>14–5F–10.</u>", respectively; in line 14, strike "BOARD" and substitute "<u>COMMITTEE</u>"; strike line 16 in its entirety; in line 18, strike "JANUARY" and substitute "<u>MARCH</u>"; in line 19, strike "TITLE" and substitute "<u>SUBTITLE</u>"; and in line 28, strike the second "OR".

On page 13, in line 4, after "LITIGATION" insert "; OR

(4) A NATUROPATHIC DOCTOR LICENSED BY AND RESIDING IN ANOTHER JURISDICTION, IF THE NATUROPATHIC DOCTOR IS ENGAGED IN CONSULTATION WITH THE NATUROPATHIC DOCTOR IN THE STATE ABOUT A PARTICULAR PATIENT AND DOES NOT DIRECT PATIENT CARE";

in lines 8 and 13, strike "7.5–302." and "§ 7.5–303", respectively, and substitute "14–5F–11." and "§ 14–5F–12", respectively; in line 17, strike "(I)"; in the same line, strike "A" and substitute "THE"; in line 18, after "EXAMINATION" insert "PART I AND PART II"; and strike beginning with "; OR" in line 22 down through "EXAMINATION" in line 26.

On page 14, in lines 3, 20, and 23, strike "**7.5–303.**", "**7.5–304.**", and "**7.5–305.**", respectively, and substitute "<u>14–5F–12.</u>", "<u>14–5F–13.</u>", and "<u>14–5F–14.</u>", respectively; in line 8, strike "AND"; in line 19, after "LICENSE" insert ";

- (4) COMPLETE AND SUBMIT TO THE BOARD A BOARD-APPROVED WRITTEN ATTESTATION THAT:
- (I) STATES THAT THE APPLICANT HAS A COLLABORATION AND CONSULTATION AGREEMENT WITH A PHYSICIAN LICENSED UNDER THIS ARTICLE;
- (II) INCLUDES THE NAME AND LICENSE NUMBER OF THE PHYSICIAN WITH WHOM THE APPLICANT HAS A COLLABORATION AND CONSULTATION AGREEMENT;
- (III) STATES THAT THE APPLICANT WILL REFER PATIENTS
  TO AND CONSULT WITH PHYSICIANS AND OTHER HEALTH CARE PROVIDERS
  LICENSED OR CERTIFIED UNDER THIS ARTICLE AS NEEDED; AND
- (IV) STATES THAT THE APPLICANT WILL REQUIRE PATIENTS
  TO SIGN A CONSENT FORM THAT STATES THAT THE APPLICANT'S PRACTICE OF
  NATUROPATHIC MEDICINE IS LIMITED TO THE SCOPE OF PRACTICE IDENTIFIED
  IN § 14–5F–14 OF THIS SUBTITLE; AND

# (5) INFORM THE PHYSICIAN NAMED IN THE ATTESTATION THAT THE PHYSICIAN HAS BEEN NAMED";

and in line 22, strike "TITLE" and substitute "SUBTITLE".

On page 15, in line 3, strike "**DISPENSE**, **ORDER**, **OR ADMINISTER**" and substitute "**DISPENSE OR ORDER**"; in line 8, strike "**USING**" and substitute "<u>THAT</u> <u>USE VARIOUS</u>"; after line 10, insert:

"(4) ADMINISTER NATURAL MEDICINES OF MINERAL, ANIMAL, OR BOTANICAL ORIGIN, INCLUDING FOOD, EXTRACTS OF FOOD, NUTRACEUTICALS, VITAMINS, AMINO ACIDS, MINERALS, ENZYMES, BOTANICALS AND THEIR EXTRACTS, BOTANICAL MEDICINES, HOMEOPATHIC MEDICINES, AND ALL DIETARY SUPPLEMENTS AND NONPRESCRIPTION DRUGS AS DEFINED BY THE FEDERAL FOOD, DRUG, AND COSMETIC ACT USING TRANSDERMAL ROUTES OF ADMINISTRATION:":

in line 11, strike "(4)" and substitute "(5)"; in lines 12 and 13, strike "COLON HYDROTHERAPY,"; strike in their entirety lines 18 through 23, inclusive; and strike in their entirety lines 28 through 34, inclusive.

On page 16, in line 1, strike "(C)" and substitute "(B)"; strike beginning with "OTHER" in line 4 down through "TISSUE" in line 7; in line 8, after "DOCTOR" insert "OR PHYSICIAN"; in line 19, after "CHIROPRACTOR;" insert "OR"; and strike beginning with "; OR" in line 21 down through "BOARD" in line 30.

On page 17, in lines 1 and 21, strike "**7.5–306.**" and "**7.5–307.**", respectively, and substitute "<u>14–5F–15.</u>" and "<u>14–5F–16.</u>", respectively; and in line 2, strike "<u>1</u> YEAR" and substitute "<u>2 YEARS</u>".

On page 18, in lines 3 and 17, in each instance, strike "TITLE" and substitute "SUBTITLE"; in lines 11, 18, and 28, strike "§ 7.5–306", "7.5–308." and "7.5–401.", respectively, and substitute "§ 14–5F–15", "14–5F–17.", and "14–5F–18.", respectively; strike line 27 in its entirety; in line 29, before "SUBJECT" insert "(A)"; in the same line, strike "§ 7.5–404" and substitute "§ 14–405"; in the same line, strike "SUBTITLE" and substitute "TITLE"; strike beginning with the second "OF" in line 30 down through "SERVING" in line 31 and substitute "OF A QUORUM OF THE BOARD";

and in line 31, after "APPLICANT," insert "OR A DISCIPLINARY PANEL, ON THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM OF THE DISCIPLINARY PANEL, MAY".

On page 19, strike in their entirety lines 3 through 11, inclusive, and substitute:

"(1) IS HABITUALLY INTOXICATED, OR IS ADDICTED TO OR HABITUALLY ABUSES ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE, OR ANY DRUG WITHOUT A VALID PRESCRIPTION OR INDICATION, OR PROVIDES PROFESSIONAL SERVICES WHILE UNDER THE INFLUENCE OF ALCOHOL OR USING ANY NARCOTIC OR CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5–101 OF THE CRIMINAL LAW ARTICLE;";

in lines 12, 16, 19, 21, 24, 25, 27, and 30, strike "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", "(9)", and "(10)", respectively, and substitute "(2)", "(3)", "(4)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively; in line 19, strike the second "OR" and substitute a comma; in line 20, after "OBTAIN" insert ", OR USES"; in the same line, after "LICENSE" insert "FOR THE APPLICANT, THE LICENSEE, OR ANOTHER"; and in line 29, strike "TITLE" and substitute "SUBTITLE".

On page 20, in lines 1, 5, 10, 12, and 13, strike "(11)", "(12)", "(13)", "(14)", and "(15)", respectively, and substitute "(10)", "(11)", "(12)", "(13)", and "(14)", respectively; strike in their entirety lines 15 through 19, inclusive, and substitute:

"(15) ENGAGES IN AN ACT OR OMISSION THAT DOES NOT MEET GENERALLY ACCEPTED STANDARDS OF PRACTICE OF NATUROPATHIC MEDICINE OR OF SAFE CARE OF PATIENTS, WHETHER OR NOT ACTUAL INJURY TO A PATIENT IS ESTABLISHED;";

in line 20, strike "(17)" and substitute "(16)"; in line 24, strike "OR" and substitute:

"(17) PROMOTES THE SALE OF SERVICES, DRUGS, DEVICES, APPLIANCES, OR GOODS TO A PATIENT SO AS TO EXPLOIT THE PATIENT FOR FINANCIAL GAIN;

#### (18) Breaches Patient Confidentiality;

- (19) IS GUILTY OF UNPROFESSIONAL OR IMMORAL CONDUCT IN THE PRACTICE OF NATUROPATHIC MEDICINE;
- (20) OFFERS, UNDERTAKES, OR AGREES TO CURE OR TREAT A DISEASE BY A SECRET METHOD, TREATMENT, OR MEDICINE;
- (21) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN VIOLATION OF § 5–704 OF THE FAMILY LAW ARTICLE;
- (22) SELLS, PRESCRIBES, GIVES AWAY, OR ADMINISTERS DRUGS FOR ILLEGAL OR ILLEGITIMATE PURPOSES;
- (23) DENIES OR DISCRIMINATES AGAINST AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR WHICH THE LICENSEE IS LICENSED AND QUALIFIED TO RENDER BECAUSE THE INDIVIDUAL IS HIV POSITIVE;
- (24) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION OF THE BOARD;
  - (25) ABANDONS A PATIENT; OR":

in line 25, strike "(18)" and substitute "(26)"; after line 26, insert:

- "(B) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD OR A DISCIPLINARY PANEL TAKES ANY ACTION UNDER SUBSECTION (A) OF THIS SECTION, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD OR THE DISCIPLINARY PANEL IN ACCORDANCE WITH THE HEARING REQUIREMENTS OF § 14–405 OF THIS TITLE.
- (C) (1) ON THE FILING OF CERTIFIED DOCKET ENTRIES WITH THE BOARD BY THE OFFICE OF THE ATTORNEY GENERAL, A DISCIPLINARY PANEL SHALL ORDER THE SUSPENSION OF A LICENSE IF THE LICENSEE IS CONVICTED

OF OR PLEADS GUILTY OR NOLO CONTENDERE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

(2) AFTER COMPLETION OF THE APPELLATE PROCESS IF THE CONVICTION HAS NOT BEEN REVERSED OR THE PLEA HAS NOT BEEN SET ASIDE WITH RESPECT TO A CRIME INVOLVING MORAL TURPITUDE, A DISCIPLINARY PANEL SHALL ORDER THE REVOCATION OF A LICENSE ON THE CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL.";

and in line 27, strike "7.5-402." and substitute "14-5F-19.".

On page 21, in line 2, after "STATE;" insert "AND"; strike beginning with "; AND" in line 3 down through "AGENCY" in line 4; and in line 28, strike "7.5–403." and substitute "14–5F–20.".

On page 22, in lines 2 and 3 and 6, in each instance, strike "§ 7.5–401" and substitute "§ 14–5F–18"; in lines 8 and 14, strike "§ 7.5–405" and "7.5–404.", respectively, and substitute "§ 14–5F–22" and "14–5F–21.", respectively; strike beginning with "EXCEPT" in line 15 down through "(B)" in line 19; in line 19, strike "THE" and substitute "A"; in lines 21, 23, and 27, strike "(C)", "(D)", and "(E)", respectively, and substitute "(B)", "(C)", and "(D)", respectively; and in line 25, strike "TITLE" and substitute "SUBTITLE".

On page 23, in lines 1 and 4, strike "(F)" and "(G)", respectively, and substitute "(E)" and "(F)", respectively; in lines 4 and 5 and 9, in each instance, strike "§ 7.5–401" and substitute "§ 14–5F–18"; in lines 7 and 21, strike "7.5–405." and "7.5–406.", respectively, and substitute "14–5F–22." and "14–5F–23.", respectively; in line 8, strike "(1)"; strike in their entirety lines 11 through 16, inclusive; and strike in their entirety lines 22 through 30, inclusive, and substitute:

"(A) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD OR A DISCIPLINARY PANEL UNDER THIS SUBTITLE IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, MAY TAKE A DIRECT JUDICIAL APPEAL.

- (2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.
- (B) AN ORDER OF THE BOARD OR A DISCIPLINARY PANEL MAY NOT BE STAYED PENDING JUDICIAL REVIEW.
- (C) THE BOARD MAY APPEAL FROM ANY DECISION THAT REVERSES OR MODIFIES AN ORDER OF THE BOARD OR A DISCIPLINARY PANEL.".

On page 24, strike in their entirety lines 1 and 2; in lines 3, 14, 21, and 27, strike "7.5-407.", "7.5-408.", "7.5-501.", and "7.5-502.", respectively, and substitute "14-5F-24.", "14-5F-25.", "14-5F-26.", and "14-5F-27.", respectively; and strike line 20 in its entirety.

#### AMENDMENT NO. 3

On page 25, in lines 3, 10, 13, 25, and 28, strike "7.5–503.", "7.5–601.", "7.5–602.", "7.5–701.", and "7.5–702.", respectively, and substitute "14–5F–28.", "14–5F–29.", "14–5F–30.", "14–5F–31.", and "14–5F–32.", respectively; strike line 9 in its entirety; in line 11, before "EXCEPT" insert "(A)"; in lines 11 and 26, in each instance, strike "TITLE" and substitute "SUBTITLE"; in line 12, after "PRACTICE" insert ", ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE"; after line 12, insert:

- "(B) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO:
- (1) A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH; AND
- (2) A CIVIL FINE OF NO MORE THAN \$50,000 TO BE LEVIED BY THE BOARD.";

in line 14, before "UNLESS" insert "(A)"; after line 23, insert:

"(B) AN INDIVIDUAL LICENSED TO PRACTICE NATUROPATHIC MEDICINE IN THE STATE MAY NOT USE THE TITLE "PHYSICIAN".";

and strike line 24 in its entirety.

On page 26, in lines 2 and 3, in each instance, strike "TITLE" and substitute "SUBTITLE"; in line 4, strike "2024" and substitute "2018"; strike in their entirety lines 6 through 16, inclusive, and substitute:

"<u>8–405.</u>

- (a) The Department shall:
- (1) conduct a full evaluation of each governmental activity or unit to be evaluated under this section; and
  - (2) prepare a report on each full evaluation conducted.
- (b) Each of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units are subject to full evaluation, in the evaluation year specified, without the need for a preliminary evaluation:
- (5) Physicians, State Board of (§ 14–201 of the Health Occupations Article: 2016), including:
- (i) <u>Athletic Training Advisory Committee (§ 14–5D–04 of the Health Occupations Article: 2016);</u>
- (II) NATUROPATHIC MEDICINE ADVISORY COMMITTEE (§ 14–5F–04 OF THE HEALTH OCCUPATIONS ARTICLE: 2016);
- [(ii)] (III) Perfusion Advisory Committee (§ 14–5E–05 of the Health Occupations Article: 2016);
- [(iii)] (IV) Physician Assistant Advisory Committee (§ 15–201 of the Health Occupations Article: 2016);
- [(iv)] (V) Polysomnography Professional Standards Committee (§ 14–5C–05 of the Health Occupations Article: 2016);

[(v)] (VI) Radiation Therapy, Radiography, Nuclear Medicine Technology Advisory, and Radiology Assistance Committee (§ 14–5B–05 of the Health Occupations Article: 2016); and

[(vi)] (VII) Respiratory Care Professional Standards Committee (§ 14–5A–05 of the Health Occupations Article: 2016).";

in line 17, strike "3." and substitute "2."; in line 18, strike "State Board of Naturopathic Medicine" and substitute "Naturopathic Medicine Advisory Committee"; strike in their entirety lines 22 through 30, inclusive; and in line 31, strike "6." and substitute "3.".

On page 27, in line 1, after "The" insert "<u>State</u>"; in the same line, strike "Naturopathic Medicine" and substitute "<u>Physicians</u>"; in line 2, after "State" insert "<u>and the routes of administration that may be used by a naturopathic doctor when administering natural medicines</u>"; in line 7, strike "and" and substitute:

- "(5) the Department of Health and Mental Hygiene, including one representative from the Maryland Medical Assistance Program;
  - (6) the Maryland Board of Physicians;
  - (7) the Maryland Board of Pharmacy; and";

in line 8, strike "(5)" and substitute "(8)"; strike beginning with "make" in line 11 down through "(3)" in line 13; in line 15, strike "council will decide which"; in line 16, after "formulary" insert "; and

- (3) make recommendations regarding the routes of administration that may be used by a naturopathic doctor when administering natural medicines.
- (d) Nothing in this section shall be construed to authorize the establishment of a naturopathic formulary to regulate pharmaceuticals without further action by the General Assembly";

in line 17, strike "(d)" and substitute "(e)"; after line 20, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall examine methods to identify physicians who are willing to collaborate

with naturopathic doctors and provide information on the methods to the Naturopathic Medicine Advisory Committee established in Section 1 of this Act.";

and in line 21, strike "7." and substitute "5.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

## Senate Bill 1098 - Senator Conway

AN ACT concerning

### Public Institutions of Higher Education - Sale of Textbooks - Audits

#### SB1098/234033/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 1098

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Conway" and substitute "Senators Conway, Benson, Montgomery, Simonaire, and Young"; strike beginning with "conduct" in line 3 down through "audit" in line 4 and substitute "include in certain audits"; in line 4, strike "to ensure" and substitute "an evaluation of the institution's"; strike beginning with "requiring" in line 6 down through "date;" in line 11; in line 14, strike "with" and substitute "without"; and after line 18, insert:

"BY repealing and reenacting, without amendments,

<u>Article – State Government</u>

Section 2–1220(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–1221(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)".

### AMENDMENT NO. 2

On page 8, after line 3, insert:

#### "Article – State Government

### <u>2–1220.</u>

(a) (2) (i) At least once every 3 years, the Office of Legislative Audits shall conduct a fiscal/compliance audit of each unit of the State government, except for units in the Legislative Branch.

#### <u>2–1221.</u>

- (a) A fiscal/compliance audit conducted by the Office of Legislative Audits shall include:
  - (1) examining financial transactions and records and internal controls;
  - (2) evaluating compliance with applicable laws and regulations;
  - (3) examining electronic data processing operations; [and]
- (4) evaluating compliance with applicable laws and regulations relating to the acquisition of goods and services from Maryland Correctional Enterprises [.]; AND
- (5) IN THE CASE OF AN AUDIT OF A PUBLIC INSTITUTION OF HIGHER EDUCATION, EVALUATING THE INSTITUTION'S COMPLIANCE WITH § 15–112 OF THE EDUCATION ARTICLE, INCLUDING:";

strike in their entirety lines 4 through 9, inclusive; in lines 10, 13, 17, and 22, in each instance, strike "THE" and substitute "THE"; strike beginning with "SUBSECTION" in line 11 down through "AND" in line 12 and substitute "§ 15–112(D)(2) OF THE EDUCATION ARTICLE;"; in line 15, strike "SUBSECTION (G) OF THIS SECTION

WITHIN THE TIME PERIOD REQUIRED." and substitute "§ 15–112(G) OF THE EDUCATION ARTICLE WITHIN THE TIME PERIOD REQUIRED;"; strike line 16 in its entirety; in line 21, strike "SUBSECTION (E) OF THIS SECTION" and substitute "§ 15–112(E) OF THE EDUCATION ARTICLE"; strike beginning with "SUBSECTION" in line 23 down through "SECTION" in line 24 and substitute "§ 15–112(F)(3) OF THE EDUCATION ARTICLE"; and in lines 17 and 22, strike "(I)" and "(II)", respectively, and substitute "(III)" and "(IV)".

On pages 8 and 9, strike in their entirety the lines beginning with line 25 on page 8 through line 3 on page 9, inclusive.

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 #17

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

## House Bill 227 - Delegate Dumais

AN ACT concerning

#### Homestead Tax Credit - Eligibility - Definition of Legal Interest

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 264 – Delegate Luedtke

AN ACT concerning

#### Income Tax - Subtraction Modification - Student Loan Debt

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 275 – Delegates Reznik, Arora, Barkley, Kaiser, Luedtke, and Stocksdale

AN ACT concerning

Criminal Law – Table Games and Video Lottery Terminals – Individual Under the Age of 21 Years

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 545 - Carroll County Delegation

AN ACT concerning

Carroll County - Public Facilities Bonds

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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

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 786 – Delegates A. Miller, A. Kelly, S. Robinson, and A. Washington, Cardin, and Howard

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:

House Bill 1184 - Calvert County Delegation

AN ACT concerning

Calvert County - Public Facilities Bonds

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

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

Senate Bill 908 - Senators Manno, Feldman, King, Madaleno, and Peters

AN ACT concerning

Electric Vehicles and Recharging Equipment - Rebates and Tax Credits

SB0908/149230/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 908
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Manno," insert "Ramirez,"; in line 5, strike "calendar" and substitute "fiscal"; in line 6, strike "business"; and in line 18, after "years;" insert "requiring the Maryland Energy Administration and the Maryland Department of Transportation to report to certain committees of the General Assembly on or before a certain date;".

## AMENDMENT NO. 2

On page 4, after line 13, insert:

"(4) "RETAIL SERVICE STATION DEALER" HAS THE MEANING STATED IN § 10–101 OF THE BUSINESS REGULATION ARTICLE.".

### AMENDMENT NO. 3

On page 4, in line 17, strike "CALENDAR YEARS 2014" and substitute "FISCAL YEARS 2015"; in line 18, strike "INDIVIDUAL OR" and substitute "INDIVIDUAL,"; in the same line, after "ENTITY" insert ", OR A UNIT OF STATE OR LOCAL GOVERNMENT"; and in line 22, strike "CALENDAR" and substitute "FISCAL".

### AMENDMENT NO. 4

On page 5, in line 4, strike "OR"; in line 5, after "(2)" insert "EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION,"; in the same line, after "ENTITY" insert "OR UNIT OF STATE OR LOCAL GOVERNMENT"; in line 8, after "\$5,000" insert "; OR

- (3) A RETAIL SERVICE STATION DEALER IN AN AMOUNT EQUAL TO THE LESSER OF:
- (I) 50% OF THE COSTS OF ACQUIRING AND INSTALLING QUALIFIED ELECTRIC VEHICLE RECHARGING EQUIPMENT; OR

#### (II) \$7,500".

#### AMENDMENT NO. 5

On page 6, in line 16, strike "October 1, 2010" and substitute "JULY 1, 2014".

#### AMENDMENT NO. 6

On page 7, in line 6, after "State;" insert "OR"; and strike beginning with the semicolon in line 9 down through "state" in line 10.

#### AMENDMENT NO. 7

On page 7, after line 30, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2015, the Maryland Energy Administration and the Maryland Department of Transportation shall report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on:

- (1) the amount of Transportation Trust Fund revenue that is paid by owners of electric vehicles to the Transportation Trust Fund for the construction and maintenance of roadways in the State; and
- (2) a plan for owners of electric vehicles to contribute to the Transportation Trust Fund for the construction and maintenance of roadways in the State.";

and in line 31, strike "3." and substitute "4.".

The preceding 7 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 45 Members present.

(See Roll Call No. 666)

#### ADJOURNMENT

At 12:10 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day March 16, 2014, Calendar Day, Friday, March 21, 2014.

## Annapolis, Maryland Legislative Day: March 16, 2014 Calendar Day: Friday, March 21, 2014 11:00 A.M. Session

The Senate met at 11:05 A.M.

Prayer by Reverend Doctor Romaine N. Williams, Union Bethel A.M.E. Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of March 15, 2014 was read and approved.

#### **QUORUM CALL**

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

(See Roll Call No. 668)

#### INTRODUCTION OF RESOLUTIONS

#### Senate Resolution No. 618 - Senator Jamie Raskin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Montgomery Blair High School
in recognition of
your selected students being honored as Intel Science
Talent Search Finalists and for an exemplary and
nationally recognized devotion to breakthroughs
in science and technology.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2014.

#### Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 669)

### **Tribute to Senator James Robey**

by Senator Edward Kasemeyer

We have a lot of our colleagues leaving this year and today we are going to celebrate one of those people, my friend and yours our Majority Leader Senator Jim Robey. A lot of us when we got ready to talk about Jim we were sitting around wondering why Jim is leaving. He is so effective. But then it was very obvious. He was going to become one of the first "four check a month retirees" in the Senate. There's a lot of incentive there. Jim began his public service career with the Howard County Police Department in 1966. From a patrolman he worked his way up till he became the Chief in 1991. He served in that capacity until 1998. Then after he retired it coincided with the election for a new County Executive. Jim was the perfect candidate to take on that role and was successful. He served for two terms.

Throughout his career as we have observed volunteerism has been a significant part of his life. He really believes, something we could all take a lesson from, when you do volunteer out with the people you begin to understand what it is people are concerned about. It helps you identify what the issues are, what they believe in. He has been an incredibly very active volunteer. As we all know remember his efforts in the Polar Bear Plunge, the Special Olympics, the March of Dimes, United Way, Relay for Life. It's endless if you look at the list. And he has also served in leadership roles as a volunteer. He's been president of MACO, president of Maryland Chiefs of Police, and he's been on the Shock Trauma Board of Visitors.

Professionally he's also been very involved. He went to the FBI Academy, the FBI National Law Enforcement Executive Development Seminar. He's been honored by everybody. He's been honored by the Boy Scouts, Rotary, Humane Society, Human Relations Commission. He received the Marilyn Praisner Award from MACO and actually the list goes on. It's really amazing all that he's been able to do while in service. All of these awards, honors and credentials offer testimony that Jim is an exceptional man. But they don't tell you about his great sense of humor, his warmth, the generous nature that those of us who have the privilege of getting to know him have found; his giving of his time and willingness to share his insights. He has throughout his career been willing to make difficult and sometimes unpopular decisions to advance a cause or correct an injustice. Jim is a consensus builder, something that has become rarer and rarer in the political field. He's somebody you can count on. I know from my perspective Jim Robey is going to be sorely missed by the Maryland Senate. So Congratulations Jim.

#### Senate Resolution No. 606 - Senator Verna L. Jones-Rodwell:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Alpha Kappa Alpha, Theta Nu Chapter
in recognition of

the 40th Anniversary of the
Alpha Kappa Alpha, Theta Nu Chapter at the
University of Maryland College Park.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 670)

Senate Resolution No. 603 - Senator David R. Brinkley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Cooper Fisher
in recognition of

your triumphant coronation as King of Marbles at the 2013 National Marbles Championship and representing your Frederick County Knucklers teammates with distinction.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 21st day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 671)

## **QUORUM CALL**

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

(See Roll Call No. 672)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (HOUSE BILLS) #5

#### **CONSENT CALENDAR #2**

Journal of Froceedings – 2014 Session Mar. 10, 20	Journal of Proc	eedings – 2014 Session	Mar. 16, 2014
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HB 227	Del. Dumais	Homestead Tax Credit – Eligibility – Definition of Legal Interest	В&Т
HB 264	Del. Luedtke	Income Tax – Subtraction Modification – Student Loan Debt	В&Т
HB 275	Del. Reznik	Criminal Law – Table Games and Video Lottery Terminals – Individual Under the Age of 21 Years	В&Т
HB 545	Carroll County Del.	Carroll County – Public Facilities Bonds	В&Т
HB 628	Del. S. Robinson	Board of Public Works — Relocatable Classrooms — Indoor Air Quality Requirements	В&Т
HB 786	Del. A. Miller	Sales and Use Tax – Tax–Free Weekend – Exemption for Light–Emitting Diode (LED) Lights	В&Т
HB 1184	Calvert County Del.	Calvert County – Public Facilities Bonds	В&Т

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 673)

The Bills were then sent to the House of Delegates.

### THIRD READING CALENDAR (SENATE BILLS) #62

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

AN ACT concerning

2268

Health Occupations – State Board of <u>Physicians –</u> Naturopathic <u>Medicine</u> <u>Doctors</u> Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 674)

The Bill was then sent to the House of Delegates.

Senate Bill 345 - Senator Muse Senators Muse and Young

AN ACT concerning

Real Property - Residential Leases - Interest on Security Deposits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 675)

The Bill was then sent to the House of Delegates.

Senate Bill 515 - Senators Gladden, Currie, and Miller

AN ACT concerning

Juvenile Law - Transfer of Cases to Juvenile Court

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

Affirmative – 35 Negative – 11 (See Roll Call No. 676)

The Bill was then sent to the House of Delegates.

Senate Bill 602 – The President and Senators Forehand, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Feldman, Getty, Gladden, Glassman, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Mathias, McFadden, Middleton, Miller, Montgomery, Peters, Pugh, Robey, Stone, Young, and Zirkin Zirkin, Reilly, Shank, and Simonaire Simonaire, and Hershey

SECOND PRINTING

AN ACT concerning

Maryland Estate Tax - Unified Credit

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

Affirmative – 36 Negative – 10 (See Roll Call No. 677)

The Bill was then sent to the House of Delegates.

Senate Bill 698 – Senators Shank, Raskin, Forehand, Hershey, Jacobs, Kelley, Klausmeier, Muse, Ramirez, Reilly, Simonaire, Stone, and Young

AN ACT concerning

Criminal Procedure – Electronic Device Location Information – <del>Warrant</del> Order

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

Affirmative – 46 Negative – 0 (See Roll Call No. 678)

The Bill was then sent to the House of Delegates.

Senate Bill 908 – Senators Manno, <u>Ramirez</u>, Feldman, King, Madaleno, and Peters

AN ACT concerning

Electric Vehicles and Recharging Equipment - Rebates and Tax Credits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 679)

The Bill was then sent to the House of Delegates.

Senate Bill 922 – Senator Stone

AN ACT concerning

Crime Victim and Crime Victim's Representative – Electronic Notification

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

Affirmative – 46 Negative – 0 (See Roll Call No. 680)

The Bill was then sent to the House of Delegates.

Senate Bill 1098 – <del>Senator Conway</del> <u>Senators Conway</u>, <u>Benson, Montgomery</u>, <u>Simonaire</u>, and Young

AN ACT concerning

#### Public Institutions of Higher Education - Sale of Textbooks - Audits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 681)

The Bill was then sent to the House of Delegates.

#### THE COMMITTEE ON FINANCE REPORT #26

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

Senate Bill 952 – Senator Astle

AN ACT concerning

Pharmacy Benefits Managers - Pharmacy Contracts - Payments

#### SB0952/707073/1

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 952

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Payments" and substitute "Maximum Allowable Cost Pricing"; strike beginning with "its" in line 3 down through "devices" in line 25 and substitute "each contract with a contracted pharmacy, the sources used to determine maximum allowable cost pricing; requiring the pharmacy benefits manager to update its pricing information with a certain frequency and provide a means by which contracted pharmacies may review pricing updates in a certain format; requiring a pharmacy benefits manager to maintain a procedure to eliminate products from a certain list for a certain purpose; requiring a pharmacy benefits manager to ensure that certain conditions are met before placing a prescription drug on a maximum allowable cost list; requiring each contract between a pharmacy benefits manager and a contracted pharmacy to include a certain process for appealing, investigating, and resolving disputes regarding maximum allowable cost pricing; defining certain terms; providing for a delayed effective date; and generally relating to contracts between pharmacy benefits managers and contracted pharmacies and maximum allowable cost pricing"; and in line 28, strike "and 15–1628.2".

#### AMENDMENT NO. 2

On page 2, strike in their entirety lines 13 through 18, inclusive; and in lines 19 and 23, strike "(4)" and "(5)", respectively, and substitute "(3)" and "(4)", respectively.

On pages 2 through 5, strike in their entirety the lines beginning with line 27 on page 2 through line 6 on page 5, inclusive, and substitute:

- "(B) IN EACH CONTRACT BETWEEN A PHARMACY BENEFITS MANAGER AND A CONTRACTED PHARMACY, THE PHARMACY BENEFITS MANAGER SHALL INCLUDE THE SOURCES USED TO DETERMINE MAXIMUM ALLOWABLE COST PRICING.
- A PHARMACY BENEFITS MANAGER SHALL UPDATE ITS PRICING (C) INFORMATION AT LEAST EVERY 7 DAYS AND PROVIDE A MEANS BY WHICH CONTRACTED PHARMACIES MAY PROMPTLY REVIEW PRICING UPDATES IN A FORMAT THAT IS READILY AVAILABLE AND ACCESSIBLE.
- (D) A PHARMACY BENEFITS MANAGER SHALL MAINTAIN A PROCEDURE TO ELIMINATE PRODUCTS FROM THE LIST OF DRUGS SUBJECT TO MAXIMUM ALLOWABLE COST PRICING IN A TIMELY MANNER TO REMAIN CONSISTENT WITH PRICING CHANGES IN THE MARKETPLACE.
- BEFORE PLACING A PRESCRIPTION DRUG ON A MAXIMUM **(E)** ALLOWABLE COST LIST, A PHARMACY BENEFITS MANAGER SHALL ENSURE THAT:
- THE DRUG IS LISTED AS "A" OR "B" RATED IN THE MOST **(1)** RECENT VERSION OF THE U.S. FOOD AND DRUG ADMINISTRATION'S APPROVED DRUG PRODUCTS WITH THERAPEUTIC EQUIVALENCE EVALUATIONS, ALSO KNOWN AS THE ORANGE BOOK, OR HAS AN "NR" OR "NA" RATING OR SIMILAR RATING BY A NATIONALLY RECOGNIZED REFERENCE; AND
- **(2)** THE DRUG IS GENERALLY AVAILABLE FOR PURCHASE BY CONTRACTED PHARMACIES IN THE STATE FROM A NATIONAL OR REGIONAL WHOLESALE DISTRIBUTOR AND IS NOT OBSOLETE.

- (F) EACH CONTRACT BETWEEN A PHARMACY BENEFITS MANAGER AND A CONTRACTED PHARMACY MUST INCLUDE A PROCESS TO APPEAL, INVESTIGATE, AND RESOLVE DISPUTES REGARDING MAXIMUM ALLOWABLE COST PRICING THAT INCLUDES:
- (1) A REQUIREMENT THAT AN APPEAL BE FILED NO LATER THAN 21 DAYS AFTER THE DATE OF THE INITIAL CLAIM;
- (2) A REQUIREMENT THAT AN APPEAL BE INVESTIGATED AND RESOLVED WITHIN 21 DAYS AFTER THE DATE THE APPEAL IS FILED;
- (3) A TELEPHONE NUMBER AT WHICH THE CONTRACTED PHARMACY MAY CONTACT THE PHARMACY BENEFITS MANAGER TO SPEAK TO AN INDIVIDUAL RESPONSIBLE FOR PROCESSING APPEALS;
- (4) A REQUIREMENT THAT A PHARMACY BENEFITS MANAGER PROVIDE:
  - (I) A REASON FOR ANY APPEAL DENIAL; AND
- (II) THE NATIONAL DRUG CODE OF A DRUG THAT MAY BE PURCHASED BY THE CONTRACTED PHARMACY AT A PRICE AT OR BELOW THE BENCHMARK PRICE DETERMINED BY THE PHARMACY BENEFITS MANAGER; AND
- (5) IF AN APPEAL IS UPHELD, A REQUIREMENT THAT A PHARMACY BENEFITS MANAGER:
- (I) MAKE THE CHANGE IN THE MAXIMUM ALLOWABLE COST NO LATER THAN 1 BUSINESS DAY AFTER THE DATE OF DETERMINATION ON THE APPEAL; AND
- (II) PERMIT THE APPEALING CONTRACTING PHARMACY TO REVERSE AND REBILL THE CLAIM, AND ANY SUBSEQUENT SIMILAR CLAIMS.".

AMENDMENT NO. 3

On page 5, strike in their entirety lines 7 through 10, inclusive; in line 11, strike "3." and substitute "2."; and in line 12, strike "July 1, 2014" and substitute "January 1, 2015".

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 1040 - Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission - Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1097 – Senator Hershey

AN ACT concerning

Mental Hygiene Administration – Upper Shore Community Mental Health Center – Reopening and Maintenance

SB1097/277170/1

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 1097

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with the first "Mental" in line 2 down through "Maintenance" in line 3 and substitute "<u>Department of Health and Mental Hygiene – Workgroup to Evaluate Mental Health Care Delivery on the Eastern Shore</u>"; strike beginning with "that" in line 4 down through "Center" in line 10 and substitute "<u>the</u> Department of Health and Mental Hygiene to convene a workgroup to evaluate and

make findings and recommendations regarding the state of mental health care delivery on the Eastern Shore of Maryland; requiring the workgroup to include certain individuals; requiring the Department to report the findings and recommendations of the workgroup in a certain manner to certain legislative committees on or before a certain date; and generally relating to the Workgroup to Evaluate Mental Health Care Delivery on the Eastern Shore"; and strike in their entirety lines 11 through 15, inclusive.

## AMENDMENT NO. 2

On page 1, in line 17, strike "the Laws of Maryland read as follows".

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 12 on page 2, inclusive, and substitute:

- "(a) The Department of Health and Mental Hygiene shall convene a workgroup to evaluate the state of mental health care delivery on the Eastern Shore of Maryland, including:
- (1) whether and to what extent individuals with mental illness are being referred to out-of-state mental health facilities;
  - (2) the adequacy of the mental health care workforce;
- (3) the impact the closure of the Upper Shore Community Mental Health Center has had on communities in the former service area of the Center;
- (4) the feasibility of reopening the Upper Shore Community Mental Health Center, including:
  - (i) the cost of reopening the Center;
- (ii) measures that may be taken to minimize operating expenses at the facility; and
- (iii) the extent to which the Center may be operated at a cost to the State that is less than the cost of its operation before the Center was closed in 2009;

- (5) the barriers to accessibility of mental health services on the Eastern Shore;
- (6) the volume of admissions and mix of forensic and nonforensic patients in State—run psychiatric facilities; and
- (7) whether there is sufficient capacity for nonforensic patients in State—run psychiatric facilities.
- (b) The workgroup convened under subsection (a) of this section shall include:
- (1) the Deputy Secretary of Behavioral Health and Disabilities of the Deputy Secretary's designee;
- (2) the Executive Director of the Maryland Health Care Commission, or the Executive Director's designee;
- (3) the Executive Director of the Health Services Cost Review Commission, or the Executive Director's designee;
- (4) the Executive Director of the Tri-County Council for the Lower Eastern Shore of Maryland, or the Executive Director's designee;
- (5) the Executive Director of the Mid-Shore Regional Council, or the Executive Director's designee;
- (6) the Executive Director of the Upper Shore Regional Council, or the Executive Director's designee;
- (7) the Chief Executive Officer of Shore Health System, or the Chief Executive Officer's designee;
- (8) the Chief Executive Officer of Peninsula Regional Medical Center, or the Chief Executive Officer's designee;
- (9) the Executive Director of AFSCME Maryland, or the Executive Director's designee;

- (10) the Chairman of the Board of the Upper Shore Community Mental Health Center who served on the Board at the time of the Center's closure, or the Chairman's designee;
- (11) the Executive Director of the Lower Shore Clinic, or the Executive Director's designee;
  - (12) three mental health professionals;
  - (13) one representative of the National Alliance on Mental Illness;
  - (14) one representative of the Mental Health Association of Maryland;
  - (15) one representative of the Maryland Psychological Association; and
  - (16) three health officers:
- (i) one of whom shall be from Cecil County, Kent County, or Queen Anne's County;
- (ii) one of whom shall be from Caroline County, Dorchester County, or Talbot County; and
- (iii) one of whom shall be from Somerset County, Wicomico County, or Worcester County.
- (c) On or before December 31, 2014, the Department of Health and Mental Hygiene shall report the findings and recommendations of the workgroup, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee.".

On page 2, in line 13, strike "3." and substitute "2."; and in line 14, strike "October" 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.

#### SPECIAL ORDERS

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

#### SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #7

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 #7 March 20, 2014

#### District Court, Baltimore City (District 1)

1. David Brian Aldouby

District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

2. James Green

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

3. Flynn M. Owens

District 46

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

4. Diana E. Smith

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years

#### District Court, Charles County (District 4)

5. Andrea R.S. Watkins

District 28

Judge of the District Court of Maryland, District 4, Charles County; appointed to serve a term of ten years

### District Court, Montgomery County (District 6)

6. Eric J. Nee District 14

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years

7. Margaret Marie Schweitzer

District 17

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years

#### Special Appeals, Court of

8. Kevin Francis Arthur

District 41

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

9. Andrea M. Leahy

District 9

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

10. Michael Wilson Reed

District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years

## African American History and Culture, Commission on

11. Lopez D. Matthews, Jr., Ph.D. 23 Greens Landing Court Randallstown, MD 21133 District 10

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2011

## **Apprenticeship and Training Council**

12. Brian S. Cavey 138 Virginia Avenue Pasadena, MD 21122 District 31

Member of the Apprenticeship and Training Council; appointed to serve remainder of a term of four years from July 1, 2013

#### Architects, State Board of

13. Cynthia E. Shonaiya 6401 Clifton Forge Circle Catonsville, MD 21228 District 10

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

## **Aviation Commission, Maryland**

14. Gregory V. Billups 12822 Meadowbrook Lane Waldorf, MD 20601 District 28

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

15. Anwer Hasan 6548 Ballymore Lane Clarksville, MD 21029 District 13

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2011

## Blind Industries and Services of Maryland, Board of Trustees of

16. Melba J. Taylor 11902 Frost Drive Bowie, MD 20720 District 23

Member of the Board of Trustees of Blind Industries and Services of Maryland; appointed to serve a term of three years from July 1, 2013

# Center for School Safety, Governing Board of the Maryland

17. Valerie S. Carr 1415 Isted Road Glen Burnie, MD 21060 District 31

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

18. DeWayne Wickham 9825 Mill Centre Drive, Apt. 443 Owings Mills, MD 21117 District 11

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2013

## Clean Energy Center, Board of Directors for Maryland

19. Anton J. Cohen 18 Windermere Court Rockville, MD 20852 District 16

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve remainder of a term of four years from July 1, 2013

## Controlled Hazardous Substance Advisory Council

20. Michael J. Wolf 5510 Amesfield Court Rockville, MD 20853

District 19

Member of the Controlled Hazardous Substance Advisory Council; reappointed to serve a term of ten years from July 1, 2012

### Elections, State Board of

21. Patrick J. Hogan 18804 Keiffer Way Montgomery Village, MD 20886

District 39

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

## **Emergency Number Systems Board**

22. E. Colton O'Donoghue 3141 Fox Valley Drive West Friendship, MD 21794

District 9

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2011

## Food Center Authority, Maryland

23. Mark W. Hill, LTC 103 Persimmon Circle Reisterstown, MD 21136 District 11

Member of the Maryland Food Center Authority; appointed to serve a term of five years from July 1, 2009

#### Foresters, State Board of

24. Michael J. Huneke 2035 Whiteford Road Whiteford, MD 21160 District 35

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

## Historical Trust, Board of Trustees of the Maryland

25. Barrie Parsons Tilghman 1009 Monitor Court Salisbury, MD 21801 District 38

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2012

# Industrial Development Financing Authority, Maryland

26. Carla A. Nealy 15 Menteith Court Nottingham, MD 21236

District 8

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2009

## Labor Relations Board, Public School

27. Ronald S. Boozer 3005 Manhattan Avenue Baltimore, MD 21215 District 41

Member of the Public School Labor Relations Board; appointed to serve remainder of a term of four years from July 1, 2010

### Landscape Architects, Board of Examiners

28. Gareth Diedrick
412 Bloomfield Lane
Upper Marlboro, MD 20774

District 23

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July 1, 2013

29. Suzanne F. Grefsheim 10934 Clermont Avenue, P.O. Box 175 Garrett Park, MD 20896 District 17

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July 1, 2013

30. David E. Locke 113 Deepdene Road Baltimore, MD 21210 District 41

Member of the Board of Examiners of Landscape Architects; appointed to serve a term of three years from July 1, 2011

## Morgan State University Board of Regents

31. Frances Murphy Draper 3100 Stonecliff Drive, #404 Pikesville, MD 21209 District 42

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

#### **Patuxent River Commission**

32. Steven E. Darcey 2550 Ritchie Marlboro Road Upper Marlboro, MD 20774

District 25

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

## Physicians, State Board of

33. Jacqueline B. Brown 6701 Park Heights Avenue Baltimore, MD 21215 District 41

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

## Plumbing, State Board of

34. Keith R. Horton 5223 Cedgate Road Baltimore, MD 21206 District 45

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

#### **Professional Standards and Teacher Education Board**

35. Ronald S. Goldblatt, Esq. 115 Kingswood Road Annapolis, MD 21401

District 33

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2012

36. Maleeta Kitchen 5639 Harpers Farms Road, Unit D Columbia, MD 21044 District 12

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2011

#### Real Estate Commission, State

37. J. Nicholas D'Ambrosia 6334 Grant Chapman Drive La Plata, MD 20646

District 28

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2013

### Rural Legacy Board, Advisory Committee to the

38. James W. Constable 2300 Shepperd Road Monkton, MD 21111 District 5

Member of the Advisory Committee to the Rural Legacy Board; appointed to serve remainder of a term of three years from July 1, 2011 and a term of three years from July 1, 2014

## Social Work Examiners, State Board of

39. Lois J. Meltzer 2 Pomona East #409 District 11

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

40. Deborah M. Ramelmeier 1618 Trestle Street Mt. Airy, MD 21771

Baltimore, MD 21208

District 4

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

41. Sherryl L. Silberman 12312 Timber Grove Road Owings Mills, MD 21117 District 11

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

## Veterinary Medical Examiners, State Board of

42. Perry S. Crowl, D.V.M. 2164 Misty Meadow Road Finksburg, MD 21048 District 5

Member of the State Board of Veterinary Medical Examiners; appointed to serve a term of five years from June 1, 2014

### Waterworks and Waste Systems Operators, State Board of

43. Noelle Anuszkiewicz 1179 Green Holly Drive Annapolis, MD 21409 District 30

Member of the State Board of Waterworks and Waste Systems Operators; appointed to serve remainder of a term of four years from July 1, 2009 and a term of four years from July 1, 2013

### Wellmobile Program Advisory Board, Governor's

44. Maria Arcia–Hird 13502 Autumn End Terrace Laurel, MD 20707 District 21

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2012

45. Christopher J. King 3233 Theodore R. Hagans Drive, NE Washington, DC 20018 District 99

Member of the Governor's Wellmobile Program Advisory Board; appointed to serve a term of three years from October 1, 2013

## Women, Maryland Commission for

46. Homayara Haque Aziz, M.D. 2514 Symphony Lane Gambrills, MD 21054

District 33

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2010 and a term of four years from July 1, 2014

47. Lorna P. Forde 7 Town Commons Court Germantown, MD 20874 District 15

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2010 and a term of four years from July 1, 2014

#### **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.

## **Aviation Commission, Maryland**

S–1. Maurice A. Bellan, Esq.

District 9

4450 Cross Country Drive Ellicott City, MD 21042

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2011

S-2. Gerry L. Brewster

District 5

14520 Cuba Road

Cockeysville, MD 21030

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

S-3. Erwin L. Greenberg

District 5

3448 Butler Road

Glyndon, MD 21031

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2013

S-4. Raymond C. Nichols

District 38

11810 Porfin Drive

Berlin, MD 21811

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2013

S-5. Michele K. Ryan

District 33

910 Boom Way

Annapolis, MD 21401

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2012

S-6. William P. Wentworth, Jr.

District 38

7 Trinity Place Berlin, MD 21811

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2011

### Boiler Rules, Board of

S-7. Eric Harvey

District 37

9851 Bantry Road Easton, MD 21601

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2014

S-8. Brian M. Wodka

District 5

808 Walker Station Court Parkton, MD 21120

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2014

## Chesapeake Employers' Insurance Company, Board for the

S–9. Joseph Merryman Coale, III

District 42

1317 Boyce Avenue Towson, MD 21204

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2013

S-10. Charles H. Dankmeyer, Jr.

District 30

908 Burnett Avenue

Arnold, MD 21012

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2013

S-11. Paul V. Gill, Sr.

District 44

1107 Haverhill Road Baltimore, MD 21229

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2014

S-12. Lewis C. Powell 5750 Cabinwood Court Indian Head, MD 20640 District 28

Member of the Board for the Chesapeake Employers' Insurance Company; reappointed to serve a term of five years from June 1, 2014

### Women, Maryland Commission for

S-13. Cara E. Tenenbaum 4831 Flanders Avenue Kensington, MD 20895 District 18

Member of the Maryland Commission for Women; reappointed to serve a term of four years from July 1, 2014

## **Local Nominees**

**Please Note:** Local Nominees are not required to appear before the Senate Executive Nominations Committee.

## **Baltimore City Orphans' Court**

L-1. Stephan W. Fogleman, Esq. 726 S. Clinton Street Baltimore, MD 21224

District 46

Member of the Baltimore City Orphans' Court; appointed to serve remainder of a term of four years from the General Election of 2010

# **Carroll County Board of Elections**

L–2. April Rose 1100 Algernon Drive Westminster, MD 21157 District 4

Member of the Carroll County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

# College of Southern Maryland, Board of Trustees of the

L–3. Samuel C. Jones 11928 Lyons Glen Court Dunkirk, MD 20754 District 27

Member of the Board of Trustees of the College of Southern Maryland; appointed to serve remainder of a term of five years from July 1, 2010

## **Garrett County Liquor Control Board**

L–4. Michael Jay Fratz 7119 Sang Run Road McHenry, MD 21541 District 1

Member of the Garrett County Liquor Control Board; reappointed to serve a term of six years from June 1, 2014

## **Queen Anne's County Board of Elections**

L–5. Juanita L. Carter 304 Walnut Street Centreville, MD 21617 District 36

Member of the Queen Anne's County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

# Queen Anne's County Orphans' Court

L–6. Thomas M. Walsh, M.D. 113 River Run Queenstown, MD 21658

District 36

Member of the Queen Anne's County Orphans' Court; appointed to serve remainder of a term of four years from the General Election of 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, with the exception of Nominee No. 21, were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 682)

The President of the Senate put the following question: "Will the Senate advise and consent to Nominee No. 21, Patrick J. Hogan, of the Executive?"

The above nomination of the Executive, was confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 683)

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #40

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

Senate Bill 706 – Senators Benson, Madaleno, Manno, Pinsky, Ramirez, and Rosapepe

AN ACT concerning

Environment - Permit Determinations - Cumulative Impact Assessments

#### SB0706/234936/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 706

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 3, after "Environment" insert "to require a certain applicant"; in the same line, after "conduct" insert "and submit to the Department"; in line 4, strike "preparing" and substitute "the Department prepares"; in the same line, after "on" insert "a"; in line 5, strike "applications" and substitute "application"; in line 9, strike "include" and substitute "provide"; in line 11, strike "certain tentative or final permit determinations" and substitute "a certain manner under certain circumstances"; and in the same line, strike "requiring" and substitute "authorizing".

# AMENDMENT NO. 2

On page 2, in line 10, strike "A" and substitute "IF APPLICABLE, A".

On page 3, in line 22, strike "SECTION" and substitute "SUBTITLE"; in the same line, strike "ONLY TO" and substitute "ONLY:

# (1) TO APPLICATIONS FOR";

in line 24, strike "(1)" and substitute "(I)"; in line 25, after "ARTICLE" insert "FOR A NEW SOURCE OR A MAJOR MODIFICATION TO AN EXISTING SOURCE THAT IS SUBJECT TO 40 C.F.R. § 52.21 OR COMAR 26.11.17"; after line 25, insert:

"(II) AIR QUALITY PERMITS TO CONSTRUCT SUBJECT TO MINOR NEW SOURCE REVIEW;";

in line 26, strike "(2)" and substitute "(III)"; in line 27, strike "OR"; in line 28, strike "LANDFILLS" and substitute "LANDFILLS, SOLID WASTE TRANSFER STATIONS, OR SOLID WASTE PROCESSING FACILITIES"; in line 29, strike "(3)" and substitute "(IV)"; in line 30, after "ISSUED" insert "FOR NEW INDUSTRIAL FACILITIES"; and in the same line, strike "§ 9–323" and substitute "§ 9–323(A)".

On page 4, in lines 1, 5, 8, and 11, strike "(4)", "(5)", "(6)", and "(7)", respectively, and substitute "(V)", "(VII)", "(VII)", and "(VIII)", respectively; in line 3, strike "ISSUED, RENEWED, OR AMENDED" and substitute "ISSUED"; in lines 5, 8, and 11, in each instance, after "A" insert "NEW"; in line 13, strike "ARTICLE." and substitute "ARTICLE; AND

- (2) WHEN THE PROPOSED FACILITY OR ACTIVITY AUTHORIZED UNDER THE PERMIT WOULD BE LOCATED IN AN UNINCORPORATED COMMUNITY IN PRINCE GEORGE'S COUNTY THAT:
- (I) IS BORDERED TO THE NORTH BY A U.S. HIGHWAY AND TO THE SOUTH BY A STATE HIGHWAY;
- (II) IS WITHIN 2 MILES OF A PARKWAY MAINTAINED BY THE NATIONAL PARK SERVICE;
  - (III) IS WITHIN 1 MILE OF A METRO STATION;

- (IV) IS WITHIN 1.5 MILES OF THE DISTRICT OF COLUMBIA;
- (V) HAS EXPERIENCED AIR QUALITY ALERT DAYS OF DANGEROUS AIR QUALITY FOR SENSITIVE POPULATIONS; AND
- (VI) IS LOCATED NEAR SEVERAL HEAVILY TRAFFICKED STATE AND COUNTY ROADS THAT CARRY BOTH TRUCK AND AUTOMOBILE TRAFFIC.";

in line 16, after "SHALL" insert "REQUIRE THE PERMIT APPLICANT TO"; in line 19, after the second "THE" insert "PROPOSED FACILITY OR"; strike beginning with "PAST," in line 20 down through "FUTURE" in line 21 and substitute "PAST AND PRESENT"; after line 21, insert:

- "(3) THE APPLICANT SHALL SUBMIT THE CUMULATIVE IMPACT ASSESSMENT TO THE DEPARTMENT WITHIN A TIMEFRAME DETERMINED BY THE DEPARTMENT.
- (C) THE DEPARTMENT SHALL REVIEW THE CUMULATIVE IMPACT ASSESSMENT SUBMITTED BY AN APPLICANT UNDER THIS SECTION.";

in lines 22 and 29, strike "(C)" and "(D)", respectively, and substitute "(D)" and "(E)", respectively; after line 23, insert:

"(1) REQUIRE ADDITIONAL ASSESSMENT, AS THE DEPARTMENT CONSIDERS NECESSARY;";

in lines 24 and 26, strike "(1)" and "(2)", respectively, and substitute "(2)" and "(3)", respectively; in line 29, strike "INCLUDE" and substitute "PROVIDE"; in lines 30 and 31, strike "SECTION IN ANY" and substitute "SECTION:

# (1) WHEN ISSUING A";

in line 31, strike "OR FINAL"; and in line 32, strike "TITLE." and substitute "TITLE; OR

- (2) FOR A PERMIT ISSUED UNDER SUBSECTION (A)(1)(II) OF THIS SECTION, BY POSTING THE RESULTS OF THE ASSESSMENT ON THE WEB SITE OF THE DEPARTMENT FOR AT LEAST 2 WEEKS BEFORE ISSUING THE PERMIT.
- (F) THE DEPARTMENT SHALL PROVIDE A SUMMARY OF THE RESULTS OF A CUMULATIVE IMPACT ASSESSMENT CONDUCTED UNDER THIS SECTION TO THE LOCAL GOVERNMENT PLANNING AND ZONING AUTHORITY IN THE JURISDICTION WHERE THE PROPOSED ACTIVITY OR FACILITY AUTHORIZED UNDER THE PERMIT WILL BE LOCATED, FOR REVIEW AND CONSIDERATION IN ANY FUTURE LAND USE DECISIONS."

On page 5, in line 1, strike "SHALL" and substitute "MAY".

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 1015 - Senator Astle

AN ACT concerning

## Anne Arundel County - Alcoholic Beverages - Tasting Licenses

#### SB1015/324138/1

BY: Education, Health, and Environmental Affairs Committee

## AMENDMENTS TO SENATE BILL 1015

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 4, strike the second "license" and substitute "and BWT licenses".

## AMENDMENT NO. 2

On page 2, in line 4, strike "BWL" and substitute "A"; in the same line, strike "(ON-PREMISES)" and substitute "(OFF-PREMISES)"; in line 6, strike "BWL" and substitute "A"; in the same line, strike "(on-premises)" and substitute "(OFF-PREMISES)"; in the same line, strike "BW" and substitute "A"; and in line 7, strike "(on-sale)" and substitute "(OFF-PREMISES)".

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 #16

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 374 - Senators Currie, Kasemeyer, King, Peters, and Robey

AN ACT concerning

State Lottery - Online Ticket Sales - Moratorium and Study

#### SB0374/579230/1

BY: Budget and Taxation Committee

## AMENDMENTS TO SENATE BILL 374

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Robey" and substitute "Robey, and DeGrange"; in line 2, strike "and Study"; strike beginning with "establishing" in line 5 down through "date;" in line 12; in line 13, strike "and study of"; and in line 16, strike "(a)".

#### AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 19 on page 1 through line 7 on page 3, 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 665 – Senators Edwards, Shank, and Madaleno

AN ACT concerning

Correctional Officers' Retirement System - Membership

SB0665/939038/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 665

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Madaleno" and substitute "<u>Madaleno</u>, <u>Colburn, Jones–Rodwell, and McFadden</u>".

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 939 - Senator Shank

AN ACT concerning

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

SB0939/219234/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 939

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 8, after "absence;" insert "requiring a certain purchase of service credit to be made within a certain time period;".

# AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 14, inclusive, and substitute:

- "(2) FOR GOOD CAUSE SHOWN, THE EXECUTIVE DIRECTOR, IN THE EXECUTIVE DIRECTOR'S SOLE DISCRETION, MAY EXTEND THE TIME PERIOD TO PURCHASE SERVICE CREDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:
- (I) THE PURCHASED SERVICE CREDIT WOULD ALLOW THE MEMBER TO MEET THE ELIGIBILITY SERVICE REQUIREMENTS TO APPLY FOR AN ORDINARY DISABILITY RETIREMENT UNDER § 29–105(A) OF THIS ARTICLE; AND
- (II) THE MEMBER COMPLETES THE PURCHASE OF THE SERVICE CREDIT BEFORE THE EARLIER OF:
- 1. 4 YEARS AFTER THE EXPIRATION OF THE LEAVE OF ABSENCE; OR

## 2. THE DATE MEMBERSHIP ENDS.";

and strike in their entirety lines 24 through 33, inclusive, and substitute:

- "(2) FOR GOOD CAUSE SHOWN, THE EXECUTIVE DIRECTOR, IN THE EXECUTIVE DIRECTOR'S SOLE DISCRETION, MAY EXTEND THE TIME PERIOD TO PURCHASE SERVICE CREDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:
- (I) THE PURCHASED SERVICE CREDIT WOULD ALLOW THE MEMBER TO MEET THE ELIGIBILITY SERVICE REQUIREMENTS TO APPLY FOR AN ORDINARY DISABILITY RETIREMENT UNDER § 29–105(A) OF THIS ARTICLE; AND

- (II) THE MEMBER COMPLETES THE PURCHASE OF THE SERVICE CREDIT BEFORE THE EARLIER OF:
- 1. <u>4 YEARS AFTER THE EXPIRATION OF THE LEAVE</u> OF ABSENCE; OR
  - 2. THE DATE MEMBERSHIP ENDS.".

On page 3, strike in their entirety lines 10 through 19, inclusive, and substitute:

- "(2) FOR GOOD CAUSE SHOWN, THE EXECUTIVE DIRECTOR, IN THE EXECUTIVE DIRECTOR'S SOLE DISCRETION, MAY EXTEND THE TIME PERIOD TO PURCHASE SERVICE CREDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:
- (I) THE PURCHASED SERVICE CREDIT WOULD ALLOW THE MEMBER TO MEET THE ELIGIBILITY SERVICE REQUIREMENTS TO APPLY FOR AN ORDINARY DISABILITY RETIREMENT UNDER § 29–105(A) OF THIS ARTICLE; AND
- (II) THE MEMBER COMPLETES THE PURCHASE OF THE SERVICE CREDIT BEFORE THE EARLIER OF:
- 1. 4 YEARS AFTER THE EXPIRATION OF THE LEAVE OF ABSENCE; OR
  - <u>2.</u> <u>THE DATE MEMBERSHIP ENDS.</u>";

and on pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 5 on page 4, inclusive, and substitute:

"(2) FOR GOOD CAUSE SHOWN, THE EXECUTIVE DIRECTOR, IN THE EXECUTIVE DIRECTOR'S SOLE DISCRETION, MAY EXTEND THE TIME PERIOD TO PURCHASE SERVICE CREDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

- (I) THE PURCHASED SERVICE CREDIT WOULD ALLOW THE MEMBER TO MEET THE ELIGIBILITY SERVICE REQUIREMENTS TO APPLY FOR AN ORDINARY DISABILITY RETIREMENT UNDER § 29–105(A) OF THIS ARTICLE; AND
- (II) THE MEMBER COMPLETES THE PURCHASE OF THE SERVICE CREDIT BEFORE THE EARLIER OF:
  - 1. 4 YEARS AFTER THE EXPIRATION OF THE LEAVE

OF ABSENCE; OR

# 2. THE DATE MEMBERSHIP ENDS.".

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 1082 - Senator Madaleno

AN ACT concerning

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

## SB1082/929131/1

BY: Budget and Taxation Committee

# AMENDMENT TO SENATE BILL 1082

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Madaleno" and substitute "Senators Madaleno, Jones–Rodwell, Manno, and Raskin".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON FINANCE REPORT #27

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

## Senate Bill 1066 - Senator Raskin

AN ACT concerning

# Fairness in Negotiations Act – Sunset Repeal

## SB1066/877771/1

BY: Finance Committee

## AMENDMENTS TO SENATE BILL 1066

(First Reading File Bill)

## AMENDMENT NO. 1

In the sponsor line, strike "Senator Raskin" and substitute "Senators Raskin, Feldman, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Ramirez"; in line 2, after "Act" insert "and the Public School Labor Relations Board"; in the same line, after "Repeal" insert "and Reporting Requirements"; in line 3, after "to" insert "collective bargaining for public school employees and"; in line 4, after "Board;" insert "requiring the Board to report to certain committees of the General Assembly on certain information and certain recommendations on or before a certain date; requiring the Board to report to certain committees of the General Assembly on or before a certain date on the Board's compliance with certain provisions of law concerning administrative procedures and open meetings;"; and in line 5, after "Board" insert "and collective bargaining for public school employees".

## AMENDMENT NO. 2

After line 15, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2018, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on:

(1) for the period of July 1, 2014, through June 30, 2018:

- (i) the number and type of cases heard by the Board;
- (ii) the disposition of the cases decided by the Board;
- (iii) the dates on which the cases were heard; and
- (iv) the cost of fully processing the cases;
- (2) trend data for each item listed in item (1) of this section between July 1, 2014, and June 30, 2018; and
  - (3) any recommended legislation.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2014, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on the Board's compliance with administrative procedures provisions and open meetings provisions in Title 10 of the State Government Article.";

and in line 16, strike "2." and substitute "4.".

The preceding 2 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 Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1091 – Senator Klausmeier

AN ACT concerning

Financial Institutions - Transitional Mortgage Loan Originator Licenses

#### SB1091/677579/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 1091

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 2, strike "Transitional" and substitute "Registered"; in the same line, strike "Originator" and substitute "Originators — Expedited"; in line 3, strike "authorizing" and substitute "requiring"; strike beginning with "issue" in line 3 down through "term;" in line 15 and substitute "waive a State criminal history records check to expedite the issuance of a certain license to an applicant who was employed as a registered mortgage loan originator within a certain number of days before the date of application for the license under certain circumstances; requiring the Commissioner to publish prominently on a certain Web site the expedited process for the issuance of a certain license; authorizing the Commissioner to adopt certain regulations;"; strike in their entirety lines 17 through 21, inclusive; and in line 24, strike "11–602" and substitute "11–601".

On page 2, in line 1, strike "11-605.1" and substitute "11-612.3".

## AMENDMENT NO. 2

On page 5, strike in their entirety lines 4 and 5; in line 6, strike the brackets; and in the same line, strike "(Z)".

On pages 5 through 8, strike in their entirety the lines beginning with line 8 on page 5 through line 11 on page 8, inclusive, and substitute:

# "<u>11–612.3.</u>

- (A) TO EXPEDITE THE ISSUANCE OF A LICENSE TO AN APPLICANT WHO, WITHIN 45 DAYS BEFORE THE DATE OF APPLICATION FOR THE LICENSE, WAS EMPLOYED AS A REGISTERED MORTGAGE LOAN ORIGINATOR, THE COMMISSIONER SHALL WAIVE, AS APPLICABLE, THE STATE CRIMINAL HISTORY RECORDS CHECK.
- (B) THE COMMISSIONER SHALL PUBLISH PROMINENTLY ON THE COMMISSIONER'S WEB SITE, OR HAVE PUBLISHED ON A THIRD-PARTY WEB SITE USED FOR LICENSING MORTGAGE LOAN ORIGINATORS IN THE STATE, THE EXPEDITED PROCESS FOR THE ISSUANCE OF A LICENSE UNDER THIS SECTION.

(C) THE COMMISSIONER MAY ADOPT REGULATIONS TO CARRY OUT THIS SECTION.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

### SB1091/367074/1

BY: Finance Committee

# AMENDMENT TO SENATE BILL 1091

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON FINANCE REPORT #28

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

House Bill 1181 – Delegates Hixson, Kaiser, A. Miller, and Walker

AN ACT concerning

Fairness in Negotiations Act Public School Labor Relations Board - Sunset Repeal and Reporting Requirement

#### HB1181/197976/1

BY: Finance Committee

# AMENDMENTS TO HOUSE BILL 1181

(Third Reading File Bill)

## AMENDMENT NO. 1

On page 1, in line 2, before "Public" insert "Fairness in Negotiations Act and the"; in line 3, strike "Requirement" and substitute "Requirements"; in line 4, after "to" insert "collective bargaining for public school employees and"; in line 5, after the second "to" insert "certain committees of"; in line 7, after "date;" insert "requiring the Board to report to certain committees of the General Assembly on or before a certain date on the Board's compliance with certain provisions of law concerning administrative procedures and open meetings;"; and in line 8, after "Board" insert "and collective bargaining for public school employees".

## AMENDMENT NO. 2

On page 2, in line 3, strike "<u>General Assembly</u>" and substitute "<u>Senate Finance</u> <u>Committee and the House Ways and Means Committee</u>"; after line 11, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2014, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on the Board's compliance with administrative procedures provisions and open meetings provisions in Title 10 of the State Government Article.":

and in line 12, strike "3." and substitute "4.".

The preceding 2 amendments were read only.

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

The motion was adopted.

# **QUORUM CALL**

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

(See Roll Call No. 684)

### ADJOURNMENT

At 12:10 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 17, 2014, Calendar Day, Monday, March 24, 2014.

# Annapolis, Maryland Legislative Day: March 17, 2014 Calendar Day: Monday, March 24, 2014 8:00 P.M. Session

The Senate met at 8:10 P.M.

Prayer by Reverend Amy Sarah Lewis-Rill, Wesley United Methodist Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of March 16, 2014 was read and approved.

# **QUORUM CALL**

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

(See Roll Call No. 686)

## INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 631 – Senator Paul G. Pinsky:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Jennifer Erwin
in recognition of

her role in representing the State of Maryland as the 2013 Cherry Blossom Princess. We commend your educational and cultural leadership.

Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 24th day of March 2014.

# Senate Resolution No. 639 - Senator Nancy Jacobs:

Be it hereby known to all that The Senate of Maryland offers its sincerest congratulations to Taylor Rogers in recognition of

her role in representing the State of Maryland as the 2013 Cherry Blossom Princess. We commend your educational and cultural leadership.

Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 24th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 687)

# Tribute to Senator Jennie Forehand by Senator Jamie Raskin

Start by introducing the family: The Senator's beloved husband of 56 years Bill Forehand; their daughter Virginia Horn and her husband Tom and their two children, Bill and Brian Horn; their son John and his wife Heidi, and their two kids Eric and Noah, the twins. I should also mention their grandson Bill's girlfriend Callie Orr, who has come to join us too.

Everyone knows that the Distinguished Senator from District 17 is obsessed with Lewis and Clark and the expedition that President Jefferson sent them on to explore North America, and everyone knows that she and Bill have spent many a romantic weekend retracing Lewis and Clark's footsteps across America. To me, this passion seems totally fitting because the Senator from District 17 has been a fearless pioneer and explorer in her own time – a patriotic adventurer, an intrepid boat—rocker, a cutup, and an absolute trailblazer for progress and change who never gave up, never gave in and never gave out.

The list of her legislative accomplishments in the Senate and in the House is as long as my arm, and it reads like a record of social progress in our state. She introduced the First Lemon Law in America, which spread rapidly across the country. She introduced Saturday MVA Hours, making her beloved and politically invincible. It was her legislation that made Maryland Smoke—Free in public places, she got cigarette vending machines out of all state buildings and away from kids, and she made sure that Camden Yards would be the first smoke—free stadium in America. She introduced the first law in America against genetic discrimination, a subject she became expert in decades ago through her work as the citizen member of the NIH advisory committee on genetic research, and that law too spread rapidly across the country. Her advocacy made it a crime to intimidate witnesses, to secretly videotape someone, to engage in human trafficking. The General Assembly passed her bill extending Maryland's rape shield act to children and male victims of rape. She has been a champion of health care for all of our people, expanding and improving mental

health treatment, and she has been the biggest enemy in Annapolis of domestic abusers, human traffickers, and violators of women and children.

The Senator from D17 has always been radically impatient for change, and her career in Annapolis has been marked not only by masterful strokes acts of legislative genius and coalition—building but what can only be described as madcap acts of legislative tomfoolery and civil disobedience to press her point.

When I asked her to reflect on her time across the hall in the House of Delegates, she said that her principal memory was "arriving in Annapolis and then taking ashtrays wherever I found them and hiding them." I thought she was kidding, but I went back and found numerous newspaper accounts of the Senator's nimble guerilla tactics in her war against smoking.

In those days, there was smoking by Members and staff in the committee rooms, on the House floor, and here on the Senate floor too – "everywhere you turned," as she said, "people were smoking and the whole place smelled like an ashtray." As a junior Delegate passionate for public health and representing the NIH campus, she found smoking to be part of a "good ol' boy" culture that mockingly ignored the public health because of the entrenched power of a cozy interest group. But when word of her ashtray–pilfering and hiding reached John R. Hargreaves, the Chairman of her Committee, Appropriations, he demanded that she stop. On March 1, 1979, he wrote her a priceless letter, which the Senator's remarkable staff have preserved for posterity and which is circulating in the Chamber right now. It reads simply: "Jennie, per our conversation, I would appreciate it if you would return the committee ashtrays as soon as possible."

But Jenny was an only child, very close to her parents, and her beloved father died from lung cancer. He had never smoked a day in his life, but he was an engineer who worked in an office where nearly everyone smoked and he was subjected to second—hand smoke for decades. Though he never had a cigarette, x—rays showed him to have the lungs of a chain smoker. Her father's death caused her mother to go into a severe depression that further shocked young Jenny.

In response to the demand that she quit stealing the ashtrays, the young Delegate stepped up her campaign, linked up with national public health groups, and began to press legislation to prohibit smoking in the General Assembly. Finally, then—Speaker of the House Ben Cardin banned smoking in the House of Delegates in response to Senator Forehand's campaign. It is impossible to estimate or quantify the health benefits or financial savings caused by this once lonely crusade, all because of the courage of one woman. "They thought I was crazy, but I laughed right along with them and kept going," Forehand told the Gazette.

This story reminds me of what Gandhi said about challenging the power structure with civil disobedience: "First they laugh at you, then they ignore you, then you win."

And so she did. I asked the Senator where she hid those ashtrays. It has never before been revealed publicly, but they were hidden under the radiators in the Appropriations Committee. According to the Senator's staff, they were discovered when the House Office Building was renovated a few years ago when the construction team was dumbfounded and baffled to find dozens of ashtrays hidden under the radiator.

These civil disobedience tactics came naturally to the Senator because she was a child of the South, reared in what she has called "genteel poverty," not affluent but always privileged and insulated by her race; her life and her outlook would change radically with the Civil Rights Movement. Born in Nashville, she grew up in Charlotte and went to segregated schools, graduating from high school in 1954, when Brown v. Board was handed down. She watched the early civil rights movement grow with SNCC and the lunch counter sit—ins and, then went to the all—white woman's college of the University of North Carolina, where she crossed paths with the distinguished Senator from District \_\_, a student at NC Agricultural and Technical State University who was working in the school cafeteria for 50 cents an hour. The Senator would join the other students in sledding down the hill on the dining room trays when it snowed and the Senator from \_\_\_ District remembers having to go pick them up at the bottom of the hill.

But then at UNC Chapel Hill, the Senator met the maverick civil rights activist and later Congressman Allard Lowenstein, who taught there and inspired her to join the civil rights movement. He introduced her to none other than Eleanor Roosevelt whose graciousness and civility deeply impressed her. Soon the young Southern belle was attending civil rights marches. She joined Dr. King's 1963 March on Washington and saw him give the "I have a dream" speech. When she became a juvenile probation officer in Charlotte and worked with mostly African-American girls, she often had to transport them across the state and had a difficult time finding places where they could stop to eat because all the restaurants were still segregated. Senator Forehand recalls stopping at her old sorority house where the resident cook was African-American and would sneak the girls food. Jenny never stopped protesting and never took off her marching shoes – also circulating in the body are photographs of her with other Members of the General Assembly protesting the apartheid government in South Africa at the South African embassy in 1985. And you can also see photos of her rallying for the ERA and women's reproductive rights. Through all of her adult life, Senator Forehand told me that she has been moved by this commanding vision: "to give voice to those whom society discounted." How beautiful is that?

I have given you a taste of the Senator's remarkable life, but I have omitted the love story that is central to it. Jenny met Bill in high school in 1951 at the Methodist Youth Fellowship in high school at the weekly supper on Sunday night, and it sounds like it was love at first sight. It is true that young Jenny had a room full of suitors at the time. Her mother kept a meticulous guestbook of gentleman callers and the dozens of boys vying for attention all had to sign in if they came over for the date. When Bill showed up for their first date, he clandestinely read through the guestbook and started to check up on his rivals and do whatever he could to sabotage their own hopes

for dating the beautiful young girl. Today, the Senator will only say, "I was dating lots of boys, it's true, but they were all my friends. Bill was the special one." They married in 1958, the year of her college graduation, 56 years ago, and then Bill went into the Navy.

It does seem indisputable that Bill was the apple of her eye and the only guy for her, although I must confess that, when I was going through the archives, I was more than a little surprised to find so many smiling photos of Jenny at NCSL conferences posing in disturbing proximity to then—Governor of Arkansas, Bill Clinton, and I have asked Senator Forehand's staff to circulate these photos so the body can judge for itself what it thinks was going on at the time. For my own part, I am convinced that, appearances notwithstanding, there has only been one Bill for the Senator from District 17.

I will close with this story about how the Senator got into her first race for the House of Delegates back in 1974. She went to her local elem school and saw the local ticket, there was this one guy who, when asked why he was running, said, "My law practice is shaky and I need the job." It was that moment, she said, that she decided to run because what he said was really "disrespectful to us." You shouldn't run for office because you need a job, she said, you should run because the people need your service. What a remarkable formulation. In office, the Senator from District 17 has been a paragon of public engagement, public virtue, and public integrity, although she is definitely known to bring back extra chocolate chip cookies and potato chips to her office from lunches in the Miller Building.

When she ran in 1974 against the guy who needed a job, she lost, but "losing is the best thing that ever happened to me because I joined other groups and got to know a lot of other people in the community and then I won four years later."

We are all lucky for the Senator's magnificent optimism and energy, and her insatiable desire to serve the common good. We are blessed by her mentorship of generations of young women inspired to follow her example in public service. And for as long as the rest of us are here and the voters will have us, we should remember, every time that someone stands up for an unpopular and seemingly lost cause, whenever someone takes the side of the underdog, whenever someone gives voice to those whom society has discounted, whenever someone hides the ashtrays, then there are people still doing justice and honor to the magnificent career and vision of Jenny Forehand.

#### LAID OVER BILLS

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

## Senate Bill 1066 - Senator Raskin

# Fairness in Negotiations Act – Sunset Repeal

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

#### SB1066/877771/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 1066

(First Reading File Bill)

## AMENDMENT NO. 1

In the sponsor line, strike "Senator Raskin" and substitute "Senators Raskin, Feldman, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Ramirez"; in line 2, after "Act" insert "and the Public School Labor Relations Board"; in the same line, after "Repeal" insert "and Reporting Requirements"; in line 3, after "to" insert "collective bargaining for public school employees and"; in line 4, after "Board;" insert "requiring the Board to report to certain committees of the General Assembly on certain information and certain recommendations on or before a certain date; requiring the Board to report to certain committees of the General Assembly on or before a certain date on the Board's compliance with certain provisions of law concerning administrative procedures and open meetings;"; and in line 5, after "Board" insert "and collective bargaining for public school employees".

## AMENDMENT NO. 2

After line 15, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2018, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on:

- (1) for the period of July 1, 2014, through June 30, 2018:
  - (i) the number and type of cases heard by the Board;
  - (ii) the disposition of the cases decided by the Board;
  - (iii) the dates on which the cases were heard; and

- (iv) the cost of fully processing the cases;
- (2) trend data for each item listed in item (1) of this section between July 1, 2014, and June 30, 2018; and
  - (3) any recommended legislation.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2014, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on the Board's compliance with administrative procedures provisions and open meetings provisions in Title 10 of the State Government Article.";

and in line 16, strike "2." and substitute "4.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1181 – Delegates Hixson, Kaiser, A. Miller, and Walker

AN ACT concerning

# Fairness in Negotiations Act Public School Labor Relations Board - Sunset Repeal and Reporting Requirement

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

#### HB1181/197976/1

BY: Finance Committee

# AMENDMENTS TO HOUSE BILL 1181

(Third Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 2, before "<u>Public</u>" insert "<u>Fairness in Negotiations Act and the</u>"; in line 3, strike "<u>Requirement</u>" and substitute "<u>Requirements</u>"; in line 4, after "to"

insert "collective bargaining for public school employees and"; in line 5, after the second "to" insert "certain committees of"; in line 7, after "date;" insert "requiring the Board to report to certain committees of the General Assembly on or before a certain date on the Board's compliance with certain provisions of law concerning administrative procedures and open meetings;"; and in line 8, after "Board" insert "and collective bargaining for public school employees".

# AMENDMENT NO. 2

On page 2, in line 3, strike "<u>General Assembly</u>" and substitute "<u>Senate Finance</u> <u>Committee and the House Ways and Means Committee</u>"; after line 11, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2014, the Public School Labor Relations Board, in accordance with § 2–1246 of the State Government Article, shall report to the Senate Finance Committee and the House Ways and Means Committee on the Board's compliance with administrative procedures provisions and open meetings provisions in Title 10 of the State Government Article.";

and in line 12, strike "3." and substitute "4.".

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 #41

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 259 – Senator Middleton

AN ACT concerning

Agriculture – Easements – Renewable Energy Generation Facilities

## SB0259/174933/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 259

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 3 down through "easement," in line 4; in line 4, after "easement" insert "approved for a certain purchase after a certain date"; in the same line, after "landowner" insert "to request approval"; in line 6, strike "requiring, on written request of a landowner," and substitute "authorizing a written request of a landowner to be approved by"; in line 9, after "circumstances;" insert "altering the composition of the Maryland Agricultural Land Preservation Fund; prohibiting the Foundation from approving the use of land subject to an easement for renewable energy generation after a certain date; prohibiting the installation of certain wind turbines exceeding certain heights in certain areas of the State; requiring a facility owner to remit a certain percentage of a certain lease payment to the Maryland Agricultural Land Preservation Fund; requiring a certain lease executed by a landowner and a certain facility owner to include provisions related to the removal of a certain facility under certain circumstances;"; in line 12, after "Assembly;" insert "requiring the Foundation to make a certain report to certain committees of the General Assembly by a certain date;"; in the same line, strike "a certain term" and substitute "certain terms"; after line 14, insert:

"BY repealing and reenacting, with amendments,

<u> Article – Agriculture</u>

Section 2–505(b) and 2–513(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)";

and strike in their entirety lines 25 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 6, inclusive.

## AMENDMENT NO. 2

On page 2, after line 9, insert:

"2–<u>505.</u>

(b) The Maryland Agricultural Land Preservation Fund shall comprise:

- Any money made available to the Fund by general or special fund (1) appropriations; [and]
- Any money made available to the Fund by grants or transfers from (2)governmental or private sources; AND
- **(3)** ANY MONEY RECEIVED UNDER § 2–513(C) OF THIS SUBTITLE.".

## AMENDMENT NO. 3

On page 5, strike beginning with "IN" in line 8 down through "ARTICLE." in line 10 and substitute "(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

- "AUTHORIZED RENEWABLE ENERGY SOURCE" MEANS (II)THE FOLLOWING ENERGY SOURCES:
  - 1. SOLAR;
  - <u>2.</u> WIND;
- 3. ANAEROBIC DIGESTION OF POULTRY LITTER IF PLACED ON FALLOW LAND; AND
- ANAEROBIC DIGESTION OF LIVESTOCK MANURE 4. IF PLACED ON FALLOW LAND.
- (III) "REFERENCE POINT" MEANS A POINT ON THE PATUXENT NAVAL AIR STATION CENTERED AT 38.29667N AND 76.37668W.";

in line 11, strike "ANY" and substitute "SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, ANY"; strike beginning with "ACQUIRED" in line 11 down through "RENEWABLE" in line 14 and substitute "APPROVED FOR PURCHASE BY THE BOARD OF PUBLIC WORKS AFTER JUNE 30, 2014, SHALL AUTHORIZE THE LANDOWNER TO REQUEST APPROVAL, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY"; strike beginning with "AND" in line 16 down through "FACILITY" in line 17; in line 17, strike "EACH PARCEL" and substitute "THE LAND"; in line 18, strike the semicolon and substitute a colon; after line 18, insert:

"1. INCLUDING PERMANENT ROADS OR STRUCTURES
THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
PURPOSES; AND

2. <u>NOT INCLUDING ANY TEMPORARY IMPACTS</u>
NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "A TIER 1 RENEWABLE" and substitute "AN AUTHORIZED RENEWABLE ENERGY"; and in line 29, strike "ARE NOT LOCATED"; and in line 30, strike "IN" and substitute "ARE NOT LOCATED IN".

# AMENDMENT NO. 4

On page 6, strike beginning with "WITHIN" in line 1 down through "76.37668W" in line 2 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; strike in their entirety lines 3 through 6, inclusive; after line 6, insert:

"(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A WRITTEN REQUEST OF A LANDOWNER, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS, MAY BE APPROVED BY THE FOUNDATION TO AMEND AN EXISTING EASEMENT TO AUTHORIZE THE LANDOWNER TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE PROVIDED THAT:";

in line 9, strike "EACH PARCEL" and substitute "<u>THE LAND</u>"; in line 13, strike "A TIER 1 RENEWABLE" and substitute "<u>AN AUTHORIZED RENEWABLE ENERGY</u>"; strike beginning with "AND" in line 8 down through "FACILITY" in line 9; in line 10, strike the semicolon and substitute a colon; after line 10, insert:

- "1. INCLUDING PERMANENT ROADS OR STRUCTURES
  THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
  PURPOSES; AND
- 2. NOT INCLUDING ANY TEMPORARY IMPACTS NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "ARE NOT LOCATED"; in line 22, strike "IN" and substitute "ARE NOT LOCATED IN"; strike beginning with "WITHIN" in line 25 down through "76.37668W" in line 26 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; after line 26, insert:

- "(4) (I) THE FOUNDATION MAY NOT APPROVE THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE AFTER JUNE 30, 2019.
- (II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO PROHIBIT THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION THAT WAS APPROVED BY THE FOUNDATION BEFORE JULY 1, 2019.
- (5) A WIND TURBINE LOCATED ON LAND SUBJECT TO AN EASEMENT MAY NOT EXCEED THE SPECIFIED HEIGHT ABOVE GROUND LEVEL IN THE AREA DESCRIBED AS FOLLOWS:
- (I) EAST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:
- 1. NOT MORE THAN 24 MILES FROM THE REFERENCE POINT, 0 FEET;
- 2. More than 24 miles and not more than 30 miles from the reference point, 100 feet;

- 3. MORE THAN 30 MILES AND NOT MORE THAN 35 MILES FROM THE REFERENCE POINT, 200 FEET;
- 4. MORE THAN 35 MILES AND NOT MORE THAN 39 MILES FROM THE REFERENCE POINT, 300 FEET;
- <u>5.</u> <u>MORE THAN 39 MILES AND NOT MORE THAN 43</u> MILES FROM THE REFERENCE POINT, 400 FEET;
- <u>6.</u> <u>MORE THAN 43 MILES AND NOT MORE THAN 46</u> MILES FROM THE REFERENCE POINT, 500 FEET;
- 7. MORE THAN 46 MILES AND NOT MORE THAN 49
  MILES FROM THE REFERENCE POINT, 600 FEET; AND
- 8. MORE THAN 49 MILES AND NOT MORE THAN 56
  MILES FROM THE REFERENCE POINT, 700 FEET; AND
- (II) WEST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:
  - 1. SOUTH OF 38.4428N, 0 FEET;
- 2. North of 38.4428N and no farther north than 38.5711N, 100 feet;
- 3. NORTH OF 38.5711N AND NO FARTHER NORTH THAN 38.5943N, 200 FEET;
- 4. <u>NORTH OF 38.5943N AND NO FARTHER NORTH</u> THAN 38.6366N, 300 FEET;
- <u>5.</u> <u>NORTH OF 38.6366N AND NO FARTHER NORTH</u> THAN 38.6596N, 400 FEET;

- 6. North of 38.6596N and no farther north than 38.6873N, 500 feet;
- <u>7.</u> <u>North of 38.6873N and no farther north</u> <u>Than 38.7075N, 600 feet; and</u>
- 8. NORTH OF 38.7075N AND NOT MORE THAN 56 MILES FROM THE REFERENCE POINT, 700 FEET.
- (6) A FACILITY OWNER WHO USES LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL, ON OPERATION OF THE FACILITY, REMIT AN ANNUAL PAYMENT OF 5% OF ANY LEASE PAYMENT PAID TO THE LANDOWNER TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND UNDER § 2–505 OF THIS ARTICLE.
- (7) A LEASE EXECUTED BY A FACILITY OWNER AND A LANDOWNER FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL INCLUDE PROVISIONS TO REQUIRE A FACILITY OWNER TO REMOVE THE FACILITY IF THE FACILITY IS NO LONGER INTENDED TO BE USED TO GENERATE ELECTRICITY.
- (8) A LANDOWNER WHO IS IN VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS REGARDING THE OPERATION OF THE FACILITY IS IN VIOLATION OF THE EASEMENT AND IS SUBJECT TO A CIVIL PENALTY UNDER § 2–519 OF THIS SUBTITLE.";

in line 27, strike "(4)" and substitute "(9)"; and in line 31, strike "(5)" and substitute "(10)".

## AMENDMENT NO. 5

On page 7, strike in their entirety lines 3 through 25, inclusive.

On page 8, strike beginning with "Tier" in line 3 down through "sources" in line 4 and substitute "<u>an authorized renewable energy source</u>"; in line 4, strike "§ 7–701(r)(4) and (9) of the Public Utilities" and substitute "<u>§ 2–513(c)(1)(ii) of the Agriculture</u>"; after line 5, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2018, the Maryland Agricultural Land Preservation Foundation shall report to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, the House Economic Matters Committee, and the House Environmental Matters Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.";

and in line 6, strike "4." and substitute "5.".

The preceding 5 amendments were read only.

Senator Colburn 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 1049 – Senator Getty

EMERGENCY BILL

AN ACT concerning

# **Education - Required Number of School Days**

## SB1049/814239/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 1049

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Getty" and substitute "<u>Senators Getty, Conway, Dyson, Jennings, Montgomery, Reilly, Simonaire, and Young</u>"; in line 2, after "Days" insert "<u>Exception</u>"; strike beginning with "specifying" in line 3 down through "open" in line 5 and substitute "<u>requiring the State Board of Education to grant certain county boards of education certain adjustments and exceptions for certain school attendance if attendance is prevented on a day that the Governor declares a state of emergency"; after line 6, insert:</u>

"BY repealing and reenacting, with amendments,

<u>Article – Education</u>

Section 7–103

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)";

and strike beginning with the first "a" in line 8 down through "accordingly." in line 11 and substitute "the Laws of Maryland read as follows:

Article - Education".

## AMENDMENT NO. 2

On page 1, after line 11, insert:

"<u>7–103.</u>

- (a) Except as provided in subsections (b), (e), and (f) of this section, each public school under the jurisdiction of a county board:
- (1) Shall be open for pupil attendance for at least 180 actual school days and a minimum of 1,080 school hours during a 10-month period in each school year; or
- (ii) <u>If normal school attendance is prevented because of conditions described in subsection (b) of this section, shall be open for at least 1,080 hours during a 10-month period;</u>
- (2) Shall be open for pupil attendance a minimum of 3 hours during each school day; and
- (3) May not be open on Saturdays, Sundays, or holidays in order to meet the 180-day or 1,080-hour requirement of this subsection.
- (b) (1) If a county board submits a written application to the State Board that describes a demonstrated effort by the county board to comply with subsection (a) of this section, the State Board may permit:
  - (i) Adjustments in the length of the school year;

- (ii) Exceptions from the requirement that the school year be completed within a 10-month period;
  - (iii) Adjustments in the length of the school day; and
  - (iv) Schools to be open on holidays.
  - (2) These adjustments:
- (I) [may] MAY be granted only if normal school attendance is prevented because of:
  - [(i)] 1. Natural disaster;
  - [(ii)] 2. Civil disaster; or
  - [(iii)] 3. Severe weather conditions; AND
- (II) BEGINNING WITH THE 2013-2014 SCHOOL YEAR, SHALL BE GRANTED FOR EACH DAY THAT NORMAL SCHOOL ATTENDANCE IS PREVENTED ON A DAY THAT THE GOVERNOR DECLARES A STATE OF EMERGENCY UNDER § 14-303 OF THE PUBLIC SAFETY ARTICLE.
- (3) Education funding from State or local sources may not be reduced if there are less than 180 school days in any year because of an approved application under this subsection.
- (4) <u>In case of emergency, the State Board may open schools on holidays.</u>
  - (c) (1) The following days are public school holidays:
    - (i) Thanksgiving Day and the day after;
    - (ii) Christmas Eve and from then through January 1;
    - (iii) Martin Luther King, Jr. Day;

- (iv) Presidents' Day;
- (v) The Friday before Easter and from then through the Monday after Easter;
  - (vi) Memorial Day; and
  - (vii) Primary and general election days.
- (2) If the federal and State observances of a holiday are on different days, the board of education of each county shall determine which date shall be the date of observance for the public schools within the county.
- (3) The public schools shall devote a part of the day to appropriate exercises for the following days:
  - (i) Washington's Birthday;
  - (ii) Lincoln's Birthday;
  - (iii) Veterans' Day;
  - (iv) Columbus Day;
  - (v) Arbor Day; and
  - (vi) Any other day of national significance.
- (4) Notwithstanding any other provisions of this article, the public schools, in the following counties, may remain open and in session on primary and general election days:
  - (i) Calvert;
  - (ii) Caroline;
  - (iii) Dorchester;

- (iv) Kent;
- (v) Talbot; and
- (vi) Worcester.
- (d) Except as provided in subsection (e) of this section, the State Board shall divide the school year into the terms it considers appropriate.
- (e) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard, Montgomery, and Prince George's counties, and the Board of School Commissioners of Baltimore City, may elect to operate one or more schools within the county or Baltimore City on a year—round basis, provided that the 180—day and the minimum hour requirements under this section are met.
- (2) Nothing in this section precludes a county board from conducting a year—round pilot study or program that is funded by the county board.
- (f) Publicly funded prekindergarten programs are not subject to the requirements of subsection (a) of 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.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #19

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

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

AN ACT concerning

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

Senator DeGrange 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:

Senate Bill 218 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt - Qualified Zone Academy Bonds

Senator DeGrange moved, duly seconded, to make the Bill and Report a Special Order for March 25, 2014.

The motion was adopted.

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

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

AN ACT concerning

# **Academic Facilities Bonding Authority**

Senator DeGrange moved, duly seconded, to make the Bill and Report a Special Order for March 25, 2014.

The motion was adopted.

# **QUORUM CALL**

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

(See Roll Call No. 688)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #63

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

AN ACT concerning

State Lottery - Online Ticket Sales - Moratorium and Study

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

Affirmative – 46 Negative – 0 (See Roll Call No. 689)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Correctional Officers' Retirement System – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 690)

The Bill was then sent to the House of Delegates.

Senate Bill 706 – Senators Benson, Madaleno, Manno, Pinsky, Ramirez, and Rosapepe

AN ACT concerning

Environment - Permit Determinations - Cumulative Impact Assessments

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

Affirmative – 43 Negative – 3 (See Roll Call No. 691)

The Bill was then sent to the House of Delegates.

Senate Bill 939 – Senator Shank

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 692)

The Bill was then sent to the House of Delegates.

Senate Bill 952 – Senator Astle

AN ACT concerning

# Pharmacy Benefits Managers - Pharmacy Contracts - Payments Maximum Allowable Cost Pricing

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

Affirmative – 46 Negative – 0 (See Roll Call No. 693)

The Bill was then sent to the House of Delegates.

Senate Bill 1015 - Senator Astle

AN ACT concerning

# Anne Arundel County - Alcoholic Beverages - Tasting Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

Senate Bill 1040 – Senator Middleton

AN ACT concerning

## Maryland Community Health Resources Commission – Sunset Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the House of Delegates.

# Senate Bill 1082 - Senator Madaleno, Jones-Rodwell, Manno, and Raskin

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

Senate Bill 1091 – <del>Senator Klausmeier</del> <u>Senators Klausmeier, Middleton, Astle,</u> Feldman, Glassman, Kelley, Kittleman, Mathias, Pugh, and Ramirez

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 697)

The Bill was then sent to the House of Delegates.

Senate Bill 1097 – Senator Hershey

AN ACT concerning

Mental Hygiene Administration - Upper Shore Community Mental Health Center - Reopening and Maintenance

<u>Department of Health and Mental Hygiene – Workgroup to Evaluate Mental</u> Health Care Delivery on the Eastern Shore

Read the third time and passed by year and navs as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 698)

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. 699)

## **ADJOURNMENT**

At 9:12 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 18, 2014, Calendar Day, Tuesday, March 25, 2014.

## Annapolis, Maryland Legislative Day: March 18, 2014 Calendar Day: Tuesday, March 25, 2014 10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Reverend Rick Edmund, Smith Island United Methodist Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of March 17, 2014 was read and approved.

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

## **QUORUM CALL**

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

(See Roll Call No. 701)

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 641 – Senator David R. Brinkley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Sgt. Michael L. Firth
in recognition of

being named 2014 Best Noncommissioned Officer in the Maryland Army National Guard.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 25th day of March 2014.

## Senate Resolution No. 640 – Senator David R. Brinkley:

Be it hereby known to all that The Senate of Maryland offers its sincerest congratulations to
Spc. Michael Robinson
in recognition of
being named 2014 Soldier of the Year in the
Maryland Army National Guard.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 25th day of March 2014.

## Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 702)

## Senate Resolution No. 632 - Senator C. Anthony Muse:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Potomac High School Boys Varsity Basketball Team
in recognition of
your winning the Maryland State 2A 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 25th day of March 2014.

## Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 703)

## Maryland Day Presentation given by Senator Roy Dyson

#### LAID OVER BILLS

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

#### Senate Bill 259 – Senator Middleton

AN ACT concerning

#### Agriculture - Easements - Renewable Energy Generation Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

#### SB0259/174933/1

BY: Education, Health, and Environmental Affairs Committee

## AMENDMENTS TO SENATE BILL 259

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 3 down through "easement," in line 4; in line 4, after "easement" insert "approved for a certain purchase after a certain date"; in the same line, after "landowner" insert "to request approval"; in line 6, strike "requiring, on written request of a landowner," and substitute "authorizing a written request of a landowner to be approved by"; in line 9, after "circumstances;" insert "altering the composition of the Maryland Agricultural Land Preservation Fund; prohibiting the Foundation from approving the use of land subject to an easement for renewable energy generation after a certain date; prohibiting the installation of certain wind turbines exceeding certain heights in certain areas of the State; requiring a facility owner to remit a certain percentage of a certain lease payment to the Maryland Agricultural Land Preservation Fund; requiring a certain lease executed by a landowner and a certain facility owner to include provisions related to the removal of a certain facility under certain circumstances;"; in line 12, after "Assembly;" insert "requiring the Foundation to make a certain report to certain committees of the General Assembly by a certain date;"; in the same line, strike "a certain term" and substitute "certain terms"; after line 14, insert:

"BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–505(b) and 2–513(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)";

and strike in their entirety lines 25 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 6, inclusive.

## AMENDMENT NO. 2

On page 2, after line 9, insert:

- (b) The Maryland Agricultural Land Preservation Fund shall comprise:
- (1) Any money made available to the Fund by general or special fund appropriations; [and]
- (2) Any money made available to the Fund by grants or transfers from governmental or private sources; AND
- (3) ANY MONEY RECEIVED UNDER § 2–513(C) OF THIS SUBTITLE.".

#### AMENDMENT NO. 3

On page 5, strike beginning with "IN" in line 8 down through "ARTICLE." in line 10 and substitute "(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

- (II) "AUTHORIZED RENEWABLE ENERGY SOURCE" MEANS THE FOLLOWING ENERGY SOURCES:
  - 1. SOLAR;
  - 2. **WIND**;
- 3. ANAEROBIC DIGESTION OF POULTRY LITTER IF PLACED ON FALLOW LAND; AND
- 4. <u>Anaerobic digestion of livestock manure</u> if placed on fallow land.
- (III) "REFERENCE POINT" MEANS A POINT ON THE PATUXENT NAVAL AIR STATION CENTERED AT 38.29667N AND 76.37668W.";

in line 11, strike "ANY" and substitute "Subject to Paragraph (4) of this Subsection, any"; strike beginning with "Acquired" in line 11 down through "Renewable" in line 14 and substitute "Approved for Purchase by the Board of Public Works after June 30, 2014, shall authorize the

LANDOWNER TO REQUEST APPROVAL, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY"; strike beginning with "AND" in line 16 down through "FACILITY" in line 17; in line 17, strike "EACH PARCEL" and substitute "THE LAND"; in line 18, strike the semicolon and substitute a colon; after line 18, insert:

"1. INCLUDING PERMANENT ROADS OR STRUCTURES
THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
PURPOSES; AND

2. <u>NOT INCLUDING ANY TEMPORARY IMPACTS</u>
NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "A TIER 1 RENEWABLE" and substitute "AN AUTHORIZED RENEWABLE ENERGY"; and in line 29, strike "ARE NOT LOCATED"; and in line 30, strike "IN" and substitute "ARE NOT LOCATED IN".

## AMENDMENT NO. 4

On page 6, strike beginning with "WITHIN" in line 1 down through "76.37668W" in line 2 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; strike in their entirety lines 3 through 6, inclusive; after line 6, insert:

"(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A WRITTEN REQUEST OF A LANDOWNER, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS, MAY BE APPROVED BY THE FOUNDATION TO AMEND AN EXISTING EASEMENT TO AUTHORIZE THE LANDOWNER TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE PROVIDED THAT:";

in line 9, strike "EACH PARCEL" and substitute "<u>THE LAND</u>"; in line 13, strike "A TIER 1 RENEWABLE" and substitute "<u>AN AUTHORIZED RENEWABLE ENERGY</u>"; strike beginning with "AND" in line 8 down through "FACILITY" in line 9; in line 10, strike the semicolon and substitute a colon; after line 10, insert:

- "1. INCLUDING PERMANENT ROADS OR STRUCTURES
  THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
  PURPOSES; AND
- 2. NOT INCLUDING ANY TEMPORARY IMPACTS NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "ARE NOT LOCATED"; in line 22, strike "IN" and substitute "ARE NOT LOCATED IN"; strike beginning with "WITHIN" in line 25 down through "76.37668W" in line 26 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; after line 26, insert:

- "(4) (I) THE FOUNDATION MAY NOT APPROVE THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE AFTER JUNE 30, 2019.
- (II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO PROHIBIT THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION THAT WAS APPROVED BY THE FOUNDATION BEFORE JULY 1, 2019.
- (5) A WIND TURBINE LOCATED ON LAND SUBJECT TO AN EASEMENT MAY NOT EXCEED THE SPECIFIED HEIGHT ABOVE GROUND LEVEL IN THE AREA DESCRIBED AS FOLLOWS:
- (I) EAST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:
- 1. NOT MORE THAN 24 MILES FROM THE REFERENCE POINT, 0 FEET;

- <u>2.</u> <u>MORE THAN 24 MILES AND NOT MORE THAN 30</u> MILES FROM THE REFERENCE POINT, 100 FEET;
- 3. MORE THAN 30 MILES AND NOT MORE THAN 35 MILES FROM THE REFERENCE POINT, 200 FEET;
- 4. MORE THAN 35 MILES AND NOT MORE THAN 39 MILES FROM THE REFERENCE POINT, 300 FEET;
- <u>5.</u> <u>MORE THAN 39 MILES AND NOT MORE THAN 43</u> MILES FROM THE REFERENCE POINT, 400 FEET;
- <u>6.</u> <u>MORE THAN 43 MILES AND NOT MORE THAN 46</u> <u>MILES FROM THE REFERENCE POINT, 500 FEET;</u>
- 7. MORE THAN 46 MILES AND NOT MORE THAN 49
  MILES FROM THE REFERENCE POINT, 600 FEET; AND
- 8. MORE THAN 49 MILES AND NOT MORE THAN 56 MILES FROM THE REFERENCE POINT, 700 FEET; AND
- (II) WEST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:
  - 1. SOUTH OF 38.4428N, 0 FEET;
- 2. North of 38.4428N and no farther north than 38.5711N, 100 feet;
- 3. North of 38.5711N and no farther north than 38.5943N, 200 feet;
- 4. North of 38.5943N and no farther north than 38.6366N, 300 feet;

- <u>5.</u> <u>NORTH OF 38.6366N AND NO FARTHER NORTH</u> THAN 38.6596N, 400 FEET;
- 6. North of 38.6596N and no farther north than 38.6873N, 500 feet;
- 7. North of 38.6873N and no farther north than 38.7075N, 600 feet; and
- 8. NORTH OF 38.7075N AND NOT MORE THAN 56 MILES FROM THE REFERENCE POINT, 700 FEET.
- (6) A FACILITY OWNER WHO USES LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL, ON OPERATION OF THE FACILITY, REMIT AN ANNUAL PAYMENT OF 5% OF ANY LEASE PAYMENT PAID TO THE LANDOWNER TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND UNDER § 2–505 OF THIS ARTICLE.
- (7) A LEASE EXECUTED BY A FACILITY OWNER AND A LANDOWNER FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL INCLUDE PROVISIONS TO REQUIRE A FACILITY OWNER TO REMOVE THE FACILITY IF THE FACILITY IS NO LONGER INTENDED TO BE USED TO GENERATE ELECTRICITY.
- (8) A LANDOWNER WHO IS IN VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS REGARDING THE OPERATION OF THE FACILITY IS IN VIOLATION OF THE EASEMENT AND IS SUBJECT TO A CIVIL PENALTY UNDER § 2–519 OF THIS SUBTITLE.";

in line 27, strike "(4)" and substitute "(9)"; and in line 31, strike "(5)" and substitute "(10)".

#### AMENDMENT NO. 5

On page 7, strike in their entirety lines 3 through 25, inclusive.

On page 8, strike beginning with "Tier" in line 3 down through "sources" in line 4 and substitute "an authorized renewable energy source"; in line 4, strike "§ 7–701(r)(4) and (9) of the Public Utilities" and substitute "§ 2–513(c)(1)(ii) of the Agriculture"; after line 5, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2018, the Maryland Agricultural Land Preservation Foundation shall report to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, the House Economic Matters Committee, and the House Environmental Matters Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.";

and in line 6, strike "4." and substitute "5.".

The preceding 5 amendments were read only.

Senator Pinsky moved, duly seconded, to make the Bill and Amendments a Special Order for March 26, 2014.

The motion was adopted.

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

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

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

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 171 – THE CAPITAL BUDGET

(See Exhibit J of Appendix III)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (116) AND THE FAVORABLE REPORT.

Committee amendment 1 was read and adopted.

Committee amendments 2 through 7 were read and adopted.

Committee amendments 8 through 18 were read and adopted.

Committee amendments 19 through 24 were read and adopted.

Committee amendments 25 through 43 were read and adopted.

Committee amendments 44 through 101 were read and adopted.

Committee amendments 102 through 116 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 #23

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

## Senate Bill 454 – Senator Robey

AN ACT concerning

## Criminal Law - Child Kidnapping and Prostitution - Penalty

#### SB0454/508574/1

BY: Judicial Proceedings Committee

## AMENDMENT TO SENATE BILL 454

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Robey" and substitute "Senators Robey, Brochin, Forehand, Jacobs, Muse, Raskin, and Stone".

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 656 – Senators Raskin, Benson, Colburn, Feldman, Forehand, Frosh, Kelley, King, Kittleman, Madaleno, Middleton, Montgomery, Muse, Ramirez, Robey, Rosapepe, and Stone

AN ACT concerning

Correctional Services - Healthy Births for Incarcerated Women Act

#### SB0656/208075/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 656

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 4, after "delivery" insert "except under certain circumstances"; strike beginning with "requiring" in line 8 down through "restraint;" in line 9 and substitute "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;"; in line 9, strike "requiring" and substitute "authorizing"; in line 12, after "regulations" insert "relating to the use of physical restraints on certain individuals;"; in line 13, strike beginning with "and" through "facility"; in the same line, strike "a"; in line 14, strike "report" and substitute "reports"; in the same line, after "date" insert "each calendar year for a certain period"; and in line 15, strike "declaring the findings of the General Assembly,".

#### AMENDMENT NO. 2

On page 2, in line 17, after "MEANS" insert ", AS DETERMINED BY THE MEDICAL PROFESSIONAL RESPONSIBLE FOR THE CARE OF THE INMATE OR DETAINEE,"; in line 21, after "MEANS" insert "A"; in the same line, strike "MECHANICAL"; in line 22, after "CONTROL" insert "OR BIND"; in the same line, after "OF" insert "ANY PART OF"; strike beginning with the first comma in line 23 down through "SHIELD" in line 25; in line 26, strike the comma and substitute "THE PERIOD IMMEDIATELY FOLLOWING DELIVERY"; strike beginning with the comma in line 27 down through "DELIVERY" in line 28; and strike in their entirety lines 31 through 33, inclusive.

On page 3, strike in their entirety lines 1 through 24, inclusive; and in lines 25 and 32, strike "(C)" and "(D)", respectively, and substitute "(B)" and "(C)", respectively.

On page 4, in lines 4, 14, and 16, strike "(E)", "(F)", and "(G)", respectively, and substitute "(D)", "(E)", and "(F)", respectively; in line 15, after "DELIVERY" insert ", EXCEPT AS DETERMINED BY THE MEDICAL PROFESSIONAL RESPONSIBLE FOR THE CARE OF THE INMATE"; in line 22, after "FACILITY" insert ", THE MANAGING OFFICIAL'S DESIGNEE,"; in line 23, strike "CONTEMPORANEOUSLY" and substitute "WHICH SHALL BE"; in line 24, strike "MUST BE USED" and substitute "IS REQUIRED"; and in line 26, after "PUBLIC" insert "ACCORDING TO POLICIES AND PROCEDURES ADOPTED BY THE DEPARTMENT AND THE MANAGING OFFICIAL OF A LOCAL CORRECTIONAL FACILITY OR THE MANAGING OFFICIAL OF THE AGENCY DESIGNATED TO TRANSPORT INMATES".

On page 5, strike beginning with "IF" in line 1 down through "USED" in line 8 and substitute "THE DEPARTMENT AND THE MANAGING OFFICIAL OF EACH LOCAL CORRECTIONAL FACILITY OR THE MANAGING OFFICIAL OF THE AGENCY DESIGNATED TO TRANSPORT INMATES SHALL DEVELOP A POLICY FOR USE AT EACH CORRECTIONAL FACILITY THAT:

- (I) REQUIRES A PHYSICAL RESTRAINT USED ON A PREGNANT INMATE DURING TRANSPORT TO BE THE LEAST RESTRICTIVE NECESSARY; AND
- (II) ESTABLISHES A METHOD FOR REPORTING THE USE OF PHYSICAL RESTRAINTS ON PREGNANT INMATES";

in lines 9 and 23, strike "(H)" and "(I)", respectively, and substitute "(G)" and "(H)", respectively; and in line 11, strike "(E)(1)" and substitute "(D)(1)".

On page 6, in line 1, strike "(J)" and substitute "(I)"; and in line 11, strike "SHALL" and substitute "MAY".

On page 7, strike beginning with "RESTRAINT" in line 18 down through "ARTICLE" in line 21 and substitute "RESTRAINTS ON AN INDIVIDUAL KNOWN TO BE IN THE THIRD TRIMESTER OF PREGNANCY OR DURING LABOR, DELIVERY, OR

POSTPARTUM RECOVERY, INCLUDING DURING ALL TRANSPORTS, UNLESS A FACILITY SUPERINTENDENT OR THE FACILITY SUPERINTENDENT'S DESIGNEE DETERMINES THAT A PHYSICAL RESTRAINT IS NECESSARY TO PROTECT THE INDIVIDUAL FROM HARMING HERSELF OR OTHERS OR TO PREVENT THE INDIVIDUAL'S ESCAPE FROM CUSTODY".

## AMENDMENT NO. 3

On page 7, in line 23, strike "fiscal year" and substitute "calendar year until December 31, 2017"; strike beginning with "and" in line 24 down through "year" in line 25; in line 25, after "shall" insert "submit a"; and strike beginning with "each" in line 27 down through "Act" in line 28 and substitute "the number of times physical restraints were used on a pregnant inmate during labor, delivery, and postpartum recovery during the previous calendar year in each State and local correctional facility".

The preceding 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 687 – Senator Raskin

AN ACT concerning

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

## SB0687/258477/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 687

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Raskin" and substitute "<u>Senators Raskin</u>, <u>Forehand</u>, <u>and Gladden</u>"; in lines 5 and 6, strike ", attempting to require,

coercing, or attempting to coerce" and substitute "or coercing"; and in line 28, strike ", influencing, or attempting to influence" and substitute "or coercing".

## AMENDMENT NO. 2

On page 2, in lines 17 and 18, strike "THE PURCHASE OR PROCUREMENT OF:" and substitute ":

## (I) THE PURCHASE OR PROCUREMENT OF:";

in lines 19, 20, 21, and 23, strike "(I)", "(III)", "(III)", and "(IV)", respectively, and substitute "1.", "2.", "3.", and "4.", respectively; in line 22, strike "OR"; in line 24, after "BRANCH" insert "; OR

<u>5.</u> <u>ANY GOODS OR SERVICES FOR WHICH A</u>

MANUFACTURER, A DISTRIBUTOR, A FACTORY BRANCH, OR AN AFFILIATE

PROVIDES A CREDIT, STIPEND, PAYMENT, OR REIMBURSEMENT TO THE DEALER

THAT COVERS ALL OR A SUBSTANTIAL PORTION OF THE DEALER'S PROGRAM

COSTS;

## (II) OPTIONAL PROGRAMS;

(III) A PROGRAM, OR THE RENEWAL OR MODIFICATION OF A PROGRAM, IN EXISTENCE ON OCTOBER 1, 2014; OR

(IV) AN AGREEMENT BETWEEN THE MANUFACTURER, DISTRIBUTOR, FACTORY BRANCH, OR AFFILIATE AND THE DEALER THAT IS DIRECTLY RELATED TO THE DEALER'S COMPLETION OF A PROGRAM IF SEPARATE AND VALUABLE CONSIDERATION HAS BEEN OFFERED TO THE DEALER AND ACCEPTED";

strike beginning with ", ATTEMPT" in line 28 down through "TO" in line 29 and substitute "OR"; in line 29, after "PROGRAM," insert "OR"; in lines 29 and 30, strike "OR OTHERWISE,"; and in lines 30 and 31, strike "FOR THE MODIFICATION OF A FACILITY".

## AMENDMENT NO. 3

On page 3, strike beginning with "RIGHTS" in line 13 down through "REQUIREMENTS" in line 14 and substitute ", TRADEMARK, OR TRADE DRESS RIGHTS"; and after line 17, insert:

- "(5) (I) A MANUFACTURER, DISTRIBUTOR, FACTORY BRANCH, OR ONE OF ITS AFFILIATES MAY NOT PENALIZE A DEALER FOR FAILURE TO PARTICIPATE IN AN OPTIONAL PROGRAM.
- (II) <u>WITHHOLDING THE BENEFITS OF AN OPTIONAL</u>

  PROGRAM IN WHICH THE DEALER FAILED TO PARTICIPATE MAY NOT BE

  CONSTRUED TO BE A PENALTY IMPOSED BY THE MANUFACTURER,

  DISTRIBUTOR, FACTORY BRANCH, OR AFFILIATE."

## AMENDMENT NO. 4

On page 4, in line 29, after "FOR" insert "<u>VEHICLE</u>"; in line 30, after "WARRANTIES," insert "<u>AND</u>"; and strike beginning with ", GOODWILL" in line 30 down through "SERVICE" in line 31.

#### AMENDMENT NO. 5

On page 5, in line 8, after "LABOR" insert "FOR WARRANTY OR RECALL REPAIRS"; in line 9, strike "CALCULATED UNDER ITEM (3)(II)1 OF THIS SUBSECTION"; in line 23, strike "A" and substitute "WITH RESPECT TO PARTS, A"; strike beginning with the colon in line 24 down through "OF" in line 32; and in line 33, after "ORDERS" insert ", CALCULATED BY DIVIDING THE TOTAL CHARGES FOR PARTS IN THE REPAIR ORDERS BY THE TOTAL DEALER COST FOR THE PARTS MINUS ONE".

## AMENDMENT NO. 6

On page 6, strike beginning with "VEHICLE" in line 25 down through "DEALER" in line 26 and substitute "VEHICLES FROM A DIFFERENT LINE—MAKE".

#### AMENDMENT NO. 7

On page 7, in line 10, strike "ON" and substitute "<u>WITHIN 30 DAYS AFTER</u>"; in line 19, strike "CLEAR AND CONVINCING" and substitute "<u>REASONABLE</u>"; and in line 26, strike "THE MANUFACTURER'S RECEIPT OF THE SCHEDULE" and substitute "<u>A</u> FINAL ORDER UNLESS OTHERWISE PROVIDED FOR BY THE FACT FINDER".

## AMENDMENT NO. 8

On page 8, after line 3, insert:

# "(VIII) 1. A LICENSEE MAY VERIFY A DEALER'S EFFECTIVE RATES ONCE ANNUALLY.

2. If a licensee finds that a dealer's effective rates have increased or decreased, the licensee may increase or decrease, respectively, the warranty reimbursement rate prospectively.";

in line 4, after "NOT" insert "<u>DIRECTLY OR INDIRECTLY</u>"; in line 5, strike "**DIRECTLY OR INDIRECTLY CALCULATE**" and substitute "<u>CALCULATE</u>"; in line 17, strike "OR FINANCIAL STATEMENTS"; in line 23, strike ", INFLUENCE, OR ATTEMPT TO INFLUENCE" and substitute "<u>OR COERCE</u>"; in line 26, strike "THAT" and substitute "<u>BECAUSE THE DEALER</u>"; in line 27, strike "ANY MEANS INCLUDING"; in line 28, strike "CREATING AN OBSTACLE OR IMPLEMENTING" and substitute "<u>IMPLEMENTING</u>"; and in line 31, strike "ACTING OR FAILING TO ACT, EXCEPT" and substitute "FAILING TO ACT".

## AMENDMENT NO. 9

On page 9, in line 20, strike "the specific requirements" and substitute "<u>A SPECIFIC REQUIREMENT</u>"; in line 21, strike "for processing a claim"; in line 23, strike "reasonable"; in the same line, after "other" insert "<u>REASONABLE</u>"; and in the same line, strike "the claim" and substitute "<u>THAT THE REPAIR AND THE CLAIM WERE DONE ACCORDING TO MANUFACTURER WARRANTY GUIDELINES</u>".

The preceding 9 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 699 – Senators Shank, Raskin, Hershey, Jacobs, Muse, Ramirez, Reilly, Simonaire, Stone, and Young

## Automatic Motor Vehicle Registration Plate Readers and Captured Plate Data – Authorized Uses

#### SB0699/188779/2

BY: Judicial Proceedings Committee

## AMENDMENTS TO SENATE BILL 699

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "Young, and Forehand"; in line 2, strike "Motor Vehicle Registration" and substitute "License"; strike beginning with "prohibiting" in line 4 down through "exceptions;" in line 20 and substitute "prohibiting a law enforcement agency from using captured plate data unless the agency has a legitimate law enforcement purpose; establishing certain penalties for a certain violation; requiring the Department of State Police and certain law enforcement agencies to adopt certain procedures; establishing that information gathered by an automatic license plate reader system is not subject to disclosure under the Maryland Public Information Act; requiring the Department, in conjunction with the Maryland Coordination and Analysis Center and certain law enforcement agencies, to report certain information to certain committees on or before a certain date each year; requiring the Center, in cooperation with certain entities, to develop a certain model audit policy; establishing the policy of the State;"; and in line 21, strike "motor vehicle registration" and substitute "license".

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 19 on page 2, inclusive, and substitute:

## "BY repealing and reenacting, without amendments,

Article – General Provisions

Section 4–304

Annotated Code of Maryland

(As enacted by Chapter (H.B. 270) of the Acts of the General Assembly of 2014)

## BY adding to

<u>Article – General Provisions</u>

Section 4–326

## Annotated Code of Maryland

(As enacted by Chapter (H.B. 270) of the Acts of the General Assembly of 2014)".

## AMENDMENT NO. 2

On page 2, after line 25, insert:

## "(2) (I) "ACTIVE DATA" MEANS:

- 1. <u>DATA UPLOADED TO INDIVIDUAL AUTOMATIC</u> LICENSE PLATE READER SYSTEM UNITS BEFORE OPERATION; AND
- 2. <u>DATA GATHERED DURING THE OPERATION OF AN</u>
  AUTOMATIC LICENSE PLATE READER SYSTEM.
- (II) "ACTIVE DATA" DOES NOT INCLUDE HISTORICAL DATA.";

in line 26, strike "(2)" and substitute "(3)"; in the same line, strike "REGISTRATION" and substitute "LICENSE"; in line 27, strike "AUTOMATED"; in line 30, strike "(3)" and substitute "(4) (1)"; in line 33, strike "REGISTRATION" and substitute "LICENSE"; and after line 33, insert:

- "(II) "CAPTURED PLATE DATA" INCLUDES ACTIVE DATA AND HISTORICAL DATA.
- (5) "CENTER" MEANS THE MARYLAND COORDINATION AND ANALYSIS CENTER.
- (6) "HISTORICAL DATA" MEANS ANY DATA COLLECTED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM AND STORED IN AN AUTOMATIC LICENSE PLATE READER DATABASE OPERATED BY THE MARYLAND COORDINATION AND ANALYSIS CENTER OR BY A LAW ENFORCEMENT AGENCY.
- (7) "LAW ENFORCEMENT AGENCY" MEANS AN AGENCY THAT IS LISTED IN § 3–101(E) OF THIS TITLE.

- (8) "LEGITIMATE LAW ENFORCEMENT PURPOSE" MEANS THE INVESTIGATION, DETECTION, OR ANALYSIS OF A CRIME OR A VIOLATION OF THE MARYLAND VEHICLE LAWS OR THE OPERATION OF TERRORIST OR MISSING OR ENDANGERED PERSON SEARCHES OR ALERTS.
- (B) (1) A LAW ENFORCEMENT AGENCY MAY NOT USE CAPTURED PLATE DATA UNLESS THE AGENCY HAS A LEGITIMATE LAW ENFORCEMENT PURPOSE.
- (2) AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY WHO VIOLATES THIS SUBSECTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR AND A FINE NOT EXCEEDING \$10,000 OR BOTH.
- (C) (1) THE DEPARTMENT OF STATE POLICE AND ANY LAW ENFORCEMENT AGENCY USING AN AUTOMATIC LICENSE PLATE READER SYSTEM SHALL ADOPT PROCEDURES RELATING TO THE OPERATION AND USE OF THE SYSTEM.

#### (2) THE PROCEDURES SHALL INCLUDE:

- (I) WHICH PERSONNEL IN THE CENTER OR A LAW ENFORCEMENT AGENCY ARE AUTHORIZED TO QUERY CAPTURED PLATE DATA GATHERED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM;
- OBTAINED THROUGH THE USE OF AN AUTOMATIC LICENSE PLATE READER
  SYSTEM IS USED ONLY FOR LEGITIMATE LAW ENFORCEMENT PURPOSES,
  INCLUDING AUDITS OF REQUESTS MADE BY INDIVIDUAL LAW ENFORCEMENT
  AGENCIES OR AN INDIVIDUAL LAW ENFORCEMENT OFFICER; AND
- (III) PROCEDURES AND SAFEGUARDS TO ENSURE THAT
  CENTER STAFF WITH ACCESS TO THE AUTOMATIC LICENSE PLATE READER
  DATABASE ARE ADEQUATELY SCREENED AND TRAINED.

- (D) INFORMATION GATHERED BY AN AUTOMATIC LICENSE PLATE READER SYSTEM IS NOT SUBJECT TO DISCLOSURE UNDER THE MARYLAND PUBLIC INFORMATION ACT.
- ON OR BEFORE MARCH 1 OF EACH YEAR, THE DEPARTMENT OF **(E)** STATE POLICE, IN CONJUNCTION WITH THE CENTER AND LAW ENFORCEMENT AGENCIES THAT MAINTAIN AN AUTOMATIC LICENSE PLATE READER DATABASE, SHALL REPORT TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE HOUSE JUDICIARY COMMITTEE, AND THE LEGISLATIVE POLICY COMMITTEE, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE FOLLOWING INFORMATION BASED ON DATA FROM THE PREVIOUS CALENDAR YEAR:
- **(1)** THE TOTAL NUMBER OF AUTOMATIC LICENSE PLATE READER UNITS BEING OPERATED IN THE STATE BY LAW ENFORCEMENT AGENCIES AND THE NUMBER OF UNITS SUBMITTING DATA TO THE CENTER;
- **(2)** THE NUMBER OF AUTOMATIC LICENSE PLATE READER READINGS MADE BY A LAW ENFORCEMENT AGENCY THAT MAINTAINS AN AUTOMATIC LICENSE PLATE READER DATABASE AND THE NUMBER OF READINGS SUBMITTED TO THE CENTER;
- **(3)** THE NUMBER OF AUTOMATIC LICENSE PLATE READER READINGS BEING RETAINED ON THE AUTOMATIC LICENSE PLATE READER DATABASE;
- **(4)** THE NUMBER OF REQUESTS MADE TO THE CENTER AND EACH LAW ENFORCEMENT AGENCY THAT MAINTAINS AN AUTOMATIC LICENSE PLATE READER DATABASE FOR AUTOMATIC LICENSE PLATE READER DATA, INCLUDING SPECIFIC NUMBERS FOR:
- (I)THE NUMBER OF REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION;
  - (II)THE NUMBER OF OUT-OF-STATE REQUESTS;

## (III) THE NUMBER OF FEDERAL REQUESTS;

# (IV) THE NUMBER OF OUT-OF-STATE REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION; AND

# (V) THE NUMBER OF FEDERAL REQUESTS THAT RESULTED IN A RELEASE OF INFORMATION;

# (5) ANY DATA BREACHES OR UNAUTHORIZED USES OF THE AUTOMATIC LICENSE PLATE READER DATABASE; AND

# (6) A LIST OF AUDITS THAT WERE COMPLETED BY THE CENTER OR A LAW ENFORCEMENT AGENCY.".

On pages 3 and 4, strike in their entirety the lines beginning with line 1 on page 3 through line 25 on page 4, inclusive.

On page 5, in lines 1 and 7, in each instance, strike "REGISTRATION" and substitute "LICENSE".

## AMENDMENT NO. 3

On page 4, in line 26, strike "State Government" and substitute "<u>General Provisions</u>"; in line 27, strike "10–616." and substitute "<u>4–304.</u>"; in line 28, strike "(a)"; in line 29, strike "section" and substitute "<u>part</u>"; after line 29, insert:

## "4-326.";

in line 30, strike "(W)" and substitute "(A)"; in the same line, strike "(I)"; and in the same line, strike "SUBSECTION" and substitute "SECTION".

On page 5, in lines 1 and 3, strike "(II)" and "(III)", respectively, and substitute "(2)" and "(3)", respectively; in lines 5 and 9, strike "(2)" and "(3)", respectively, and substitute "(B)" and "(C)", respectively; in line 5, strike "PARAGRAPH (3)" and substitute "SUBSECTIONS (C) AND (D)"; in line 6, strike "SUBSECTION" and substitute "SECTION"; and after line 11, insert:

"(D) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO AN ELECTRONIC TOLL COLLECTION SYSTEM OR ASSOCIATED TRANSACTION SYSTEM OPERATED BY OR IN CONJUNCTION WITH THE MARYLAND TRANSPORTATION AUTHORITY."

## AMENDMENT NO. 4

On page 5, before line 12, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2015, the Maryland Coordination and Analysis Center, in cooperation with the Maryland Chiefs of Police Association and the Maryland Sheriffs Association, shall develop a model audit policy for access to and use of automatic license plate reader data.";

and in line 12, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 805 – Senators Raskin, Forehand, Jones-Rodwell, Kelley, Madaleno, Montgomery, and Rosapepe

AN ACT concerning

## Maryland Uniform Collaborative Law Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 806 – Senators Raskin, Currie, Feldman, King, Kittleman, Madaleno, Manno, Mathias, Montgomery, Robey, Rosapepe, Young, and Zirkin

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 929 - Senators Hershey, Colburn, and Shank

AN ACT concerning

Commercial Fishing and Seafood Operations - Nuisance Actions - Exemption

Senator Kelley moved, duly seconded, to make the Bill and Report a Special Order for March 26, 2014.

The motion was adopted.

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

Senate Bill 947 – Senators Young and Shank

AN ACT concerning

Real Property - Blighted Property - Nuisance Abatement

<u>Favorable report adopted.</u>

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 1046 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County - Sheriff and County Commissioners - Salaries

SB1046/898373/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1046

(First Reading File Bill)

## AMENDMENT NO. 1

On page 1, in lines 4 and 7, in each instance, strike "in certain years"; in line 5, after "law," insert "within a certain time frame and"; and in line 7, after the semicolon insert "altering the additional amount that the County Commissioner elected President of the Board shall receive each year; altering the amount that each County Commissioner may be reimbursed each year for certain expenses;".

## AMENDMENT NO. 2

On page 2, strike beginning with "IN" in line 19 down through "THEREAFTER" in line 20.

On page 3, in line 13, after the comma insert "<u>WITHIN 60 DAYS AFTER</u> <u>RECEIVING THE RECOMMENDATIONS OF THE COMMISSION UNDER § 28–207(B)</u> OF THIS SUBTITLE,".

On page 4, in line 2, strike "\$3,000 per year" and substitute "AMOUNT PER YEAR THAT IS THE GREATER OF:

- (1) \$3,000; OR
- (2) THE AMOUNT SET BY THE COUNTY COMMISSIONERS UNDER TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND";

and strike beginning with "total" in line 3 down through "\$2,000" in line 4 and substitute "AMOUNT SET BY THE COUNTY COMMISSIONERS BY LOCAL LAW".

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 #20

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

House Bill 314 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Clippinger, Conaway, Glenn, Harper, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

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:

House Bill 321 – Frederick County Delegation

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:

House Bill 612 - Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System - Code Simplification and Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 630 – Delegate Griffith (Chair, Joint Committee on Pensions)

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.

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

House Bill 876 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON FINANCE REPORT #29

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 928 – Delegates Rudolph and James

Public Service Commission – Competitive Retail Electricity and Gas Supply – Consumer Protection – Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON FINANCE REPORT #30

#### CONSENT CALENDAR #50

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

House Bill 39 - Delegate Jameson

## **EMERGENCY BILL**

AN ACT concerning

Chesapeake Employers' Insurance Company – Issuance, Renewal, and Cancellation of Policies – Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 98 – Delegate Arora

AN ACT concerning

Commercial Law – Interference With Internet Ticket Sales – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 99 – Delegate Arora

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 130 - Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 221 - Delegate Rudolph

AN ACT concerning

Limited Lines - Travel Insurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 255 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Prescription Drug Monitoring Program – Sunset Extension and Program
Evaluation

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 335 – Delegates Schuh and Olszewski

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:

## House Bill 476 - Frederick County Delegation

AN ACT concerning

## Frederick County - Payment of Wages

#### HB0476/777173/1

BY: Finance Committee

## AMENDMENTS TO HOUSE BILL 476

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "or" insert ", subject to certain provisions of law,".

## AMENDMENT NO. 2

On page 2, in line 6, after "OR" insert ", SUBJECT TO § 1-205(B) AND (C) OF THIS ARTICLE,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

#### House Bill 735 – Delegate Olszewski

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.

#### SPECIAL ORDERS

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

Senate Bill 218 - The President (By Request - Administration)

AN ACT concerning

## Creation of a State Debt – Qualified Zone Academy Bonds

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

AN ACT concerning

## **Academic Facilities Bonding Authority**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## **QUORUM CALL**

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

(See Roll Call No. 704)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

## THIRD READING CALENDAR (SENATE BILLS) #64

Senate Bill 1049 – <del>Senator Getty</del> <u>Senators Getty, Conway, Dyson, Jennings,</u> Montgomery, Reilly, Simonaire, and Young

EMERGENCY BILL

## Education - Required Number of School Days - Exception

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

Affirmative – 46 Negative – 0 (See Roll Call No. 705)

The Bill was then sent to the House of Delegates.

## Senate Bill 1066 – <del>Senator Raskin</del> <u>Senators Raskin, Feldman, Kelley,</u> Klausmeier, Mathias, Middleton, Pugh, and Ramirez

AN ACT concerning

## Fairness in Negotiations Act <u>and the Public School Labor Relations Board</u> – Sunset Repeal <u>and Reporting Requirements</u>

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

Affirmative – 38 Negative – 8 (See Roll Call No. 706)

The Bill was then sent to the House of Delegates.

## THIRD READING CALENDAR (HOUSE BILLS) #6

House Bill 1181 – Delegates Hixson, Kaiser, A. Miller, and Walker

AN ACT concerning

## Fairness in Negotiations Act Public School Labor Relations Board - Sunset Repeal and Reporting Requirement

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

Affirmative – 38 Negative – 8 (See Roll Call No. 707)

The Bill was then sent to the House of Delegates.

#### INTRODUCTION OF BILLS

Senator Pugh 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 1113 – Senators Pugh and Conway

AN ACT concerning

## Baltimore City - Alcoholic Beverages - Transfer of License

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

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

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

## **QUORUM CALL**

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

(See Roll Call No. 708)

#### **ADJOURNMENT**

At 11:36 A.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 19, 2014, Calendar Day, Wednesday, March 26, 2014.

## Annapolis, Maryland Legislative Day: March 19, 2014 Calendar Day: Wednesday, March 26, 2014 10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Bishop Harry Lee Thomas Sr., Empowering Believers Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of March 18, 2014 was read and approved.

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

## **QUORUM CALL**

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

(See Roll Call No. 710)

## **QUORUM CALL**

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

(See Roll Call No. 711)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

## THIRD READING CALENDAR (SENATE BILLS) #65

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

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 712)

The Bill was then sent to the House of Delegates.

Senate Bill 218 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt - Qualified Zone Academy Bonds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 713)

The Bill was then sent to the House of Delegates.

Senate Bill 454 – <del>Senator Robey</del> <u>Senators Robey, Brochin, Forehand, Jacobs, Muse, Raskin, and Stone</u>

AN ACT concerning

Criminal Law - Child Kidnapping and Prostitution - Penalty

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

Affirmative – 46 Negative – 0 (See Roll Call No. 714)

The Bill was then sent to the House of Delegates.

Senate Bill 656 – Senators Raskin, Benson, Colburn, Feldman, Forehand, Frosh, Kelley, King, Kittleman, Madaleno, Middleton, Montgomery, Muse, Ramirez, Robey, Rosapepe, and Stone

AN ACT concerning

Correctional Services - Healthy Births for Incarcerated Women Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 715)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

Senate Bill 699 – Senators Shank, Raskin, Hershey, Jacobs, Muse, Ramirez, Reilly, Simonaire, Stone, and Young Young, and Forehand

AN ACT concerning

Automatic Motor Vehicle Registration License Plate Readers and Captured Plate Data – Authorized Uses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

Senate Bill 805 – Senators Raskin, Forehand, Jones-Rodwell, Kelley, Madaleno, Montgomery, and Rosapepe

AN ACT concerning

Maryland Uniform Collaborative Law Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

Senate Bill 806 – Senators Raskin, Currie, Feldman, King, Kittleman, Madaleno, Manno, Mathias, Montgomery, Robey, Rosapepe, Young, and Zirkin

AN ACT concerning

# Criminal Law - Hazing - Penalty

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

Affirmative – 46 Negative – 0 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 947 – Senators Young and Shank

AN ACT concerning

Real Property - Blighted Property - Nuisance Abatement

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

Affirmative – 36 Negative – 10 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

**Academic Facilities Bonding Authority** 

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

Affirmative – 46 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the House of Delegates.

Senate Bill 1046 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Sheriff and County Commissioners – Salaries

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

Affirmative – 46 Negative – 0 (See Roll Call No. 722)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #8

# **CONSENT CALENDAR #4**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 314	Del. Anderson	Baltimore City – Property Tax Credit – Newly Constructed Dwellings	В&Т
HB 321	Frederick County Del.	Frederick County – Property Tax – Exemption for Property Owned by Affordable Housing Land Trust	В&Т
HB 612	Del. Griffith	State Retirement and Pension System – Code Simplification and Clarification	В&Т
HB 630	Del. Griffith	Teachers' Ret and Pension Syss – Reemployment of Retirees – Penalty for Failure to Submit Certfn	В&Т
HB 876	Del. Anderson	Baltimore City – Property Tax Credit for Historic or Heritage Properties – Calculation	В&Т

All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 723)

The Bills were then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #9

#### **CONSENT CALENDAR #5**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 39 (Emergency	Del. Jameson Bill)	Chesapeake Employers' Ins Company – Issuance, Renewal, and Cancellation of Policies – Authority	FIN

HB 98	Del. Arora	Commercial Law – Interference With Internet Ticket Sales – Prohibition	FIN
HB 99	Del. Arora	Md Uniform Commercial Code – Secured Transactions – Notice of Filing of Financing Statement	FIN
HB 130 (Emergency	Del. Rudolph Bill)	Motor Vehicle Insurance – Task Force to Study Methods to Reduce the Rate of Uninsured Drivers	FIN
HB 172	Del. Mitchell	Econ Dev – Balt Region – Balt Metropolitan Coun and Advry Bd and Balt Region Transp Bd	FIN
HB 221	Del. Rudolph	Limited Lines – Travel Insurance	FIN
HB 255	The Speaker	Prescription Drug Monitoring Program – Sunset Extension and Program Evaluation	FIN
HB 257	The Speaker	Elevator Safety Review Bd and Div of Labor and Industry – Sunset Extension and Program Evaluation	FIN
HB 335	Del. Schuh	Residential Cliffside Elevators – Registration and Inspection (The Jock Menzies Act)	FIN
HB 476 (AMENDEI	Frederick County Del. D)	Frederick County – Payment of Wages	FIN
HB 735	Del. Olszewski	Financial Instns – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 724)

The Bills were then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #10

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 725)

The Bill was then sent to the House of Delegates.

House Bill 928 - Delegates Rudolph and James

AN ACT concerning

Public Service Commission – Competitive Retail Electricity and Gas Supply – Consumer Protection – Report

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

Affirmative – 46 Negative – 0 (See Roll Call No. 726)

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 259 - Senator Middleton

AN ACT concerning

Agriculture - Easements - Renewable Energy Generation Facilities

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

#### SB0259/174933/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 259

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 3 down through "easement," in line 4; in line 4, after "easement" insert "approved for a certain purchase after a certain date"; in the same line, after "landowner" insert "to request approval"; in line 6, strike "requiring, on written request of a landowner," and substitute "authorizing a written request of a landowner to be approved by"; in line 9, after "circumstances;" insert "altering the composition of the Maryland Agricultural Land Preservation Fund; prohibiting the Foundation from approving the use of land subject to an easement for renewable energy generation after a certain date; prohibiting the installation of certain wind turbines exceeding certain heights in certain areas of the State; requiring a facility owner to remit a certain percentage of a certain lease payment to the Maryland Agricultural Land Preservation Fund; requiring a certain lease executed by a landowner and a certain facility owner to include provisions related to the removal of a certain facility under certain circumstances;"; in line 12, after "Assembly;" insert "requiring the Foundation to make a certain report to certain committees of the General Assembly by a certain date;"; in the same line, strike "a certain term" and substitute "certain terms"; after line 14, insert:

"BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–505(b) and 2–513(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2013 Supplement)";

and strike in their entirety lines 25 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 6, inclusive.

#### AMENDMENT NO. 2

On page 2, after line 9, insert:

"<u>2–505.</u>

- (b) The Maryland Agricultural Land Preservation Fund shall comprise:
- (1) Any money made available to the Fund by general or special fund appropriations; [and]
- (2) Any money made available to the Fund by grants or transfers from governmental or private sources; AND
- (3) ANY MONEY RECEIVED UNDER § 2-513(C) OF THIS SUBTITLE.".

# AMENDMENT NO. 3

On page 5, strike beginning with "IN" in line 8 down through "ARTICLE." in line 10 and substitute "(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

- (II) "AUTHORIZED RENEWABLE ENERGY SOURCE" MEANS THE FOLLOWING ENERGY SOURCES:
  - 1. SOLAR;
  - 2. WIND;
- 3. ANAEROBIC DIGESTION OF POULTRY LITTER IF PLACED ON FALLOW LAND; AND
- 4. ANAEROBIC DIGESTION OF LIVESTOCK MANURE IF PLACED ON FALLOW LAND.
- (III) "REFERENCE POINT" MEANS A POINT ON THE PATUXENT NAVAL AIR STATION CENTERED AT 38.29667N AND 76.37668W.";

in line 11, strike "ANY" and substitute "SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, ANY"; strike beginning with "ACQUIRED" in line 11 down through

"RENEWABLE" in line 14 and substitute "APPROVED FOR PURCHASE BY THE BOARD OF PUBLIC WORKS AFTER JUNE 30, 2014, SHALL AUTHORIZE THE LANDOWNER TO REQUEST APPROVAL, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY"; strike beginning with "AND" in line 16 down through "FACILITY" in line 17; in line 17, strike "EACH PARCEL" and substitute "THE LAND"; in line 18, strike the semicolon and substitute a colon; after line 18, insert:

"1. INCLUDING PERMANENT ROADS OR STRUCTURES
THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
PURPOSES; AND

2. NOT INCLUDING ANY TEMPORARY IMPACTS
NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "A TIER 1 RENEWABLE" and substitute "AN AUTHORIZED RENEWABLE ENERGY"; and in line 29, strike "ARE NOT LOCATED"; and in line 30, strike "IN" and substitute "ARE NOT LOCATED IN".

#### AMENDMENT NO. 4

On page 6, strike beginning with "WITHIN" in line 1 down through "76.37668W" in line 2 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; strike in their entirety lines 3 through 6, inclusive; after line 6, insert:

"(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A WRITTEN REQUEST OF A LANDOWNER, WITH A FAVORABLE RECOMMENDATION OF THE LOCAL AGRICULTURAL ADVISORY BOARD AND IF NOT PROHIBITED BY FEDERAL, STATE, AND LOCAL LAWS, MAY BE APPROVED BY THE FOUNDATION TO AMEND AN EXISTING EASEMENT TO AUTHORIZE THE LANDOWNER TO USE THE LAND SUBJECT TO THE EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE PROVIDED THAT:";

in line 9, strike "EACH PARCEL" and substitute "<u>THE LAND</u>"; in line 13, strike "A **TIER 1 RENEWABLE**" and substitute "<u>AN AUTHORIZED RENEWABLE ENERGY</u>"; strike beginning with "AND" in line 8 down through "FACILITY" in line 9; in line 10, strike the semicolon and substitute a colon; after line 10, insert:

- "1. INCLUDING PERMANENT ROADS OR STRUCTURES
  THAT ARE NECESSARY FOR ACCESS FOR OPERATION AND MAINTENANCE
  PURPOSES; AND
- 2. NOT INCLUDING ANY TEMPORARY IMPACTS
  NECESSARY FOR CONSTRUCTION OF THE FACILITY;";

in line 21, strike "ARE NOT LOCATED"; in line 22, strike "IN" and substitute "ARE NOT LOCATED IN"; strike beginning with "WITHIN" in line 25 down through "76.37668W" in line 26 and substitute "DO NOT EXCEED THE MAXIMUM HEIGHT ABOVE GROUND LEVEL WITHIN THE AREA SPECIFIED IN PARAGRAPH (5) OF THIS SUBSECTION"; after line 26, insert:

- "(4) (I) THE FOUNDATION MAY NOT APPROVE THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY BY A FACILITY UTILIZING AN AUTHORIZED RENEWABLE ENERGY SOURCE AFTER JUNE 30, 2019.
- (II) THIS PARAGRAPH MAY NOT BE CONSTRUED TO PROHIBIT THE USE OF LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION THAT WAS APPROVED BY THE FOUNDATION BEFORE JULY 1, 2019.
- (5) A WIND TURBINE LOCATED ON LAND SUBJECT TO AN EASEMENT MAY NOT EXCEED THE SPECIFIED HEIGHT ABOVE GROUND LEVEL IN THE AREA DESCRIBED AS FOLLOWS:
- (I) EAST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:

- 1. NOT MORE THAN 24 MILES FROM THE REFERENCE POINT, 0 FEET;
- <u>2.</u> <u>MORE THAN 24 MILES AND NOT MORE THAN 30</u> MILES FROM THE REFERENCE POINT, 100 FEET;
- 3. MORE THAN 30 MILES AND NOT MORE THAN 35 MILES FROM THE REFERENCE POINT, 200 FEET;
- 4. MORE THAN 35 MILES AND NOT MORE THAN 39 MILES FROM THE REFERENCE POINT, 300 FEET;
- <u>5.</u> <u>MORE THAN 39 MILES AND NOT MORE THAN 43</u> <u>MILES FROM THE REFERENCE POINT, 400 FEET;</u>
- <u>6.</u> <u>MORE THAN 43 MILES AND NOT MORE THAN 46</u> MILES FROM THE REFERENCE POINT, 500 FEET;
- 7. MORE THAN 46 MILES AND NOT MORE THAN 49
  MILES FROM THE REFERENCE POINT, 600 FEET; AND
- 8. MORE THAN 49 MILES AND NOT MORE THAN 56
  MILES FROM THE REFERENCE POINT, 700 FEET; AND
- (II) WEST OF A LINE PASSING THROUGH THE REFERENCE POINT AND 39.0986N AND 76.5284W AND:
  - 1. SOUTH OF 38.4428N, 0 FEET;
- 2. NORTH OF 38.4428N AND NO FARTHER NORTH THAN 38.5711N, 100 FEET;
- 3. North of 38.5711N and no farther north than 38.5943N, 200 feet;

- 4. <u>North of 38.5943N and no farther north</u> Than 38.6366N, 300 feet;
- <u>5.</u> North of 38.6366N and no farther north than 38.6596N, 400 feet;
- 6. North of 38.6596N and no farther north than 38.6873N, 500 feet;
- 7. North of 38.6873N and no farther north than 38.7075N, 600 feet; and
- 8. NORTH OF 38.7075N AND NOT MORE THAN 56 MILES FROM THE REFERENCE POINT, 700 FEET.
- (6) A FACILITY OWNER WHO USES LAND SUBJECT TO AN EASEMENT FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL, ON OPERATION OF THE FACILITY, REMIT AN ANNUAL PAYMENT OF 5% OF ANY LEASE PAYMENT PAID TO THE LANDOWNER TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND UNDER § 2–505 OF THIS ARTICLE.
- (7) A LEASE EXECUTED BY A FACILITY OWNER AND A LANDOWNER FOR THE GENERATION OF ELECTRICITY IN ACCORDANCE WITH THIS SUBSECTION SHALL INCLUDE PROVISIONS TO REQUIRE A FACILITY OWNER TO REMOVE THE FACILITY IF THE FACILITY IS NO LONGER INTENDED TO BE USED TO GENERATE ELECTRICITY.
- (8) A LANDOWNER WHO IS IN VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS REGARDING THE OPERATION OF THE FACILITY IS IN VIOLATION OF THE EASEMENT AND IS SUBJECT TO A CIVIL PENALTY UNDER § 2–519 OF THIS SUBTITLE.";

in line 27, strike "(4)" and substitute "(9)"; and in line 31, strike "(5)" and substitute "(10)".

#### AMENDMENT NO. 5

On page 7, strike in their entirety lines 3 through 25, inclusive.

On page 8, strike beginning with "Tier" in line 3 down through "sources" in line 4 and substitute "an authorized renewable energy source"; in line 4, strike "§ 7–701(r)(4) and (9) of the Public Utilities" and substitute "§ 2–513(c)(1)(ii) of the Agriculture"; after line 5, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, on or before December 1, 2018, the Maryland Agricultural Land Preservation Foundation shall report to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, the House Economic Matters Committee, and the House Environmental Matters Committee, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.";

and in line 6, strike "4." and substitute "5.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 929 - Senators Hershey, Colburn, and Shank

AN ACT concerning

Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted by a roll call vote as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 727)

Read the second time and ordered prepared for Third Reading.

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 647 – Senator Verna L. Jones-Rodwell:

Be it hereby known to all that

The Senate of Maryland
offers its sincerest congratulations to
Delmar Davis
in recognition of
breaking down racial barriers as one of the original
seven black firefighters in Baltimore City.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 26th day of March 2014.

# Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 728)

#### Senate Resolution No. 646 - Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Edmondson–Westside High School Boys Basketball Team
in recognition of

being the Maryland State Class 1A Basketball Champions and being the 4th ranked Prep Team by the Baltimore Sun.

> The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 26th day of March 2014.

# Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 729)

#### Senate Resolution No. 645 – Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Baltimore City College
in recognition of

being Maryland State Class 3A Basketball Champions, Baltimore City Schools Champion, the #1 Prep Team by the Baltimore Sun and ranked 20th in the United States.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 26th day of March 2014.

# Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 730)

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

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

House Bill 12 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Bay Restoration Fund - Authorized Uses - Local Entities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 53 – Delegates Vitale and Carr

AN ACT concerning

Public Records - Provision of Copies, Printouts, and Photographs - 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:

House Bill 100 – Delegate Kipke

AN ACT concerning

Dental Hygienists – Practice in Long-Term Care Facilities – Repeal of Termination Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

# House Bill 101 – Delegate Kipke

AN ACT concerning

# Dental Hygienists - Nitrous Oxide - Repeal of Termination Date

#### HB0101/254238/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO HOUSE BILL 101

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, before "Dental" insert "<u>Dentists and</u>"; in the same line, strike "Repeal of Termination Date" and substitute "<u>Required Notice and Authority to Monitor Patients</u>"; in line 3, after the first "of" insert "<u>requiring the State Board of Dental Examiners to adopt regulations that require a dentist to provide notice to certain employees and certain patients that nitrous oxide may be harmful to a pregnant woman;"; in line 5, after "of" insert "<u>dentistry and</u>"; and after line 10, insert:</u>

#### "BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4-205(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)".

# AMENDMENT NO. 2

On page 2, after line 13, insert:

- "(c) <u>In addition to the duties set forth elsewhere in this title, the Board shall:</u>
- (1) Keep a record of each license and each action taken under § 4–315 of this title;
  - (2) Have an official seal; [and]

- (3) Adopt rules, regulations, and bylaws as may be necessary to carry out the provisions of this title; AND
- (4) ADOPT REGULATIONS THAT REQUIRE A DENTIST TO PROVIDE NOTICE TO THE DENTIST'S FEMALE EMPLOYEES AND FEMALE PATIENTS, PRIOR TO THE ADMINISTRATION OF NITROUS OXIDE, THAT NITROUS OXIDE MAY BE HARMFUL TO A PREGNANT WOMAN.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 102 – Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)

AN ACT concerning

# Procurement Advisory Council - Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

# House Bill 149 – Delegate Reznik

AN ACT concerning

# Council for the Procurement of Health, Educational, and Social Services – Term Limits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

# House Bill 154 - Delegate O'Donnell

AN ACT concerning

Natural Resources - Sport Fisheries Advisory Commission - Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

# House Bill 392 – Delegates Rudolph and James

AN ACT concerning

Northeastern Maryland Higher Education Advisory Board - Revisions

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #43

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

#### Senate Bill 637 - Senator Simonaire

AN ACT concerning

# Anne Arundel County – Board of Education Member – Limitation on Candidacy for Other Elective Office

#### SB0637/424536/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 637

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "Education" insert "who vacates the office before the expiration of the term for which the member was appointed"; in line 6, strike "during a certain period of time immediately following" and substitute "before"; and in line 7, after the semicolon insert "providing an exception;".

#### AMENDMENT NO. 2

On page 4, in line 25, strike "A" and substitute "(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A BOARD MEMBER VACATES THE OFFICE BEFORE THE EXPIRATION OF THE TERM FOR WHICH THE MEMBER WAS APPOINTED, THE"; in lines 26 and 27, strike "DURING THE 2 YEARS IMMEDIATELY FOLLOWING" and substitute "BEFORE"; and after line 28, insert:

"(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A
BOARD MEMBER WHO VACATES OFFICE BEFORE THE EXPIRATION OF THE TERM
TO WHICH THE MEMBER WAS APPOINTED AND WHO SUBSEQUENTLY IS
APPOINTED TO A MUNICIPAL, COUNTY, OR STATE ELECTIVE OFFICE IN THIS
STATE.".

The preceding 2 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 1017 - Montgomery County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

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

SB1017/434637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1017

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Montgomery County Senators" and substitute "Senator Raskin"; in line 12, after "executive;" insert "authorizing a special election to fill a vacancy in the office of chief executive officer or county executive of a charter county to be conducted by mail; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act under certain circumstances;"; and in line 23, after "5–303" insert "and 9–501(a), (b), and (c)".

On page 2, in line 1, after "8–401" insert "and 9–501(d)"; and in line 35, after "Council" insert "OR IN THE CHIEF EXECUTIVE OFFICER".

#### AMENDMENT NO. 2

On page 4, after line 22, insert:

"<u>9–501.</u>

- (a) This subtitle applies only to a special election that is not held concurrently with a regularly scheduled primary or general election.
- (b) Voting by mail may be utilized in a special election in accordance with this subtitle.
- (c) A special election to fill a vacancy in the Office of Representative in Congress shall be conducted by mail if the Governor's proclamation issued under § 8–710 of this article directs that the election be conducted by mail.
- (d) (1) In this subsection, "local special election" means a special election to:
- (i) fill a vacancy in the OFFICES OF county council MEMBER, CHIEF EXECUTIVE OFFICER, OR COUNTY EXECUTIVE of a charter county if the charter of that county provides for special elections;
- (ii) fill a vacancy in the board of county commissioners of a code home rule county if a local law enacted by that county provides for special elections;
- (iii) fill a vacancy in the board of county commissioners of a commission county if a law provides for special elections;

- (iv) <u>fill a vacancy in a local board of education if State law</u> provides for special elections;
- (v) elect members of a charter board or submit a proposed charter to the voters for adoption or rejection in accordance with Article XI-A, § 1A of the Maryland Constitution; or
- (vi) submit a local law enacted by a code home rule county to the voters for adoption or rejection in accordance with § 9–313 of the Local Government Article.
- (2) A local special election shall be conducted by mail if the resolution of the county council or board of county commissioners establishing the date of the special election directs that the election be conducted by mail.".

On page 5, after line 11, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Section 1 of this Act. If Section 1 of this Act does not take effect, Section 2 of this Act shall be abrogated and of no further force and effect.";

in line 12, strike "5." and substitute "6."; in line 13, strike "and" and substitute a comma; and in the same line, after "4" insert ", and 5".

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 1034 - Senator Hershey

AN ACT concerning

Queen Anne's County Board of Education - Filling a Vacancy in 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 1075 - Senator Conway

#### EMERGENCY BILL

AN ACT concerning

# Public Safety - Hotels - Carbon Monoxide Alarms

#### SB1075/534039/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 1075

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, after "hotels" insert ", on or after a certain date,"; in line 4, strike "in a central location"; strike beginning with "or" in line 4 down through "circumstances," in line 5 and substitute "; authorizing the owner of a hotel to install a certain carbon monoxide alarm"; and in line 6, after "hotel" insert "under certain circumstances; altering a certain definition".

#### AMENDMENT NO. 2

On page 2, in line 6, after "(4)" insert "(II)"; and in line 7, after "backup" insert "; OR

#### (II) FOR A HOTEL:

# 1. IS WIRED INTO AN ALTERNATING CURRENT (AC) POWERLINE WITH SECONDARY BATTERY BACKUP;

# 2. <u>IS PLUGGED INTO AN ELECTRICAL OUTLET, NOT</u> CONTROLLED BY A SWITCH, WITH BATTERY BACKUP; OR

3. <u>IS BATTERY-POWERED, SEALED, TAMPER</u>
RESISTANT, AND USING A LONG-LIFE BATTERY".

#### AMENDMENT NO. 3

On page 3, in line 5, strike "There" and substitute "SUBJECT TO SUBSECTION (B) OF THIS SECTION, FOR A DWELLING DESCRIBED IN § 12–1102(1) OF THIS SUBTITLE, THERE"; in line 6, strike "a" and substitute "THE"; strike beginning with "subject" in line 6 down through "HOTEL" in line 7; after line 7, insert:

# "(B) ON OR AFTER APRIL 1, 2015, THERE MUST BE A CARBON MONOXIDE ALARM INSTALLED INSIDE OF EACH GUEST ROOM WITHIN A HOTEL.";

in line 8, strike "(b)" and substitute "(C)"; and in the same line, strike "subsection (a)" and substitute "SUBSECTIONS (A) AND (B)".

The preceding 3 amendments were read and adopted.

<u>Favorable report</u>, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #21

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

Senate Bill 266 – Baltimore City Senators (By Request – Baltimore City Administration)

AN ACT concerning

Maryland Income Tax Refund - Baltimore City - Warrants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 469 - Senators Shank, Edwards, and Young

AN ACT concerning

Maryland Income Tax Refund - Washington County - Warrants

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #24

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

Senate Bill 533 - Senator Edwards

AN ACT concerning

Forests and Parks – Public Recreation on Private and State–Owned Land – Off–Highway Vehicles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 923 – Senators Raskin, Brinkley, Feldman, Forehand, Frosh, Jacobs, Madaleno, Mathias, Montgomery, Muse, Stone, Young, and Zirkin

AN ACT concerning

Medical Marijuana - Natalie M. LaPrade Medical Marijuana Commission

#### SB0923/578876/2

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 923

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 4, strike "registration and regulation" and substitute "approval"; in the same line, after "physicians" insert ", the publishing and dissemination of certain information, and the research of certain issues; requiring the

Commission to develop certain identification cards; requiring the Department of Health and Mental Hygiene to adopt certain regulations"; in line 9, strike "registered" and substitute "approved"; in line 11, after "applications;" insert "prohibiting a certifying physician and certain family members of a certifying physician from being employed by, receiving any compensation or gifts from, or having any financial interest in a medical marijuana grower or a medical marijuana treatment center; providing that a qualifying patient may be a patient of the certifying physician or referred to the certifying physician; requiring a certifying physician to provide each written certification to the Commission; requiring the Commission to issue certain identification cards under certain circumstances; authorizing a certifying physician to discuss medical marijuana with certain patients; providing that certain qualifying patients and caregivers may obtain medical marijuana only from a medical treatment center licensed by the Commission; providing that certain qualifying patients may obtain medical marijuana only through the patient's caregiver;"; strike beginning with "providing" in line 15 down through "actions;" in line 16; in line 19, after "license;" insert "altering the entities to which a licensed medical marijuana grower may provide marijuana; providing for the term of an initial and a renewal medical marijuana grower license; providing for the form of an application to operate as a medical marijuana grower; requiring the Commission to set certain standards for licensure; requiring each medical marijuana grower agent to obtain a criminal history records check;"; in line 20, after the second "marijuana" insert "and prepare medical marijuana in a range of routes of administration; requiring the Commission to actively seek to achieve racial, ethnic, and geographic diversity and to encourage certain applicants when licensing medical marijuana growers; requiring certain growers to submit a certain annual report to the Commission beginning on a certain date; requiring an entity seeking licensure as a medical marijuana grower to meet local zoning and planning requirements; prohibiting a medical marijuana grower agent and certain family members of a medical marijuana grower agent from being employed by, receiving any compensation or gifts from, or having any financial interest in a certifying physician or a medical marijuana treatment center"; in line 22, strike "to certain patients or certain caregivers" and substitute "only to certain programs and certain licensed medical marijuana treatment centers; requiring an entity licensed to grow marijuana under certain provisions of law to ensure that certain safety precautions are followed by certain facilities; requiring a medical marijuana treatment center to be licensed by the Commission; requiring an applicant to be licensed as a medical marijuana treatment center to submit to the Commission a certain application fee and a certain application; authorizing the Commission, during a certain time period, to issue a certain number of licenses; authorizing the Commission, under certain circumstances, to increase the number of licensed medical marijuana treatment centers; prohibiting a medical marijuana treatment center agent and certain family members of a medical marijuana treatment center agent from being employed by, receiving any compensation or gifts from, or having any financial interest in a certifying physician or a medical marijuana grower; prohibiting certain entities and agents from being arrested or penalized for certain actions; requiring that medical marijuana treatment center agents meet certain qualifications; requiring medical marijuana treatment centers to apply to the Commission for registration cards for certain agents by submitting certain information; requiring, under certain circumstances, medical marijuana treatment centers to notify the Commission and return registration cards of certain agents to the Commission within a certain time period; requiring the Commission, on receipt of a certain notice, to immediately revoke certain registrations and, under certain circumstances, notify the Department of State Police that certain registration cards have not been returned; prohibiting the Commission from registering certain persons as medical marijuana treatment center agents; requiring an applicant for certain criminal history records checks to submit to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services certain sets of fingerprints and certain fees; requiring the Central Repository to forward to the Commission and the applicant certain information; authorizing, under certain circumstances, the Commission to accept an alternate method of criminal history records checks as permitted by certain individuals; providing that certain information obtained from the Central Repository is confidential, may not be redisseminated, and may be used only for a certain purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain statement"; in line 26, after "patient;" insert "providing that this Act may not be construed to require a hospital or hospice program to report certain information to the Commission;"; and in line 27, after "regulations" insert "on or before a certain date; requiring the Commission to report to certain committees of the General Assembly on or before a certain date each year on incidents of marijuana use by minors; requiring the Commission to study and report its recommendations to the General Assembly on how to provide access to medical marijuana for certain veterans".

On page 2, in line 8, strike "and 13–3313" and substitute "<u>, 13–3310, 13–3311</u>, <u>13–3312</u>, and <u>13–3316</u>".

#### AMENDMENT NO. 2

On page 2, after line 24, insert:

# "(C) "CAREGIVER" MEANS:

- (1) A PERSON WHO HAS AGREED TO ASSIST WITH A QUALIFYING PATIENT'S MEDICAL USE OF MARIJUANA; AND
- (2) FOR A QUALIFYING PATIENT UNDER THE AGE OF 18 YEARS, A PARENT OR LEGAL GUARDIAN.";

in line 25, strike "(C)" and substitute "(D)"; in line 27, after the semicolon insert "AND"; strike beginning with "ON" in line 28 down through "WITH" in line 30 and substitute "APPROVED BY"; and in line 31, after "USE" insert "IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION".

On page 3, in lines 1, 3, 5, 8, and 17, strike "(D)", "(E)", "(F)", "(G)", and "(H)", respectively, and substitute "(E)", "(F)", "(J)", "(K)", and "(L)", respectively; after line 4, insert:

- "(G) "MEDICAL MARIJUANA GROWER AGENT" MEANS AN OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL MARIJUANA GROWER LICENSED UNDER THIS SUBTITLE.
- (H) "MEDICAL MARIJUANA TREATMENT CENTER" MEANS AN ENTITY LICENSED UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, PROCESSES, TRANSFERS, TRANSPORTS, SELLS, DISTRIBUTES, DISPENSES, OR ADMINISTERS MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, RELATED PRODUCTS INCLUDING FOOD, TINCTURES, AEROSOLS, OILS, OR OINTMENTS, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.
- (I) "MEDICAL MARIJUANA TREATMENT CENTER AGENT" MEANS AN OWNER, AN EMPLOYEE, A VOLUNTEER, AN OFFICER, OR A DIRECTOR OF A MEDICAL MARIJUANA TREATMENT CENTER.";

strike beginning with "IS" in line 9 down through "(2)" in line 12; and in line 16, after "CENTER" insert "; AND

(2) IF UNDER THE AGE OF 18 YEARS, HAS A CAREGIVER".

On pages 3 and 4, strike beginning with the colon in line 28 on page 3 down through "THE" in line 1 on page 4 and substitute "THE".

# AMENDMENT NO. 3

On page 4, in line 14, strike "AND"; in line 15, strike "REGISTER AND REGULATE" and substitute "APPROVE"; and in the same line, after "PHYSICIANS" insert ":

- **(6)** PUBLISH AND DISSEMINATE ANY INFORMATION THAT RELATES TO THE MEDICAL USE OF MARIJUANA AND RELATED RESEARCH; AND
- **(7)** RESEARCH ISSUES RELATED TO THE MEDICAL USE OF MARIJUANA.
- **(1)** THE COMMISSION SHALL DEVELOP IDENTIFICATION CARDS (D) FOR QUALIFYING PATIENTS AND CAREGIVERS.
- **(2)** (I)THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ESTABLISH THE REQUIREMENTS FOR IDENTIFICATION CARDS PROVIDED BY THE COMMISSION.
- THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH (II)(I) OF THIS PARAGRAPH SHALL INCLUDE:
- 1. THE INFORMATION TO BE INCLUDED ON AN **IDENTIFICATION CARD;**
- 2. THE METHOD THROUGH WHICH THE COMMISSION WILL DISTRIBUTE IDENTIFICATION CARDS; AND
- THE METHOD THROUGH WHICH THE COMMISSION 3. WILL TRACK IDENTIFICATION CARDS".

#### AMENDMENT NO. 4

On page 10, in line 1, strike "REGISTERED" and substitute "APPROVED"; in line 14, after "APPROVE" insert "PHYSICIAN"; in line 23, strike "OR CHRONIC"; in lines 28 and 29, strike "RESISTANT TO CONVENTIONAL MEDICINE" and substitute

"FOR WHICH OTHER MEDICAL TREATMENTS HAVE BEEN INEFFECTIVE"; and after line 30, insert:

- "(E) A CERTIFYING PHYSICIAN OR A SPOUSE, PARENT, OR CHILD OF A CERTIFYING PHYSICIAN MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A MEDICAL MARIJUANA GROWER OR A MEDICAL MARIJUANA TREATMENT CENTER.
- (F) (1) A QUALIFYING PATIENT MAY BE A PATIENT OF THE CERTIFYING PHYSICIAN OR MAY BE REFERRED TO THE CERTIFYING PHYSICIAN.
- (2) A CERTIFYING PHYSICIAN SHALL PROVIDE EACH WRITTEN CERTIFICATION TO THE COMMISSION.
- (3) ON RECEIPT OF A WRITTEN CERTIFICATION PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION SHALL ISSUE AN IDENTIFICATION CARD TO EACH QUALIFYING PATIENT OR CAREGIVER NAMED IN THE WRITTEN CERTIFICATION.
- (4) A CERTIFYING PHYSICIAN MAY DISCUSS MEDICAL MARIJUANA WITH A QUALIFYING PATIENT.
- (5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A QUALIFYING PATIENT OR CAREGIVER MAY OBTAIN MEDICAL MARIJUANA ONLY FROM A MEDICAL MARIJUANA TREATMENT CENTER LICENSED BY THE COMMISSION.
- (II) A QUALIFYING PATIENT UNDER THE AGE OF 18 YEARS MAY OBTAIN MEDICAL MARIJUANA ONLY THROUGH THE QUALIFYING PATIENT'S CAREGIVER.".

On page 11, in lines 1 and 12, strike "(E)" and "(F)", respectively, and substitute "(G)" and "(H)", respectively; and strike in their entirety lines 17 through 20, inclusive.

On page 12, in line 1, after "growers" insert "<u>THAT MEET ALL REQUIREMENTS</u> ESTABLISHED BY THE COMMISSION"; in line 2, strike "programs" and substitute ":

# (I) PROGRAMS";

in line 3, after "subtitle" insert "; AND

(II) MEDICAL MARIJUANA TREATMENT CENTERS LICENSED BY THE COMMISSION UNDER THIS SUBTITLE";

strike beginning with "may" in line 4 down through the second bracket in line 5 and substitute "SHALL ISSUE THE NUMBER OF LICENSES NECESSARY TO MEET THE DEMAND FOR MEDICAL MARIJUANA BY QUALIFYING PATIENTS AND CAREGIVERS ISSUED IDENTIFICATION CARDS UNDER THIS SUBTITLE IN AN AFFORDABLE, ACCESSIBLE, SECURE, AND EFFICIENT MANNER";

after line 5, insert:

- "(3) THE COMMISSION SHALL SET STANDARDS FOR LICENSURE AS A MEDICAL MARIJUANA GROWER TO ENSURE PUBLIC SAFETY AND SAFE ACCESS TO MEDICAL MARIJUANA, WHICH MAY INCLUDE A REQUIREMENT FOR THE POSTING OF SECURITY.
- (4) EACH MEDICAL MARIJUANA GROWER AGENT SHALL OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK IN ACCORDANCE WITH § 13–3312 OF THIS SUBTITLE.
- (5) (1) A MEDICAL MARIJUANA GROWER LICENSE IS VALID FOR 2 YEARS ON INITIAL LICENSURE.
- (II) A MEDICAL MARIJUANA GROWER LICENSE IS VALID FOR 2 YEARS ON RENEWAL.
- (6) AN APPLICATION TO OPERATE AS A MEDICAL MARIJUANA GROWER MAY BE SUBMITTED IN PAPER OR ELECTRONIC FORM.";

in line 6, strike "(3)" and substitute "(7)(I)"; in line 7, after the second "MARIJUANA" insert ", INCLUDING STRAINS WITH HIGH CANNABIDIOL CONTENT,"; after line 9, insert:

"(II) THE COMMISSION SHALL ENCOURAGE LICENSING MEDICAL MARIJUANA GROWERS THAT PREPARE MEDICAL MARIJUANA IN A RANGE OF ROUTES OF ADMINISTRATION.

# (8) (I) THE COMMISSION SHALL:

- 1. ACTIVELY SEEK TO ACHIEVE RACIAL, ETHNIC,
  AND GEOGRAPHIC DIVERSITY WHEN LICENSING MEDICAL MARIJUANA
  GROWERS; AND
- 2. ENCOURAGE APPLICANTS WHO QUALIFY AS A MINORITY BUSINESS ENTERPRISE, AS DEFINED IN § 14–301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
- (II) BEGINNING JUNE 1, 2016, A GROWER LICENSED UNDER THIS SUBTITLE TO OPERATE AS A MEDICAL MARIJUANA GROWER SHALL REPORT ANNUALLY TO THE COMMISSION ON THE MINORITY OWNERS AND EMPLOYEES OF THE GROWER.
- (9) AN ENTITY SEEKING LICENSURE AS A MEDICAL MARIJUANA GROWER SHALL MEET LOCAL ZONING AND PLANNING REQUIREMENTS.
- (10) A MEDICAL MARIJUANA GROWER AGENT OR A SPOUSE, PARENT, OR CHILD OF A MEDICAL MARIJUANA GROWER AGENT MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL MARIJUANA TREATMENT CENTER.";

strike in their entirety lines 10 through 15, inclusive, and substitute:

"(B) AN ENTITY LICENSED TO GROW MEDICAL MARIJUANA UNDER THIS SECTION MAY PROVIDE MARIJUANA ONLY TO:

- **(1)** PROGRAMS APPROVED FOR OPERATION UNDER THIS SUBTITLE; AND
- **(2)** MEDICAL MARIJUANA TREATMENT CENTERS LICENSED BY THE COMMISSION UNDER THIS SUBTITLE.
- (C) AN ENTITY LICENSED TO GROW MEDICAL MARIJUANA UNDER THIS SECTION SHALL ENSURE THAT SAFETY PRECAUTIONS ESTABLISHED BY THE COMMISSION ARE FOLLOWED BY ANY FACILITY OPERATED BY THE GROWER.";

and in lines 16, 19, and 21, strike "(c)", "(d)", and "(e)", respectively, and substitute "(D)", "(E)", and "(F)", respectively.

#### AMENDMENT NO. 6

On page 12, after line 22, insert:

# "13–3310.

- (A) A MEDICAL MARIJUANA TREATMENT CENTER SHALL BE LICENSED BY THE COMMISSION.
- (B) TO BE LICENSED AS A MEDICAL MARIJUANA TREATMENT CENTER, AN APPLICANT SHALL SUBMIT TO THE COMMISSION:
- **(1)** AN APPLICATION FEE IN AN AMOUNT TO BE DETERMINED BY THE DEPARTMENT CONSISTENT WITH THIS SUBTITLE; AND
  - **(2)** AN APPLICATION THAT INCLUDES:
- THE LEGAL NAME AND PHYSICAL ADDRESS OF THE (I)PROPOSED MEDICAL MARIJUANA TREATMENT CENTER;
- (II)THE NAME, ADDRESS, AND DATE OF BIRTH OF EACH PRINCIPAL OFFICER AND EACH DIRECTOR, NONE OF WHOM MAY HAVE SERVED AS A PRINCIPAL OFFICER OR DIRECTOR FOR A MEDICAL MARIJUANA TREATMENT CENTER THAT HAS HAD ITS REGISTRATION CERTIFICATE **REVOKED; AND**

- (III) OPERATING PROCEDURES THAT THE MEDICAL MARIJUANA TREATMENT CENTER WILL USE, CONSISTENT WITH COMMISSION REGULATIONS FOR OVERSIGHT, INCLUDING STORAGE OF MARIJUANA ONLY IN ENCLOSED AND LOCKED FACILITIES.
- (C) A MEDICAL MARIJUANA TREATMENT CENTER AGENT OR A SPOUSE, PARENT, OR CHILD OF A MEDICAL MARIJUANA TREATMENT CENTER AGENT MAY NOT BE EMPLOYED BY, RECEIVE ANY COMPENSATION OR GIFTS FROM, OR HAVE ANY FINANCIAL INTEREST IN A CERTIFYING PHYSICIAN OR A MEDICAL MARIJUANA GROWER.
- (D) (1) IN THE FIRST YEAR AFTER DECEMBER 15, 2014, THE COMMISSION MAY ISSUE LICENSES FOR NO MORE THAN TWO MEDICAL MARIJUANA TREATMENT CENTERS PER LEGISLATIVE DISTRICT, EXCEPT THAT THE COMMISSION MAY ISSUE ADDITIONAL LICENSES TO ENSURE THAT THERE IS AT LEAST ONE MEDICAL MARIJUANA TREATMENT CENTER IN EACH COUNTY.
- (2) IF THE COMMISSION DETERMINES ON OR AFTER DECEMBER 15, 2016, THAT THE NUMBER OF MEDICAL MARIJUANA TREATMENT CENTERS IS INSUFFICIENT TO MEET THE NEEDS OF QUALIFYING PATIENTS, THE COMMISSION MAY INCREASE THE NUMBER OF LICENSED MEDICAL MARIJUANA TREATMENT CENTERS.
- (E) A MEDICAL MARIJUANA TREATMENT CENTER LICENSED UNDER THIS SECTION OR A MEDICAL MARIJUANA TREATMENT CENTER AGENT REGISTERED UNDER \$ 13–3311 OF THIS SUBTITLE MAY NOT BE PENALIZED OR ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, PROCESSING, TRANSFERRING, TRANSPORTING, SELLING, DISTRIBUTING, OR DISPENSING MARIJUANA, PRODUCTS CONTAINING MARIJUANA, RELATED SUPPLIES, OR EDUCATIONAL MATERIALS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.

#### 13–3311.

(A) A MEDICAL MARIJUANA TREATMENT CENTER AGENT SHALL:

- **(1)** BE AT LEAST 21 YEARS OLD;
- BE REGISTERED WITH THE COMMISSION BEFORE THE AGENT **(2)** MAY VOLUNTEER OR WORK AT A MEDICAL MARIJUANA TREATMENT CENTER; AND
- OBTAIN A STATE AND NATIONAL CRIMINAL HISTORY **(3)** RECORDS CHECK IN ACCORDANCE WITH § 13–3312 OF THIS SUBTITLE.
- (B) A MEDICAL MARIJUANA TREATMENT CENTER SHALL APPLY TO THE COMMISSION FOR A REGISTRATION CARD FOR EACH MEDICAL MARIJUANA TREATMENT CENTER AGENT BY SUBMITTING THE NAME, ADDRESS, AND DATE OF BIRTH OF THE AGENT.
- (C) (1)WITHIN 1 BUSINESS DAY AFTER A MEDICAL MARIJUANA TREATMENT CENTER AGENT CEASES TO BE ASSOCIATED WITH A MEDICAL MARIJUANA TREATMENT CENTER, THE MEDICAL MARIJUANA TREATMENT **CENTER SHALL:** 
  - (I) NOTIFY THE COMMISSION; AND
- (II) RETURN THE MEDICAL MARIJUANA TREATMENT CENTER AGENT'S REGISTRATION CARD TO THE COMMISSION.
- **(2)** ON RECEIPT OF A NOTICE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL:
- **(I)** IMMEDIATELY REVOKE THE REGISTRATION CARD OF THE MEDICAL MARIJUANA TREATMENT CENTER AGENT; AND
- IF THE REGISTRATION CARD WAS NOT RETURNED TO (II)THE COMMISSION, NOTIFY THE DEPARTMENT OF STATE POLICE.

(D) THE COMMISSION MAY NOT REGISTER A PERSON WHO HAS BEEN CONVICTED OF A FELONY DRUG OFFENSE AS A MEDICAL MARIJUANA TREATMENT CENTER AGENT.

# <u>13–3312.</u>

- (A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.
- (B) AS PART OF AN APPLICATION TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK, AN APPLICANT SHALL SUBMIT TO THE CENTRAL REPOSITORY:
- (1) TWO COMPLETE SETS OF LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;
- (2) THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS; AND
- (3) THE PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.
- (C) IN ACCORDANCE WITH §§ 10–201 THROUGH 10–228 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE COMMISSION AND TO THE APPLICANT THE CRIMINAL HISTORY RECORD INFORMATION OF THE APPLICANT.
- (D) IF AN APPLICANT HAS MADE TWO OR MORE UNSUCCESSFUL ATTEMPTS AT SECURING LEGIBLE FINGERPRINTS, THE COMMISSION MAY ACCEPT AN ALTERNATE METHOD OF A CRIMINAL HISTORY RECORDS CHECK AS PERMITTED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

- (E) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION SHALL BE:
  - (1) CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND
- (2) <u>Used only for the registration purpose authorized</u> by this subtitle.
- (F) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY, AS PROVIDED IN § 10–223 OF THE CRIMINAL PROCEDURE ARTICLE.";

and in line 23, strike "13-3310." and substitute "13-3313.".

On page 13, in line 21, strike "13–3311." and substitute "13–3314.".

On page 14, in lines 14 and 23, strike "**13–3312.**" and "**13–3313.**", respectively, and substitute "**13–3315.**" and "**13–3316.**", respectively.

# AMENDMENT NO. 7

On page 13, strike beginning with "AUTHORIZED" in line 2 down through "SUBTITLE" in line 3 and substitute "DETERMINED BY THE COMMISSION TO CONSTITUTE A 30-DAY SUPPLY"; in line 10, strike "OR"; and in line 11, after "PHYSICIAN" insert ";

#### (5) A CAREGIVER;

- (6) A MEDICAL MARIJUANA TREATMENT CENTER LICENSED UNDER § 13–3310 OF THIS SUBTITLE OR A MEDICAL MARIJUANA TREATMENT CENTER AGENT REGISTERED UNDER § 13–3311 OF THIS SUBTITLE; OR
- (7) A HOSPITAL OR HOSPICE PROGRAM WHERE A QUALIFYING PATIENT IS RECEIVING TREATMENT".

#### AMENDMENT NO. 8

On page 14, after line 13, insert:

"(C) THIS SUBTITLE MAY NOT BE CONSTRUED TO REQUIRE A HOSPITAL OR HOSPICE PROGRAM TO REPORT TO THE COMMISSION ANY DISCIPLINARY ACTION TAKEN BY THE HOSPITAL OR HOSPICE PROGRAM AGAINST A CERTIFYING PHYSICIAN, INCLUDING THE REVOCATION OF PRIVILEGES, AFTER THE REGISTRATION OF THE CERTIFYING PHYSICIAN WITH THE COMMISSION."

# AMENDMENT NO. 9

On page 14, in line 24, strike "THE" and substitute "ON OR BEFORE SEPTEMBER 15, 2014, THE"; after line 25, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1 of each year, the Natalie M. LaPrade Medical Marijuana Commission and the Department of Health and Mental Hygiene shall report to the Senate Judicial Proceedings Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Judiciary Committee, and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on incidents of marijuana use by minors in Maryland, including an examination of whether any increase in marijuana use by minors may be attributed to this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the Natalie M. LaPrade Medical Marijuana Commission shall study and report its recommendations, in accordance with § 2–1246 of the State Government Article, to the General Assembly on how to provide access to medical marijuana for veterans who are receiving treatment at a medical facility operating under the auspices of the United States Veterans Health Administration, the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, or any other facility in the State certified by the United States Department of Veterans Affairs Medical Center.";

in line 26, strike "2." and substitute "4."; and in line 27, strike "July" and substitute "June".

The preceding 9 amendments were read and adopted.

<u>Favorable report</u>, 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 973 – Senator Frosh

AN ACT concerning

## Criminal Procedure - Pretrial Confinement and Release

#### SB0973/248075/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "date," insert "with the advice of the Pretrial Services Commission"; strike beginning with "prohibiting" in line 10 down through "persons;" in line 11 and substitute "requiring the Governor to appropriate certain funding beginning in a certain fiscal year;"; in line 13, strike "Governor's Office of Crime Control and Prevention" and substitute "Commission"; in line 18, after the semicolon insert "providing that a certain court or clerk's office that is open or in session for a certain purpose is not open or in session for any other purpose or function; requiring a police officer, an agent acting on behalf of a law enforcement agency, or a correctional officer to keep custody of certain arrested person under certain circumstances;"; in line 24, after the semicolon, insert "requiring that the District Court to operate in session for a certain number of days for the purpose of making certain release determinations for certain persons under certain circumstances;"; in line 30, after "commissioner;" insert "adding an employee of a county who is assigned to a certain pretrial release services program under certain circumstances to the definition of "State personnel" for purposes of the State Tort Claims Act;"; and in the same line, strike "Release" and substitute "Services".

On page 2, in line 1, after "chair" insert "and vice chair"; strike beginning with "requiring" in line 1 down through "Commission;" in line 2; in line 4, after the semicolon insert "requiring the Commission to submit a certain annual report and provide certain copies of the report; providing for the appointment of a certain Executive Director; authorizing the Commission to establish certain advisory boards and to perform certain acts;"; in line 8, after the semicolon insert "establishing the initial terms of certain members of the Commission;"; in line 9, after the semicolon insert "authorizing the Secretary to establish a certain Pilot Program under certain circumstances;"; in line 10, before "defining" insert "altering and"; strike beginning

with "providing" in line 10 down through "Act;" in line 11; in line 11, strike "the effective dates" and substitute "<u>a delayed effective date for a certain provision</u>"; in line 21, before "and" insert "<u>5–3B–01 through 5–3B–10 to be under the new subtitle</u> "Subtitle 3B. Pretrial Services Commission;"; after line 23, insert:

### "BY adding to

<u>Article – Courts and Judicial Proceedings</u>

Section 1–206

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)";

and in line 41, after "2–106," insert "2–106.1,".

On page 3, after line 7, insert:

"BY repealing and reenacting, with amendments,

<u> Article – State Government</u>

Section 12–101(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)".

# AMENDMENT NO. 2

On page 4, in line 1, strike "OCTOBER 1, 2014," and substitute "MAY 1, 2015, WITH THE ADVICE OF THE PRETRIAL SERVICES COMMISSION,"; in line 3, strike "IN EACH COUNTY"; in line 8, after "SCREEN" insert ", AT ALL TIMES,"; in the same line, after "PERSONS" insert "NOT RELEASED ON A CITATION"; in line 11, strike "APPROPRIATE JUDICIAL OFFICER" and substitute "COURT"; in line 13, strike "PERSON," and substitute "PERSON NOT ADMINISTRATIVELY RELEASED,"; in line 15, after "SECRETARY" insert "AND THE PRETRIAL SERVICES COMMISSION"; strike beginning with "RELEASED" in line 19 down through "CONDITIONS" in line 21 and substitute "AS ORDERED BY THE COURT"; in line 26, after the semicolon insert "AND"; and strike in their entirety lines 27 through 29, inclusive.

On page 5, in line 1, strike "(IV)" and substitute "(III)"; in line 5, before "MAY" insert "EXCEPT AS PROVIDED IN § 5–202 OF THE CRIMINAL PROCEDURE ARTICLE,"; strike in their entirety lines 9 through 18, inclusive, and substitute:

- "(D) BEGINNING IN FISCAL YEAR 2016 AND IN EACH SUBSEQUENT FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE DEPARTMENT TO COVER:
- (1) THE OPERATING COSTS OF THE PRETRIAL RELEASE SERVICES
  PROGRAM; AND
- (2) THE PERSONNEL COSTS OF CARRYING OUT THE DUTIES AUTHORIZED AND REQUIRED UNDER THIS SUBTITLE.";

and in line 22, strike "JUNE" and substitute "OCTOBER".

# AMENDMENT NO. 3

On page 5, strike in their entirety lines 27 and 28; and in line 29, strike "(2)" and substitute "(1)".

On page 6, in lines 1 and 3, strike "(3)" and "(4)", respectively, and substitute "(2)" and "(3)", respectively; in line 7, strike "OPERATED" and substitute "OPERATE"; in line 8, strike "ON OR BEFORE JUNE 1, 2014" and substitute "THAT IS ADMINISTERED IN A MANNER CONSISTENT WITH THE STATE PRETRIAL RELEASE SERVICES PROGRAM ESTABLISHED UNDER § 5–303 OF THIS TITLE"; strike beginning with "GOVERNOR'S" in line 9 down through "PREVENTION" in line 10 and substitute "PRETRIAL SERVICES COMMISSION"; and in line 30, strike "AN EQUAL" and substitute "A PROPORTIONATE".

# AMENDMENT NO. 4

On page 6, after line 30, insert:

# "SUBTITLE 3B. PRETRIAL SERVICES COMMISSION.

# <u>5–3B–01.</u>

IN THIS SUBTITLE, "COMMISSION" MEANS THE PRETRIAL SERVICES COMMISSION.

# 5-3B-02.

- (A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:
  - (1) THE ATTORNEY GENERAL;
  - (2) THE PUBLIC DEFENDER; AND
- (3) THE FOLLOWING INDIVIDUALS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:
- (I) A REPRESENTATIVE OF THE MARYLAND STATE'S ATTORNEYS' ASSOCIATION;
- (II) A REPRESENTATIVE OF THE MARYLAND CHIEFS OF POLICE ASSOCIATION, INC.;
- (III) A REPRESENTATIVE OF THE MARYLAND SHERIFFS' ASSOCIATION;
- (IV) A REPRESENTATIVE OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION;
- (V) FOUR REPRESENTATIVES OF LOCAL JAIL AND PRETRIAL SERVICES PROGRAMS;
- (VI) A REPRESENTATIVE OF AN ORGANIZATION WITH THE PRIMARY PURPOSE OF PRETRIAL JUSTICE PRACTICES AND POLICIES;
- (VII) A REPRESENTATIVE OF THE MARYLAND CRIMINAL DEFENSE ATTORNEYS ASSOCIATION; AND
- (VIII) A REPRESENTATIVE OF THE MARYLAND BRANCH OF THE AMERICAN CIVIL LIBERTIES UNION.

- EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS (B) (1) SUBSECTION:
- **(I)** THE TERM OF A MEMBER OF THE COMMISSION IS 3 YEARS; AND
- (II) THE TERMS OF THE MEMBERS OF THE COMMISSION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2014.
- (2) (I) THE ATTORNEY GENERAL AND PUBLIC DEFENDER SHALL SERVE AS EX OFFICIO MEMBERS OF THE COMMISSION.
- (II) AN EX OFFICIO MEMBER OF THE COMMISSION MAY SERVE PERSONALLY AT ANY COMMISSION MEETING OR DESIGNATE A REPRESENTATIVE FROM THE EX OFFICIO MEMBER'S UNIT WHO MAY ACT AT ANY COMMISSION MEETING TO THE SAME EFFECT AS IF THE EX OFFICIO MEMBER WERE PERSONALLY PRESENT.
- (C) (1) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- **(2)** A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

# 5-3B-04.

THE COMMISSION SHALL ELECT ANNUALLY A CHAIR AND VICE CHAIR FROM AMONG ITS MEMBERS.

#### 5-3B-05.

(A) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE COMMISSION IS A QUORUM.

- (B) THE COMMISSION SHALL MEET QUARTERLY AT THE TIMES AND PLACES DETERMINED BY THE COMMISSION OR ITS CHAIR.
  - (C) A MEMBER OF THE COMMISSION:
- (1) MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE COMMISSION; BUT
- (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

# 5-3B-06.

- (A) THE COMMISSION SHALL REPORT ANNUALLY TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THE COMMISSION.
- (B) THE COMMISSION SHALL PROVIDE THE SECRETARY AND THE GOVERNING BODY OF EACH COUNTY AND MUNICIPAL CORPORATION IN WHICH A CORRECTIONAL FACILITY IS LOCATED WITH A COPY OF ITS ANNUAL REPORT.

#### 5-3B-07.

- (A) (1) WITH THE APPROVAL OF THE SECRETARY, THE COMMISSION SHALL APPOINT AN EXECUTIVE DIRECTOR.
- (2) THE EXECUTIVE DIRECTOR IS A SPECIAL APPOINTMENT IN THE STATE PERSONNEL MANAGEMENT SYSTEM.
- (B) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE COMMISSION.
- (C) THE EXECUTIVE DIRECTOR SHALL PERFORM ADMINISTRATIVE FUNCTIONS AS THE COMMISSION DIRECTS.

THE EXECUTIVE DIRECTOR IS ENTITLED TO COMPENSATION AS PROVIDED IN THE STATE BUDGET.

# 5-3<u>B-08.</u>

# (A) THE COMMISSION SHALL:

- **(1)** ADVISE THE SECRETARY REGARDING THE ADMINISTRATION OF A PRETRIAL RELEASE SERVICES PROGRAM IN THE STATE;
- **(2)** CONSULT AND COORDINATE WITH NATIONAL ORGANIZATIONS TO PROVIDE GUIDANCE REGARDING NATIONALLY ESTABLISHED STANDARDS RELATING TO PRETRIAL SERVICES;
- **(3)** CONSULT AND COORDINATE WITH OTHER UNITS OF THE STATE AND LOCAL JURISDICTIONS CONCERNING PRETRIAL SERVICES; AND
- ON OR BEFORE NOVEMBER 1, 2014, RECOMMEND TO THE **(4)** SECRETARY FOR ADOPTION BY REGULATION A PRETRIAL RISK ASSESSMENT TOOL FOR USE IN MAKING AN ADMINISTRATIVE PRETRIAL RELEASE DETERMINATION.
- THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THIS (B) SUBTITLE.
- (C) THE COMMISSION SHALL EMPLOY A STAFF NECESSARY TO CARRY OUT THIS SUBTITLE AS PROVIDED IN THE STATE BUDGET.

# 5-3B-09.

THE COMMISSION MAY ESTABLISH ADVISORY BOARDS TO ASSIST THE COMMISSION IN CARRYING OUT ITS POWERS AND DUTIES UNDER THIS SUBTITLE.

# 5-3B-10.

THE COMMISSION MAY PERFORM ANY ACTS NECESSARY AND APPROPRIATE TO CARRY OUT THE POWERS AND DUTIES SET FORTH IN THIS SUBTITLE.".

On page 22, after line 16, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Pretrial Services Commission shall expire as follows:

- (1) two members in 2016;
- (2) three members in 2017;
- (3) three members in 2018; and
- (4) three members in 2019. ".

#### AMENDMENT NO. 5

On page 7, after line 14, insert:

# "1**-206**.

A COURT OR CLERK'S OFFICE THAT IS IN SESSION OR OPEN ON A WEEKEND OR HOLIDAY FOR THE PURPOSE OF CONDUCTING AN INITIAL APPEARANCE OR A BAIL REVIEW OF AN ARRESTED PERSON IS NOT IN SESSION OR OPEN FOR ANY OTHER PURPOSE OR FUNCTION.".

# AMENDMENT NO. 6

On page 10, after line 21, insert:

# "<u>2–106.1.</u>

- (a) [This section applies only in Allegany County.
- (b) Except as provided in subsection [(c)] (B) of this section, a police officer or an agent acting on behalf of a law enforcement agency shall keep custody of an arrested person from the time of arrest until the arrested person is:

- (1) committed by lawful authority to a State or local correctional facility;
  - (2) released from custody; or
  - (3) in the custody of another police officer.
- [(c)] (B) A correctional officer may keep custody of or provide transport for an arrested person who is awaiting transfer to another jurisdiction or waiting to see a judicial officer of the court if:
- (1) the Commissioner of the Division of Pretrial Detention and Services or local managing official has assigned the correctional officer to supervise and transport inmates;
- (2) the correctional officer will supervise the arrested person in a correctional facility or during transport; and
- (3) the correctional facility is not addressing a situation that poses a severe threat to maintaining the desired level of security and safety of the arrested person or persons inside the correctional facility at the time of the transfer of custody.".

# AMENDMENT NO. 7

On page 16, in lines 17 and 18, in each instance, strike the bracket.

On page 17, in line 1, before "A" insert "(A)"; and after line 7, insert:

"(B) THE DISTRICT COURT SHALL OPERATE IN SESSION AT LEAST 6
DAYS A WEEK FOR THE PURPOSE OF MAKING RELEASE DETERMINATIONS FOR
PERSONS NOT ADMINISTRATIVELY RELEASED BY THE PRETRIAL RELEASE
SERVICES PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES."

# AMENDMENT NO. 8

On page 19, after line 17, insert:

# <u>12–101.</u>

- (a) In this subtitle, unless the context clearly requires otherwise, "State personnel" means:
- (1) a State employee or official who is paid in whole or in part by the Central Payroll Bureau in the Office of the Comptroller of the Treasury;
  - (2) an employee or official of the:
    - (i) Maryland Transportation Authority;
    - (ii) Maryland Stadium Authority;
    - (iii) Maryland Environmental Service;
- (iv) overseas programs of the University College of the University System of Maryland;
  - (v) Maryland Economic Development Corporation;
  - (vi) Maryland Technology Development Corporation;
  - (vii) Maryland African American Museum Corporation;
  - (viii) Maryland Automobile Insurance Fund;
- (ix) Maryland Health and Higher Educational Facilities
  Authority;
- (x) <u>Maryland Agricultural and Resource–Based Industry</u> <u>Development Corporation;</u>
  - (xi) Somers Cove Marina Commission;
  - (xii) Maryland Workforce Corporation;

- (xiii) <u>Maryland Underground Facilities Damage Prevention</u>
  Authority; and
  - (xiv) Maryland Clean Energy Center;
  - (3) a person who:
- (i) is a member of a State board, commission, or similar State entity; or
  - (ii) 1. is providing a service to or for the State;
    - <u>2.</u> is not paid in whole or in part by the State; and
- 3. satisfies all other requirements for designation as State personnel as may be set forth in regulations adopted by the Treasurer pursuant to Title 10 of this article;
- (4) an individual who, without compensation, exercises a part of the sovereignty of the State;
  - (5) a student enrolled in a State educational institution:
- (i) who is providing services to third parties in the course of participation in an approved clinical training or academic program;
- (ii) who, as determined by the Treasurer, is required to have liability insurance covering claims arising from services to third parties performed by the student in the course of the approved clinical training or academic program;
- (iii) who, as determined by the Treasurer, cannot obtain commercial liability insurance at an affordable cost; and
- (iv) who, as determined by the Treasurer, may be required to contribute to an insurance program for claims arising from services to third parties performed by the student in the course of the approved clinical training or academic program;
  - (6) a sheriff or deputy sheriff of a county or Baltimore City;

- (7) an employee of a county who is assigned to a local department of social services, including a Montgomery County employee who carries out State programs administered under Title 3, Subtitle 4 of the Human Services Article;
- (8) a State's Attorney of a county or Baltimore City, or an employee of an office of a State's Attorney;
- (9) a member of a board of license commissioners of a county or Baltimore City appointed under the provisions of Article 2B of the Code, or an employee of a board of license commissioners;
- (10) a member of a local board of elections, or an employee of a local board of elections;
- (11) a judge of a circuit court of a county or Baltimore City, or an employee of a circuit court;
- (12) a judge of an orphans' court of a county or Baltimore City, or an employee of an orphans' court;
- (13) to the extent of a nonprofit organization's activities as a third party payee, and to the extent the nonprofit organization has no other insurance for this purpose, a nonprofit organization that has been approved by the Department of Human Resources or its designee to serve as a third party payee for purposes of providing temporary cash assistance, transitional assistance, or child–specific benefits to Family Investment Program recipients; [or]
- (14) a student, faculty, or staff member of an institution of higher education who is providing a service under the Family Investment Program in accordance with § 5–305, § 5–306, or § 5–317 of the Human Services Article; OR
- (15) AN EMPLOYEE OF A COUNTY WHO IS ASSIGNED TO A PRETRIAL RELEASE SERVICES PROGRAM AND CARRIES OUT DUTIES UNDER TITLE 5, SUBTITLE 3 OF THE CORRECTIONAL SERVICES ARTICLE.".

# AMENDMENT NO. 9

On page 19, in line 22, strike the first "the" and substitute ":

# (1) THE PERSON IS ADMINISTRATIVELY RELEASED BY THE PRETRIAL RELEASE SERVICES PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES; OR

# **(2)** THE";

and in the same line, strike "his" and substitute "THE OFFICER'S".

# AMENDMENT NO. 10

On pages 20 through 22, strike in their entirety the lines beginning with line 14 on page 20 through line 16 on page 22, inclusive.

On page 22, in line 28, strike "October 1, 2014" and substitute "May 1, 2015"; after line 26, insert:

#### "SECTION 5. AND BE IT FURTHER ENACTED, That:

- (a) Before May 1, 2015, The Secretary of Public Safety and Correctional Services, on the adoption of a validated risk assessment tool recommended by the Pretrial Services Commission, may establish a Pretrial Release Services Pilot Program in one or more counties in the State without establishing the program in every county of the State.
- (b) A county in the State that has not been selected by the Secretary for the establishment of a Pretrial Release Services Pilot Program may establish an independent Pilot Program utilizing the validated risk assessment tool adopted by the Secretary at the expense of the county that establishes the program.";

in line 27, strike "5" and substitute "<u>6</u>"; in line 29, strike "6" and substitute "<u>7</u>"; in line 30, strike "5" and substitute "<u>6</u>"; and strike beginning with "June" in line 30 down through "effect" in line 33, and substitute "<u>July 1, 2014</u>".

### The preceding 10 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 997 – Senators Conway, Ferguson, Gladden, Jones-Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City Sheriff's Office – Deputy Sheriff Majors – Number of Appointments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### INTRODUCTION OF BILLS

Senator Zirkin 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 1114 – Senators Zirkin, Brochin, Feldman, Hershey, Jennings, and Shank

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

# Criminal Procedure – Initial Appearance and Representation by the Office of the Public Defender

FOR the purpose of proposing an amendment to the Maryland Constitution establishing that a certain constitutional provision may not be construed to require the Office of the Public Defender to represent a defendant at an initial appearance before a District Court commissioner; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to initial appearances and representation by the Office of the Public Defender.

BY proposing an amendment to the Maryland Constitution Declaration of Rights Article 21 Senator Zirkin moved to suspend the rules to allow **Senate Bill 1114** to be referred immediately.

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

Affirmative – 32 Negative – 9 (See Roll Call No. 731)

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

# **QUORUM CALL**

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

(See Roll Call No. 732)

# **ADJOURNMENT**

At 12:41 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 20, 2014, Calendar Day, Thursday, March 27, 2014.

# Annapolis, Maryland Legislative Day: March 20, 2014 Calendar Day: Thursday, March 27, 2014 10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Reverend Thomas Christianson, Life Mission at Abundant Life, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of March 19, 2014 was read and approved.

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

# **QUORUM CALL**

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

(See Roll Call No. 737)

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 588 - Senator Verna L. Jones-Rodwell:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Mount Saint Joseph Boys Varsity Basketball Team
in recognition of
winning the 3A State Basketball Championship. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 738)

Senate Resolution No. 651 - Senator Nathaniel J. McFadden:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Community Action Agencies
in recognition of

the 50th Anniversary of the Community Action Agencies founded by former President Lyndon Johnson as part

of his War on Poverty Program.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 27th day of March 2014.

# Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 739)

# YEAS AND NAYS

# SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 11	Sen. Young	Food Processing Plants – License Fees – Civic and
SB 84	Sen. Benson	Nonprofit Organizations Joint Committee on Access to Mental Health Services – Name
SB 104	Ch., Finance Com.	Change Hlth Offcrs and Baltimore Cty Commissioner of Hlth – Auth
SB 105	Ch., Finance Com.	to Retain Collections and Waive Charges Health – Vital Records – Birth Certificates –
SB 198	Sen. Pugh	Preparation and Filing Requirements Maryland Medical Assistance Program – Telemedicine
SB 225	Sen. Montgomery	State Board of Examiners of Psychologists – Psychology
SB 228	Sen. Conway	Associates – Registration State Board of Pharmacy – Election of Officers
SB 238	Sen. King	Board of Public Works – Relocatable Classrooms –

		Indoor Air Quality
		Requirements
${ m SB}~295$	The President	St Bd of Audiologists, Hrg
		Aid Dispensers, and
		Speech-Lang Pthlgsts - Sunset
		Ext and Pgm Eval
SB 296	The President	Prescription Drug Monitoring
		Program – Sunset Extension
		and Program Evaluation
SB~320	Sen. Conway	State Board of Nursing –
	·	Electrology Practice
		Committee – Membership
SB 380	Sen. Conway	State Board of Podiatric
	·	Medical Examiners – Cease and
		Desist Orders and Fines
SB 416	Sen. Astle	HMOs – Payments to
		Nonparticipating Providers –
		Repeal of Termin Date
SB 418	Sen. Middleton	Developmental Disabilities
		$\overline{\text{Administration}} - \overline{\text{Low}}$
		Intensity Support Services –
		Funding
SB 440	Sen. Mathias	Somerset Co – Service Award
		Program for Emergency Medical
		Services and Fire and Rescue
		Pers
SB 448	Sen. Conway	Bd of Prof Cnslrs and Thrpsts
		<ul> <li>Cease and Desist Orders and</li> </ul>
		Pnlts for Misrep & Practice
		Without Lic
SB 587	Sen. Conway	State Board of Examiners in
		Optometry – Cease and Desist
		Orders, Injunctive Relief,
		and Penalties

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 951 – Delegates McHale, Barkley, Barnes, Braveboy, Burns, Carr, Clagett, Frick, Glenn, Hucker, A. Kelly, K. Kelly, Love, Luedtke, Mizeur, Niemann, Olszewski, S. Robinson, Rosenberg, V. Turner, Vaughn, and Zucker

AN ACT concerning

# Procurement - Department of Labor, Licensing, and Regulation - Workgroup on Public Works Contractor Occupational Safety and Health Pregualification Requirements

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to develop and adopt by regulation a certain safety questionnaire and safety rating system; requiring the Department to consult with certain persons and review certain information when developing a certain safety questionnaire and safety rating system; requiring the safety questionnaire and safety rating system to assess certain factors; requiring the Department to determine a certain minimum safety rating; requiring a prospective bidder or offeror to submit certain documentation to the Department; requiring the Department to calculate by using a certain safety rating system the safety rating that a prospective bidder or offeror has attained on a certain safety questionnaire; providing that a prospective bidder or offeror that attains a certain safety rating is deemed to have pregualified to submit a bid or an offer on certain contracts; requiring the Department to publish a prequalification list that includes certain bidders and offerors and to require that certain documentation be submitted at least once per year; providing for the removal of prospective bidders and offerors from a certain list; authorizing certain prospective bidders or offerors to appeal to the Department or resubmit documentation after a certain time period; prohibiting, beginning on a certain date, certain prospective bidders and offerors and public bodies from taking certain actions; prohibiting a certain prospective bidder or offeror from prequalifying under a certain provision of law; providing for the debarment of a prospective bidder or offeror under certain circumstances; providing that the period of debarment may not exceed a certain number of years; providing that certain debarment procedures apply to debarment under a certain provision of this Act; defining certain terms; requiring the Department of Labor, Licensing, and Regulation to convene a certain workgroup to study and make recommendations regarding public works contractor occupational safety and health pregualification requirements; requiring that the workgroup include representatives of certain organizations; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to occupational safety and health prequalification for prospective bidders and offerors on public work contracts the workgroup on public works contractor occupational safety and health pregualification requirements.

#### BY adding to

Article - State Finance and Procurement

Section 17-801 through 17-804 to be under the new subtitle "Subtitle 8. Occupational Safety and Health Pregualification"

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

House Bill 1119 - Delegate Haddaway-Riccio

AN ACT concerning

# Board of Electricians – Licensing and Regulation of Electricians – Phase Out of <u>Apprentice</u>, <u>Journeyperson</u>, <u>and Master Level</u> Local Licenses

FOR the purpose of altering the purpose, composition, powers, and duties of the State Board of Master Electricians; changing the name of the State Board of Master Electricians to the Board of Electricians; authorizing the Board to issue an apprentice license and a journeyperson license under certain circumstances; authorizing the Board to adopt a State electrical code; repealing certain powers of the Board in connection with a proceeding; repealing certain subpoena and injunction powers of the Board; requiring a county to enforce the State electrical code or a certain local electrical code; requiring the Board to enforce the State electrical code in a county under certain circumstances; requiring the Board to set certain fees by regulation beginning on a certain date; requiring the fees to approximate the cost of maintaining the Board and be based on certain calculations performed by the Secretary of Labor, Licensing, and Regulation; requiring the Board to publish a certain fee schedule; requiring the Board to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to a certain fund; requiring an individual to be licensed by the Board before providing or assisting in providing electrical services in the State under certain circumstances; establishing a certain licensing exception for a person that provides limited energy services or that is licensed or registered to provide security systems services; establishing certain licensing exceptions for a person who holds a certain license and who is acting within the scope of that license; phasing out certain local electricians licenses over a certain period of time; providing that a certain local license is no longer valid on or after a certain date; authorizing a local jurisdiction to continue to issue certain local licenses on or after a certain date under certain circumstances; requiring a local jurisdiction to issue a certain permit under certain circumstances; authorizing a local jurisdiction to issue a certain permit under certain circumstances; altering education requirements: establishing certain licensing a continuing requirement as a condition of journeyperson license renewal; prohibiting a local jurisdiction from issuing a certain reciprocal license based on a license issued by another local jurisdiction; establishing a staggered renewal period for licenses; altering the circumstances under which the Board may deny a license to an applicant, reprimand a licensee, or suspend or revoke a license; requiring an advertisement for electrical services to contain certain information; requiring a master electrician to display certain information in a certain manner; prohibiting a person from taking certain actions without a license; establishing certain penalties for certain violations; establishing the Board of Electricians Fund; requiring any unspent portion of the Fund in excess of a certain amount to revert to the General Fund at the end of each every other fiscal year; crediting certain earnings to the General Fund; requiring the Secretary to make a certain calculation for certain purposes; establishing that certain fees in effect on a certain date remain in effect until certain other fees are adopted and made effective; requiring the Department of Labor, Licensing, and Regulation to work with representatives of the limited energy services industry to study issues relating to a State license for the provision of limited energy services; providing for the application of this Act; altering, adding, and repealing certain defined terms; making stylistic and conforming changes; providing for the termination of certain provisions of this Act; providing for the delayed effective date of certain provisions of this Act; and generally relating to the Board of Electricians and the licensing and regulation of electricians.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 6–101 through 6–103; 6–201 through 6–205 and 6–208 under the amended subtitle "Subtitle 2. Board of Electricians"; and 6–301 through 6–503, 6–505, 6–601, 6–602, 6–604, 6–606, and 6–701

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)

# BY repealing

Article – Business Occupations and Professions Section 6–206, 6–207, 6–603, and 6–605 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

# BY adding to

Article – Business Occupations and Professions Section 6–206, 6–207, and 6–605 through 6–610 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions Section 6–504, 6–506, and 6–702 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety Section 12–603 Annotated Code of Maryland (2011 Replacement Volume and 2013 Supplement) Article – Business Regulation Section 2–106.9 and 2–106.10 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement)

# BY repealing

Article – Business Occupations and Professions Section 6–320 through 6–602 Annotated Code of Maryland (2010 Replacement Volume and 2013 Supplement) (As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6–101

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

(As enacted by Section 1 of this Act)

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. 740)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #66

Senate Bill 259 - Senator Middleton

AN ACT concerning

Agriculture - Easements - Renewable Energy Generation Facilities

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

Affirmative – 44 Negative – 3 (See Roll Call No. 741)

The Bill was then sent to the House of Delegates.

Senate Bill 266 - Baltimore City Senators (By Request - Baltimore City Administration)

AN ACT concerning

Maryland Income Tax Refund - Baltimore City - Warrants

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

Affirmative – 47 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

Senate Bill 469 – Senators Shank, Edwards, and Young

AN ACT concerning

Maryland Income Tax Refund - Washington County - Warrants

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

Affirmative – 47 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

Senate Bill 533 – Senator Edwards

AN ACT concerning

Forests and Parks - Public Recreation on Private and State-Owned Land -Off-Highway Vehicles

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

Affirmative – 47 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

Senate Bill 923 - Senators Raskin, Brinkley, Feldman, Forehand, Frosh, Jacobs, Madaleno, Mathias, Montgomery, Muse, Stone, Young, and Zirkin

AN ACT concerning

Medical Marijuana - Natalie M. LaPrade Medical Marijuana Commission

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

Affirmative – 45 Negative – 1 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

Senate Bill 929 - Senators Hershey, Colburn, and Shank

AN ACT concerning

Commercial Fishing and Seafood Operations - Nuisance Actions - Exemption

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

Affirmative – 38 Negative – 9 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 747)

The Bill was then sent to the House of Delegates.

Senate Bill 1017 – Montgomery County Senators Senator Raskin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the House of Delegates.

Senate Bill 1034 – Senator Hershey

AN ACT concerning

Queen Anne's County Board of Education - Filling a Vacancy in Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the House of Delegates.

Senate Bill 1075 – Senator Conway

EMERGENCY BILL

AN ACT concerning

Public Safety - Hotels - Carbon Monoxide Alarms

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

Affirmative – 47 Negative – 0 (See Roll Call No. 750)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #11

# **CONSENT CALENDAR #6**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 12	Ch. Envir Matters Com	Bay Restoration Fund – Authorized Uses – Local Entities	ЕНЕ
HB 53	Del. Vitale	Public Records – Provision of Copies, Printouts, and Photographs – Required	ЕНЕ
HB 100	Del. Kipke	Dental Hygienists – Practice in Long-term Care Facilities – Repeal of Termination Date	ЕНЕ
HB 101 (AMENDEI	Del. Kipke D)	Dental Hygienists – Nitrous Oxide Repeal of Termination l	EHE Date

HB 102	Ch. Hlth & Govt Ops	Procurement Advisory Council  – Membership	EHE
HB 149	Del. Reznik	Council for the Procurement of Health, Educational, and Social Services – Term Limits	EHE
HB 154	Del. O'Donnell	Natural Resources – Sport Fisheries Advisory Commission – Membership	EHE
HB 392	Del. Rudolph	Northeastern Maryland Higher Education Advisory Board – Revisions	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative -47 Negative -0 (See Roll Call No. 751)

The Bills were then sent to the House of Delegates.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #44

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

# Senate Bill 847 – Senators Kittleman, Brinkley, and Getty

AN ACT concerning

## Open Meetings Act - Advance Notice of Meeting - Agenda

#### SB0847/804531/1

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 847

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute "<u>Joint Committee on</u> Transparency and Open Govern<u>ment – Study on Requiring Public Bodies to Provide</u>

Agendas Under the Open Meetings Act"; strike beginning with "a" in line 3 down through "public bodies" in line 5 and substitute "the Joint Committee on Transparency and Open Government to conduct a study on requiring public bodies to provide agendas under the Open Meetings Act; requiring that the study take into consideration certain factors; requiring the Joint Committee to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Joint Committee on Transparency and Open Government and the Study on Requiring Public Bodies to Provide Agendas Under the Open Meetings Act"; and strike in their entirety lines 6 through 10, inclusive.

#### AMENDMENT NO. 2

On page 1, in line 12, strike "the Laws of Maryland read as follows"; and after line 12, insert:

- "(a) The Joint Committee on Transparency and Open Government, as established under § 2–10A–14 of the State Government Article, shall conduct a study on the circumstances, if any, under which a public body should be required to provide agendas to the public in advance of meeting.
  - (b) The study shall take into consideration:
    - (1) input from:
      - (i) the Office of the Attorney General;
      - (ii) the Maryland–Delaware–DC Press Association;
- (iii) representatives of local and State government, including the Maryland Association of Counties and the Maryland Municipal League; and
- (iv) other parties that express interest in participating in the study; and
  - (2) any other factors the Joint Committee determines are relevant.
- (c) On or before January 1, 2015, the Joint Committee shall report its findings and any recommended legislation to the Senate Education, Health, and

Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article.".

On pages 1 and 2, strike in their entirety the lines beginning with line 13 on page 1 through line 20 on page 2, inclusive.

# AMENDMENT NO. 3

On page 2, in line 22, 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 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 1103 - Senator Jones-Rodwell

AN ACT concerning

Baltimore City - Alcoholic Beverages - Class C Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON RULES REPORT #14

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Judicial Proceedings:

Senate Bill 1090 - Prince George's County Senators

AN ACT concerning

Prince George's County - Circuit Court - Attorney Appearance Fee

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 1113 – Senators Pugh and Conway

AN ACT concerning

# Baltimore City - Alcoholic Beverages - Transfer of License

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

#### LAID OVER BILLS

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

## Senate Bill 637 - Senator Simonaire

AN ACT concerning

# Anne Arundel County – Board of Education Member – Limitation on Candidacy for Other Elective Office

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

#### SB0637/424536/1

BY: Education, Health, and Environmental Affairs Committee

# <u>AMENDMENTS TO SENATE BILL 637</u>

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "Education" insert "who vacates the office before the expiration of the term for which the member was appointed"; in line 6, strike "during a certain period of time immediately following" and substitute "before"; and in line 7, after the semicolon insert "providing an exception;".

#### AMENDMENT NO. 2

On page 4, in line 25, strike "A" and substitute "(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF A BOARD MEMBER VACATES THE OFFICE BEFORE THE EXPIRATION OF THE TERM FOR WHICH THE MEMBER WAS

<u>APPOINTED, THE</u>"; in lines 26 and 27, strike "DURING THE 2 YEARS IMMEDIATELY FOLLOWING" and substitute "<u>BEFORE</u>"; and after line 28, insert:

"(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A
BOARD MEMBER WHO VACATES OFFICE BEFORE THE EXPIRATION OF THE TERM
TO WHICH THE MEMBER WAS APPOINTED AND WHO SUBSEQUENTLY IS
APPOINTED TO A MUNICIPAL, COUNTY, OR STATE ELECTIVE OFFICE IN THIS
STATE.".

The preceding 2 amendments were read and adopted.

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

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

Affirmative – 10 Negative – 34 (See Roll Call No. 752)

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 26 Negative – 20 (See Roll Call No. 753)

Read the second time and ordered prepared for Third Reading.

Senate Bill 973 – Senator Frosh

AN ACT concerning

#### Criminal Procedure - Pretrial Confinement and Release

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

# SB0973/248075/1

BY: Judicial Proceedings Committee

# AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 5, after "date," insert "with the advice of the Pretrial Services Commission"; strike beginning with "prohibiting" in line 10 down through "persons;" in line 11 and substitute "requiring the Governor to appropriate certain funding

beginning in a certain fiscal year;"; in line 13, strike "Governor's Office of Crime Control and Prevention" and substitute "Commission"; in line 18, after the semicolon insert "providing that a certain court or clerk's office that is open or in session for a certain purpose is not open or in session for any other purpose or function; requiring a police officer, an agent acting on behalf of a law enforcement agency, or a correctional officer to keep custody of certain arrested person under certain circumstances;"; in line 24, after the semicolon, insert "requiring that the District Court to operate in session for a certain number of days for the purpose of making certain release determinations for certain persons under certain circumstances;"; in line 30, after "commissioner;" insert "adding an employee of a county who is assigned to a certain pretrial release services program under certain circumstances to the definition of "State personnel" for purposes of the State Tort Claims Act;"; and in the same line, strike "Release" and substitute "Services".

On page 2, in line 1, after "chair" insert "and vice chair"; strike beginning with "requiring" in line 1 down through "Commission;" in line 2; in line 4, after the semicolon insert "requiring the Commission to submit a certain annual report and provide certain copies of the report; providing for the appointment of a certain Executive Director; authorizing the Commission to establish certain advisory boards and to perform certain acts;"; in line 8, after the semicolon insert "establishing the initial terms of certain members of the Commission;"; in line 9, after the semicolon insert "authorizing the Secretary to establish a certain Pilot Program under certain circumstances;"; in line 10, before "defining" insert "altering and"; strike beginning with "providing" in line 10 down through "Act;" in line 11; in line 11, strike "the effective dates" and substitute "a delayed effective date for a certain provision"; in line 21, before "and" insert "5–3B–01 through 5–3B–10 to be under the new subtitle "Subtitle 3B. Pretrial Services Commission;"; after line 23, insert:

#### "BY adding to

<u>Article – Courts and Judicial Proceedings</u>

Section 1–206

Annotated Code of Maryland

(2013 Replacement Volume and 2013 Supplement)";

and in line 41, after "2–106," insert "<u>2–106.1,</u>".

On page 3, after line 7, insert:

"BY repealing and reenacting, with amendments,

Article – State Government

Section 12–101(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)".

# AMENDMENT NO. 2

On page 4, in line 1, strike "OCTOBER 1, 2014," and substitute "MAY 1, 2015, WITH THE ADVICE OF THE PRETRIAL SERVICES COMMISSION,"; in line 3, strike "IN EACH COUNTY"; in line 8, after "SCREEN" insert ", AT ALL TIMES,"; in the same line, after "PERSONS" insert "NOT RELEASED ON A CITATION"; in line 11, strike "APPROPRIATE JUDICIAL OFFICER" and substitute "COURT"; in line 13, strike "PERSON," and substitute "PERSON NOT ADMINISTRATIVELY RELEASED,"; in line 15, after "SECRETARY" insert "AND THE PRETRIAL SERVICES COMMISSION"; strike beginning with "RELEASED" in line 19 down through "CONDITIONS" in line 21 and substitute "AS ORDERED BY THE COURT"; in line 26, after the semicolon insert "AND"; and strike in their entirety lines 27 through 29, inclusive.

On page 5, in line 1, strike "(IV)" and substitute "(III)"; in line 5, before "MAY" insert "EXCEPT AS PROVIDED IN § 5–202 OF THE CRIMINAL PROCEDURE ARTICLE,"; strike in their entirety lines 9 through 18, inclusive, and substitute:

- "(D) BEGINNING IN FISCAL YEAR 2016 AND IN EACH SUBSEQUENT FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE DEPARTMENT TO COVER:
- (1) THE OPERATING COSTS OF THE PRETRIAL RELEASE SERVICES
  PROGRAM; AND
- (2) THE PERSONNEL COSTS OF CARRYING OUT THE DUTIES AUTHORIZED AND REQUIRED UNDER THIS SUBTITLE.";

and in line 22, strike "JUNE" and substitute "OCTOBER".

#### AMENDMENT NO. 3

On page 5, strike in their entirety lines 27 and 28; and in line 29, strike "(2)" and substitute "(1)".

On page 6, in lines 1 and 3, strike "(3)" and "(4)", respectively, and substitute "(2)" and "(3)", respectively; in line 7, strike "OPERATED" and substitute "OPERATE"; in line 8, strike "ON OR BEFORE JUNE 1, 2014" and substitute "THAT IS ADMINISTERED IN A MANNER CONSISTENT WITH THE STATE PRETRIAL RELEASE SERVICES PROGRAM ESTABLISHED UNDER § 5–303 OF THIS TITLE"; strike beginning with "GOVERNOR'S" in line 9 down through "PREVENTION" in line 10 and substitute "PRETRIAL SERVICES COMMISSION"; and in line 30, strike "AN EQUAL" and substitute "A PROPORTIONATE".

#### AMENDMENT NO. 4

On page 6, after line 30, insert:

# "SUBTITLE 3B. PRETRIAL SERVICES COMMISSION.

# 5-3B-01.

IN THIS SUBTITLE, "COMMISSION" MEANS THE PRETRIAL SERVICES COMMISSION.

# 5-3B-02.

THERE IS A PRETRIAL SERVICES COMMISSION IN THE DEPARTMENT.

# 5-3B-03.

- (A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:
  - (1) THE ATTORNEY GENERAL;
  - (2) THE PUBLIC DEFENDER; AND
- (3) THE FOLLOWING INDIVIDUALS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:
- (I) A REPRESENTATIVE OF THE MARYLAND STATE'S ATTORNEYS' ASSOCIATION;

- (II) A REPRESENTATIVE OF THE MARYLAND CHIEFS OF POLICE ASSOCIATION, INC.;
- (III) A REPRESENTATIVE OF THE MARYLAND SHERIFFS'
  ASSOCIATION;
- (IV) A REPRESENTATIVE OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION;
- (V) FOUR REPRESENTATIVES OF LOCAL JAIL AND PRETRIAL SERVICES PROGRAMS;
- (VI) A REPRESENTATIVE OF AN ORGANIZATION WITH THE PRIMARY PURPOSE OF PRETRIAL JUSTICE PRACTICES AND POLICIES;
- (VII) A REPRESENTATIVE OF THE MARYLAND CRIMINAL DEFENSE ATTORNEYS ASSOCIATION; AND
- (VIII) A REPRESENTATIVE OF THE MARYLAND BRANCH OF THE AMERICAN CIVIL LIBERTIES UNION.
- (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:
- (I) THE TERM OF A MEMBER OF THE COMMISSION IS 3
  YEARS; AND
- (II) THE TERMS OF THE MEMBERS OF THE COMMISSION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2014.
- (2) (I) THE ATTORNEY GENERAL AND PUBLIC DEFENDER SHALL SERVE AS EX OFFICIO MEMBERS OF THE COMMISSION.

- (II) AN EX OFFICIO MEMBER OF THE COMMISSION MAY SERVE PERSONALLY AT ANY COMMISSION MEETING OR DESIGNATE A REPRESENTATIVE FROM THE EX OFFICIO MEMBER'S UNIT WHO MAY ACT AT ANY COMMISSION MEETING TO THE SAME EFFECT AS IF THE EX OFFICIO MEMBER WERE PERSONALLY PRESENT.
- (C) (1) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- **(2)** A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

5-3B-04.

THE COMMISSION SHALL ELECT ANNUALLY A CHAIR AND VICE CHAIR FROM AMONG ITS MEMBERS.

5-3B-05.

- (A) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE COMMISSION IS A QUORUM.
- (B) THE COMMISSION SHALL MEET QUARTERLY AT THE TIMES AND PLACES DETERMINED BY THE COMMISSION OR ITS CHAIR.
  - (C) A MEMBER OF THE COMMISSION:
- **(1)** MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE COMMISSION; BUT
- **(2)** IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5-3B-06.

- (A) THE COMMISSION SHALL REPORT ANNUALLY TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THE COMMISSION.
- (B) THE COMMISSION SHALL PROVIDE THE SECRETARY AND THE GOVERNING BODY OF EACH COUNTY AND MUNICIPAL CORPORATION IN WHICH A CORRECTIONAL FACILITY IS LOCATED WITH A COPY OF ITS ANNUAL REPORT.

#### 5-3B-07.

- (A) (1) WITH THE APPROVAL OF THE SECRETARY, THE COMMISSION SHALL APPOINT AN EXECUTIVE DIRECTOR.
- (2) THE EXECUTIVE DIRECTOR IS A SPECIAL APPOINTMENT IN THE STATE PERSONNEL MANAGEMENT SYSTEM.
- (B) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE COMMISSION.
- (C) THE EXECUTIVE DIRECTOR SHALL PERFORM ADMINISTRATIVE FUNCTIONS AS THE COMMISSION DIRECTS.
- (D) THE EXECUTIVE DIRECTOR IS ENTITLED TO COMPENSATION AS PROVIDED IN THE STATE BUDGET.

#### 5-3B-08.

#### (A) THE COMMISSION SHALL:

- (1) ADVISE THE SECRETARY REGARDING THE ADMINISTRATION OF A PRETRIAL RELEASE SERVICES PROGRAM IN THE STATE;
- (2) CONSULT AND COORDINATE WITH NATIONAL ORGANIZATIONS
  TO PROVIDE GUIDANCE REGARDING NATIONALLY ESTABLISHED STANDARDS
  RELATING TO PRETRIAL SERVICES;

- CONSULT AND COORDINATE WITH OTHER UNITS OF THE **(3)** STATE AND LOCAL JURISDICTIONS CONCERNING PRETRIAL SERVICES; AND
- ON OR BEFORE NOVEMBER 1, 2014, RECOMMEND TO THE **(4)** SECRETARY FOR ADOPTION BY REGULATION A PRETRIAL RISK ASSESSMENT TOOL FOR USE IN MAKING AN ADMINISTRATIVE PRETRIAL RELEASE DETERMINATION.
- (B) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.
- (C) THE COMMISSION SHALL EMPLOY A STAFF NECESSARY TO CARRY OUT THIS SUBTITLE AS PROVIDED IN THE STATE BUDGET.

5-3<u>B-09.</u>

THE COMMISSION MAY ESTABLISH ADVISORY BOARDS TO ASSIST THE COMMISSION IN CARRYING OUT ITS POWERS AND DUTIES UNDER THIS SUBTITLE.

#### 5-3B-10.

THE COMMISSION MAY PERFORM ANY ACTS NECESSARY AND APPROPRIATE TO CARRY OUT THE POWERS AND DUTIES SET FORTH IN THIS SUBTITLE.".

On page 22, after line 16, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Pretrial Services Commission shall expire as follows:

- (1) two members in 2016;
- three members in 2017; (2)
- (3)three members in 2018; and

(4) three members in 2019. ".

#### AMENDMENT NO. 5

On page 7, after line 14, insert:

"1**-206**.

A COURT OR CLERK'S OFFICE THAT IS IN SESSION OR OPEN ON A WEEKEND OR HOLIDAY FOR THE PURPOSE OF CONDUCTING AN INITIAL APPEARANCE OR A BAIL REVIEW OF AN ARRESTED PERSON IS NOT IN SESSION OR OPEN FOR ANY OTHER PURPOSE OR FUNCTION."

#### AMENDMENT NO. 6

On page 10, after line 21, insert:

#### "2-106.1.

- (a) This section applies only in Allegany County.
- (b) Except as provided in subsection [(c)] (B) of this section, a police officer or an agent acting on behalf of a law enforcement agency shall keep custody of an arrested person from the time of arrest until the arrested person is:
- (1) committed by lawful authority to a State or local correctional facility;
  - (2) released from custody; or
  - (3) in the custody of another police officer.
- [(c)] (B) A correctional officer may keep custody of or provide transport for an arrested person who is awaiting transfer to another jurisdiction or waiting to see a judicial officer of the court if:
- (1) the Commissioner of the Division of Pretrial Detention and Services or local managing official has assigned the correctional officer to supervise and transport inmates;

- (2) the correctional officer will supervise the arrested person in a correctional facility or during transport; and
- (3) the correctional facility is not addressing a situation that poses a severe threat to maintaining the desired level of security and safety of the arrested person or persons inside the correctional facility at the time of the transfer of custody."

#### AMENDMENT NO. 7

On page 16, in lines 17 and 18, in each instance, strike the bracket.

On page 17, in line 1, before "A" insert "(A)"; and after line 7, insert:

"(B) THE DISTRICT COURT SHALL OPERATE IN SESSION AT LEAST 6
DAYS A WEEK FOR THE PURPOSE OF MAKING RELEASE DETERMINATIONS FOR
PERSONS NOT ADMINISTRATIVELY RELEASED BY THE PRETRIAL RELEASE
SERVICES PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES."

#### AMENDMENT NO. 8

On page 19, after line 17, insert:

#### "Article – State Government

#### <u>12–101.</u>

- (a) In this subtitle, unless the context clearly requires otherwise, "State personnel" means:
- (1) a State employee or official who is paid in whole or in part by the Central Payroll Bureau in the Office of the Comptroller of the Treasury;
  - (2) an employee or official of the:
    - (i) Maryland Transportation Authority;
    - (ii) Maryland Stadium Authority;

(iii) Maryland Environmental Service; (iv) overseas programs of the University College of the University System of Maryland; Maryland Economic Development Corporation; (v) Maryland Technology Development Corporation; <u>(vi)</u> (vii) Maryland African American Museum Corporation; (viii) Maryland Automobile Insurance Fund; (ix) Maryland Health and Higher Educational Facilities **Authority**; (x) Maryland Agricultural and Resource-Based Industry Development Corporation; (xi) Somers Cove Marina Commission; Maryland Workforce Corporation; (xii) (xiii) Maryland Underground Facilities Damage Prevention Authority; and (xiv) Maryland Clean Energy Center; a person who: <u>(3)</u> is a member of a State board, commission, or similar State (i) entity; or is providing a service to or for the State; (ii) 1.

is not paid in whole or in part by the State; and

<u>2.</u>

- 3. satisfies all other requirements for designation as State personnel as may be set forth in regulations adopted by the Treasurer pursuant to Title 10 of this article;
- (4) an individual who, without compensation, exercises a part of the sovereignty of the State;
  - (5) a student enrolled in a State educational institution:
- (i) who is providing services to third parties in the course of participation in an approved clinical training or academic program;
- (ii) who, as determined by the Treasurer, is required to have liability insurance covering claims arising from services to third parties performed by the student in the course of the approved clinical training or academic program;
- (iii) who, as determined by the Treasurer, cannot obtain commercial liability insurance at an affordable cost; and
- (iv) who, as determined by the Treasurer, may be required to contribute to an insurance program for claims arising from services to third parties performed by the student in the course of the approved clinical training or academic program;
  - (6) a sheriff or deputy sheriff of a county or Baltimore City;
- (7) an employee of a county who is assigned to a local department of social services, including a Montgomery County employee who carries out State programs administered under Title 3, Subtitle 4 of the Human Services Article;
- (8) <u>a State's Attorney of a county or Baltimore City, or an employee of an office of a State's Attorney;</u>
- (9) a member of a board of license commissioners of a county or Baltimore City appointed under the provisions of Article 2B of the Code, or an employee of a board of license commissioners;
- (10) a member of a local board of elections, or an employee of a local board of elections;

- (11) a judge of a circuit court of a county or Baltimore City, or an employee of a circuit court;
- (12) a judge of an orphans' court of a county or Baltimore City, or an employee of an orphans' court;
- (13) to the extent of a nonprofit organization's activities as a third party payee, and to the extent the nonprofit organization has no other insurance for this purpose, a nonprofit organization that has been approved by the Department of Human Resources or its designee to serve as a third party payee for purposes of providing temporary cash assistance, transitional assistance, or child–specific benefits to Family Investment Program recipients; [or]
- (14) a student, faculty, or staff member of an institution of higher education who is providing a service under the Family Investment Program in accordance with § 5–305, § 5–306, or § 5–317 of the Human Services Article; OR
- (15) AN EMPLOYEE OF A COUNTY WHO IS ASSIGNED TO A PRETRIAL RELEASE SERVICES PROGRAM AND CARRIES OUT DUTIES UNDER TITLE 5, SUBTITLE 3 OF THE CORRECTIONAL SERVICES ARTICLE.".

#### AMENDMENT NO. 9

On page 19, in line 22, strike the first "the" and substitute ":

# (1) THE PERSON IS ADMINISTRATIVELY RELEASED BY THE PRETRIAL RELEASE SERVICES PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES; OR

#### (2) THE";

and in the same line, strike "his" and substitute "THE OFFICER'S".

#### AMENDMENT NO. 10

On pages 20 through 22, strike in their entirety the lines beginning with line 14 on page 20 through line 16 on page 22, inclusive.

On page 22, in line 28, strike "October 1, 2014" and substitute "May 1, 2015"; after line 26, insert:

#### "SECTION 5. AND BE IT FURTHER ENACTED, That:

- (a) Before May 1, 2015, The Secretary of Public Safety and Correctional Services, on the adoption of a validated risk assessment tool recommended by the Pretrial Services Commission, may establish a Pretrial Release Services Pilot Program in one or more counties in the State without establishing the program in every county of the State.
- (b) A county in the State that has not been selected by the Secretary for the establishment of a Pretrial Release Services Pilot Program may establish an independent Pilot Program utilizing the validated risk assessment tool adopted by the Secretary at the expense of the county that establishes the program.";

in line 27, strike "5" and substitute "<u>6</u>"; in line 29, strike "6" and substitute "<u>7</u>"; in line 30, strike "5" and substitute "<u>6</u>"; and strike beginning with "June" in line 30 down through "effect" in line 33, and substitute "<u>July 1, 2014</u>".

The preceding 10 amendments were read and adopted.

Senator Getty moved, duly seconded, to make the Bill and Report a Special Order for March 28, 2014.

The motion was adopted.

#### INTRODUCTION OF BILLS

Senator Simonaire 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 1115 - Senator Simonaire

CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### Members of the General Assembly - Responsibilities and Eligibility to Vote

FOR the purpose of requiring, under certain circumstances, the presiding officer of a House of the General Assembly to appoint each member to a standing committee; providing that a member is eligible to vote on certain matters in the member's standing committee and in the House in which the member serves; prohibiting a member from voting on certain matters under certain circumstances; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution Article III – Legislative Department Section 19

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

Senator Simonaire 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 1116 – Senators Simonaire, Brinkley, Colburn, Edwards, Getty, Glassman, Hershey, Jacobs, Jennings, Kittleman, Reilly, and Shank

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### Chesapeake and Atlantic Coastal Bays 2010 Trust Fund - Use of Funds

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used only for certain purposes except under certain circumstances; prohibiting the transfer of funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to the General Fund or a special fund of the State except under certain circumstances; providing that this amendment does not apply to the allocation or use of certain funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund for counties, municipalities, or Baltimore City or to a transfer of certain funds to the BayStat Subcabinet agencies, in accordance with law; authorizing funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used for a purpose not related to the Chesapeake and Atlantic Coastal Bays or transferred to the General Fund or a special fund of the State if the Revenue Stabilization Account balance is below a certain amount and the Governor and the General Assembly take certain action; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution Article III – Legislative Department Section 53A

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. 754)

#### **ADJOURNMENT**

At 12:22 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day March 21, 2014, Calendar Day, Friday, March 28, 2014.

#### Annapolis, Maryland Legislative Day: March 21, 2014 Calendar Day: Friday, March 28, 2014 11:00 A.M. Session

The Senate met at 11:11 A.M.

Prayer by Reverend Elizabeth Lerner Maclay, Unitarian Universalist Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 20, 2014 was read and approved.

#### **QUORUM CALL**

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

(See Roll Call No. 757)

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 661 – Senator Verna L. Jones-Rodwell:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
African American Forum Planning Committee
in recognition of
10 years of unwavering commitment to the
Pythias A. and Virginia I. Jones
African—American Community Forum on Memory Loss.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative -47 Negative -0 (See Roll Call No. 758)

Senate Resolution No. 662 - Senator David R. Brinkley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Marisa Shockley
in recognition of

being a regional finalist for the TIME and Ally Financial 2014 Dealer of the Year Award, the automotive industry's most prestigious honor, for both business excellence and charitable community service.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of March 2014.

#### Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 759)

#### YEAS AND NAYS

#### SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 96	Ch., Finance Com.	Hlth Ins – Conformity With and Impl of the Fed Patient Protection and Affordable Care Act
SB 98	Ch., Finance Com.	Health Insurance – Medicare Marketing Rules
SB 123	Ch., Budget & Tax	Major Information Technology Development Project Fund – Revenue Sources and Authorized Expenditures
SB 212	Sen. Madaleno	Fairness for All Marylanders Act of 2014
SB 338	The President	Public Safety – Statewide Interoperability Radio Control Board – Established

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 1522 – Delegate Reznik

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.

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #67

Senate Bill 637 - Senator Simonaire

AN ACT concerning

#### Anne Arundel County – Board of Education Member – Limitation on Candidacy for Other Elective Office

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

Affirmative – 15 Negative – 28 (See Roll Call No. 760)

Senate Bill 847 – Senators Kittleman, Brinkley, and Getty

AN ACT concerning

#### Open Meetings Act - Advance Notice of Meeting - Agenda

<u>Joint Committee on Transparency and Open Government – Study on</u> <u>Requiring Public Bodies to Provide Agendas Under the Open Meetings Act</u> Read the third time and passed by year and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 761)

The Bill was then sent to the House of Delegates.

Senate Bill 1103 - Senator Jones-Rodwell

AN ACT concerning

Baltimore City - Alcoholic Beverages - Class C Licenses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 762)

The Bill was then sent to the House of Delegates.

#### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 663 - Senator Bobby A. Zirkin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Pikesville High School Girls Indoor Track Team
in recognition of

your winning the Maryland Public Secondary Schools Athletic Association's 2014 Class 1A State Championship.

We applaud your outstanding season and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 763)

#### **CONCURRENCE CALENDAR #3**

AMENDED IN THE HOUSE

Senate Bill 170 – The President (By Request – Administration)

#### **Budget Bill**

#### (Fiscal Year 2015)

Senator Kasemeyer moved that the Senate not concur in the House amendments.

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2014 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit K of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 170 – THE BUDGET BILL

(See Exhibit L of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit M of Appendix III)

Senator Kasemeyer moved that the Senate not concur in the House amendments.

The committe amendments were read and not concurred in.

#### SB0170/923228/1

BY: Delegate Kramer

#### AMENDMENT TO SENATE BILL 170, AS AMENDED

(Third Reading File Bill – Committee Reprint)

On page 267, after line 24, insert:

#### "SECTION 45. AND BE IT FURTHER ENACTED, That:

- (a) The General Assembly finds that:
- (1) anti-Semitism is an intolerable and ugly form of bigotry, prejudice, and hostility directed toward individuals of the Jewish faith and the State of Israel, often based on ethnic, cultural, or religious identity;
- (2) <u>Israel, a democratic nation, the only country in the Middle East</u> that is a democracy, is a strong ally of the United States based on shared values and

interests and invaluable cooperation in cybersecurity, medicine, biotechnology, agriculture, and bilateral trade and commerce, as well as educational, research, and cultural exchanges;

- (3) the American Studies Association is an academic organization composed of approximately 5,000 members, all of whom are members of academia specializing in the interdisciplinary study of American culture and history;
- (4) the American Studies Association, through a vote of its members, has endorsed a boycott of Israeli academic institutions and their scholars who are "serving as representatives from those institutions";
- (5) the boycott adopted by the American Studies Association is consistent with a movement known as Boycott, Divestment and Sanctions, designed to delegitimize the democratic State of Israel; and
- (6) the State of Maryland has ratified a Declaration of Cooperation with the State of Israel resulting in the successful exchange of commerce, culture, technology, tourism, trade, economic development, scholarly inquiry, and academic cooperation, which has served to improve the quality of the lives of their respective peoples for well over two decades.
  - (b) The General Assembly further finds that an academic boycott of Israel:
- (1) is antithetical to the principles of academic freedom and to the free and open exchange of ideas;
- (2) results in the restriction and stifling of Israeli scholars and Israeli institutions of higher education;
- (3) <u>disengages Israeli scholars and Israeli institutions of higher</u> education from invaluable global academic collaborations and conferences; and
- (4) invokes fear among the international academic community by creating a hostile learning environment and condoning the use of an academic community as a political pawn.
  - (c) The General Assembly declares that it is the policy of the State to:

- (1) condemn, in the strongest terms possible, the American Studies Association's academic boycott against Israel as an inappropriate action on the part of the academic community;
- (2) recognize that such conduct, particularly within centers of academic study, is unacceptable and must be denounced; and
- (3) strongly encourage that all colleges and universities support the open flow of public discourse, debate, and academic freedom, particularly with respect to nations with which Maryland has a ratified Declaration of Cooperation.";

and in lines 25, 28, and 35, strike " $\underline{45}$ .", " $\underline{46}$ .", and " $\underline{47}$ .", respectively, and substitute " $\underline{46}$ .", " $\underline{47}$ .", and " $\underline{48}$ .", respectively.

The preceding amendment was read and not concurred in.

#### MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0170** 

SPONSOR: The Pres (Admin)

SUBJECT: Budget Bill (Fiscal Year 2015)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Kasemeyer, Chair

Senator Madaleno

Senator DeGrange

Senator Robey

Senator Colburn

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Peters and King.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr., Secretary

Read and adopted.

#### INTRODUCTION OF RESOLUTIONS

#### Senate Resolution No. 664 - Senator Bobby A. Zirkin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Pikesville High School Boys Indoor Track Team
in recognition of

your winning the Maryland Public Secondary Schools Athletic Association's 2013 Class 1A State Championship and earning the State Finalist title in 2014. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 764)

#### **CONCURRENCE CALENDAR #4**

#### AMENDED IN THE HOUSE

Senate Bill 172 – The President (By Request – Administration)

AN ACT concerning

#### **Budget Reconciliation and Financing Act of 2014**

HOUSE APPROPRIATIONS COMMITTEE REPORT ON SENATE BILL 170 – THE BUDGET BILL AND SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit M of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO SENATE BILL 172 – THE BUDGET RECONCILIATION AND FINANCING ACT OF 2014

(See Exhibit N of Appendix III)

Senator Kasemeyer moved that the Senate not concur in the House amendments.

#### SB0172/384062/1

BY: Appropriations Committee

#### AMENDMENTS TO SENATE BILL 172

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 11, after "appropriations;" insert "requiring a certain maintenance of effort of county support for a community college in order for a community college to receive a certain hold harmless component amount;"; and in line 17, after "Lottery" insert "and Gaming Control".

On page 2, strike beginning with "repealing" in line 2 down through "yehicle;" in line 4; in line 9, after "Commission" insert "and the Department of Health and Mental Hygiene"; strike beginning with "requiring" in line 11 down through "rates;" in line 14; in line 11, after "assessment;" insert "requiring the Health Services Cost Review Commission to establish a Community Partnership Assistance Program; requiring certain funding for the Program for certain purposes; providing for the sources and permissible uses of the funding; requiring that certain plans be developed in accordance with certain guidelines; providing that certain guidelines contain certain minimum standards, criteria, and specifications; providing for the submission, review, and approval of certain plans; requiring the Commission to take action on a certain plan; requiring the Department of Health and Mental Hygiene to post certain plans on the Department's Web site;"; and in line 33, after "law;" insert "requiring the Comptroller to set a certain interest rate for certain taxable years for income tax refunds resulting from a certain judicial decision; providing for the application of certain provisions of this Act;".

On page 3, in line 20, after "16–305(c)(1)(i)" insert "and (d)".

On page 4, in line 11, strike ", 9–1A–29(d)(1),".

On page 5, in line 2, after " $(\underline{k})$ " insert " $\underline{and 16-305(c)(7)}$ "; in line 17, strike " $\underline{and 13-802(b)(1)}$ "; and strike in their entirety lines 20 through 24, inclusive.

On page 6, after line 4, insert:

#### "BY adding to

<u>Article – Health – General</u>

Section 19–219.1

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)".

#### AMENDMENT NO. 2

On page 8, in line 3, after "OF" insert ":

**(I)**";

in lines 5, 8, 11, and 13, strike "(I)", "(III)", "(III)", and "(IV)", respectively, and substitute "1.", "2.", "3.", and "4.", respectively; and in line 13, after "REPRESENTATIVE" insert "; AND

(II) THE DIRECTOR OF THE COMMISSION, OR THE DIRECTOR'S DESIGNEE, WHO SHALL SERVE AS A NONVOTING MEMBER OF THE ADVISORY COMMITTEE".

#### AMENDMENT NO. 3

On page 10, in line 34, strike "19.7%" and substitute "20.0%".

On page 11, in line 2, strike "<u>19.7%</u>" and substitute "<u>20.5%</u>"; in line 8, strike "20%" and substitute "<u>21.0%</u>"; and in line 13, strike "21%" and substitute "<u>22.0%</u>".

#### AMENDMENT NO. 4

On page 12, after line 23, insert:

- "(7) (i) A board shall be eligible for a hold harmless component beginning in fiscal year 1998 if the sum of the board's fixed costs, marginal costs, and size factor components for the fiscal year is less than the board's total State share in the prior fiscal year.
- (ii) The hold harmless component amount shall be determined by subtracting the sum of an eligible board's fixed costs, marginal costs, and size factor components for the fiscal year from the board's total State share for the prior fiscal year.

(d) In each fiscal year, in order for a board to receive an increase in the State share of support OR A HOLD HARMLESS COMPONENT AMOUNT, the county share, in the aggregate, that supports the community college or colleges shall equal or exceed the aggregate amount of operating fund appropriations made to the board by the county or all of the counties supporting the college in the previous fiscal year."

#### AMENDMENT NO. 5

On page 16, in line 28, before "60%" insert "AT LEAST"; and in line 29, before "80%" insert "AT LEAST".

#### AMENDMENT NO. 6

On page 20, in line 1, strike "\$6,249,199" and substitute "\$9,249,199".

#### AMENDMENT NO. 7

On page 24, strike in their entirety lines 15 through 25, inclusive.

#### **AMENDMENT NO. 8**

On page 26, in line 27, strike "\$7,000,000" and substitute "\$3,500,000".

#### AMENDMENT NO. 9

On pages 26 and 27, strike in their entirety the lines beginning with line 33 on page 26 through line 4 on page 27, inclusive.

#### AMENDMENT NO. 10

On page 27, in line 39, after "<u>COMMISSION</u>" insert "<u>AND THE DEPARTMENT</u> <u>OF HEALTH AND MENTAL HYGIENE</u>".

On page 28, in line 1, after "<u>COMMISSION</u>" insert "<u>AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE</u>"; strike beginning with "<u>THE</u>" in line 1 down through the second "<u>AND</u>" in line 2; and in line 3, after "<u>COMMISSION</u>" insert "<u>AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE</u>".

#### AMENDMENT NO. 11

On page 29, in line 1, strike "0.5%" and substitute "0.3%"; and after line 3, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

#### Article – Health – General

#### <u>19–219.1.</u>

- (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
- (2) "COMMUNITY PARTNERSHIP" MEANS A PARTNERSHIP WITH A CORPORATE, BUSINESS, PROVIDER, OR CITIZEN ORGANIZATION TO DEVELOP METHODOLOGIES TO IMPROVE THE HEALTH AND WELL-BEING OF THE COMMUNITY.
- (3) (I) "Infrastructure" means the technical underlying framework, staff resources, and external resources needed to build, maintain, and optimize the use of data needed to achieve successful performance under Maryland's all-payer model contract.
- (II) "INFRASTRUCTURE" INCLUDES CARE COORDINATION RESOURCES, DATA ANALYTICS, DISEASE-FOCUSED RESOURCES, AND INFORMATION TECHNOLOGY.
- (B) THE COMMISSION SHALL ESTABLISH A COMMUNITY PARTNERSHIP ASSISTANCE PROGRAM.
- (C) (1) THE COMMUNITY PARTNERSHIP ASSISTANCE PROGRAM
  SHALL PROVIDE FUNDING TO HOSPITALS FOR APPROVED REGIONAL OR
  STATEWIDE COMMUNITY PARTNERSHIP PLANS THAT:
- (I) IMPROVE, OR ESTABLISH THE INFRASTRUCTURE TO IMPROVE, THE HEALTH AND WELL-BEING OF THE COMMUNITY;
  - (II) FOSTER COMMUNITY PARTNERSHIPS; AND

- (III) SUPPORT THE ACHIEVEMENT OF THE GOALS ESTABLISHED IN MARYLAND'S ALL-PAYER MODEL CONTRACT APPROVED BY THE CENTER FOR MEDICARE AND MEDICAID INNOVATION.
- (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FUNDING FOR THE PROGRAM SHALL BE PROVIDED THROUGH THE RATE STRUCTURES OF APPROVED HOSPITALS AS FOLLOWS:
  - (I) FOR FISCAL YEAR 2015, \$15,000,000; AND
- (II) FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR THEREAFTER, \$20,000,000.
- (3) FUNDING FOR THE PROGRAM MAY BE LESS THAN THE AMOUNTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION IF IN ANY FISCAL YEAR:
- (I) THE AMOUNTS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION EXCEED THE AMOUNT NEEDED TO FUND APPROVED COMMUNITY PARTNERSHIP PLANS; OR
- (II) THE STATE IS IN DANGER OF FAILING TO ACHIEVE THE SAVINGS OR COST GROWTH CEILING SPECIFIED UNDER MARYLAND'S ALL-PAYER MODEL CONTRACT.
- (D) (1) COMMUNITY PARTNERSHIP PLANS SHALL BE DEVELOPED IN ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE HEALTH CARE DELIVERY REFORM SUBCOMMITTEE OF THE HEALTH CARE REFORM COORDINATING COUNCIL.
- (2) THE GUIDELINES REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:
- (I) <u>MINIMUM STANDARDS FOR MEASURING HEALTH</u>
  QUALITY AND COST SAVINGS; AND

- (II) APPLICATION CRITERIA AND SPECIFICATIONS FOR HOSPITALS AND MULTIHOSPITAL COLLABORATIONS TO COMPETE FOR FUNDING.
- TO BE ELIGIBLE FOR FUNDING, A PROPOSED COMMUNITY **(E) (1)** PARTNERSHIP PLAN SHALL BE SUBMITTED TO THE DEPARTMENT AND THE COMMISSION FOR REVIEW AND CONSIDERATION FOR APPROVAL.
- **(2)** A PORTION OF THE FUNDING MAY BE USED FOR THE EVALUATION OF COMMUNITY PARTNERSHIP AND COLLABORATION ACTIVITIES.
- (1) THE DEPARTMENT AND THE COMMISSION SHALL ESTABLISH **(F)** A COMMITTEE TO REVIEW PROPOSED COMMUNITY PARTNERSHIP PLANS AND MAKE RECOMMENDATIONS TO THE DEPARTMENT AND THE COMMISSION FOR FUNDING.
  - **(2)** THE COMMITTEE SHALL INCLUDE:
- (I)REPRESENTATIVES FROM THE DEPARTMENT AND THE COMMISSION; AND
- (II)SUBJECT MATTER EXPERTS, INCLUDING INDIVIDUALS WITH EXPERTISE IN AREAS SUCH AS PUBLIC HEALTH, COMMUNITY-BASED HEALTH CARE SERVICES AND SUPPORTS, PRIMARY CARE, LONG-TERM CARE, END-OF-LIFE CARE, BEHAVIORAL HEALTH, AND HEALTH INFORMATION TECHNOLOGY.
- THE COMMISSION SHALL TAKE ACTION ON A PROPOSED (G) COMMUNITY PARTNERSHIP PLAN THAT HAS BEEN:
- REVIEWED BY THE COMMITTEE ESTABLISHED UNDER **(1)** SUBSECTION (F) OF THIS SECTION; AND
  - APPROVED BY THE COMMISSION AND THE DEPARTMENT. **(2)**

### (H) THE DEPARTMENT SHALL POST THE APPROVED COMMUNITY PARTNERSHIP PLANS ON THE DEPARTMENT'S WEB SITE.".

On page 30, strike in their entirety lines 24 through 29, inclusive.

On page 34, in line 5, strike "Section 2" and substitute "Sections 2 and 4".

#### AMENDMENT NO. 12

On page 32, in line 17, strike "\$30,814,997" and substitute "\$31,000,000".

#### AMENDMENT NO. 13

On page 32, in line 23, strike "\$10,800,000" and substitute "\$9,000,000".

#### AMENDMENT NO. 14

On page 33, in line 10, strike the third "and" and substitute:

- "(4) The Department's ability to perform timely processing of personal property tax returns, homeowners' and renters' tax credit applications, and franchise tax returns and to identify entities that fail to file personal property returns;
- (5) The benefits of instituting electronic filing for personal property tax returns; and";

in line 11, strike "(4)" and substitute "(6)"; in line 26, strike "auditing"; in the same line, strike "determining" and substitute ":

#### (1) Auditing to determine";

in line 27, strike the first "and" and substitute a comma; in the same line, after "credits" insert ", and personal property tax returns;

(2) The discovery of businesses that unlawfully fail to pay personal property tax;";

and in the same line, strike "the" and substitute "(3) The".

#### AMENDMENT NO. 15

On page 33, after line 28, insert:

"SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Comptroller shall set the annual interest rate for an income tax refund that is a result of the final decision under Maryland State Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) at a percentage, rounded to the nearest whole number, that is the percent that equals the average prime rate of interest quoted by commercial banks to large businesses during fiscal year 2015, based on a determination by the Board of Governors of the Federal Reserve Bank."

On page 33, after line 34, insert:

"SECTION 14. AND BE IT FURTHER ENACTED, That Section 12 of this Act applies only to income tax refunds attributable to taxable years beginning after December 31, 2005, but before January 1, 2015.".

#### AMENDMENT NO. 16

On page 18, in line 20, before "(I)" insert "(4)".

On page 33, in lines 29 and 35, strike "12." and "13.", respectively, and substitute "13." and "15.", respectively.

On page 34, in lines 4, 6, and 8, strike "<u>14.</u>", "<u>15.</u>", and "<u>16.</u>", respectively, and substitute "<u>16.</u>", "<u>17.</u>", and "<u>18.</u>", respectively; and in line 9, strike "<u>13, 14, and 15</u>" and substitute "<u>15, 16, and 17</u>".

The preceding 16 amendments were read and not concurred in.

#### SB0172/233926/2

BY: Delegate Frick

#### AMENDMENTS TO SENATE BILL 172

(Third Reading File Bill – Committee Reprint)

#### AMENDMENT NO. 1

On page 2, in line 5, after "project;" insert "requiring the Department of Business and Economic Development, under certain circumstances, to exercise certain powers of eminent domain to acquire by purchase or condemnation certain property of certain film production entities that cease film production activity in the State; requiring that certain proceedings be conducted in a certain manner; authorizing,

under certain circumstances, that certain property may be taken immediately on payment for the property in a certain manner;".

On page 5, after line 26, insert:

#### "BY adding to

Article – Tax – General

Section 10-730(h)

Annotated Code of Maryland

(2010 Replacement Volume and 2013 Supplement)".

#### AMENDMENT NO. 2

On page 27, after line 7, insert:

"Article - Tax - General

<u>10–730.</u>

- (H) (1) THE DEPARTMENT, IN ACCORDANCE WITH THE SOVEREIGN POWER OF THE STATE AND THE PROVISIONS OF ARTICLE III, §§ 40 AND 40A OF THE MARYLAND CONSTITUTION, SHALL EXERCISE ITS POWER OF EMINENT DOMAIN TO ACQUIRE BY PURCHASE OR CONDEMNATION FOR PUBLIC USE WITH JUST COMPENSATION REAL, TANGIBLE, AND INTANGIBLE PRIVATE PROPERTY IN THE STATE OWNED BY A QUALIFIED FILM PRODUCTION ENTITY, INCLUDING CONTRACTUAL INTERESTS OR INTELLECTUAL PROPERTY, IF:
- (I) THE QUALIFIED FILM PRODUCTION ENTITY HAS CLAIMED MORE THAN \$10,000,000 IN CREDITS AGAINST THE STATE INCOME TAX FOR FILM PRODUCTION ACTIVITIES UNDER THIS SECTION; AND
- (II) THE QUALIFIED FILM PRODUCTION ENTITY CEASES FILM PRODUCTION ACTIVITY IN THE STATE.
- (2) ALL PROCEEDINGS FOR THE CONDEMNATION FOR PUBLIC USE OF THE PRIVATE PROPERTY DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 12 OF THE REAL PROPERTY ARTICLE AND TITLE 12, CHAPTER 200 OF THE MARYLAND RULES.

(3) IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE III, § 40A OF THE MARYLAND CONSTITUTION, AS APPLICABLE, THE PROPERTY DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE TAKEN IMMEDIATELY ON PAYMENT FOR THE PROPERTY CONSISTENT WITH THE PROCEDURES OF §§ 8–334 THROUGH 8–339 OF THE TRANSPORTATION ARTICLE."

The preceding 2 amendments were read and not concurred in.

#### MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0172** 

SPONSOR: The Pres (Admin)

SUBJECT: Budget Reconciliation and Financing Act of 2014

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Kasemeyer, Chair Senator McFadden Senator Madaleno Senator DeGrange Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Robey, Jones-Rodwell and Manno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr., Secretary

Read and adopted.

### THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #45

#### **CONSENT CALENDAR #52**

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 131	FAV	Montgomery County Delegation	Montgomery Co – City of Takoma Park – Alc Bevs – Class B On– and Off–Sale License MC 18–14
HB 132	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Beer Sales and Delivery to Retail Dealers MC 19–14
HB 136	FAV	Montgomery County Delegation	Alcoholic Beverages – Montgomery County – Beer Festivals MC 11–14
HB 140	FAV	Montgomery County Delegation	Montgomery County – Micro–Brewery Licenses and Class D Beer and Light Wine Licenses MC 3–14
HB 142	FAV	Montgomery County Delegation	Mont Co – Proportion of Food and Alc Bevs Sales – Class B Lics and Class B–BWL (H–M) Lics MC 14–14
HB 144	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor Licenses MC 12–14
HB 146	FAV	Montgomery County Delegation	Montgomery Co – Alc Bevs – Special BWL Community Performing Arts Facility License MC 7–14
HB 167	FAV	Dorchester County Delegation	Dorchester County – Class B Beer and Light Wine Licenses – Sunday Sales
HB 226	FAV	Del Jacobs, et al	Kent County – Alcoholic Beverages Act of 2014
HB 269	FAV	Montgomery County Delegation	Montgomery Co – Alc Bevs – Class B Beer, Wine and Liquor (Clubhouse/Lodge) License MC 20–14
HB 463	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Beer, Wine and Liquor Licenses MC 16–14
HB 472	FAV	Frederick County	Frederick County – Alcoholic Beverages – Country Inn Licenses
HB 953	FAV	Delegation Del McHale, et al	Baltimore City – 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:

House Bill 322 – Washington County Delegation

AN ACT concerning

Washington County - Alcoholic Beverages - Restaurant Seating Capacity

Favorable report adopted.

FLOOR AMENDMENT

#### HB0322/583925/1

BY: Senator Shank

#### AMENDMENTS TO HOUSE BILL 322

(Third Reading File Bill)

#### AMENDMENT NO. 1

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

#### AMENDMENT NO. 2.

On page 2, in line 15, strike "B" and substitute "P".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #25 CONSENT CALENDAR #54

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

House Bill 1 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Children in Need of Assistance – Educational Stability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 45 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Maryland Register - Publication of Court Documents - Exception

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 147 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Maryland Tort Claims Act – Human Services Torts MC 13–14

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 174 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety - Internal Investigative Unit - Name Change and Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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 <u>and Accessories</u> - 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:

House Bill 181 - Carroll County Delegation

AN ACT concerning

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

**House Bill 182 - Carroll County Delegation** 

AN ACT concerning

Carroll 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:

House Bill 211 - Carroll County Delegation

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:

House Bill 228 – Delegate Dumais

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:

House Bill 246 – <del>Delegate Malone</del> <u>Delegates Malone, Fraser-Hidalgo, Frush, McMillan, Norman, Stein, and Wilson</u>

AN ACT concerning

Motor Vehicles - Inspection Certificates for Used Vehicles - Procedures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 309 - The Speaker (By Request - Administration) and Delegates Anderson, Arora, Busch, Carter, Clippinger, Dumais. Carr, 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 364 – Delegate Dumais

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:

House Bill 420 – Delegate Myers

AN ACT concerning

<u>Sideling Hill and Sideling Hill Wildlife Management Area Washington</u>

<u>County</u> – Off-Road <del>and Off-Highway Recreational Vehicles</del> <u>Vehicle Trails</u> –

Prohibition <u>of Establishment on Sideling Hill</u>

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

#### HB0440/508071/1

BY: Judicial Proceedings Committee

#### AMENDMENT TO HOUSE BILL 440

(Third Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 529 – Delegate Malone

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 559 – Delegates B. Robinson, Cullison, Dwyer, Glenn, McComas, A. Miller, Nathan-Pulliam, Rosenberg, and Stocksdale

AN ACT concerning

State Government - Human Trafficking Address Confidentiality Program

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 638 – Montgomery County Delegation

AN ACT concerning

Criminal Law – Telecommunication Devices in Place of Confinement – Montgomery County Work Release and Prerelease Programs MC 21-14

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 647 – Delegates Waldstreicher, Clippinger, Dumais, Gutierrez, Lee, and A. Miller

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:

House Bill 656 – Delegates Ready, Anderson, Hough, McComas, and Mitchell

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 with amendments:

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

AN ACT concerning

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

#### HB0274/178779/1

BY: Judicial Proceedings Committee

## AMENDMENTS TO HOUSE BILL 274

(Third Reading File Bill)

### AMENDMENT NO. 1

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

# AMENDMENT NO. 2

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

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

# "Article – Real Property

# 7–105.13.

- (A) AFTER THE FINAL RATIFICATION OF THE AUDITOR'S REPORT FOLLOWING A SALE MADE IN ACCORDANCE WITH §§ 7–105 THROUGH 7–105.8 OF THIS SUBTITLE OR THE MARYLAND RULES, A SECURED PARTY OR AN APPROPRIATE PARTY IN INTEREST MAY FILE A MOTION FOR A DEFICIENCY JUDGMENT IF THE PROCEEDS OF THE SALE, AFTER DEDUCTING ALL COSTS AND EXPENSES ALLOWED BY THE COURT, ARE INSUFFICIENT TO SATISFY THE DEBT AND ACCRUED INTEREST.
- (B) A MOTION FOR DEFICIENCY JUDGMENT UNDER THIS SECTION SHALL BE FILED WITHIN 3 YEARS AFTER THE FINAL RATIFICATION OF THE AUDITOR'S REPORT.
- (C) THE SECURED PARTY OR PARTY IN INTEREST SHALL SERVE THE MOTION IN ACCORDANCE WITH THE MARYLAND RULES.
- (D) THE FILING OF A MOTION FOR DEFICIENCY JUDGMENT IN ACCORDANCE WITH THIS SECTION AND THE MARYLAND RULES SHALL CONSTITUTE THE SOLE POST-RATIFICATION REMEDY AVAILABLE TO A SECURED PARTY OR PARTY IN INTEREST FOR BREACH OF A COVENANT CONTAINED IN A DEED OF TRUST, MORTGAGE, OR PROMISSORY NOTE THAT SECURES OR IS SECURED BY OWNER-OCCUPIED RESIDENTIAL PROPERTY, AS DEFINED IN § 7–105.1 OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have

any effect on or application to any cause of action arising before the effective date of this Act.

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #26

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

House Bill 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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

House Bill 286 – Delegates Valentino-Smith, Arora, Clippinger, Howard, Rosenberg, Swain, and Valderrama

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 315 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Equity Court Jurisdiction – Immigrant Children – Custody or Guardianship Petitions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 485 - Frederick County Delegation

AN ACT concerning

# Frederick County - Sheriff - Salary

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for March 31, 2014.

The motion was adopted.

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

House Bill 598 - Delegate Dumais

AN ACT concerning

# Law Enforcement Officers' Bill of Rights – Prosecutorial Disclosures – Punitive Action

# HB0598/248374/1

BY: Judicial Proceedings Committee

# AMENDMENT TO HOUSE BILL 598

(Third Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 599 – Delegate Dumais

AN ACT concerning

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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #27

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 179 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Adult Public Guardianship Review Board - Membership

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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, Hucker, A. Kelly, K. Kelly, Lafferty, Lee, Luedtke, McDonough, McHale, McIntosh. Mizeur. Morhaim. Nathan-Pulliam. Oaks. Pena-Melnyk, Proctor, Ready, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Smigiel, Sophocleus, Stukes, Szeliga, Tarrant, Valderrama, Valentino-Smith, Vallario, F. Turner, Vitale, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

Vehicle Laws – Unauthorized Use of Rented Motor Vehicle – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 355 - Delegate Rosenberg

AN ACT concerning

Criminal Procedure - Programs for Survivors of Homicide Victims

HB0355/408572/1

BY: Judicial Proceedings Committee

# AMENDMENT TO HOUSE BILL 355

(Third Reading File Bill)

On page 1, in line 6, strike "authorizing" and substitute "requiring".

On page 2, in line 29, strike "MAY" and substitute "SHALL".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON FINANCE REPORT #31

### **CONSENT CALENDAR #53**

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

House Bill 202 – Delegate Barkley

AN ACT concerning

# Clean Energy Loan Programs - Private Lenders - Collection of Loan Payments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 308 – The Speaker (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:

# House Bill 430 – Delegate Cardin

AN ACT concerning

# Commercial Law - Patent Infringement - Assertions Made in Bad Faith

### HB0430/627272/1

BY: Finance Committee

# <u>AMENDMENTS TO HOUSE BILL 430</u>

(Third Reading File Bill)

# AMENDMENT NO. 1

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

# AMENDMENT NO. 2

On page 2, after line 20, insert:

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

# 11-1603.".

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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. 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 556 – Delegate Hammen

AN ACT concerning

Developmental Disabilities Administration – Low Intensity Support Services – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 564 – Delegate Olszewski

AN ACT concerning

Commercial Law - Maryland Uniform Commercial Code - Funds Transfers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 625 – Delegates Nathan-Pulliam, Costa, Cullison, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Pena-Melnyk, Reznik, and V. Turner, U. Turner, Bromwell, Donoghue, Elliott, Hammen, Kipke, Krebs, McDonough, Oaks, Pendergrass, Ready, and Tarrant

# **EMERGENCY BILL**

AN ACT concerning

Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 679 – Delegates Barkley, Vitale, Love, and Schuh

AN ACT concerning

Insurance - Title Insurers - Title Insurance Commitment and Binders

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 704 – Delegates Vaughn, Howard, Mitchell, Swain, F. Turner, and Valentino-Smith

AN ACT concerning

Commercial Law – Debt Settlement Services – Sunset and Reporting Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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-Melnyk, 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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 583 – Delegate Davis

AN ACT concerning

Maryland Small Business Development Financing Authority - Investment and Recovery Limits

 $\frac{\textbf{Economic Development} - \textbf{Equity Participation Investment Program} - \textbf{Small}}{\textbf{Businesses}}$ 

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1147 – Delegates McHale, Clippinger, Hammen, and Olszewski

AN ACT concerning

Public Utilities - Fixed Charges for Taxicab Services - Baltimore City

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for March 31, 2014.

The motion was adopted.

# THE COMMITTEE ON FINANCE REPORT #32

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 104 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Department of Budget and Management - Budget Analysts - Qualifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 467 - Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

AN ACT concerning

# Labor and Employment - Employment of Minors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 478 – Delegate Davis

### **EMERGENCY BILL**

AN ACT concerning

# Maryland Automobile Insurance Fund – Installment Payment Plan – Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 765 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

# State Personnel - Authority to Set Compensation

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

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

### HB1225/657770/1

BY: Finance Committee

# AMENDMENT TO HOUSE BILL 1225

(Third Reading File Bill)

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

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

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

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1545 – Delegates Conway, M. Washington, and DeBoy

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

## THE COMMITTEE ON BUDGET AND TAXATION REPORT #22

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

Senate Bill 236 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

# Constitutional Officers - Salaries

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for March 31, 2014.

The motion was adopted.

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

Senate Bill 254 – Senator Glassman (Chair, Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies) and Senators Astle, Brinkley, Colburn, Dyson, Edwards, Feldman, Getty, Hershey, Jacobs, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

Public Safety - Fire, Rescue, and Ambulance Funds - Distribution

#### SB0254/659235/1

BY: Budget and Taxation Committee

# AMENDMENTS TO SENATE BILL 254

(First Reading File Bill)

# AMENDMENT NO. 1

On page 4, in line 1, strike "\$100" and substitute "\$10,000".

### AMENDMENT NO. 2

On page 12, strike beginning with "THE" in line 15 down through the first "THE" in line 17 and substitute "IF A"; in line 18, after "SUBSECTION" insert ", THE DIRECTOR MAY WITHHOLD MONEY ALLOCATED TO THE COUNTY FOR THE FISCAL YEAR THAT BEGINS AFTER THE SUBMISSION OF THE REPORT REQUIRED UNDER § 8–105 OF THIS SUBTITLE"; strike beginning with "DURING" in line 22 down through "YEAR" in line 23; in line 34 after "EFFORT" insert "FOR THE SECOND CONSECUTIVE FISCAL YEAR"; and strike beginning with "DURING" in line 35 down through "YEAR" in line 36.

### AMENDMENT NO. 3

On page 13, in line 35, strike "IN WHICH THE WAIVER IS REQUESTED" and substitute "IN WHICH THE PENALTY FOR FAILING TO COMPLY WITH THE MAINTENANCE OF EFFORT REQUIREMENT IS TO BE IMPOSED".

On page 14, in line 2, strike "PRIOR FISCAL YEAR" and substitute "<u>FISCAL YEAR PRECEDING THE FISCAL YEAR IN WHICH THE PENALTY FOR FAILING TO COMPLY WITH THE MAINTENANCE OF EFFORT REQUIREMENT IS TO BE IMPOSED</u>".

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 BUDGET AND TAXATION REPORT #23

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

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

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 973 – Senator Frosh

AN ACT concerning

## Criminal Procedure - Pretrial Confinement and Release

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for March 31, 2014.

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

Affirmative – 18 Negative – 28 (See Roll Call No. 765)

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0973/943721/2

BY: Senator Pugh

AMENDMENT TO SENATE BILL 973, AS AMENDED

On page 5 of the Judicial Proceedings Committee Amendments (SB0973/248075/1), in line 10 of Amendment No. 4, strike "AND"; and in line 12, after "UNION" insert "; AND

# (IX) A REPRESENTATIVE ADVOCATING FOR VICTIMS OF CRIME".

On page 9 of the Judicial Proceedings Committee Amendments, in line 14 of Amendment No. 4, strike "two" and substitute "three".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

#### SB0973/753223/1

BY: Senator Shank

# AMENDMENTS TO SENATE BILL 973, AS AMENDED

# AMENDMENT NO. 1

On page 4 of the Judicial Proceedings Committee Amendments (SB0973/248075/1), after line 9 of Amendment No. 4, insert:

# "(1) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;";

and in lines 10, 11, and 12, strike "(1)", "(2)", and "(3)", respectively, and substitute "(2)", "(3)", and "(4)", respectively.

On page 6 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 4, after "<u>THE</u>" insert "<u>SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE</u>"; and in the same line, strike "<u>AND</u>" and substitute "<u>, AND THE</u>".

### AMENDMENT NO. 2

On page 5 of the Judicial Proceedings Committee Amendments, in line 13 of Amendment No. 4, after "(B)" insert "TO THE EXTENT PRACTICABLE, IN MAKING APPOINTMENTS UNDER THIS SECTION, THE GOVERNOR SHALL ENSURE GEOGRAPHIC DIVERSITY AMONG THE MEMBERSHIP OF THE COMMISSION.

(C)".

On page 6 of the Judicial Proceedings Committee Amendments, in line 8 of Amendment No. 4, strike "(C)" and substitute "(D)".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

#### SB0973/193723/2

BY: Senator Miller

# AMENDMENTS TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

# AMENDMENT NO. 1

On page 2 of the bill, in line 6, after "Commission" insert "subject to a certain approval".

# AMENDMENT NO. 2

On page 3 of the bill, in line 33, after "(A)" insert "(1)".

On page 4 of the bill, in lines 1 and 4, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively; in line 5, after "ADOPTION" insert ", SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,"; and after line 6 insert:

- "(2) (I) A VALIDATED RISK ASSESSMENT TOOL MAY NOT BE ADOPTED BY THE SECRETARY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION UNLESS THE TOOL IS APPROVED BY THE COURT OF APPEALS STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE.
- (II) ANY CHANGE TO THE VALIDATED RISK ASSESSMENT TOOL ADOPTED BY THE SECRETARY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE APPROVED BY THE COURT OF APPEALS STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE BEFORE THE CHANGE IS IMPLEMENTED."

# AMENDMENT NO. 3

On page 16 of the Judicial Proceedings Committee Amendments (SB0973/248075/1), in line 4 of Amendment No. 10, after "(a)" insert "(1)"; in the same line, strike "The" and substitute "subject to paragraph (2) of this subsection, the"; after line 8, insert:

"(2) Before the Secretary may establish a Pretrial Release Services Pilot Program in a county, the governing body of the county must approve the establishment of the pilot program by the adoption of a resolution.";

and in line 10, after "establish" insert ", by resolution,".

# AMENDMENT NO. 4

On page 4 of the Judicial Proceedings Committee Amendments, in line 9 of Amendment No. 4, after "(A)" insert "(1)"; in the same line, after "FOLLOWING" insert "VOTING"; in lines 10, 11, 12, 14, and 16, strike "(1)", "(2)", "(3)", "(1)", and "(11)", respectively, and substitute "(1)", "(11)", "(VI)", "1.", and "2.", respectively; and in line 11, after "DEFENDER" insert ";

# (III) THE SECRETARY OF BUDGET AND MANAGEMENT;

(IV) A MEMBER APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;

# (V) <u>A MEMBER APPOINTED BY THE CHIEF JUDGE OF THE</u> DISTRICT COURT".

On page 5 of the Judicial Proceedings Committee Amendments, in Amendment No. 4, in lines 1, 3, 5, 7, 9, and 11, strike "(III)", "(IV)", "(V)", "(VI)", "(VII)", and "(VIII)", respectively, and substitute "3.", "4.", "5.", "6.", "7.", and "8.", respectively; after line 12, insert:

- "(2) THE COMMISSION CONSISTS OF THE FOLLOWING NONVOTING MEMBERS:
- (I) ONE MEMBER OF THE SENATE OF MARYLAND,
  APPOINTED BY THE PRESIDENT OF THE SENATE; AND

# (II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE.":

in line 15, after " $\underline{A}$ " insert " $\underline{VOTING}$ "; and in line 17, after the second " $\underline{THE}$ " insert " $\underline{VOTING}$ ".

On page 6 of the Judicial Proceedings Committee Amendments, in line 1 of Amendment No. 4, strike "<u>AND</u>" and substitute "<u>, THE</u>"; in the same line, after "<u>DEFENDER</u>" insert "<u>, AND THE SECRETARY OF BUDGET AND MANAGEMENT</u>"; in lines 8 and 10, in each instance, before "<u>MEMBER</u>" insert "<u>VOTING</u>"; after line 12, insert:

# "(D) THE NONVOTING MEMBERS OF THE COMMISSION SERVE IN AN ADVISORY CAPACITY ONLY.";

and in line 15, after "ITS" insert "VOTING".

On page 9 of the Judicial Proceedings Committee Amendments, in line 12 of Amendment No. 4, after "<u>initial</u>" insert "<u>voting</u>"; in line 14, strike "<u>two</u>" and substitute "<u>three</u>"; and in line 17, strike "<u>three</u>" and substitute "<u>four</u>".

The preceding 4 amendments were read and adopted.

FLOOR AMENDMENT

# SB0973/543820/2

BY: Senator Shank

# AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 21, after "commissioner;" insert "providing that pretrial release services may not authorize the pretrial release of a defendant if a law enforcement officer makes a certain certification; requiring a certain law enforcement officer to appear at a certain hearing;".

### AMENDMENT NO. 2

On page 15, after line 22, insert:

- "(I) (1) PRETRIAL RELEASE SERVICES MAY NOT AUTHORIZE THE PRETRIAL RELEASE OF A DEFENDANT IF A LAW ENFORCEMENT OFFICER CERTIFIES BY AFFIDAVIT AND ARTICULATES UNDER OATH SPECIFIC FACTS TO SUPPORT THE CONTENTION THAT THE DEFENDANT:
  - (I) IS A FLIGHT RISK;
  - (II) POSES A CREDIBLE PUBLIC SAFETY RISK; OR
  - (III) IS A THREAT TO SELF OR TO OTHERS.
- (2) If a law enforcement officer submits an affidavit under this subsection, the law enforcement officer shall appear at a pretrial release hearing for the defendant held before a judge on the next day that the court is in session."

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

#### SB0973/513020/2

BY: Senator Zirkin

# AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

# AMENDMENT NO. 1

Strike the Judicial Proceedings Committee Amendments (SB0973/248075/1) in their entirety.

# AMENDMENT NO. 2

On page 1, in line 2, after "Release" insert "- Pilot Program".

On pages 1 and 2, strike beginning with "altering" in line 3 on page 1 down through "Act;" in line 12 on page 2 and substitute "requiring the Chief Judge of the District Court to establish a certain pilot program in a certain number of counties that requires the District Court commissioners in the counties to use a certain assessment tool as a factor in determining eligibility for pretrial release of certain arrested

persons; requiring the Court of Appeals Standing Committee on Rules of Practice and Procedure to select the certain assessment tool for use in the pilot program; requiring the Chief Judge of the District Court to submit a certain report to the General Assembly on or before a certain date; providing for the termination of this Act;".

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 12 on page 3, inclusive.

# AMENDMENT NO. 3

On page 3, in line 14, strike "the Laws of Maryland read as follows".

On pages 3 through 22, strike in their entirety the lines beginning with line 15 on page 3 through line 33 on page 22, inclusive, and substitute:

- "(a) On or before October 1, 2014, the Chief Judge of the District Court shall establish a pilot program in at least three counties in the State that requires the District Court commissioners in the chosen counties to utilize a validated risk assessment tool as a factor in determining eligibility for the pretrial release of arrested persons brought before the District Court commissioner.
- (b) The Court of Appeals Standing Committee on Rules of Practice and Procedure shall select the validated risk assessment tool to be used by the District Court commissioners in the counties participating in the pilot program.
- (c) On or before October 1, 2015, the Chief Judge of the District Court shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the effectiveness of the use of the validated assessment tool for making decisions regarding the pretrial release of arrested persons.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014. It shall remain effective for a period of 2 years and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 9 Negative – 37 (See Roll Call No. 766)

FLOOR AMENDMENT

#### SB0973/493321/2

BY: Senator Kittleman

# AMENDMENTS TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

# AMENDMENT NO. 1

On page 2 of the bill, in line 12, after "Act;" insert "making this Act subject to a certain contingency;".

# AMENDMENT NO. 2

On page 8 of the Judicial Proceedings Committee Amendments (SB0973/248075/1), in line 14 of Amendment No. 4, strike "November 1, 2014" and substitute "February 1, 2015".

# AMENDMENT NO. 3

On page 16 of the Judicial Proceedings Committee Amendments, in line 12 of Amendment No. 10, after "program." insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That this Act is contingent on the passage of Chapter (S.B. 1114) of the Acts of the General Assembly of 2014, a constitutional amendment, and its subsequent rejection by the voters of the State.";

in line 13, strike "<u>6</u>" and substitute "<u>7</u>"; and in the same line, strike "<u>7</u>" and substitute "<u>8</u>".

### AMENDMENT NO. 4

On page 22 of the bill, in line 27, after "That" insert ", subject to Section 6 of this Act,"; strike beginning with "except" in line 29 down through "effect" in line 30 and substitute "except as provided in Section 7 of this Act, this Act shall take effect on the proclamation of the Governor that the constitutional amendment, having failed to receive a majority of the votes cast at the general election, has been rejected by the people of Maryland.".

# AMENDMENT NO. 5

On page 16 of the Judicial Proceedings Committee Amendments, in line 15 of Amendment No. 10, strike "July 1, 2014".

The preceding 5 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 767)

Read the second time and ordered prepared for Third Reading.

# MESSAGE TO THE SENATE

BILL: **SB 0170** 

SPONSOR: The Pres (Admin)

SUBJECT: Budget Bill (Fiscal Year 2015)

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Kasemeyer, Chair

Senator Madaleno Senator DeGrange Senator Robey Senator Colburn

In addition, the Senate has appointed in advisory capacity: Senators McFadden, Peters and King.

The House appoints: Delegate Conway, Chair

Delegate Bohanan Delegate Griffith Delegate Beitzel Delegate James

In addition, the House has appointed in advisory capacity: Delegates Proctor, Hammen and Guzzone.

Said Bill is returned herewith.

By Order,

Sylvia Siegert Chief Clerk

Read and ordered journalized.

### MESSAGE TO THE SENATE

BILL: **SB 0172** 

SPONSOR: The Pres (Admin)

SUBJECT: Budget Reconciliation and Financing Act of 2014

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Kasemeyer, Chair

Senator McFadden Senator Madaleno Senator DeGrange Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Robey, Jones-Rodwell and Manno.

The House appoints: Delegate Conway, Chair

Delegate Bohanan Delegate Griffith Delegate Beitzel Delegate Hammen

In addition, the House has appointed in advisory capacity: Delegates Proctor, Jones and James.

Said Bill is returned herewith.

By Order,

Sylvia Siegert Chief Clerk

Read and ordered journalized.

# **QUORUM CALL**

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

(See Roll Call No. 768)

# **ADJOURNMENT**

At 1:41 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 22, 2014, Calendar Day, Monday, March 31, 2014.

# Annapolis, Maryland Legislative Day: March 22, 2014 Calendar Day: Monday, March 31, 2014 8:00 P.M. Session

The Senate met at 8:13 P.M.

Prayer by Reverend M. Moses Andrade, Silver Spring Seventh Day Adventist Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 21, 2014 was read and approved.

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

# **QUORUM CALL**

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

(See Roll Call No. 770)

### INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 472 - Senator James Brochin:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Towson University Football Team
in recognition of
achieving historic milestones by capturing their
first 13—win season and competing in the
NCCA FCS National Championship.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 31st day of March 2014.

Read and adopted by a roll call vote as follows:

Affirmative -46 Negative -0 (See Roll Call No. 771)

# YEAS AND NAYS

# SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 2	Sen. Edwards	Garrett County – Industrial Wind Energy Conversion Systems – Setback Requirement
SB 3	Sen. Jacobs	Vehicle Laws – Operation of Vehicle When Approaching a Tow Truck
SB 26	Ch., Jud. Proceed.	Motor Vehicles – Commercial Instructional Permit Holders – Administrative Penalties and Procedures
SB 33	Ch., Jud. Proceed.	Vehicle Laws – Rules of the Road – Use of High Occupancy Vehicle (HOV) Lanes
SB 53 (Emergency Bill)	Sen. Middleton	Maryland Automobile Insurance Fund – Installment Payment Plan – Clarification
SB 54	Ch., Finance Com.	Labor and Employment –  Maryland Apprenticeship and Training Council
SB 70	Chair, EHE Com.	Agriculture – Fertilizer – Labeling and Restrictions on Use and Sale
SB 71	Chair, EHE Com.	Maryland Agricultural Land Preservation Foundation – Value of Easement
SB 97	Ch., Finance Com.	Insurance – Public Adjusters – Prohibited Inducements
SB 99	Ch., Finance Com.	Insurance – Fraud Violations – Civil and Criminal Actions
SB 100	Ch., Finance Com.	Insurance – Premiums and Charges – Review of Administrative Expenses
SB 119	Ch., Finance Com.	Workers' Compensation – Subsequent Injury Fund – Billing Address Notification
SB 130	Ch., Finance Com.	Commr of Lbr and Indsty & Wrkrs' Comp Comm – Rpts of Accidental Inj or Dsblty –

2500	Journal of Proceedings - 2	2014 Session	Mar. 22, 2014
SB 154	Sen. Feldman	Electronic Sharing Commercial Law – With Internet Tick	Interference
SB 160	Sen. Pugh	Prohibition Commercial Law – Settlement Service	es – Sunset
SB 161	Sen. Conway	and Reporting Extended Alcoholic Beverage Cider – Definition	
SB 186	Sen. Feldman	Clean Energy Loar Private Lenders –	_
SB 292	The President	of Loan Payments State Board of State Engineers – Sunse	t Extension
SB 293	The President	and Program Evalue Elevator Safety Re Div of Labor and In	view Bd and ndustry –
SB 297	The President	Sunset Extension a Evaluation State Board of Indi Preparers – Sunset	ividual Tax t Extension
SB 298	Montgomery Co. Sens	and Program Evalu Alcoholic Beverage Montgomery Coun	es –
SB 300	Montgomery Co. Sens	Festivals Montgomery Co – I Food and Alc Bevs Class B Lics and C	Sales –
SB 302	Montgomery Co. Sens	(H–M) Lics Montgomery Co – C Takoma Park – Alc Class B On– and O	e Bevs –
SB 305	Montgomery Co. Sens	License MC 18–14 Montgomery Coun- Beverages – Beer S	Sales and
SB 310	Montgomery Co. Sens	Delivery to Retail I Montgomery Coun- Micro–Brewery Lic Class D Beer and I	ty – censes and
SB 311	Montgomery Co. Sens	Licenses  Montgomery Coun Beverages – Specia Community Perfor	ty – Alcoholic al BWL
SB 389	Sen. Robey	Facility License  Motor Vehicles – In  Certificates for Use	nspection ed

Vehicles-Procedures

SB 399	Sen. Shank	Security Systems Services – Complaint Investigations
SB 459	Montgomery Co. Sens	Montgomery County – Alcoholic Beverages – Class B Beer,
SB 583	Sen. Kelley	Wine and Liquor (Clubhouse/Lodge) License Financial Instns – Interest
	v	Payable on Escrow Accounts and Specific Purpose Savings
SB 603	Sen. DeGrange	Accounts Econ Dev – Md Technology Dev Corpn – Cybersecurity
SB 624	Sen. Feldman	Investment Fund Insurance – Title Insurers – Title Insurance Commitment
SB 713	Sen. Feldman	and Binders Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

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 1472 – Delegates Fraser-Hidalgo, Morhaim, Luedtke, Mizeur, <del>and</del> S. Robinson, and Dwyer

AN ACT concerning

# Agriculture – Industrial Hemp – <del>Pilot Program</del> <u>Study</u>

FOR the purpose of establishing a pilot program to study the growth and marketing of industrial hemp; providing for the purposes of the pilot program; requiring the Secretary of Agriculture to administer the pilot program in consultation with certain State and federal agencies; requiring the Secretary to ensure safe cultivation of industrial hemp by conducting certain activities; providing that only State property may be used to grow industrial hemp; requiring the Department of Agriculture to certify and register the sites used for growing industrial hemp with the Department of Agriculture and the Department of State Police; authorizing the Department of State Police to access the property where industrial hemp is grown; restricting access to the property where industrial hemp is being grown; requiring an individual to be licensed by the Department of Agriculture before the individual may participate in the pilot

program: providing for certain restrictions on the license; requiring the Department of Agriculture to conduct a background and criminal history records check on an individual who applies to participate in the pilot program; requiring the Department of Agriculture to follow certain procedures when submitting an application to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services for a criminal history records check; requiring the Criminal Justice Information System Central Repository to provide certain criminal history information to the Department of Agriculture; requiring an individual to register with a certain federal agency before the Department of Agriculture may issue a license to participate in the pilot program; requiring the Department of Agriculture to assist individuals in the process of registering with a certain federal agency; authorizing the Secretary of Agriculture to adopt certain regulations in consultation with certain agencies requiring the Secretary of Agriculture, in consultation with certain federal and State agencies and the University of Maryland, College Park, to study the feasibility of growing industrial hemp in the State and the availability of certain markets relating to industrial hemp and hemp products; requiring the Secretary to submit a certain report to the Governor and the General Assembly on or before a certain date; defining certain terms; and generally relating to a pilot program to study a study on the growth and marketing of industrial hemp in the State.

## BY adding to

Article - Agriculture

Section 9-801 through 9-806 to be under the new subtitle "Subtitle 8. Pilot Program to Study the Growth and Marketing of Industrial Hemp"

**Annotated Code of Maryland** 

(2007 Replacement Volume and 2013 Supplement)

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

#### MESSAGE FROM THE EXECUTIVE

# EXECUTIVE ORDER 01.01.2014.05

Proclaiming an Extended Session of the Maryland General Assembly

WHEREAS. I.

I, Martin O'Malley, Governor of the State of Maryland, being advised that the Budget Bill has not been finally acted upon by the General Assembly seven days before the expiration of the 2014 regular Session of the General Assembly:

WHEREAS,

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

WHEREAS,

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

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE 2014 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 7, 2014 IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING THE STATE BUDGET BILL. THIS EXTENSION MAY NOT EXCEED TEN DAYS, OR SUCH OTHER PERIOD AS SPECIFIED BY AMENDMENT TO THIS EXECUTIVE ORDER.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 31st day of March 2014.

Martin O'Malley Governor

ATTEST:

John P. McDonough Secretary of State

Read and ordered journalized.

### THE COMMITTEE ON RULES REPORT #15

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

House Bill 207 – Chair, Health and Government Operations Committee and Chair, Appropriations Committee (By Request – Departmental – General Services)

AN ACT concerning

# State Capital Projects – High Performance Buildings <u>– Maryland Green</u> Building Council

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:

House Bill 510 – Chair, Ways and Means Committee (By Request – Departmental – Planning)

AN ACT concerning

Sustainable Communities Tax Credit Program - Extension and Alteration

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:

House Bill 668 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Income Tax Credit - Health Enterprise Zones - Modifications

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

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

House Bill 823 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

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

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:

House Bill 951 – Delegates McHale, Barkley, Barnes, Braveboy, Burns, Carr, Clagett, Frick, Glenn, Hucker, A. Kelly, K. Kelly, Love, Luedtke, Mizeur,

Niemann, Olszewski, S. Robinson, Rosenberg, V. Turner, Vaughn, and Zucker

AN ACT concerning

Procurement - Department of Labor, Licensing, and Regulation - Workgroup on Public Works Contractor Occupational Safety and Health Prequalification Requirements

The bill was re-referred to the Committee on Finance.

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

House Bill 1119 – Delegate Haddaway-Riccio

AN ACT concerning

Board of Electricians – Licensing and Regulation of Electricians – Phase Out of <u>Apprentice</u>, <u>Journeyperson</u>, <u>and Master Level</u> Local 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 Judicial Proceedings:

House Bill 1458 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services - Charges Recommending Discipline - Investigative Period

The bill was re-referred to the Committee on Judicial Proceedings.

# SPECIAL ORDERS

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

House Bill 485 – Frederick County Delegation

AN ACT concerning

Frederick County - Sheriff - Salary

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

House Bill 1147 – Delegates McHale, Clippinger, Hammen, and Olszewski

AN ACT concerning

Public Utilities - Fixed Charges for Taxicab Services - Baltimore City

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for April 1, 2014.

The motion was adopted.

Senate Bill 236 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

### Constitutional Officers - Salaries

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

<u>Favorable report adopted.</u>

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. 772)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

# THIRD READING CALENDAR (SENATE BILLS) #68

Senate Bill 254 – Senator Glassman (Chair, Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies) and Senators Astle, Brinkley, Colburn, Dyson, Edwards, Feldman, Getty, Hershey, Jacobs, Jennings, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

AN ACT concerning

# Public Safety - Fire, Rescue, and Ambulance Funds - Distribution

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

Affirmative – 47 Negative – 0 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

# Senate Bill 973 - Senator Frosh

AN ACT concerning

# Criminal Procedure - Pretrial Confinement and Release

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

Affirmative – 37 Negative – 9 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #12

#### **CONSENT CALENDAR #7**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 131	Montgomery Co. Del.	Montgomery Co – City of Takoma Park – Alc Bevs – Class B On– and Off–Sale License MC 18–14	ЕНЕ
HB 132	Montgomery Co. Del.	Montgomery County – Alcohol Beverages – Beer Sales and Delivery to Retail Dealers MC	

2508	Journal of Proceedings - 2014 Session		Mar. 22, 2014
		19–14	
HB 136	Montgomery Co. Del.	Alcoholic Beverages – Montgomery County – Beer Festivals MC 11–14	ЕНЕ
HB 140	Montgomery Co. Del.	Montgomery County – Micro–Brewery Licenses and Class D Beer and Light Wine Licenses MC 3–14	EHE
HB 142	Montgomery Co. Del.	Mont Co – Proportion of Food and Alc Bevs Sales – Class B Lics and Class B–BWL (H–M) Lics MC 14–14	ЕНЕ
HB 144	Montgomery Co. Del.	Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor Licenses MC 12–14	ЕНЕ
HB 146	Montgomery Co. Del.	Montgomery Co – Alc Bevs – Special BWL Community Performing Arts Facility License MC 7–14	ЕНЕ
HB 167	Dorchester Co. Del.	Dorchester County – Class B Beer and Light Wine Licenses – Sunday Sales	ЕНЕ
HB 226	Del. Jacobs	Kent County – Alcoholic Beverages Act of 2014	EHE
HB 269	Montgomery Co. Del.	Montgomery Co – Alc Bevs – Class B Beer, Wine and Liquor (Clubhouse/Lodge) License MC 20–14	ЕНЕ
HB 463	Montgomery Co. Del.	Montgomery County – Alcoholic Beverages – Beer, Wine and Liquor Licenses MC 16–14	EHE
HB 472	Frederick County Del.	Frederick County – Alcoholic Beverages – Country Inn Licenses	EHE
HB 953	Del. McHale	Baltimore City – Alcoholic	EHE

Beverages – Micro–Brewery Licenses

All of the above listed bills on the Third Reading Consent Calendar No. 7 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 775)

The Bills were then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #13

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

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

Affirmative – 47 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the House of Delegates.

House Bill 104 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Department of Budget and Management - Budget Analysts - Qualifications

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

Affirmative – 47 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 778)

The Bill was then sent to the House of Delegates.

House Bill 355 – Delegate Rosenberg

AN ACT concerning

Criminal Procedure - Programs for Survivors of Homicide Victims

Read the third time and passed by yeas and nays as follows:

Affirmative -47 Negative -0 (See Roll Call No. 779)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by year and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

House Bill 467 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment - Employment of Minors

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

House Bill 478 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

# Maryland Automobile Insurance Fund – Installment Payment Plan – Clarification

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

House Bill 583 – Delegate Davis

AN ACT concerning

# Maryland Small Business Development Financing Authority - Investment and Recovery Limits

# <u>Economic Development - Equity Participation Investment Program - Small</u> Businesses

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

House Bill 765 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel - Authority to Set Compensation

Read the third time and passed by year and navs as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 784)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 785)

The Bill was then sent to the House of Delegates.

House Bill 1545 – Delegates Conway, M. Washington, and DeBoy

AN ACT concerning

# University of Maryland Medical System Corporation – Governance – Medical Center Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 8 (See Roll Call No. 786)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #14

# **CONSENT CALENDAR #8**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1	Ch., Judiciary Com.	Children in Need of Assistance – Educational Stability	JPR
HB 45	Ch., Judiciary Com.	Maryland Register – Publication of Court Documents – Exception	JPR
HB 147	Montgomery Co. Del.	Montgomery County – Maryla Tort Claims Act – Human Services Torts MC 13–14	nd JPR

HB 174	Ch., Judiciary Com.	Public Safety – Internal Investigative Unit – Name Change and Duties	JPR
HB 175	Del. Guzzone	Criminal Law – Contraband – Telecommunication Devices and Accessories – Penalty	JPR
HB 181	Carroll County Del.	Courts and Judicial Proceedings – Circuit Court for Carroll Co – Fees for Appearance of Counsel	JPR
HB 182	Carroll County Del.	Carroll County – Sheriff – Salary	JPR
HB 211	Carroll County Del.	Carroll County – Orphans' Court Judges – Salary	JPR
HB 228	Del. Dumais	Estates and Trusts – Registers of Wills – Records	JPR
HB 246	Del. Malone	Motor Vehicles – Inspection Certificates for Used Vehicles – Procedures	JPR
HB 307	The Speaker	Peace Orders and Protective Orders – Burden of Proof	JPR
HB 309	The Speaker	Family Law – Domestic Violence – Permanent Final Protective Orders	JPR
HB 352	Del. Valentino–Smith	Peace Orders and Protective Orders – Penalties – Second or Subsequent Offenses	JPR
HB 364	Del. Dumais	State Prosecutor and Deputy State Prosecutor – Witness Immunity – Compulsory Testimony	JPR
HB 420	Del. Myers	Washington County – Off–Road Vehicle Trails – Prohibition of Establishment on Sideling Hill	JPR

2514	Journal of Pro	Mar. 22, 2014	
HB 440 (AMENDEI	Del. Pena–Melnyk O)	Education – School Vehicles – Authorized Riders	JPR
HB 529	Del. Malone	Motor Vehicle Administration – Drivers' Licenses and Identification Cards – Organ Donor Designation	JPR
HB 559	Del. B. Robinson	State Government – Human Trafficking Address Confidentiality Program	JPR
HB 638	Montgomery Co. Del.	Crim Law – Telecomm Dvcs in Place of Confinement – Mont Co Work Rlse and Prerelease Pgms MC 21–14	JPR
HB 647	Del. Waldstreicher	Peace Orders and Protective Orders – Extensions	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 8 were read the third time and passed by yeas and nays as follows:

- Standards

Estates and Trusts - Personal

Representatives and Guardians

**JPR** 

Affirmative – 47 Negative – 0 (See Roll Call No. 787)

The Bills were then sent to the House of Delegates.

Del. Ready

# THIRD READING CALENDAR (HOUSE BILLS) #15

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

HB 656

Juvenile Services - Child in Need of Supervision Pilot Program - Expansion
Reporting Requirement

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 788)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 789)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by year and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 790)

The Bill was then sent to the House of Delegates.

House Bill 179 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Adult Public Guardianship Review Board - Membership

Read the third time and passed by year and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 791)

The Bill was then sent to the House of Delegates.

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, Hucker, 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

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 792)

The Bill was then sent to the House of Delegates.

House Bill 274 – Delegates Lafferty, Bobo, Carr, Clippinger, Conaway, Frush, Healey, Luedtke, McIntosh, Niemann, S. Robinson, Rosenberg, Stein, Valderrama, Waldstreicher, M. Washington, Wilson, and Zucker

AN ACT concerning

<u>Civil Actions</u> <u>Foreclosure Sales of Residential Property</u> – Statute of Limitations for Certain Specialties and Motion for Certain Deficiency Judgments

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 793)

The Bill was then sent to the House of Delegates.

House Bill 286 – Delegates Valentino-Smith, Arora, Clippinger, Howard, Rosenberg, Swain, and Valderrama

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 – 34 Negative – 13 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

House Bill 315 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Equity Court Jurisdiction – Immigrant Children – Custody or Guardianship

Petitions

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 795)

The Bill was then sent to the House of Delegates.

House Bill 322 – Washington County Delegation

AN ACT concerning

Washington County - Alcoholic Beverages - Restaurant Seating Capacity

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.

House Bill 598 – Delegate Dumais

AN ACT concerning

Law Enforcement Officers' Bill of Rights – Prosecutorial Disclosures –
Punitive Action

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.

House Bill 599 – Delegate Dumais

AN ACT concerning

Law Enforcement Officers' Bill of Rights – Hearing Board – Exclusion of Evidence Show Cause Order – Appropriate Relief

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #16

# **CONSENT CALENDAR #9**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 202	Del. Barkley	Clean Energy Loan Programs Private Lenders – Collection of Loan Payments	– FIN
HB 308	The Speaker	Public Safety – Statewide Interoperability Radio Control Board – Established	FIN
HB 430 (AMENDEI	Del. Cardin O)	Commercial Law – Patent Infringement – Assertions Made in Bad Faith	FIN
HB 480	Del. Davis	Office of the Attorney General – Est of a Consumer Affairs Satellite Office in Prince George's Co	FIN
HB 488	Del. Pena–Melnyk	Joint Committee on Access to Mental Health Services – Nan Change	FIN
HB 556	Del. Hammen	Developmental Disabilities Administration – Low Intensity Support Services – Funding	FIN
HB 564	Del. Olszewski	Commercial Law – Maryland Uniform Commercial Code – Funds Transfers	FIN
HB 625 (Emergency	Del. Nathan–Pulliam Bill)	Kathleen A. Mathias Oral Chemotherapy Improvement of 2014	FIN Act

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HB 679	Del. Barkley	Insurance – Title Insurers – Title Insurance Commitment and Binders	FIN
HB 704	Del. Vaughn	Commercial Law – Debt Settlement Services – Sunset and Reporting Extension	FIN
HB 740	Del. Beidle	Econ Dev – Md Technology Dev Corpn – Cybersecurity Investment Fund	FIN
HB 1165	Del. Kramer	Jane E. Lawton Conservation Loan Program	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 9 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 799)

The Bills were then sent to the House of Delegates.

# THE COMMITTEE ON BUDGET AND TAXATION REPORT #25

# **CONSENT CALENDAR #55**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 180	FAV	Dorchester County	Dorchester County Sanitary Commission – Enforcement of Liens –
HB 329	FAV	Delegation Frederick County	Tax Sale Authorization Frederick County – Gaming Permits
HB 367	FAV	Delegation Worcester County	Worcester County – Bingo Board – Repeal
HB 743	FAV	Delegation Del Clagett, et al	Income Tax Forms – Graphical Representation of General Fund Expenditures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON FINANCE REPORT #33

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 382 - Senator Conway

AN ACT concerning

Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records

SB0382/827772/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 382

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 15, after "revoked;" insert "requiring a buyer to ensure that each automated purchasing machine that the buyer owns or operates in the State meets certain requirements;"; in line 22, after "time;" insert "providing that certain reporting requirements may not be construed to require a buyer to incur a certain financial burden;"; in line 23, after "time;" insert "requiring a buyer to provide certain personal property to the primary law enforcement unit on request and at the cost of the buyer; requiring a buyer to make certain personal property available for inspection by the primary law enforcement unit at a certain time; requiring buyers to remove certain personal property from an automated purchasing machine in a certain manner and to provide a certain notice; authorizing the primary law enforcement unit to inspect personal property being removed from an automated purchasing machine at the time of removal;"; in line 24, strike "have" and substitute "use"; in the same line, strike "transactions" and substitute "transaction under certain circumstances"; in line 28, strike "an automated purchasing machine operator" and substitute "a buyer"; in line 29, after "minor;" insert "prohibiting a buyer from buying an electronic device under certain circumstances;"; and in line 31, after "Act;" insert "providing that this Act preempts the right of any county or municipality to regulate automated purchasing machines or operators of automated purchasing machines and supersedes any existing law of a county or municipality that regulates automated purchasing machines or operators of automated purchasing machines under certain circumstances; authorizing a county or municipality to license automated purchasing machines and operators of automated purchasing machines;".

# AMENDMENT NO. 2

On page 3, in line 21, after "WHO" insert ":

**(1)**";

in the same line, strike "AND" and substitute ";

**(2)**";

and in line 22, after "LICENSEE" insert "; AND

(3) MAINTAINS A PHYSICAL LOCATION IN MARYLAND WHERE THE RESIDENT AGENT REGULARLY CONDUCTS BUSINESS AND AT WHICH THE RESIDENT AGENT OR AN EMPLOYEE OF THE RESIDENT AGENT IS PHYSICALLY PRESENT DURING NORMAL BUSINESS HOURS".

On page 13, in line 17, after "(A)" insert "A BUYER SHALL ENSURE THAT EACH AUTOMATED PURCHASING MACHINE THAT THE BUYER OWNS OR OPERATES IN THE STATE MEETS THE REQUIREMENTS OF THIS SECTION.

<u>(B)</u>".

On page 14, in line 5, strike "(B)" and substitute "(C)"; in line 10, strike "(A)(1)" and substitute "(B)(1)"; and in line 13, strike "(A)(2)" and substitute "(B)(2)".

On page 15, in line 4, strike "A" and substitute "SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A"; in lines 5, 12, 15, 17 and 18, 20, and 28, in each instance, strike "§ 20–401(B)" and substitute "§ 20–401(C)"; and after line 16, insert:

"(III) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE CONSTRUED TO REQUIRE A BUYER TO INCUR A SUBSTANTIAL FINANCIAL BURDEN TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH.".

# AMENDMENT NO. 3

On page 14, in line 27, after "DEVICE" insert "<u>IF IT CAN BE DETERMINED AT</u> THE TIME OF PURCHASE".

On page 15, in line 16, strike "14" and substitute "17".

On page 16, in line 16, before "A" insert "(A)"; and after line 17, insert:

"(B) IF AN AUTOMATED PURCHASING MACHINE CANNOT DETERMINE
THE SERIAL NUMBER OF AN ELECTRONIC DEVICE AND THE DEVICE IS VALUED
AT \$25 OR MORE, THE BUYER MAY NOT PURCHASE THE ELECTRONIC DEVICE.".

# AMENDMENT NO. 4

On page 15, in line 26, after "(B)" insert "(1)"; and after line 29, insert:

- "(2) ON THE REQUEST OF THE PRIMARY LAW ENFORCEMENT UNIT, A BUYER SHALL PROVIDE TO THE PRIMARY LAW ENFORCEMENT UNIT ANY PERSONAL PROPERTY PURCHASED BY AN AUTOMATED PURCHASING MACHINE AT THE COST OF THE BUYER.
- (C) A BUYER SHALL MAKE ALL PERSONAL PROPERTY PURCHASED BY AN AUTOMATED PURCHASING MACHINE AVAILABLE FOR INSPECTION BY THE PRIMARY LAW ENFORCEMENT UNIT AT ANY TIME.
- (D) (1) A BUYER SHALL REMOVE ALL ITEMS OF PERSONAL PROPERTY FROM AN AUTOMATED PURCHASING MACHINE IN INTERVALS OF NO LESS THAN 10 DAYS.
- (2) A BUYER SHALL NOTIFY THE PRIMARY LAW ENFORCEMENT UNIT OF THE DATE AND TIME THE BUYER WILL REMOVE PERSONAL PROPERTY FROM AN AUTOMATED PURCHASING MACHINE AT LEAST 72 HOURS BEFORE REMOVING THE PERSONAL PROPERTY.
- (3) THE PRIMARY LAW ENFORCEMENT UNIT MAY INSPECT THE PERSONAL PROPERTY BEING REMOVED FROM AN AUTOMATED PURCHASING MACHINE AT THE TIME OF THE REMOVAL.".

#### AMENDMENT NO. 5

On page 16, in line 21, strike "\$500;" and substitute "\$1,000;"; and in line 23, strike "\$1,000." and substitute "\$5,000.".

# AMENDMENT NO. 6

On page 3, in line 26, before "THIS" insert "(A)"; and after line 29, insert:

- "(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS TITLE:
- (I) PREEMPTS THE RIGHT OF A COUNTY OR MUNICIPALITY

  TO REGULATE AUTOMATED PURCHASING MACHINES AND OPERATORS OF

  AUTOMATED PURCHASING MACHINES; AND
- (II) <u>SUPERSEDES ANY EXISTING LAW OF A COUNTY OR</u>

  <u>MUNICIPALITY THAT REGULATES AUTOMATED PURCHASING MACHINES AND</u>

  OPERATORS OF AUTOMATED <u>PURCHASING MACHINES</u>.
- (2) THIS TITLE DOES NOT LIMIT THE POWER OF A COUNTY OR MUNICIPALITY TO:
- (I) <u>LICENSE AUTOMATED PURCHASING MACHINES AND</u> OPERATORS OF AUTOMATED PURCHASING MACHINES; OR
- (II) PROHIBIT THE INSTALLATION OR OPERATION OF AUTOMATED PURCHASING MACHINES WITHIN THE COUNTY OR MUNICIPALITY.".

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 1099 - Senators Manno and Miller

AN ACT concerning

# Workers' Compensation – Occupational Disease Presumptions – Paid Emergency Medical Services Providers

#### SB1099/237175/1

BY: Finance Committee

# AMENDMENTS TO SENATE BILL 1099

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Miller" and substitute "<u>Miller</u>, Middleton, Astle, Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez"; in line 3, strike "Emergency Medical Services Providers" and substitute "Rescue Squad Members and Paid Advanced Life Support Unit Members"; and in lines 5 and 6, in line 9, and in lines 11 and 12, in each instance, strike "emergency medical services providers" and substitute "rescue squad members and paid advanced life support unit members".

#### AMENDMENT NO. 2

On page 1, in lines 22 and 23, strike "EMERGENCY MEDICAL SERVICES PROVIDER" and substitute "RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER".

On page 2, in lines 12 and 13, strike "EMERGENCY MEDICAL SERVICES PROVIDER" and substitute "RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER"; and in lines 24 and 28, in each instance, strike "EMERGENCY MEDICAL SERVICES PROVIDER,".

The preceding 2 amendments were read and adopted.

<u>Favorable report</u>, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #24

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

# House Bill 217 - Washington County Delegation

AN ACT concerning

Maryland Income Tax Refund - Washington County - Warrants

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 313 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Mitchell, B. Robinson, Stukes, and Tarrant

AN ACT concerning

Maryland Income Tax Refund - Baltimore City - Warrants

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 323 – Frederick County Delegation

AN ACT concerning

Frederick County - Hotel Rental Tax - Transient Charge

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON FINANCE REPORT #34

**CONSENT CALENDAR #57** 

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 219 – Delegates Jameson, Love, and Minnick

AN ACT concerning

Workers' Compensation – Workers' Compensation Commission – Issuance of Subpoenas

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 592 – Delegates Morhaim <del>and Hammen, Hammen, Kach,</del> Pena-Melnyk, and Oaks

AN ACT concerning

Mental Health – Approval by Clinical Review Panel of Administration of Medication – Standard

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 603 – Delegates Jameson, Bates, Guzzone, Hixson, Impallaria, W. Miller, Schulz, and Vaughn

AN ACT concerning

Limited Lines Insurance Licenses - Self-Service Storage Agents Producers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 693 – <del>Delegate Bromwell</del> <u>Delegates Bromwell, Costa, Cullison, Donoghue, Hammen, Hubbard, Kach, A. Kelly, Kipke, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner</u>

**EMERGENCY BILL** 

AN ACT concerning

Health Insurance - Essential Health Benefits - Pediatric Dental Benefits

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 761 – <del>Delegate Hammen</del> <u>Delegates Hammen, Holmes, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Ready, Reznik, and V. Turner</u>

AN ACT concerning

# Health Insurance - Specialty Drugs

#### HB0761/567279/1

BY: Finance Committee

# AMENDMENT TO HOUSE BILL 761

(Third Reading File Bill)

On page 4, in line 2, after "UNDER" insert "INDIVIDUAL, GROUP, OR BLANKET"; and in line 5, after "UNDER" insert "INDIVIDUAL OR GROUP".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 813 – Delegates M. Washington, Rudolph, Braveboy, Cullison, Davis, Donoghue, Dumais, Eckardt, Glenn, Harper, Haynes, Kaiser, A. Kelly, Kipke, McIntosh, A. Miller, Ready, S. Robinson, Schulz, Szeliga, and Zucker Zucker, Swain, Hammen, Pendergrass, Bromwell, Costa, Elliott, Hubbard, Kach, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

# HB0813/327276/1

BY: Finance Committee

# AMENDMENT TO HOUSE BILL 813

(Third Reading File Bill)

On page 3, in line 3, after "MEMBERS;" insert "AND"; and strike beginning with "QUARTERLY" in line 4 down through "(3)" in line 5.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1026 – Delegates A. Kelly, Hucker, Barkley, Barnes, Bobo, Braveboy, Clippinger, Cullison, Frick, Glenn, Gutierrez, Haynes, Impallaria, Kramer, Love, McHale, A. Miller, Mitchell, Oaks, Olszewski, Pena-Melnyk, Pendergrass, Reznik, S. Robinson, Valderrama, Vaughn, and A. Washington

AN ACT concerning

Labor and Employment - Unpaid Parental Leave - Birth or Adoption of a Child

#### HB1026/887674/1

BY: Finance Committee

# AMENDMENTS TO HOUSE BILL 1026

(Third Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 9, strike "vacation".

#### AMENDMENT NO. 2

On page 3, strike in their entirety lines 24 and 25.

On page 4, in lines 10 and 12, in each instance, strike "<u>VACATION</u>".

On page 7, in line 4, in each instance, strike "SECRETARY" and substitute "COMMISSIONER".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### **CONCURRENCE CALENDAR #6**

# AMENDED IN THE HOUSE

Senate Bill 102 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Health – Use of Alternate Care Sites During a State of Emergency – Authorization

Senator Conway moved that the Senate concur in the House amendment.

# SB0102/596785/1

BY: Health and Government Operations Committee

# AMENDMENT TO SENATE BILL 102

(Third Reading File Bill)

On page 2, in line 8, after "FACILITY" insert ":

**(I)**";

and in line 9, after "EMERGENCY" insert "; AND

(II) THAT HAS ACCESS TO AN EMERGENCY ELECTRICAL POWER GENERATOR".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 800)

#### AMENDED IN THE HOUSE

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

Senator Conway moved that the Senate concur in the House amendment.

#### SB0849/396982/1

BY: Health and Government Operations Committee

# AMENDMENT TO SENATE BILL 849

(Third Reading File Bill)

On page 36, in line 16, strike "(C)"; and strike beginning with "THE" in line 18 down through "PAYMENT." in line 21.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 801)

#### CONCURRENCE CALENDAR #5

#### AMENDED IN THE HOUSE

Senate Bill 875 – Senators Klausmeier and Feldman

AN ACT concerning

Jane E. Lawton Conservation Loan Program

Senator Middleton moved that the Senate concur in the House amendment.

#### SB0875/103590/1

BY: Economic Matters Committee

# AMENDMENT TO SENATE BILL 875

(Third Reading File Bill)

On page 4, in line 21, before "NONPROFIT" insert "THE".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 802)

#### AMENDED IN THE HOUSE

Senate Bill 886 – Senators Feldman, Kelley, and Middleton, Glassman, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

Legal Mutual Liability Insurance Society of Maryland – Conservatorship and Transfer

Senator Middleton moved that the Senate concur in the House amendment.

#### SB0886/493797/2

BY: Economic Matters Committee

# AMENDMENT TO SENATE BILL 886

(Third Reading File Bill)

On page 1, in line 16, after "assets" insert "and certain liabilities".

On page 4, strike beginning with the comma in line 13 down through "STATE" in line 14; and in line 17, strike "FULLY".

On page 7, in line 18, after "ASSETS" insert "OF THE SOCIETY"; and in line 19, strike "OF" and substitute "UNDER POLICIES ISSUED BY".

On page 8, in line 1, after "assets" insert "of the Society"; in the same line, strike "of" and substitute "under policies issued by"; and strike beginning with "as" in line 34 down through "resort" in line 35.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 803)

#### CONCURRENCE CALENDAR #7

#### AMENDED IN THE HOUSE

Senate Bill 75 – <del>Senator Madaleno</del> <u>Senators Madaleno</u>, <u>Forehand</u>, Montgomery, and King

AN ACT concerning

#### Alcoholic Beverages - Maximum Alcohol Content

Senator Conway moved that the Senate not concur in the House amendments.

# SB0075/513293/1

BY: Economic Matters Committee

# AMENDMENT TO SENATE BILL 75

(Third Reading File Bill)

On page 1, in line 4, after "more" insert ", with a certain exception"; and in line 16, after "MORE" insert ", EXCEPT TO THE HOLDER OF A NONBEVERAGE PERMIT UNDER § 2–101(C) OF THIS ARTICLE".

The preceding amendment was read and not concurred in.

#### MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0075** 

SPONSOR: Sen Madaleno

SUBJECT: Alcoholic Beverages – Maximum Alcohol Content

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr., Secretary

Read and adopted.

# **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 804)

#### ADJOURNMENT

At 9:50 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 23, 2014, Calendar Day, Tuesday, April 1, 2014.

# Annapolis, Maryland Legislative Day: March 23, 2014 Calendar Day: Tuesday, April 1, 2014 10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Reverend Kenneth S. Valentine, Bethel United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of March 22, 2014 was read and approved.

# **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 807)

# YEAS AND NAYS

# SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 16 (Emergency Bill)	Sen. Klausmeier	Chesapeake Employers' Ins Company – Issuance, Renewal, and Cancellation of Policies
		- Authority
SB 49	Sen. Hershey	Kent County – Alcoholic
CD 00	G G 11	Beverages Act of 2014
SB 60	Sen. Colburn	Dorchester County – Class B
		Beer and Light Wine Licenses – Sunday Sales
SB 79	Sen. Middleton	Limited Lines – Travel
		Insurance
$SB\ 153$	Sen. Middleton	Motor Vehicle Insurance –
(Emergency Bill)		Task Force to Study Methods
		to Reduce the Rate of
		Uninsured Drivers
SB 216	Sen. Klausmeier	Workers' Compensation –

		Workers' Compensation Commission – Issuance of
SB 250	Sen. Mathias	Subpoenas Somerset County – Alcoholic Beverages – Micro–Brewery
SB 306	Montgomery Co. Sens	Licenses Montgomery County – Barbershops – Restriction on
SB 307	Montgomery Co. Sens	Operation Repealed Montgomery County – Alcoholic Beverages – Class B Beer, Wine and Liquor Licenses
SB 329	Sen. Astle	Residential Cliffside Elevators – Registration and Inspection (The Jock Menzies
SB 344	Sen. Middleton	Act) Charles County – Sunday Car Sales Blue Law Exemption –
SB 356	Sen. Ferguson	Enabling Authority Public Utilities – Fixed Charges for Taxicab Services – Baltimore City
SB 404	Sen. Kelley	Md Uniform Commercial Code – Secured Transactions – Notice of Filing of Financing
SB 480 (Emergency Bill)	Sen. Klausmeier	Statement Injured Workers' Insurance Fund Employees – Registration
SB 483	Sen. Klausmeier	as Registered Lobbyists Lbr and Emplmt – Nursing Homes and Hlth Care Facs – Workplace Saf Assessment and
SB 490	Sen. Astle	Saf Program Limited Lines Insurance Licenses – Self–Service
SB 522	Sen. Feldman	Storage Producers Commercial Law – Maryland Uniform Commercial Code –
SB 560	Carroll Co. Senators	Funds Transfers Carroll County – Alcoholic
SB 614	Sen. Brinkley	Beverages – License Fees Frederick County – Payment of Wages
SB 618	Sen. Brinkley	Frederick County – Alcoholic Beverages – Country Inn Licenses
SB 657	Montgomery Co. Sens	Montgomery County – Alcoholic

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		Beverages – Beer, Wine and
		Liquor Licenses
SB~661	Sen. Pugh	Economic Development – Equity
		Participation Investment
		Program – Small Businesses
SB764	Sen. Colburn	Caroline County – Volunteer
		Fire Companies – Storage of
		Alcoholic Beverages
SB 811	Sen. Raskin	$\operatorname{Corpns}$ and $\operatorname{Assns}-\operatorname{Md}$
		Securities Act – Registration
		and Filing Exemps

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 341 - Delegate Jameson

AN ACT concerning

# Chesapeake Employers' Insurance Company – Rates and Board Structure

FOR the purpose of authorizing the Chesapeake Employers' Insurance Company to take certain actions relating to a subsidiary for certain purposes; altering the selection and appointment process for the members of the Board requiring, to the extent practicable, that the Board for the Chesapeake Employers' Insurance Company reflect a certain diversity of the State; specifying the qualifications for the members of the Board; repealing a requirement that certain appointees take a certain oath before taking office as members of the Board; altering the means for staggering the terms of members of the Board; authorizing the Governor to remove only certain members for incompetence or misconduct; requiring a certain designated rating organization to create a certain exception in its classification system for certain authorized insurers; authorizing the Company to remain exempt from certain insurance rate making requirements until a certain date; repealing certain provisions of law that exempt the Company from certain aspects of the insurance rate making process; repealing a provision of law that requires the Board to set rates in a certain manner; declaring the intent of the General Assembly that a rating organization, in consultation with the Company, shall create a certain exception in its classification system for authorized insurers; requiring the terms of certain members to be extended until a certain date; specifying the process for appointing or selecting a certain member of the Board; renumbering certain provisions; making other conforming changes; providing for delayed effective dates for certain provisions of this Act;

providing for the application of certain provisions of this Act that establish qualifications for members of the Board; and generally relating to the Chesapeake Employers' Insurance Company.

BY repealing and reenacting, with amendments,

Article – Insurance

Section <del>11-202. 11-303. 24-306. and</del> 24-307

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY adding to

Article - Insurance

Section 11-331 and 11-332

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

#### BY repealing

Article - Insurance

Section 24-305

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

# BY renumbering

Article - Insurance

Section 24-306 through 24-312, respectively

to be Section 24-305 through 24-311, respectively

Annotated Code of Maryland

(2011 Replacement Volume and 2013 Supplement)

Read the first time and referred to the Committee on Rules.

#### MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2015

(See Exhibit O of Appendix III)

Supplemental Budget No. 1 was read and referred to the Committee on Budget and Taxation.

#### SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1147 – Delegates McHale, Clippinger, Hammen, and Olszewski

AN ACT concerning

Public Utilities - Fixed Charges for Taxicab Services - Baltimore City

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 808)

#### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

# THIRD READING CALENDAR (SENATE BILLS) #69

Senate Bill 236 – The President (By Request – Governor's Salary Commission)

AN ACT concerning

#### Constitutional Officers - Salaries

Read the third time and passed by yeas and nays as follows:

Affirmative – 36 Negative – 10 (See Roll Call No. 809)

The Bill was then sent to the House of Delegates.

Senate Bill 382 – Senator Conway

AN ACT concerning

Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 810)

The Bill was then sent to the House of Delegates.

# Senate Bill 1099 – Senators Manno <del>and Miller, Miller, Middleton, Astle,</del> Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

# Workers' Compensation - Occupational Disease Presumptions - Paid <u>Emergency Medical Services Providers</u> <u>Rescue Squad Members and Paid</u> <u>Advanced Life Support Unit Members</u>

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 9 (See Roll Call No. 811)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #17

#### **CONSENT CALENDAR #10**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 180	Dorchester Co. Del.	Dorchester County Sanitary Commission – Enforcement of Liens – Tax Sale Authorization	В&Т
HB 329	Frederick County Del.	Frederick County – Gaming Permits	В&Т
HB 367	Worcester County Del.	Worcester County – Bingo Board – Repeal	В&Т
HB 743	Del. Clagett	Income Tax Forms – Graphica Representation of General Fund Expenditures	.l B&T

All of the above listed bills on the Third Reading Consent Calendar No. 10 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 812)

The Bills were then sent to the House of Delegates.

#### THIRD READING CALENDAR (HOUSE BILLS) #18

# House Bill 217 – Washington County Delegation

AN ACT concerning

# Maryland Income Tax Refund - Washington County - Warrants

Read the third time and passed by year and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 813)

The Bill was then sent to the House of Delegates.

House Bill 313 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Mitchell, B. Robinson, Stukes, and Tarrant

AN ACT concerning

# Maryland Income Tax Refund - Baltimore City - Warrants

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 814)

The Bill was then sent to the House of Delegates.

# **House Bill 323 – Frederick County Delegation**

AN ACT concerning

#### Frederick County - Hotel Rental Tax - Transient Charge

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 815)

The Bill was then sent to the House of Delegates.

# House Bill 485 – Frederick County Delegation

AN ACT concerning

# Frederick County - Sheriff - Salary

Senator Ferguson moved, duly seconded, to make the Bill a Special Order for April 2, 2014.

The motion was rejected.

Read the third time and passed by yeas and nays as follows:

Affirmative – 26 Negative – 21 (See Roll Call No. 816)

The Bill was then sent to the House of Delegates.

# THIRD READING CALENDAR (HOUSE BILLS) #19

# CONSENT CALENDAR #11

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 219	Del. Jameson	Workers' Compensation – Workers' Compensation Commission – Issuance of Subpoenas	FIN
HB 592	Del. Morhaim	Mental Health – Approval by Clinical Review Panel of Administration of Medication – Standard	FIN
HB 603	Del. Jameson	Limited Lines Insurance Licenses – Self–Service Storage Producers	FIN
HB 693 (Emergency	Del. Bromwell Bill)	Health Insurance – Essential Health Benefits – Pediatric Dental Benefits	FIN
HB 761 (AMENDEI	Del. Hammen D)	Health Insurance – Specialty Drugs	FIN
HB 813 (AMENDEI	Del. M. Washington D)	Joint Committee on Ending Homelessness	FIN
HB 1026 (AMENDEI	Del. A. Kelly D)	Labor and Employment – Unp Parental Leave – Birth or Adoption of a Child	oaid FIN

All of the above listed bills on the Third Reading Consent Calendar No. 11 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 817)

The Bills were then sent to the House of Delegates.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #46

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 413 – Delegates Luedtke, Kaiser, <del>and A. Washington</del> A. Washington, F. Turner, Howard, and Cardin

AN ACT concerning

Special Education – Individualized Education Program Parental Notice Requirements and Service Models List

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 427 – Delegates Hixson, Barve, Cullison, Gilchrist, Hucker, Kaiser, Lee, Luedtke, and F. Turner F. Turner, Cardin, Howard, McDonough, Nathan-Pulliam, and V. Turner

AN ACT concerning

Education - Maryland Sudden Cardiac Arrest Prevention Awareness Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 428 – Delegate Luedtke

AN ACT concerning

### Children - Maryland Infants and Toddlers Program - Eligibility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 459 - Chair, Ways and Means Committee (By Request - Departmental - Health and Mental Hygiene)

AN ACT concerning

# Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

# House Bill 546 - Delegate Rosenberg Delegates Rosenberg and Howard

AN ACT concerning

Higher Education – Janet L. Hoffman Loan Assistance Repayment Program – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1006 – Delegates Kaiser, Eckardt, Barkley, Burns, Carr, Cullison, Guzzone, Healey, Howard, Lafferty, Luedtke, A. Miller, Reznik, Sophocleus, F. Turner, Valderrama, Waldstreicher, and Zucker

AN ACT concerning

Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students With Intellectual and Developmental Disabilities – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1164 – Delegates Luedtke, Barkley, Barnes, Cullison, Fraser-Hidalgo, Harper, Haynes, Hixson, Kaiser, Lafferty, Lee, Morhaim, Oaks, Olszewski, S. Robinson, and Zucker Zucker, A. Miller, Walker, and A. Washington

#### EMERGENCY BILL

AN ACT concerning

Common Core State Maryland College and Career-Ready Standards and Partnership for Assessment of Readiness for College and Careers (PARCC) Implementation Review Workgroup

#### HB1164/774133/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO HOUSE BILL 1164

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 19, strike "providing for the termination of this Act;".

#### AMENDMENT NO. 2

On page 2, after line 31, insert:

"(x) one representative of charter schools;".

On page 3, in lines 1, 3, and 5, strike "(x)", "(xi)", and "(xii)", respectively, and substitute "(xi)", "(xii)", and "(xiii)", respectively.

#### AMENDMENT NO. 3

On page 5, in line 32, strike "shall take effect June 1, 2014" and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1222 - Delegates Haynes, Anderson, Aumann, Barkley, Barnes, Barve, Bates, Beidle, Bobo, Bohanan, Boteler, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carr, Carter, Clagett, Conway, Costa, Davis, DeBoy, Dumais, Eckardt, Elliott, Frank, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Healey, Hixson, Howard, Ivey, James, Jameson, Jones, Kach, Kaiser, K. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McHale, McIntosh, W. Miller, Minnick, Mitchell, Mizeur, Morhaim, Nathan-Pulliam, Niemann, Oaks, Olszewski, Pena-Melnyk, Pendergrass. Proctor, B. Robinson, Rosenberg, Rudolph, Schuh, Simmons, Smigiel, Sophocleus, Stein, Stocksdale, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Weir, and Wood

AN ACT concerning

## Ruth M. Kirk Public Social Work Scholarship

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #47

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 6 - Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission - Guaranty Fund - Claims

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 451 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Neighborhood Business Development Program – Financial Assistance for Food <del>Desert Areas</del> Deserts

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 453 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Housing and Community Development – Multifamily Rental Housing Programs Efficiency Act

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 827 – Delegates Summers, Cardin, George, and Glass

AN ACT concerning

Municipal Elections - Campaign Finance Reports - Submission of Copies to the State Board of Elections

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #48

## **CONSENT CALENDAR #58**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 58	FAV	Del Haddaway Riccio	Talbot County – Chesapeake Bay Critical Area – Prosecution or Civil Suit for Certain Violations
HB 121	FAV	Del S. Robinson	Chesapeake Bay Trust – Powers and Duties – Member Terms
HB 129	FAV	Del S. Robinson	Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest Provisions
HB 141	FAV	Montgomery County Delegation	Montgomery County – Barbershops – Restriction on Operation Repealed MC 1–14
HB 256	FAV	The Spkr (DLS)	Maryland Horse Industry Board – Sunset Extension and Program Evaluation
HB 834	FAV	Dels Frush and Hubbard	Environment – Water Pollution Control – Penalty
HB 1283	FAV	Del Hammen, et al	Environment – Cox Creek Citizens Oversight Committee – Composition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #49

House Bill 589 – Delegates Pena-Melnyk, Costa, Cullison, Hubbard, Morhaim, Nathan-Pulliam, and V. Turner

AN ACT concerning

Governor's Office of Crime Control and Prevention – State Corrections

<u>Juvenile Charged as Adult</u> Population Forecast and Juvenile Population

<u>Statistics</u>

#### HB0589/664532/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 589

(Third Reading File Bill)

On page 3, strike in its entirety line 2; and in lines 3, 4, 5, 6, 8, 10, 11, 12, and 13, strike "(viii)", "(ix)", "(xi)", "(xi)", "(xii)", "(xii)", "(xii)", "(xiv)", "(xiv)", and "(xv)", "(xiv)", "(xi

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# House Bill 1258 – <del>Delegate Pendergrass</del> <u>Delegates Pendergrass and</u> Donoghue

AN ACT concerning

# Health Occupations – Maryland Environmental Health Specialists Act – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #50

#### **CONSENT CALENDAR #59**

BILL NO.	REPORT	SPONSOR	CONTENT
HB 87	FAV	Anne Arundel County Delegation	Anne Arundel County – Superintendent of Schools – Compensation
HB 209	FAV	Charles County Delegation	Charles County – Board of Education – Salaries and Expenses
HB 253	FAV	The Spkr (DLS)	State Board of Stationary Engineers – Sunset Extension and Program Evaluation
HB 254	FAV	The Spkr (DLS)	State Board of Individual Tax Preparers – Sunset Extension and Program Evaluation
HB 261	FAV	Del Minnick, et al	Alcoholic Beverages – Hard Cider – Definition
HB 343	FAV	Al Co Deleg and Gar Co Deleg	Allegany County and Garrett County  – Boards of Education – Removal of Ex Officio Member
HB 350	FAV	Dels Haddaway Riccio and Eckardt	Education – Talbot County Board of Education – Lease of Public School Facility
HB 482	FAV	Del M. Washington, et	Higher Education – Unaccompanied Homeless Youth – Tuition Exemption
HB 798	FAV	Del A. Kelly, et al	Education – Children With Disabilities – Habilitative Services Information

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HB 922	FAV	Del Luedtke, et al	Physical Education and Athletic Programs for Students With Disabilities – Funding
HB 1033	FAV	Queen Anne's County Delegation	Queen Anne's County Board of Education – Filling a Vacancy in Membership

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #51

## **CONSENT CALENDAR #60**

BILL NO.	REPORT	SPONSOR	CONTENT
HB 16	FAV	Del Smigiel	Cecil County – Board of Elections – Membership
${ m HB}~220$	FAV	Del Jameson,	Injured Workers' Insurance Fund
(Emergency	Bill)	et al	Employees – Registration as Registered Lobbyists (Joint Referral EHE/FIN)*
HB 378	FAV	Del Otto, et al	Somerset Co – Service Award Program for Emergency Medical Services and Fire and Rescue Pers
HB 487	FAV	Del Reznik	Small Business Reserve Program – Definition of Small Business – Repeal of Sunset Provision
HB 1024	FAV	Del McIntosh, et al	Rural Maryland Prosperity Investment Fund – Revisions and Extension of Termination Date
HB 1205	FAV	Frederick County Delegation	Frederick Co – Transition to Chrtr Govt – Corrections to Refs in the Annotated Code of Md
HB 1260	FAV	Del Barve, et al	State Government – Open Data Policy – Council on Open Data
HB 1436	FAV	Calvert County Delegation	Calvert County – Salaries of County Officials and County Commissioner Retirement Plan Participation

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #52

## **CONSENT CALENDAR #61**

BILL NO.	REPORT	SPONSOR	CONTENT
HB 112	FAV	Del Hubbard	Bd of Prof Cnslrs and Thrpsts – Cease and Desist Orders and Pnlts
HB 113	FAV	Del Hubbard	for Misrep & Practice Without Lic State Board of Examiners of Psychologists – Psychology
HB 165	FAV	Del Stein	Associates – Registration Financial Education and Capability Commission – Membership and Duties
HB 251	FAV	Del Nathan–Pulliam, et al	State Board of Nursing – Electrology Practice Committee – Membership
HB 258	FAV	The Spkr (DLS)	St Bd of Audiologists, Hrg Aid Dispensers, and Speech–Lang Pthlgsts – Sunset Ext and Pgm Eval
HB 301	FAV	Del Reznik, et al	Hlth Occups – Dentists With Prmts to Dispense Den Prods – Exclusion From Md Pharmacy Act
HB 302	FAV	Del Reznik	State Board of Podiatric Medical Examiners – Cease and Desist Orders and Fines
HB 303	FAV	Del Reznik, et al	Hlth Occups – Lic'd Dentists Who Dispense Antibiotics – Exclusion From Md Pharmacy Act
HB 398	FAV	Del Murphy, et al	State Board of Pharmacy – Election of Officers
HB 401	FAV	Del Cullison	Chiropractors, Massage Therapists, and Physical Therapists and Assts – Crim History Rcds Checks
HB 403	FAV	Del Cullison	St Bd for Audiolgsts, Hrg Aid Dspnsrs, & Spch–Lang Pthlgsts – Cease & Desist Ordrs & Injnctv

			Relief
HB 791	FAV	Del Bromwell	State Board of Examiners in
		(By Request)	Optometry – Cease and Desist
			Orders, Injunctive Relief, and
			Penalties
HB 1029	FAV	Del Murphy, et	Health Occupations – Dispensers of
		al	Devices and Equipment – Exclusion
			From the Md Pharmacy Act

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #53

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 157 – Delegates Krebs, Bates, Elliott, W. Miller, Ready, and Stocksdale

AN ACT concerning

## Open Meetings Act - Advance Notice of Meeting - Agenda

<u>Joint Committee on Transparency and Open Government – Study on</u>
<u>Requiring Public Bodies to Provide Agendas Under the Open Meetings Act</u>

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

#### House Bill 433 – Frederick County Delegation

AN ACT concerning

# Frederick County - Alcoholic Beverages - Organizational Licenses Act of 2014

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 794 – Delegates M. Washington, Branch, Braveboy, Cullison, Davis, Donoghue, Dumais, Glenn, Harper, Haynes, Kaiser, A. Kelly, McIntosh, A. Miller, S. Robinson, Rudolph, and Zucker

AN ACT concerning

Department of Planning - Maryland Unaccompanied Homeless Youth and Young Adult Count Demonstration Project

#### HB0794/764731/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 794

(Third Reading File Bill)

On page 1, in line 19, strike "Unaccompanied"; and in the same line, after "Maryland" insert "Unaccompanied".

On page 4, in line 20, strike "<u>from</u>" and substitute "<u>through an appropriation in the State budget or through</u>"; and in the same line, after "<u>sources</u>" insert "<u>of funding</u>".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 796 – Delegates V. Turner, Barnes, Healey, Hubbard, Ivey, Murphy, Summers, Swain, Valderrama, and A. Washington

AN ACT concerning

Procurement - Debarment - Violations of Law

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

### House Bill 939 - Caroline County Delegation

AN ACT concerning

## Caroline County and Talbot County - Annual Financial Report - Filing Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

# House Bill 947 – Delegate Stein

AN ACT concerning

# Public Safety – Building Codes – Balcony <u>Railing</u> Inspections (Jonathan's Law)

#### HB0947/334339/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENTS TO HOUSE BILL 947

(Third Reading File Bill)

### AMENDMENT NO. 1

On page 1, in line 2, strike "Railing"; in line 4, strike "certain" and substitute "a"; in the same line, strike "subdivisions" and substitute "subdivision"; in the same line, after "to" insert "conduct"; in line 5, strike "require"; in line 7, strike "certain" and substitute "a"; in the same line, strike "subdivisions" and substitute "subdivision"; in line 8, strike "conduct the inspections,"; strike beginning with "inspections, or" in line 8 down through "dwelling" in line 12 and substitute "periodic inspections"; and strike beginning with "prohibiting" in line 15 down through "time;" in line 20.

On pages 1 and 2, strike beginning with "defining" in line 21 on page 1 down through "Act" in line 1 on page 2 and substitute "providing that this Act may not be construed to authorize a political subdivision to inspect an owner—occupied dwelling unit; defining a certain term".

On page 2, strike beginning with "<u>certain</u>" in line 1 down through "<u>railings</u>" in line 2 and substitute "<u>balconies in multifamily dwellings</u>".

#### AMENDMENT NO. 2

On page 2, in line 16, strike "(I)"; in the same line, strike "PROPERTY" and substitute "BUILDING"; in lines 18, 19, 20, 21, 22, 23, 24, and 25, strike "1.", "2.", "3.", "4.", "5.", "6.", "7.", and "8.", respectively, and substitute "(I)", "(III)", "(III)", "(IV)", "(V)", "(VI)", "(VII)", and "(VIII)", respectively; and strike in their entirety lines 26 through 28, inclusive.

On page 3, strike in their entirety lines 1 through 13, inclusive.

#### AMENDMENT NO. 3

On page 4, strike beginning with "<u>THIS</u>" in line 10 down through "<u>CITY</u>" in line 11 and substitute "<u>NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO AUTHORIZE A POLITICAL SUBDIVISION TO INSPECT AN OWNER-OCCUPIED DWELLING UNIT</u>"; in line 12, strike "REQUIRE" and substitute "<u>CONDUCT</u>"; in line 13, strike "<u>AT LEAST 10% OF THE UNITS IN</u>"; in line 16, strike "10" and substitute "<u>5</u>"; strike beginning with ", BEGINNING" in line 16 down through "CONSTRUCTED," in line 17; in line 18, strike "<u>THE</u>" and substitute "<u>EACH</u>"; in the same line, strike "<u>RAILINGS MEET</u>" and substitute "<u>MEETS</u>"; strike beginning with the colon in line 20 down through "2." in line 23; and in line 24, strike "REQUIRED".

On pages 4 and 5, strike beginning with "ON" in line 25 on page 4 down through "COMPLETED" in line 26 on page 5.

On page 5, in line 27, strike "(VI)" and substitute "(IV)"; and in line 28, strike "10" and substitute "5".

On page 6, strike in their entirety lines 1 through 19, inclusive; in line 20, strike "(5)" and substitute "(4)"; and in line 25, strike "OR (4)".

On page 7, strike in their entirety lines 23 through 35, inclusive.

On page 8, in line 1, strike "5." and substitute "2.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 991 - Delegates Haddaway-Riccio and Eckardt

AN ACT concerning

Queen Anne's County and Talbot County - Board of Elections - Membership

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1415 – Montgomery County Delegation Delegates Kaiser, Carr, Cullison, Fraser-Hidalgo, Frick, Luedtke, Ivey, Cardin, and Mizeur

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

Chief Executive Officer or County Executive – Special Election to Fill a

Vacancy in Office

MC 23-14

#### HB1415/204630/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO HOUSE BILL 1415

(Third Reading File Bill)

On page 3, in line 6, after "Council" insert "OR IN THE CHIEF EXECUTIVE OFFICER".

The preceding amendment was read and 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 #54

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

### House Bill 150 – Delegate Reznik

AN ACT concerning

### Health Occupations - Maryland Behavior Analysts Act

#### HB0150/254836/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENTS TO HOUSE BILL 150

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1 in lines 5, 6, 7, 12, 17, 18, 20, and 23, and on page 2 in line 15, in each instance, strike "Committee" and substitute "Board".

#### AMENDMENT NO. 2

On page 3 in lines 19 and 22, on page 4 in lines 21 and 27, on page 8 in line 22, on page 9 in lines 12, 14, 15, 22, 23, 24, and 25, on page 10 in lines 1, 3, 4, 9, 13, 14, and 23, on page 11 in lines 11, 15, 20, 26, 27, and 28, on page 12 in lines 2, 5, 6, 9, 12, 13, 15, 17, 18, 25, 26, and 29, on page 13 in lines 3, 5, 7, 15, and 20, and on page 14 in lines 14 and 29, in each instance, strike "**COMMITTEE**" and substitute "**BOARD**".

On page 5, in line 18, strike "SEPTEMBER 30" and substitute "<u>DECEMBER</u> 31"; and in line 24, strike "OCTOBER 1, 2014" and substitute "<u>JANUARY 1, 2015</u>".

On page 7, strike beginning with ", FOR" in line 27 down through "BOARD," in line 28.

On page 8, strike beginning with ", FOR" in line 1 down through "BOARD," in line 2; strike beginning with ", FOR" in line 4 down through "BOARD," in line 5; and in line 21, strike "ON OR BEFORE".

On page 9, in line 18, strike "30" and substitute "31".

On page 19, in line 28, strike "BOARD" and substitute "COMMITTEE".

On page 21, in line 16, strike "(1)"; and strike in their entirety lines 20 through 22, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

# House Bill 272 – Delegates Reznik, Costa, Donoghue, and Krebs Krebs, and Bromwell

AN ACT concerning

# Health Occupations - Licensed Podiatrists - Scope of Practice <u>and Hospital</u> <u>Privileges</u>

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

# House Bill 304 – Delegate Reznik

AN ACT concerning

# State Acupuncture Board and State Board of Dietetic Practice – Action and Penalties for Violations of Practice Acts <u>and Supervisory Authority of Acupuncturists</u>

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 593 – Delegates Krebs, Costa, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

#### Morticians and Funeral Directors - Pre-Need Contracts

#### HB0593/824338/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO HOUSE BILL 593

(Third Reading File Bill)

On page 5, in line 2, strike "ITEMS" and substitute "PARAGRAPH".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

## House Bill 908 - Delegate Nathan-Pulliam

AN ACT concerning

State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensing, Certification, Regulation, Violations, and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1031 – Delegates Anderson, Cullison, and Pena-Melnyk

AN ACT concerning

# State Board of Morticians and Funeral Directors – Funeral Establishments – Unannounced Inspections

#### HB1031/204433/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 1031

(Third Reading File Bill)

On page 2, in line 29, after "<u>ESTABLISHMENT</u>" insert "<u>ONLY IF THE BOARD HAS PROVIDED A COPY OF THE COMPLAINT TO THE LICENSED FUNERAL ESTABLISHMENT</u>".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1042 – Delegates Anderson, Cullison, and Pena-Melnyk

AN ACT concerning

State Board of Morticians and Funeral Directors – Funeral Establishments Owned by a Single Owner – Pre–Need Trustee Licenses and Public Notification of Death

#### HB1042/794937/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO HOUSE BILL 1042

(Third Reading File Bill)

On page 3, in line 10, strike "and".

On page 6, in line 1, strike "HAVE" and substitute "HAS".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #55

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 4 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages - Vaportinis and Similar Devices - Prohibited

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 356 – Delegates Barkley, Schulz, Haddaway-Riccio, Clagett, Eckardt, Jameson, Olszewski, and Rudolph

AN ACT concerning

Alcoholic Beverages - Class 8 Farm Breweries - 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:

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 Stocksdale

AN ACT concerning

Alcoholic Beverages – Micro-Brewery Licenses – Retail Sale – Prepackaged Beer

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 600 – Delegates Luedtke, Barkley, Kaiser, and Zucker

AN ACT concerning

Alcoholic Beverages - Farmers' Market Permit - Establishment

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #56

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 125 – Delegates Rosenberg, Parrott, Barve, Cardin, Ivey, and Summers

AN ACT concerning

Election Law - Petitions - Prohibited Actions

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 270 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

# **General Provisions Article**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 658 – Delegates Carter, Glass, Hough, Parrott, and Smigiel Smigiel, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

# Public Information Act - State Public Information Act Compliance Board - Establishment

<u>Joint Committee on Transparency and Open Government – Study on Appeals</u> <u>Under the Maryland Public Information Act</u>

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 969 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

General Provisions - Cross-References and Corrections

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 999 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Code Revision - Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #57

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 14 – Senator Reilly

AN ACT concerning

# Task Force to Study Starting Times for Maryland Public Schools

#### SB0014/934239/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO SENATE BILL 14

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Reilly" and substitute "Senators Reilly, Benson, Jennings, and Simonaire"; in line 2, strike "Task Force to" and substitute "Department of Health and Mental Hygiene —"; in the same line, after "Study" insert "of"; in the same line, strike "Starting Times for Maryland Public Schools" and substitute "Safe and Healthy School Hours for Maryland Public Schools"; and strike in their entirety lines 3 through 12, inclusive, and substitute:

"FOR the purpose of requiring the Office of Public Health Services in the Department of Health and Mental Hygiene to conduct a certain study of safe and healthy school hours for Maryland public schools, consult with certain persons, make recommendations relating to alternative school day starting times for Maryland public schools, and submit a certain report to the Governor and the General Assembly on or before a certain date; and generally relating to a study of safe and healthy school hours for public schools in Maryland.".

#### AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 26 on page 2, inclusive, and substitute:

- "(a) The Office of Public Health Services in the Department of Health and Mental Hygiene shall conduct a study of safe and healthy school hours for Maryland public schools.
- (b) In conducting the study required under subsection (a) of this section, the Office of Public Health Services shall:".

On page 3, in line 3, strike the second "and"; after line 3, insert:

"(3) consult with the following persons:

Pediatrics;

disorders;

- the State Board of Education; <u>(i)</u> <u>(ii)</u> the Maryland Association of Boards of Education; the Public School Superintendents Association of Maryland; (iii) (iv) the Maryland State Education Association; the Maryland Association of School Principals; <u>(v)</u> the State Department of Education; (vi) a mental health professional who specializes in young adult (vii) and adolescent health issues; (viii) the School Psychologists Association; a pediatrician who has expertise in adolescent health care; (ix)(x) the Maryland Chapter of the American Academy of a doctor who specializes in child and adolescent sleep (xi) (xii) the Maryland Sleep Society;
  - (xiii) the Maryland Department of Transportation;
  - (xiv) Start School Later;
  - the Maryland PTA; (xv)
  - (xvi) a student enrolled in a Maryland public high school;
- (xvii) an athletic director or a coach employed by a Maryland public middle or high school who has expertise in after-school sports activities; and

(xviii) one representative of the Maryland School Psychologist Association; and";

in line 4, strike "(3)" and substitute "(4)"; in line 6, strike "(g)" and substitute "(c)"; in the same line, strike "the Task Force" and substitute "the Office of Public Health Services"; and strike beginning with "It" in line 10 down through "effect." in line 12.

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 910 – Senators Madaleno, Benson, Colburn, Currie, Feldman, Forehand, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Montgomery, Pinsky, and Young

AN ACT concerning

Education - Federal Elementary and Secondary Education Act - Waivers

#### SB0910/654738/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENTS TO SENATE BILL 910

(First Reading File Bill)

# AMENDMENT NO. 1

On page 1, in line 2, strike "Waivers" and substitute "Waiver Requests"; strike beginning with "certain" in line 3 down through "waivers;" in line 11 and substitute "the State Department of Education to submit a certain request for a waiver from the federal Elementary and Secondary Education Act to the Legislative Policy Committee before the Department submits the proposed waiver request to the United States Department of Education; requiring the State Department of Education to give the Legislative Policy Committee a certain amount of time to review and comment on a certain proposed waiver request;"; and in lines 11 and 12, strike "the request" and substitute "requests".

#### AMENDMENT NO. 2

On page 2, in line 1, before "IF" insert "(A)"; in the same line, strike "REQUESTS" and substitute "INTENDS TO REQUEST"; in line 3, after "ACT" insert ", BEFORE SUBMITTING THE REQUEST TO THE UNITED STATES DEPARTMENT OF EDUCATION,"; strike beginning with the colon in line 3 down through "THE" in line 4 and substitute "THE"; in line 4, strike "SHALL" and substitute "SHALL:

- (1) SUBMIT THE PROPOSED WAIVER REQUEST TO THE LEGISLATIVE POLICY COMMITTEE; AND
- (2) ALLOW THE LEGISLATIVE POLICY COMMITTEE AT LEAST 30
  DAYS AFTER THE COMMITTEE RECEIVES THE PROPOSED WAIVER REQUEST TO
  REVIEW AND COMMENT ON THE PROPOSED WAIVER REQUEST.
- (B) THE DEPARTMENT SHALL PROVIDE ANY ADDITIONAL INFORMATION REGARDING THE PROPOSED WAIVER REQUEST IF REQUESTED BY THE LEGISLATIVE POLICY COMMITTEE.";

and strike beginning with "ADOPT" in line 4 down through "REGULATIONS." in line 14.

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 1113 – Senators Pugh and Conway

AN ACT concerning

#### Baltimore City - Alcoholic Beverages - Transfer of License

Senator Jones–Rodwell moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

# THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #58

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 18 - Delegate Stein

AN ACT concerning

Institutions of Higher Education – Student Notification – Financial Information

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 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-Melnyk, Pendergrass, Ready, Reznik, Serafini, Smigiel, B. Robinson, Rosenberg, Schulz, Sophocleus, Stocksdale. Summers. Stukes. Swain. V. Turner. Valderrama. Vallario, Valentino-Smith, 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

HB0396/254337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 396 (Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, strike "Commission on" and substitute "<u>Department of Disabilities – Study of</u>"; strike beginning with "establishing" in line 4 down through "Commission" in line 9 and substitute "<u>requiring the Department of Disabilities</u>, in <u>cooperation with the National Federation of the Blind</u>,"; in line 10, strike "certain matters" and substitute "<u>accessibility concepts in computer science</u>, <u>information systems</u>, and <u>information technology programs in higher education</u>"; and in the same line, strike "Commission" and substitute "<u>Department</u>".

On page 2, strike beginning with "Commission" in line 1 down through "Education" in line 2 and substitute "study of accessibility concepts in computer science, information systems, and information technology programs in higher education".

#### AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 17 on page 3, inclusive, and substitute:

- "(a) The Department of Disabilities, in cooperation with the National Federation of the Blind, shall study accessibility concepts in computer science, information systems, and information technology programs in higher education.
- (b) As part of the study, the Department shall convene a workgroup that consists of:
- (1) provosts, Chief Information Officers, and faculty members in computer science, information systems, and information technology programs in higher education from:
  - (i) the University System of Maryland;
  - (ii) Morgan State University;
  - (iii) St. Mary's College of Maryland;
  - (iv) private nonprofit institutions of higher education in the

#### State; and

(v) community colleges; and

- (2) members who are:
  - (i) <u>accessibility experts;</u>
  - (ii) web developers; and
- (iii) any other individuals with knowledge that would benefit the Department in its study.".

On page 3, in line 18 and on page 4, in line 13 strike "(f)" and "(g)", respectively, and substitute "(c)" and "(d)", respectively.

On page 3, in line 24 and on page 4, in lines 8, 10, 12, 13, and 18, in each instance, strike "Commission" and substitute "Department".

The preceding 2 amendments were read and adopted.

<u>Favorable report</u>, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 883 – Delegates A. Miller, Arora, Barkley, Barve, Bobo, Boteler, Carr, Cullison, Dumais, Fraser-Hidalgo, Frick, George, Gutierrez, Guzzone, Hucker, A. Kelly, McMillan, Pena-Melnyk, S. Robinson, F. Turner, and A. Washington A. Washington, and Cardin

AN ACT concerning

Task Force to Department of Health and Mental Hygiene – Study of Safe and Healthy School Hours for Maryland Public Schools

#### HB0883/584337/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 883 (Third Reading File Bill) On page 3, in line 26, strike "boards of education" and substitute "Association of Boards of Education;

(iii) the Public School Superintendents Association of Maryland";

in lines 27, 28, and 29, strike "(iii)", "(iv)", and "(v)", respectively, and substitute "(iv)", "(v)", and "(vi)", respectively.

On page 4, after line 2, insert:

"(viii) the School Psychologists Association;";

and in lines 1, 3, 4, 6, 8, 9, 10, 11, 12, 13, and 15, strike "(vi)", "(vii)", "(viii)", "(ix)", "(xi)", "(xii)", "(xiii)", "(xiii)", "(xiv)", and "(xvi)", respectively, and substitute "(vii)", "(ix)", "(xi)", "(xi)", "(xii)", "(xiii)", "(xiv)", "(xvi)", "(xvi)", "(xvi)", "(xvii)", and "(xviii)", respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1001 – Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Branch, Cane, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes, Summers, Swain, F. Turner, Vaughn, Walker, A. Washington, M. Washington, and Zucker

AN ACT concerning

Education – Federal Elementary and Secondary Education Act – <del>Waivers</del> Waiver Requests

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1167 – Delegates Hixson, Anderson, Barkley, Barve, Bates, Beitzel, Cane, Cardin, Conway, Cullison, DeBoy, Frick, Frush, Gaines, George, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Lafferty, Luedtke, A. Miller, Mitchell, Mizeur, Myers, Olszewski, Proctor, S. Robinson, Schulz, Serafini, Simmons, Sophocleus, Stukes. Summers. Swain. F. Turner. Vaughn, A. Washington, M. Washington, and Zucker, and Fraser-Hidalgo

AN ACT concerning

Teachers and Principals - Performance Evaluation Criteria - Use of Student Growth Data

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1215 – Delegates Bohanan, Barve, Healey, Hixson, Jameson, Kaiser, Murphy, and Wilson

AN ACT concerning

# Higher Education - 2+2 Transfer Scholarship

#### HB1215/254436/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO HOUSE BILL 1215

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 6, strike the comma; and in line 14, after "10-101(c)" insert "and (m)".

## AMENDMENT NO. 2

On page 2, after line 21, insert:

"(m) "Public senior higher education institution" means:

- (1) The constituent institutions of the University System of Maryland and the University of Maryland Center for Environmental Science;
  - (2) Morgan State University; and
  - (3) St. Mary's College of Maryland.".

On page 3, in lines 28 and 29, strike "4–year public or private nonprofit institution of higher education" and substitute "<u>PUBLIC SENIOR HIGHER</u> <u>EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION</u>".

On page 4, in lines 10 and 11, strike "4–year public or private nonprofit institution of higher education" and substitute "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION"; in lines 13 and 14, strike "4–year public or private nonprofit institution of higher education" and substitute "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION"; and in line 17, strike "that 4–year institution" and substitute "A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OF A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION INSTITUTION OF A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE".

On page 5, in line 6, strike "4–YEAR PUBLIC" and substitute "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION"; in the same line, after "OR" insert "A"; in lines 17 and 18, strike "4–year public or private nonprofit institution of higher education" and substitute "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION"; and in lines 20 and 21, strike "4–year public or private nonprofit institution of higher education" and substitute "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1366 - Delegates Cardin, Howard, Gutierrez, Aumann, and Frush

AN ACT concerning

# Public Schools - Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction - Graduation Requirement (Breanna's Law)

#### HB1366/404437/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENTS TO HOUSE BILL 1366

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after "Resuscitation" insert "and Automated External Defibrillator"; strike line 3 in its entirety and substitute "Instruction"; in line 5, after "of" insert "requiring a public school student to complete, as part of certain curricula, instruction in cardiopulmonary resuscitation that includes hands—only cardiopulmonary resuscitation and the use of an automated external defibrillator beginning with students entering a certain grade in a certain year;"; in line 9, after "provide" insert ", as part of certain curricula,"; in the same line, after "resuscitation" insert "that includes hands—only cardiopulmonary resuscitation and the use of an automated external defibrillator"; strike beginning with "providing" in line 13 down through "certification" in line 14 and substitute "requiring, if the instruction is offered for certification, a certain individual to conduct the instruction"; in line 15, before "a" insert ", if the instruction is not offered for certification,"; in line 18, after "resuscitation" insert "and the use of an automated external defibrillator"; and in line 20, strike "for certain public school students".

#### AMENDMENT NO. 2

On page 2, after line 16, insert:

"(B) BEGINNING WITH STUDENTS ENTERING GRADE 9 IN THE 2015–2016 SCHOOL YEAR, A STUDENT SHALL COMPLETE, AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM, INSTRUCTION IN CARDIOPULMONARY RESUSCITATION THAT INCLUDES HANDS-ONLY CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.";

in line 17, strike "(B)" and substitute "(C)"; in line 18, after "PROVIDE" insert ", AS PART OF THE HEALTH OR PHYSICAL EDUCATION CURRICULUM,"; in the same line, after "RESUSCITATION" insert "THAT INCLUDES HANDS—ONLY CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR"; in line 20, strike "7" and substitute "9"; in line 22, strike "(C)" and substitute "(D)"; in line 23, strike "SUBSECTION (B)" and substitute "SUBSECTIONS (B) AND (C)"; and in line 30, after "RESUSCITATION" insert "AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR".

### AMENDMENT NO. 3

On page 3, in line 2, after "RESUSCITATION" insert "AND TO USE AN AUTOMATED EXTERNAL DEFIBRILLATOR"; after line 3, insert:

"(E) (1) IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION IS OFFERED FOR CERTIFICATION, THE COURSE MUST BE CONDUCTED BY AN INDIVIDUAL WHO IS CERTIFIED BY THE AMERICAN HEART ASSOCIATION, THE AMERICAN RED CROSS, OR A SIMILAR NATIONALLY RECOGNIZED ENTITY AS AN INSTRUCTOR OF CARDIOPULMONARY RESUSCITATION AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR.";

strike in their entirety lines 10 and 11; in line 12, strike "A" and substitute "IF THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION IS NOT OFFERED FOR CERTIFICATION, A"; in line 13, strike "LICENSED"; in line 15, after "RESUSCITATION" insert "AND THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR"; and in line 17, strike "(E)" and substitute "(F)".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1388 – <del>Delegate Pena-Melnyk</del> <u>Delegates Pena-Melnyk, Cardin, Howard, Ivey, Kaiser, A. Miller, Stukes, Summers, and F. Turner</u>

AN ACT concerning

# State Department of Education – Assessment Report for Broadband Capabilities in Public Schools

#### HB1388/564939/1

BY: Education, Health, and Environmental Affairs Committee

# AMENDMENT TO HOUSE BILL 1388

(Third Reading File Bill)

On page 1, in line 16, strike "speed" and substitute "throughput"; and in the same line, strike "gigabyte" and substitute "gigabit".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

# House Bill 1453 – <del>Delegates Jones, Burns, DeBoy, and Nathan-Pulliam</del> Baltimore County Delegation <del>and Delegate Cardin</del>

AN ACT concerning

# Education - Baltimore County School Board Nominating Commission Baltimore County - Board of Education - Selection of Members

#### HB1453/604232/1

BY: Education, Health, and Environmental Affairs Committee

### AMENDMENT TO HOUSE BILL 1453

(Third Reading File Bill)

On page 8, in lines 26 and 27, strike "BALTIMORE COUNTY PARENT TEACHER ASSOCIATION COUNCIL" and substitute "PTA COUNCIL OF BALTIMORE COUNTY, INC.".

On page 14, after line 22, insert:

- "I(a) The Baltimore County Board consists of 12 members who shall be appointed as follows:
  - (1) Four from the county at large;
- (2) One from each of the seven councilmanic districts in Baltimore County; and
  - (3) One student member from the county at large.
  - (b) (1) The student member shall:
- (i) Be an eleventh or twelfth grade student in the Baltimore County public school system;
  - (ii) Serve for 1 year; and
  - (iii) Advise the board on the thoughts and feelings of students.
- (2) Unless invited to attend by an affirmative vote of a majority of the county board, the student member may not attend an executive session that relates to:
  - (i) Hearings on appeals of special education placements;
  - (ii) Hearings held under § 6–202(a) of this article; or
  - (iii) Collective bargaining.
- (3) As provided in paragraph (4) of this subsection, the student member may vote on all matters except those relating to:
  - (i)  $\S 6-202(a)$  of this article;
  - (ii) Collective bargaining;
  - (iii) Capital and operating budgets; and

- (iv) School closings, reopenings, and boundaries.
- (4) On a majority vote of the nonstudent members, the board may determine, on a case—by—case basis, whether a matter under consideration is covered by the exclusionary provisions listed in paragraph (3) of this subsection.
- (c) A board member who does not maintain his residential qualification shall be replaced as a member.
- (d) If the boundary line of a councilmanic district is changed, the term of an incumbent member of the county board who no longer resides in the councilmanic district because of the change is not affected during this term.]".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON BUDGET AND TAXATION REPORT #26

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 454 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

## Gaming - Emergency Suspension of License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 460 – Chair, Ways and Means Committee (By Request – Departmental – Lottery and Gaming Control Agency)

AN ACT concerning

### Gaming - Background Investigations

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 699 – Delegates Murphy, Barve, Branch, Fisher, Glenn, A. Miller, Serafini, Stukes, Valderrama, Walker, A. Washington, and Wilson

AN ACT concerning

Income Tax – Subtraction Modification – Unreimbursed Expenses of Foster Parents

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 907 – Delegates Olszewski, Barkley, Bohanan, DeBoy, Elliott, Guzzone, Kach, Kaiser, Krebs, Lafferty, Luedtke, McComas, McMillan, Mitchell, Morhaim, Murphy, Schulz, Simmons, Sophocleus, Stocksdale, and Wilson, and Cardin

AN ACT concerning

Video Lottery Facility Payouts - Intercepts for Child Support Payments

#### HB0907/469830/1

BY: Budget and Taxation Committee

# AMENDMENTS TO HOUSE BILL 907

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 2, strike beginning with "the" in line 3 down through "date;" in line 9 and substitute "certain video lottery operation licensees to provide certain notices to certain obligors who win certain prizes and who owe child support; requiring certain video lottery operation licensees to make certain payments, withhold certain amounts, and transfer certain amounts under certain circumstances; authorizing certain obligors to appeal certain proposed transfers; requiring the Child Support Enforcement Administration to notify the video lottery operation licensee on the distribution of certain prizes; prohibiting a video lottery operation licensee from being held liable for certain acts or omissions; requiring certain video lottery operation licensees to comply with a certain provision of law; defining certain terms;";

after line 10, insert:

"BY repealing and reenacting, with amendments,

<u>Article – Family Law</u>

Section 10–113.1

Annotated Code of Maryland

(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9-1A-24(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)";

and in line 13, strike "9-1A-02.1" and substitute "9-1A-24(h)".

#### AMENDMENT NO. 2

On page 2, after line 17, insert:

"Article – Family Law

<u>10–113.1.</u>

- (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
- (2) "VIDEO LOTTERY FACILITY" HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.
- (3) "VIDEO LOTTERY OPERATION LICENSEE" HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.
- [(a)] (B) The Administration may certify to the State Lottery and Gaming Control Agency the name of any obligor who is in arrears in the amount of \$150 or more if:
- (1) the Administration has accepted an assignment of support under § 5–312(b)(2) of the Human Services Article; or
- (2) the recipient of support payments has filed an application for support enforcement services with the Administration.
  - **[(b)] (C)** The certification shall contain:
- (1) the full name of the obligor, and any other names known to be used by the obligor;
  - (2) the Social Security number of the obligor; and
  - (3) the amount of the arrearage.
- [(c)] (D) If an obligor who has been certified as an obligor wins a lottery prize to be paid by check directly by the State Lottery and Gaming Control Agency, the State Lottery and Gaming Control Agency shall send a notice to the obligor that:
- (1) the obligor has won a prize to be paid by check directly by the State Lottery and Gaming Control Agency;

- (2) the State Lottery and Gaming Control Agency has received certification from the Child Support Enforcement Administration of the obligor's child support arrearage in the amount specified;
- (3) subsection **[(d)] (F)** of this section requires the State Lottery and Gaming Control Agency to withhold the prize to pay it towards the obligor's support arrearage;
- (4) the State Lottery and Gaming Control Agency proposes to transfer the prize, or that part of it which is equal to the support arrearage, to the Administration if no appeal is filed within 15 days;
- (5) the obligor may appeal to the Administration if the obligor disputes the existence or the amount of the arrearage;
- (6) if the obligor appeals to the Administration, the prize will be distributed as the Administration directs; and
- (7) <u>if no appeal is filed within 15 days, the prize, or that part of it equal to the support arrearage, will be transferred to the Administration.</u>
- (E) IF AN OBLIGOR WHO OWES CHILD SUPPORT AND HAS BEEN CERTIFIED AS AN OBLIGOR WINS A PRIZE AT A VIDEO LOTTERY FACILITY REQUIRING THE ISSUANCE OF INTERNAL REVENUE SERVICE FORM W-2G OR A SUBSTANTIALLY EQUIVALENT FORM BY A VIDEO LOTTERY OPERATION LICENSEE, THE VIDEO LOTTERY OPERATION LICENSEE SHALL PROVIDE A NOTICE TO THE OBLIGOR THAT:
- (1) THE OBLIGOR HAS WON A PRIZE TO BE PAID BY CASH OR CHECK DIRECTLY BY THE VIDEO LOTTERY OPERATION LICENSEE;
- (2) THE STATE LOTTERY AND GAMING CONTROL AGENCY HAS RECEIVED CERTIFICATION FROM THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION OF THE OBLIGOR'S CHILD SUPPORT ARREARAGE IN THE AMOUNT SPECIFIED;

- (3) SUBSECTION (F) OF THIS SECTION REQUIRES THE VIDEO LOTTERY OPERATION LICENSEE TO WITHHOLD THE PRIZE TO PAY IT TOWARDS THE OBLIGOR'S CHILD SUPPORT ARREARAGE;
- (4) THE VIDEO LOTTERY OPERATION LICENSEE PROPOSES TO TRANSFER THE PRIZE, OR THAT PART OF IT WHICH IS EQUAL TO THE CHILD SUPPORT ARREARAGE, TO THE ADMINISTRATION IF NO APPEAL IS FILED WITHIN 15 DAYS;
- (5) THE OBLIGOR MAY APPEAL TO THE ADMINISTRATION IF THE OBLIGOR DISPUTES THE EXISTENCE OR THE AMOUNT OF THE CHILD SUPPORT ARREARAGE;
- (6) IF THE OBLIGOR APPEALS TO THE ADMINISTRATION, THE PRIZE WILL BE DISTRIBUTED AS THE ADMINISTRATION DIRECTS; AND
- (7) IF NO APPEAL IS FILED WITHIN 15 DAYS, THE PRIZE, OR THAT PART OF IT EQUAL TO THE CHILD SUPPORT ARREARAGE, WILL BE TRANSFERRED TO THE ADMINISTRATION.
- [(d)] (F) If the prize exceeds the arrearage, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall immediately pay the excess to the obligor. The State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall withhold any part of the prize that does not exceed the arrearage until notified by the Administration to whom the withheld prize money shall be paid.
- [(e)] (G) Upon receipt of a notice from the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE any obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer within 15 days of the date of the notice to the Administration.
- [(f)] (H) If no appeal is filed within 15 days, the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE shall transfer the amount of the prize withheld to the Administration.

- [(g)] (I) The Administration shall notify the State Lottery and Gaming Control Agency OR VIDEO LOTTERY OPERATION LICENSEE that upon appeal, the withheld prize shall be:
  - (1) paid to the obligor;
  - (2) <u>transferred to the Administration; or</u>
- (3) partly paid to the obligor and partly transferred to the Administration, in the amounts specified.
- [(h)] (I) The State Lottery and Gaming Control Agency shall honor lottery prize interception requests in the following order:
  - (1) an interception request under this section;
- (2) an interception request under § 11–618 of the Criminal Procedure Article; and
- (3) an interception request under § 3–307 of the State Finance and Procurement Article.
- [(i)] (K) The Secretary of Human Resources and the Director of the State Lottery and Gaming Control Agency may jointly adopt regulations to implement this section.
- (L) A VIDEO LOTTERY OPERATION LICENSEE MAY NOT BE HELD LIABLE FOR AN ACT OR OMISSION TAKEN IN GOOD FAITH TO COMPLY SUBSTANTIALLY WITH THE REQUIREMENTS OF THIS SECTION.";

and strike in their entirety lines 19 through 22, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 24 on page 4 through line 17 on page 5, inclusive, and substitute:

"9-1A-24.

(a) Except as provided in subsection (b) of this section, the Commission shall ensure that a video lottery operation licensee complies with the requirements of this section as a condition of holding the video lottery operation license.

# (H) A VIDEO LOTTERY OPERATION LICENSEE SHALL COMPLY WITH § 10–113.1 OF THE FAMILY LAW ARTICLE.".

On page 5, in line 18, strike "<u>3.</u>" and substitute "<u>2.</u>"; and in line 19, strike "<u>June</u>" and substitute "<u>October</u>".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 932 - Delegates Murphy, Jameson, Wilson, and Wood

AN ACT concerning

# Charles County - Property Tax Credit - Senior Citizens Receiving Social Security Benefits

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 950 - Delegate Hogan

AN ACT concerning

Property Tax – Charitable, Educational, or Religious Properties – Tax on Formerly Exempt Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

## 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

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 1059 – Delegate Clagett

AN ACT concerning

# Transportation - Highway User Revenues - Local Government Reporting

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 1385 - Washington County Delegation

AN ACT concerning

#### Washington County Gaming Commission - Membership - Conflict of Interest

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 1409 – <del>Delegates McMillan and George</del> <u>Anne Arundel County</u> Delegation

AN ACT concerning

# Anne Arundel County - Collection of Hotel Taxes and Distribution of Revenues - City of Annapolis

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON FINANCE REPORT #35

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 35 – Delegate W. Miller

AN ACT concerning

#### Electric Reliability - Priorities and Funding

#### HB0035/577777/1

BY: Finance Committee

# **AMENDMENTS TO HOUSE BILL 35**

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 4, after "for" insert "targeting".

#### AMENDMENT NO. 2

On page 6, in line 1, after "COMPANY" insert "ASSESSED A PENALTY FOR A VIOLATION OF SERVICE QUALITY AND RELIABILITY STANDARDS UNDER THIS SECTION"; in line 2, after "FOR" insert "TARGETING"; in the same line, strike "OF POORLY" and substitute "EFFORTS TO IMPROVE ELECTRIC SERVICE QUALITY AND RELIABILITY FOR THE WORST"; in line 3, strike "THAT MAY BE PARTLY PAID FOR" and substitute "AND EQUIPMENT THAT SHALL BE PAID FOR, IN WHOLE OR IN PART,"; in line 4, strike "UNDER" and substitute ", AS AVAILABLE AND IN ACCORDANCE WITH".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 189 - Delegates Serafini, Dwyer, George, Glass, and Schuh

AN ACT concerning

Maryland Occupational Safety and Health Act – Chemical Information List – Submission to Department of the Environment – Repeal Submission,

Maintenance, and Accessibility

#### HB0189/367578/1

BY: Finance Committee

# AMENDMENTS TO HOUSE BILL 189

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 11 and 13, in each instance, after "<u>Department</u>" insert "<u>of Labor, Licensing, and Regulation</u>"; and in lines 16 and 18, in each instance, after "Department" insert "of the Environment".

#### AMENDMENT NO. 2

On page 3, in lines 15 and 16, strike "<u>THE ENVIRONMENT</u>" and substitute "<u>LABOR, LICENSING, AND REGULATION</u>"; and in line 17, strike "<u>THE ENVIRONMENT</u>" and substitute "<u>LABOR, LICENSING, AND REGULATION</u>".

On page 5, in line 17, strike "THE ENVIRONMENT" and substitute "LABOR, LICENSING, AND REGULATION".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 229 – <del>Delegate Hubbard</del> <u>Delegates Hubbard, Bromwell, Cullison, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Tarrant, and V. Turner</u>

AN ACT concerning

Public Health - Child Care Products Containing Flame-Retardant Chemicals - TDCPP - Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 298 – The Speaker (By Request – Administration) and Delegates Costa, Cullison, Frick, Gaines, Glenn, Hammen, Hucker, Kaiser, A. Kelly, Luedtke, Oaks, Pena–Melnyk, Reznik, and F. Turner

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 with amendments:

House Bill 723 – Delegates Kramer and Simmons

AN ACT concerning

Money Transmission – Protection <del>of Elder Adults</del> From Financial Abuse <del>and,</del> Financial Exploitation <del>– Training</del>, and Fraud – Requirements

HB0723/127379/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 723 (Third Reading File Bill) On page 4, strike beginning with "SOLELY" in line 22 down through "ENGAGES" in line 24; and in line 25, after "INTERNET" insert "; OR

# (2) (I) ENGAGES IN:

- 1. <u>SELLING OR ISSUING STORED VALUE DEVICES,</u>
  TRAVELER'S CHECKS, OR MONEY ORDERS, OR PROVIDING BILL PAYER
  SERVICES; OR
- 2. ANY COMBINATION OF SELLING OR ISSUING
  STORED VALUE DEVICES, TRAVELER'S CHECKS, OR MONEY ORDERS, OR
  PROVIDING BILL PAYER SERVICES; AND
- (II) DOES NOT ENGAGE IN ANY OTHER BUSINESS REGULATED UNDER THIS SUBTITLE".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

#### House Bill 779 – Delegate Hammen

AN ACT concerning

# Maryland Health Care Commission – Health Care Provider–Carrier Workgroup

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

#### House Bill 1207 – Delegate Simmons

AN ACT concerning

# Department of Labor, Licensing, and Regulation – Youth Apprenticeship Advisory Committee

#### HB1207/277974/1

BY: Finance Committee

## AMENDMENT TO HOUSE BILL 1207

(Third Reading File Bill)

On page 1, in line 2, strike "Department of Labor, Licensing, and Regulation" and substitute "Division of Labor and Industry".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1417 - Chair, Economic Matters Committee (By Request - Departmental - Labor, Licensing and Regulation)

AN ACT concerning

#### **Unemployment Insurance – Work Sharing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### THE COMMITTEE ON FINANCE REPORT #36

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 727 – Delegates Olszewski, Hucker, Barkley, Barnes, Braveboy, Burns, Carr, DeBoy, Frick, Frush, Glenn, Guzzone, Haynes, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, Kramer, Love, Luedtke, McHale, Minnick, Mitchell, Murphy, Niemann, Reznik, B. Robinson, Stukes, Swain, V. Turner, Valderrama, Valentino-Smith, Vaughn, A. Washington, M. Washington, Weir, and Zucker, and Fraser-Hidalgo

AN ACT concerning

## Procurement - Prevailing Wage - Applicability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 918 – <del>Delegate Costa</del> <u>Delegates Costa, Clippinger, and</u> M. Washington

AN ACT concerning

Business Regulation – Automated Purchasing Machines – Licensing of Buyers and Required Records

#### HB0918/617379/2

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 918

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 2, in line 9, strike "have" and substitute "<u>use</u>"; in line 10, strike "transactions" and substitute "<u>transaction under certain circumstances</u>"; and in line 22, after "<u>circumstances</u>;" insert "<u>authorizing a county or municipality to license automated purchasing machines and operators of automated purchasing machines;</u>".

#### AMENDMENT NO. 2

On page 4, in line 30, after "TO" insert ":

# (I) <u>LICENSE AUTOMATED PURCHASING MACHINES AND</u> OPERATORS OF AUTOMATED <u>PURCHASING MACHINES</u>; <u>OR</u>

<u>(II)</u>".

On page 15, in line 28, strike "<u>PARAGRAPH</u>" and substitute "<u>SUBPARAGRAPH</u>"; and in the same line, strike "<u>SUBSECTION</u>" and substitute "<u>PARAGRAPH</u>".

On page 16, in line 10, strike "14" and substitute "17".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

#### House Bill 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

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

#### House Bill 1060 – Delegates James and Rudolph

AN ACT concerning

Northeastern Maryland Additive Manufacturing Innovation Authority

#### HB1060/467577/1

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 1060

(Third Reading File Bill)

# AMENDMENT NO. 1

On page 2, in line 4, after "<u>Authority;</u>" insert "<u>specifying a certain legislative intent;</u>".

#### AMENDMENT NO. 2

On page 12, in line 1, strike "<u>Subject to</u>" and substitute "<u>In accordance With</u>"; in line 5, after "<u>(II)</u>" insert "<u>1.</u>"; in the same line, strike "<u>The State Allocation</u>" and substitute "<u>Any appropriation in a fiscal year</u>"; in line 6, strike "<u>IS</u>" and substitute "<u>Shall Be</u>"; in line 7, after "<u>Authority</u>" insert "<u>During The Same fiscal year</u>.

2. IN DETERMINING THE AMOUNT OF AN APPROPRIATION IN A FISCAL YEAR, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE APPROPRIATION";

in the same line, strike "<u>AND</u>"; in line 8, after "<u>AMOUNT</u>" insert "<u>COMMITTED TO BE</u>"; in the same line, strike the second "<u>THE</u>" and substitute "<u>CECIL AND HARFORD</u>"; and in line 9, after "<u>COUNTIES</u>" insert "<u>IN THE SAME FISCAL YEAR</u>".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1082 – Delegates Jameson, Love, Minnick, and Schuh

AN ACT concerning

Title Insurers – Statutory or Unearned Premium Reserve for Escrow Losses
Reserves

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1282 – Delegates Schulz, Afzali, Aumann, Bates, Beitzel, Bromwell, Clagett, DeBoy, Elliott, Frank, George, Hogan, Hough, Kipke, McComas, McDermott, Myers, Olszewski, Pena-Melnyk, Serafini, Stocksdale, and Szeliga Szeliga, A. Kelly, Krebs, Nathan-Pulliam, Ready, and Tarrant

AN ACT concerning

Public Health - Drug Overdose Deaths - <del>State and</del> Local Fatality Review Teams

#### HB1282/457773/1

BY: Finance Committee

#### AMENDMENTS TO HOUSE BILL 1282

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 9, in line 4, after "OFFICER" insert ", OR THE OFFICER'S DESIGNEE"; in line 6, after "SERVICES" insert ", OR THE DIRECTOR'S DESIGNEE"; in line 7, after "ATTORNEY" insert ", OR THE STATE'S ATTORNEY'S DESIGNEE"; in line 8, after "SCHOOLS" insert ", OR THE SUPERINTENDENT'S DESIGNEE"; and in line 24, after "COUNTY" insert ", OR THE DIRECTOR'S DESIGNEE".

On page 10, in line 5, after "<u>SERVICES</u>" insert ", <u>OR THE SECRETARY'S</u> <u>DESIGNEE</u>".

#### AMENDMENT NO. 2

On page 10, in line 30, after "PRACTICE" insert ", INCLUDING THE USE OF DEVICES THAT ARE PROGRAMMED TO DISPENSE MEDICATIONS ON A SCHEDULE OR SIMILAR TECHNOLOGY,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1456 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene - Board of Review - Jurisdiction

#### HB1456/397876/1

BY: Finance Committee

## AMENDMENTS TO HOUSE BILL 1456

(Third Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 19, after "date;" insert "providing for the application of this Act;".

#### AMENDMENT NO. 2

On page 15, after line 22, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to decisions of the Secretary of Health and Mental Hygiene issued on or after the effective date of this Act.";

and in line 23, strike "3." and substitute "4.".

The preceding 2 amendments were read and 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 1113 – Senators Pugh and Conway

AN ACT concerning

# Baltimore City - Alcoholic Beverages - Transfer of License

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

<u>Favorable report adopted.</u>

FLOOR AMENDMENT

#### SB1113/213328/1

BY: Senator Jones-Rodwell

#### AMENDMENTS TO SENATE BILL 1113

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 3, strike "one" and substitute "<u>certain</u>"; in line 4, strike "license from a certain block" and substitute "<u>licenses from certain blocks</u>"; and in the same line, strike "another block" and substitute "other blocks".

#### AMENDMENT NO. 2

On page 2, after line 15, insert:

# "(G) ONE CLASS B-D-7 LICENSE MAY BE TRANSFERRED FROM THE 900 BLOCK TO THE 1700 BLOCK OF NORTH CHARLES STREET.".

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. 818)

#### ADJOURNMENT

At 12:30 P.M. on motion of Senator Robey, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 24, 2014, Calendar Day, Wednesday, April 2, 2014.