

Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2010 Regular Session

Volume II

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

...

Mary Monahan
Chief Clerk

Library and Information Services
and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)

Other Areas: (1-800-492-7122)

TTY: (410-946-5401) (301-970-5401)

TTY users may also call the

Maryland Relay Service to contact the General Assembly.

E-Mail: libr@mlis.state.md.us

Home Page: <http://mlis.state.md.us>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

2010 HOUSE JOURNAL INDEX OF DAYS

<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 13	1	March 3	1217
January 14	65	March 4	1242
January 15	70	March 5	1256
January 18	83	March 8	1271
January 19	105	March 9	1325
January 20	107	March 10	1356
January 21	134	March 11	1380
January 22	154	March 12	1400
January 25	180	March 15	1428
January 26	212	March 16	1450
January 27	217	March 17	1512
January 28	259	March 18	1559
January 29	283	March 19	1585
February 1	339	March 20	1635
February 2	378	March 21	1668
February 3	398	March 22	1747
February 4	466	March 23	1819
February 5	506	March 24	2069
February 9	550	March 25	2282
February 10	596	March 26	2347
February 11	653	March 27	2432
February 12	655	March 28	2516
February 15	741	March 29	2567
February 16	775	March 30	2599
February 17	786	March 31	2667
February 18	883	April 1	2748
February 19	1034	April 2	2877
February 22	1048	April 3	2995
February 23	1064	April 4	3183
February 24	1084	April 5	3286
February 25	1125	April 6	3303
February 26	1145	April 7	3386
March 1	1177	April 8	3476
March 2	1194	April 9	3594

Annapolis, Maryland
Thursday, February 18, 2010

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 85)

The Journal of February 17, 2010 was read and approved.

EXCUSES:

Del. Carter – illness

Del. Donoghue – doctor’s appointment

Del. Impallaria – doctor’s appointment

Del. Minnick – doctor’s appointment

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1183 – Delegate Oaks

AN ACT concerning

Motor Vehicles – Access to and Removal of Towed Vehicles

FOR the purpose of requiring certain persons who take an abandoned vehicle into custody to make the vehicle available to certain persons for certain purposes; authorizing certain persons to refuse to allow removal of a towed vehicle until full payment has been made for towing and storage charges; requiring certain persons to accept certain forms of payment for outstanding towing or storage charges; and generally relating to access to and removal of towed vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 25–203

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1184 – Delegates Murphy, Glenn, Ross, and V. Turner

AN ACT concerning

**Business Occupations – Plumbers and Gas Fitters – Apprentice License
Renewal**

FOR the purpose of authorizing the State Board of Plumbing to renew an apprentice plumber license or apprentice natural gas fitters license for no more than a certain number of consecutive terms except under certain circumstances; requiring an apprentice who has held a certain license for a certain period of time to appear before the Board for a certain explanation under certain circumstances; authorizing the Board to renew or refuse renewal of a certain license under certain circumstances; authorizing the Board to renew a certain license for an additional term under certain circumstances; authorizing the Board to grant certain additional renewals under certain circumstances; and generally relating to renewal of apprentice plumber licenses and apprentice natural gas fitters licenses.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 12–101(b) and (c) and 12–307(c) and (g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 12–308.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1185 – Delegate Anderson

AN ACT concerning

Family Law – Marital Property – Military Pensions

FOR the purpose of requiring a court that transfers ownership of an interest in a military pension under certain provisions of law to base the transfer on the rank and years of service of the member of the military on the day the annulment or divorce decree is granted using the current value of the rank and years of service at the time of retirement; establishing that an interest in the portion of

a military pension derived from military service by a member of the military before a marriage may not be considered marital property; establishing that an interest in the portion of a military pension derived from pay increases attributable to promotion or additional time served by a member of the military after an annulment or a divorce decree is granted may not be considered marital property; and generally relating to marital property and military pensions.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 8–203
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1186 – Delegates Barve and Donoghue

AN ACT concerning

Sales and Use Tax – Taxable Price – Mandatory Gratuity

FOR the purpose of altering a certain exclusion from the definition of “taxable price” under the sales and use tax for certain mandatory gratuities or service charges for serving food or beverage for consumption on the premises of the vendor; and generally relating to the sales and use taxation of certain mandatory gratuities and service charges.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(l)(3)(i)4.
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1187 – Delegates Anderson, Branch, Harrison, Krysiak, Love, McIntosh, Oaks, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Baltimore City – Marriage License Fee – Increase

FOR the purpose of providing for the maximum amount of the additional fee for a marriage license that the Baltimore City Mayor and the Baltimore City Council are authorized to set by ordinance; requiring the clerk of the court to pay the proceeds from the additional fee to the House of Ruth; requiring the Mayor to

prepare and make available a certain annual report on or before a certain date each year; and generally relating to marriage license fees in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–404(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1188 – Delegate Hubbard

AN ACT concerning

State Board of Professional Counselors and Therapists – Membership

FOR the purpose of clarifying certain qualifications for licensed clinical professional counselors to be eligible to serve as members of the State Board of Professional Counselors and Therapists; and generally relating to the qualifications of the clinical professional counselor members of the State Board of Professional Counselors and Therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–202
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1189 – Delegates Bartlett, Bates, Boteler, G. Clagett, Dwyer, Elliott, Elmore, Frank, Jenkins, Kach, Krebs, Kullen, Miller, Montgomery, Murphy, Norman, Shank, Sossi, and Stocksdale

AN ACT concerning

Property Tax Exemption – Farm or Agricultural Property Subject to an Easement

FOR the purpose of providing a State property tax exemption for certain property that is actively used for farm or agricultural purposes and is subject to an easement or other interest that is conveyed or assigned to certain entities; providing for the application of this Act; and generally relating to a State property tax exemption for certain property.

BY adding to

Article – Tax – Property
Section 7–308
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1190 – Delegate Bromwell

AN ACT concerning

Health Occupations Boards – Discipline of Health Care Providers – Failure to Comply with Governor’s Order

FOR the purpose of authorizing certain health occupations boards to take certain actions against certain health care providers under certain circumstances and subject to certain hearing provisions; prohibiting certain health care providers from knowingly and willfully failing to comply with certain provisions of law; subjecting certain health care providers to certain discipline under certain circumstances; and generally relating to the discipline of health care providers for the failure to comply with the Governor’s order relating to catastrophic health emergencies.

BY adding to

Article – Health Occupations
Section 1–214
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 14–3A–03(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 14–3A–08
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1191 – Delegates McIntosh, Bobo, Cane, Carr, V. Clagett, Glenn, Healey, Holmes, Lafferty, Niemann, Shewell, Sossi, and Stein

AN ACT concerning

Natural Resources – Oyster Poaching – Hearing

FOR the purpose of providing that a certain person who receives a citation for a certain offense related to unlawfully taking oysters may have a certain license revoked under certain circumstances; establishing certain grounds for the revocation of a certain license; requiring the Department of Natural Resources to hold a certain hearing under certain circumstances in accordance with the Administrative Procedure Act; requiring the Department to revoke a person's license to catch oysters under certain circumstances; authorizing certain aggrieved persons to obtain judicial review of a certain decision; prohibiting a certain person from using or receiving a certain license under certain circumstances; and generally relating to unlawfully taking oysters and license revocation.

BY adding to

Article – Natural Resources

Section 4–1210

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1192 – Delegates Stukes, Haynes, and Kirk

AN ACT concerning

Creation of a State Debt – Baltimore City – Southwest Senior and Community Multipurpose Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors for the Communities Organized to Improve Life, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1193 – Delegates Carr, Barkley, Bobo, Bronrott, Cardin, Frick, Frush, Hecht, Heller, Hucker, Kaiser, Kramer, Lee, Manno, Mizeur, Montgomery, Ross, Taylor, and Waldstreicher

AN ACT concerning

Vehicle Laws – Bicycles and Motor Scooters – Rules of the Road

FOR the purpose of authorizing a person operating a bicycle to ride the bicycle in or through a crosswalk in certain locations under certain circumstances; requiring a vehicle to yield the right-of-way under certain circumstances to a bicycle that is lawfully in a crosswalk; creating an exception for an operator of a bicycle or motor scooter to the prohibition against passing another vehicle to the right by driving off the roadway; authorizing, under certain circumstances, a person who is operating a bicycle or motor scooter to use the roadway even if a shoulder is present; altering the definition of “bicycle”; altering the definition of “crosswalk” to reflect circumstances where an unmarked bicycle way crosses a roadway; altering the definition of “shoulder” to reflect certain authorized uses; making certain stylistic changes; and generally relating to the rules of the road for operating bicycles and motor scooters.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–104, 21–101(i) and (v), 21–202(e) and (k), 21–304(c), 21–1103, and 21–1205.1

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–101(c), (d), and (e), 21–202(b), (c), (d), (i), and (j), and 21–304(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1194 – Delegates Hecht, Bobo, Carr, G. Clagett, Dumais, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, and Rudolph

AN ACT concerning

Criminal Procedure – Registration of Sexual Offenders – Continuing Course of Conduct

FOR the purpose of adding to the definition of child sexual offender for the purpose of a certain offender registry a person who has been convicted of a certain offense of continuing course of conduct with a child; providing a certain term of registration for certain child sexual offenders; providing for the application of this Act; and generally relating to the registration of sexual offenders.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 11–701(c) and 11–707(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1195 – Delegates O’Donnell, Aumann, Bates, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Jenkins, Krebs, McComas, Serafini, Shank, Shewell, Sossi, Stocksdale, and Stull

AN ACT concerning

Ethics – Executive Branch – Lobbying by Former Officials

FOR the purpose of prohibiting certain former Executive Branch officials from engaging in certain employment for a certain period of time; providing exceptions to the employment prohibition; and generally relating to lobbying by former Executive Branch officials.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–504(d)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1196 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Dorset Road
Reconstruction**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,440,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1197 – Delegates Ramirez, Barnes, Cane, Cardin, Conaway, Conway, Frick, Ivey, Kaiser, Kullen, Lafferty, Levi, McIntosh,

**Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Robinson,
Ross, Stocksdales, Stukes, and Tarrant**

AN ACT concerning

**Maryland Afterschool and Summer Learning Activity Program – Income Tax
Checkoff**

FOR the purpose of establishing the Maryland Afterschool and Summer Learning Activity Program to provide grants to certain organizations that serve certain public school youth; requiring the Governor’s Office for Children to administer the Program; requiring that to be eligible for a grant from the Program the organization must adopt certain standards, serve the youth at least a certain number of hours, and offer certain high quality activities; requiring an organization that receives a grant from the Program to prepare a certain report; establishing the Maryland Afterschool and Summer Learning Activity Fund to provide funds for the Program; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; establishing a certain income tax checkoff system for voluntary contributions to the Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system includes a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing for the application of this Act; and generally relating to the Maryland Afterschool and Summer Learning Activity Program and an income tax checkoff system for contributions to provide funds for the Program.

BY adding to

Article – State Government

Section 9–2801 and 9–2802 to be under the new subtitle “Subtitle 28. Maryland
Afterschool and Summer Learning Activity Program”

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Tax – General

Section 2–113 and 10–804(i)

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1198 – Delegates Braveboy, Davis, and Griffith

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Olde Mill Community
and Teaching Center**

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

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

House Bill 1199 – Delegate Malone

AN ACT concerning

Motor Vehicles – Salvage – Standards and Requirements

FOR the purpose of prohibiting a person from using certain costs to determine the cost to repair a motor vehicle for highway operation under the motor vehicle salvage program; providing that certain persons that acquire certain nonrepairable motor vehicles may only sell the motor vehicles to certain other persons; limiting the pool of motor vehicles in need of repair for which an insurance company is required to provide certain notice to the Motor Vehicle Administration under certain circumstances; and generally relating to standards and requirements under the motor vehicle salvage program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–506 and 13–506.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1200 – Calvert County Delegation

AN ACT concerning

Calvert County – Special Taxing Districts

FOR the purpose of providing that any funds remaining in a special taxing district established in Calvert County under certain authority at the termination of the special taxing district may be applied to certain future special taxing districts or

returned to owners of property in the special taxing district in a certain manner; and generally relating to funds remaining in a special taxing district established in Calvert County under certain authority at the termination of the special taxing district.

BY repealing and reenacting, without amendments,
The Public Local Laws of Calvert County
Section 4–103(c)
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2008 Supplement, as amended)

BY adding to
The Public Local Laws of Calvert County
Section 4–103(d)
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2008 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1201 – Calvert County Delegation

AN ACT concerning

Calvert County – Noise Control Ordinance

FOR the purpose of authorizing the County Commissioners of Calvert County to enact an ordinance adopting environmental noise standards, sound level limits, and certain noise controls under certain circumstances, authorizing the Calvert County Sheriff's Office to enforce the ordinance, and providing that a violation of the ordinance is a civil offense subject to a certain fine; and generally relating to noise control in Calvert County.

BY adding to
The Public Local Laws of Calvert County
Section 13–101 to be under the new title “Title 13. Noise Control”
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2008 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1202 – Delegate Stein

AN ACT concerning

Business Regulation – Franchises – Copies of Documents to Franchisees

FOR the purpose of prohibiting a franchisor from selling a franchise in the State without first giving a prospective franchisee a copy of the offering prospectus and a copy of each proposed agreement that relates to the sale of the franchise at the earlier of: a certain period of time before the execution of a certain binding agreement, a certain period of time before payment of certain consideration, or at the prospective franchisee's reasonable request to receive a copy of the offering prospectus; and generally relating to providing copies of certain documents to franchisees.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 14–223
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1203 – Delegate Frick

AN ACT concerning

Consumer Protection – Cable Operators – Purchase of Cable Converter Box

FOR the purpose of requiring a cable operator to provide certain options to certain subscribers concerning purchase of a cable converter box; providing that a cable operator may continue to offer certain options; prohibiting a cable operator from discriminating between certain subscribers under certain circumstances; providing for the construction of this Act; making a violation of this Act an unfair or deceptive trade practice subject to certain enforcement and penalty provisions; defining certain terms; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to consumer protection and cable service subscribers.

BY renumbering
Article – Commercial Law
Section 13–301(14)(xxiv) through (xxvii), respectively
to be Section 13–301(14)(xxv) through (xxviii), respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxiv) and 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1204 – Delegate Niemann

AN ACT concerning

Vehicle Laws – Driving While License Refused, Suspended, Canceled, or Revoked – Penalty

FOR the purpose of altering certain provisions relating to driving a motor vehicle while a license or privilege to drive issued by this State or any other state is refused, suspended, canceled, or revoked; providing that in a certain prosecution certain records shall be prima facie evidence of certain facts; providing that the introduction of certain records does not preclude the introduction of certain other evidence; altering certain penalties and a certain assessment of points for certain offenses relating to driving a motor vehicle while a license or privilege to drive issued by this State or any other state has been refused, suspended, canceled, or revoked; making certain technical corrections; and generally relating to driving while a license or privilege to drive has been refused, suspended, canceled, or revoked.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–303, 16–402(a)(13), 16–404.1(b)(3) and (4), and 27–101(c) and (h)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing

Article – Transportation

Section 16–402(a)(12) and (31)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 16–402(a)(13) and 27–101(dd)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Transportation

Section 16–402(a)(32) through (38), respectively

to be Section 16–402(a)(31) through (37), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1205 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages License Fees – Repeal of Sunset**MC 24–10**

FOR the purpose of repealing the termination date of certain Class B alcoholic beverage license fees applicable in Montgomery County; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(q)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 91 of the Acts of the General Assembly 2001, as amended by Chapter
48 of the Acts of the General Assembly of 2005
Section 2

Read the first time and referred to the Committee on Economic Matters.

House Bill 1206 – Delegates Frick, Barkley, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Doory, Dumais, Feldman, Frush, George, Hecht, Hixson, Howard, Kramer, Lee, Miller, Mizeur, Montgomery, Morhaim, Murphy, Niemann, Olszewski, Reznik, Rice, Taylor, F. Turner, and Waldstreicher

AN ACT concerning

Commercial Law – Consumer Protection – Refund Anticipation Loans and Checks

FOR the purpose of prohibiting certain persons from soliciting the execution of, processing, receiving, or accepting an application or agreement for a refund anticipation loan or refund anticipation check or facilitating the making of a refund anticipation loan or refund anticipation check under certain circumstances; requiring a facilitator of a refund anticipation loan or refund anticipation check to display a certain schedule of fees in a certain manner; requiring the schedule to contain certain information and disclosures; prohibiting a facilitator from charging certain fees; requiring a facilitator to make certain written and oral disclosures to certain consumers at a certain time and in a certain manner; requiring the annual percentage rate for a refund anticipation loan to be calculated using certain guidelines; prohibiting a

facilitator from taking certain actions relating to a refund anticipation loan or refund anticipation check; providing that, under certain circumstances, a certain provision of this Act does not prohibit a charge or fee from being imposed by a facilitator; 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; establishing certain additional penalties for a willful failure to comply with this Act; defining certain terms; and generally relating to refund anticipation loans and refund anticipation checks.

BY adding to

Article – Commercial Law

Section 14–3801 through 14–3807 to be under the new subtitle “Subtitle 38.
Refund Anticipation Loans and Checks”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1207 – Delegate O’Donnell

AN ACT concerning

Deer Hunting on Private Property on Sundays

FOR the purpose of authorizing a person in certain counties to hunt deer on private property on certain Sundays with a crossbow; authorizing a person in Calvert County to hunt deer on private property on certain Sundays with a bow and arrow; and generally relating to hunting deer on private property on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)(2)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1208 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Rockville Fitness Center and Exercise Room Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$240,000, the proceeds to be used as a grant to the Mayor and City Council of the City of

Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1209 – Delegate Ross

AN ACT concerning

Property Tax – Semiannual Payment for Residential Property

FOR the purpose of requiring the governing body of a county or municipal corporation to provide for a semiannual payment of State, county, municipal corporation, and special taxing district property taxes for certain residential property; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to the payment of property taxes for residential property.

BY repealing

Article – Tax – Property
Section 10–204.3(a) and (c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 10–204.3(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Tax – Property
Section 10–204.3(d) through (j), respectively
to be Section 10–204.3(b) through (h), respectively
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1210 – Delegates James and Riley

AN ACT concerning

Creation of a State Debt – Harford County – Nuttal Avenue Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the County Executive and County Council of Harford County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1211 – Delegates Schuh, Beidle, Dwyer, George, Kipke, Love, and Sophocleus

AN ACT concerning

Criminal Gang Activity – Gang Solicitation

FOR the purpose of prohibiting a person from soliciting, inviting, recruiting, encouraging, or otherwise causing or attempting to cause an individual to participate in a criminal gang; applying certain penalties; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–802
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1212 – Delegates Stein, Cardin, Lafferty, and Morhaim

AN ACT concerning

Creation of a State Debt – Baltimore County – HopeWell Cancer Support Facility

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

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

House Bill 1213 – Delegate DeBoy

AN ACT concerning

Department of State Police – Police Employees – Residency Requirements

FOR the purpose of altering the residency requirements for police employees of the Department of State Police; and generally relating to residency requirements of employees of the Department of State Police.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–402
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1214 – Delegates Ross, Barnes, Benson, Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Levi, Niemann, Pena–Melnik, Proctor, Ramirez, V. Turner, Valderrama, Vallario, Vaughn, and Walker

AN ACT concerning

Equity in Education Funding Act of 2010

FOR the purpose of altering the calculation of certain distributions required to be made to certain counties based on per yield of county income taxes; providing for the calculation of net taxable income for the calculation of certain State aid for education beginning in a certain fiscal year; providing for the allocation of funds for State aid for education resulting from certain calculations; providing for the allocation of federal funds under certain circumstances; providing for the application of this Act; and generally relating to the determination of net taxable income for purposes of certain State aid for education funding.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(9)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 5–202(a–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1215 – Delegates Taylor, Frush, Levi, and Oaks

AN ACT concerning

Minority Business Enterprises – Graduation Program – Architectural and Engineering Services

FOR the purpose of requiring the Board of Public Works to include in regulations that a certain graduation program require graduation by certain minority business enterprises that provide architectural and engineering services if the minority business enterprises exceed a certain financial viability; and generally relating to graduation for minority business enterprises.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 14–303(b)(12)

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1216 – Delegates Ramirez, Barnes, Hucker, Ivey, James, Kach, McDonough, Ross, Shewell, Sossi, V. Turner, Valderrama, and Walker

AN ACT concerning

Property Tax Assessment Appeal Boards – Value at Appeal

FOR the purpose of allowing a person making an appeal before a property tax assessment appeal board to present evidence reflecting the value of the property as of the date of the hearing; requiring the property tax assessment appeal board to consider certain evidence in determining the value of property on appeal; and generally relating to property tax assessment appeal boards.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–511

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1217 – Delegates Ramirez, Barnes, Ivey, Niemann, Ross, Taylor, Valderrama, and Vaughn

AN ACT concerning

Secondhand Precious Metal Object Dealers – Precious Metal Objects – Holding Period

FOR the purpose of altering the period of time during which certain secondhand precious metal object dealers must hold certain precious metal objects; and generally relating to the holding period for precious metal objects.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–305
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1218 – Delegates Ramirez, Ali, Barnes, Kaiser, Levy, Robinson, and Valderrama

AN ACT concerning

Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate

FOR the purpose of prohibiting a person from affixing, erecting, or placing a noose or swastika on a certain building or real property, without the express permission of the owner, owner’s agent, or lawful occupant of the building or property, with the intent to threaten or intimidate any person or group of persons; establishing that a certain penalty applies to a violation of this Act; and generally relating to the use of a noose or swastika to threaten or intimidate a person or group of persons.

BY adding to
Article – Criminal Law
Section 10–305.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 10–306
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1219 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – WMHS Braddock Hospital Facility

FOR the purpose of authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property; providing for a certain limitation on the tax credit; authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to provide, by law, for certain provisions relating to the property tax credit; providing for the application of this Act; and generally relating to property tax credits for certain property in Allegany County.

BY adding to

Article – Tax – Property
Section 9–302(l)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1220 – Delegate Schuh

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2009 – Anne Arundel County – Historical Freetown Renovation

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to authorize the matching fund required for a certain grant to include funds expended prior to the effective date of the Act.

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(M)

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

House Bill 1221 – Delegate Bronrott

AN ACT concerning

Maryland Safe Roads For Teens Act

FOR the purpose of altering the hours during which a holder of a provisional driver's license under a certain age may drive unsupervised; modifying a certain license restriction that prohibits a certain holder of a provisional driver's license from driving a motor vehicle carrying certain passengers under certain circumstances; repealing certain provisions requiring that certain restrictions on a holder of a provisional driver's license under a certain age related to passengers and the use of wireless communication devices be enforced as a secondary action; and generally relating to provisional driver's license restrictions.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–113(d), 21–1123, and 21–1124
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1222 – Delegates Ramirez, Rosenberg, Anderson, Dumais, and Levi

AN ACT concerning

Correctional Services – Division of Parole and Probation – Supervision Fee

FOR the purpose of transferring certain responsibilities relating to the assessment of a certain supervision fee from the Parole Commission to the Division of Parole and Probation; repealing a requirement that the Division of Parole and Probation investigate requests for a certain exemption under certain circumstances; requiring the Division to conduct a certain examination of a supervisee at certain times for certain purposes; defining a certain term; making conforming changes; and generally relating to fees paid by individuals supervised by the Division of Parole and Probation.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–702
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1223 – Delegates Taylor, Ali, Barnes, Carter, Conaway, Frush, Gutierrez, Haynes, Hixson, Levi, Oaks, Ramirez, Rice, Robinson, Stukes, Tarrant, and Vaughn

AN ACT concerning

Financial Institutions – Credit Unions – Member Business Loans – Limitation on Aggregate Amount

FOR the purpose of establishing that the aggregate amount of member business loans made by a credit union may not exceed a certain percentage of the total assets of the credit union; and generally relating to loans made by credit unions.

BY adding to

Article – Financial Institutions

Section 6–604.1

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1224 – Delegates Hucker, Bobo, Bronrott, Frush, Hecht, Hubbard, Lafferty, and Taylor

AN ACT concerning

Public Service Commission – Long–Term Power Purchasing Agreements – Renewable Energy

FOR the purpose of requiring the Public Service Commission to direct certain electricity suppliers to enter into certain long–term power purchasing agreements according to a certain schedule; stating the findings of the General Assembly; authorizing the Commission to waive the requirement for an electricity supplier to enter into certain long–term power purchasing agreements under certain circumstances; requiring the Commission to consider certain factors when making a certain determination related to granting a certain waiver; prohibiting the Commission from granting a waiver under certain circumstances; defining a certain term; and generally relating to long–term power purchasing agreements.

BY adding to

Article – Public Utility Companies

Section 7–707

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1225 – Delegates Barve and Cardin

AN ACT concerning

Elections – Campaign Material – Sponsor Identification

FOR the purpose of requiring certain business entities and nonprofit organizations under certain circumstances to include the logo of the business entity or nonprofit organization on campaign material; requiring the logo and a certain authority line to be shown for a certain period of time if the campaign material is a video; defining a certain term; and generally relating to sponsor identification on campaign material.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1226 – Delegate Hubbard

AN ACT concerning

Developmental Disabilities Administration – Low Intensity Support Services

FOR the purpose of requiring the Developmental Disabilities Administration to provide a certain level of funding for low intensity support services for certain individuals on a certain basis; authorizing the Administration to waive the cap on funding for low intensity support services; providing that an individual seeking low intensity support services is not required to submit or complete certain applications; requiring the Administration to deliver low intensity support services in a certain manner; defining a certain term; and generally relating to the Developmental Disabilities Administration and low intensity support services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General

Section 7-717 to be under the new part “Part V. Low Intensity Support Services”
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1227 – Delegates Guzzone and Bates

AN ACT concerning

Creation of a State Debt – Howard County – Linwood Center

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

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

House Bill 1228 – Delegates Stocksdale, Aumann, Bates, Dwyer, Eckardt, Frank, George, Haddaway, McComas, Miller, O’Donnell, Serafini, Shank, Shewell, Smigiel, and Sossi

AN ACT concerning

Fair Funding for Public Schools

FOR the purpose of altering the definition of “full-time equivalent enrollment” in the calculation for certain State aid for education; providing for the application of this Act; and generally relating to the determination of full-time equivalent enrollment in the calculation of certain State aid for education.

BY repealing and reenacting, without amendments,
Article – Education
Section 5-202(a)(1), (2), (5), (8), (12), and (13) and (b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5-202(a)(6)
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1229 – Delegates Beidle, Dwyer, Kipke, Love, Schuh, and Sophocleus

AN ACT concerning

Truth in Sentencing – Criminal Gangs and Gun Crimes

FOR the purpose of prohibiting the earning of diminution credits by an inmate who is serving a sentence for violating a certain offense prohibiting participation in a criminal gang if the inmate's sentence includes a consecutive or concurrent sentence for certain offenses involving a firearm; providing for the application of this Act; and generally relating to the earning of diminution credits.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1230 – Delegates Olszewski, Frick, Hecht, Manno, and Montgomery

AN ACT concerning

Task Force to Develop Strategies to Encourage Recycling and Reduce Litter in Maryland's Waterways

FOR the purpose of establishing the Task Force to Develop Strategies to Encourage Recycling and Reduce Litter in Maryland's Waterways; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Task Force to study certain issues relevant to recycling and reducing litter in Maryland's waterways; 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 reimbursement for expenses for a member of the Task Force; providing for the staff of the Task Force; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Develop Strategies to Encourage Recycling and Reduce Litter in Maryland's Waterways;

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1231 – Delegates Taylor, Ali, Conaway, and Hucker

AN ACT concerning

Electric Companies – Information on Customer Choice

FOR the purpose of requiring an electric company that provides standard offer service to a customer to include a certain list of competitive electric supply options available to the customer with the customer's monthly bill; authorizing electric companies to apply to the Public Service Commission for reimbursement from a certain fund of certain costs; requiring the Commission to impose a special assessment on certain electricity suppliers; requiring the Commission to set the amount of the special assessment at a certain level; requiring that the money collected by the special assessment be deposited into a certain fund; establishing the Customer Choice Education Fund; providing for the purpose of the Fund; requiring the Commission to administer the Fund; providing that the Fund is a continuing, special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the composition of the Fund; providing for the uses of the Fund; requiring the Treasurer to invest the money of the Fund in a certain manner; requiring any investment earnings of the Fund to be paid into the Fund; providing for the reversion of certain money in the Fund to the General Fund of the State; and generally relating to information on customer choice.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–510(c)(1) and (2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–510(c)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–510.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1232 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

**Creation of a State Debt – Baltimore City – Druid Hill Family Center Y
Revitalization**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Y of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1233 – Delegates Schuh and Smigiel

AN ACT concerning

Child Protection from Predators Act

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain offender or child sexual offender committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility; providing for the application of this Act; and generally relating to the earning of diminution credits by offenders and child sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1234 – Delegates Ramirez, Vallario, Barnes, Levi, and Walker

AN ACT concerning

Crimes – Violation of Condition of Pretrial or Posttrial Release

FOR the purpose of authorizing a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has violated a condition of pretrial or posttrial release; prohibiting a person from violating a certain condition of pretrial or posttrial release; establishing a penalty for a

violation of certain conditions of pretrial or posttrial release; and generally relating to violation of a condition of pretrial or posttrial release.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–203
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 5–213.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

**House Bill 1235 – Delegates Waldstreicher, Simmons, Barnes, Carter, Dumais,
Gutierrez, Lee, and McConkey**

AN ACT concerning

**Criminal Law – Criminal Gangs – Underlying Crimes, Sentencing, and Gang
Leaders**

FOR the purpose of adding certain crimes to the list of underlying crimes that may form the basis for conviction of participation in criminal gang activity; altering a certain prohibition concerning participation in criminal gang activity to provide that a person may not actively participate in a criminal gang under certain circumstances; requiring a sentence imposed for a second or subsequent offense of participation in criminal gang activity to be separate from and consecutive to a certain other sentence; requiring a sentence imposed for participation in criminal gang activity that results in the death of a victim to be separate from and consecutive to a sentence for a certain other sentence; prohibiting a person from organizing, supervising, financing, or managing a criminal gang; establishing penalties; requiring a certain sentence to be separate from and consecutive to a certain other sentence; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801 and 9–804
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law

Section 9–805
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1236 – Delegates Taylor, Carr, Davis, Feldman, Frush, Hubbard, Manno, Montgomery, Oaks, Ramirez, Rice, Ross, V. Turner, and Vaughn

AN ACT concerning

Procurement – Minority Business Enterprises – Waiver Requirements

FOR the purpose of prohibiting certain units of government from waiving the obligations of a contractor relating to minority business participation unless the contractor publishes a certain solicitation for certain minority business participation, does not receive a response to the published solicitation, and a certain period of time has passed since the solicitation was published; and generally relating to the waiver of minority business enterprise requirements.

BY adding to
Article – State Finance and Procurement
Section 14–302(a)(9)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303(b)(8)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1237 – Delegates Schuh, Beidle, Dwyer, George, Kipke, Love, and Sophocleus

AN ACT concerning

Criminal Procedure – Restrictions on Pretrial Release – Criminal Gang Offenses – Repeat Offenders

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a criminal gang offense if the defendant previously was convicted of a criminal gang offense; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail

or certain other conditions or both; requiring a judge to order the continued detention of a certain defendant under certain circumstances at a certain time; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; and generally relating to restrictions on pretrial release.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1238 – Delegates Hucker, Manno, Hubbard, and Reznik

AN ACT concerning

Health Insurance Requirements – Public Work Contracts

FOR the purpose of requiring that as a condition of certain contracts for certain projects, certain contractors and subcontractors participate in certain health care programs under certain circumstances; requiring that certain contractors and subcontractors provide certain proof of certain participation in health care programs to procuring agencies by a certain day; requiring certain contractors and subcontractors that are unable to participate in certain health care programs to make certain payments to the Maryland Medical Assistance Program; requiring that if certain contractors and subcontractors make certain payments to certain health care programs that are less than certain rates of contribution, the contractors and subcontractors make certain payments to the Maryland Medical Assistance Program; requiring certain contractors and subcontractors to report certain health care payments on certain prevailing wage payroll reports; requiring certain contractors and subcontractors to maintain certain records and allow the Secretary of Labor, Licensing, and Regulation certain access to the records; establishing a certain presumption if certain contractors and subcontractors do not retain or allow certain access to certain records; requiring the Secretary to adopt certain regulations; establishing certain causes of action and penalties; establishing that nothing in this Act be interpreted or applied to create certain powers, duties, or obligations in conflict with or preempted by certain federal or State law; defining certain terms; and generally relating to health insurance requirements for public work contracts.

BY adding to
Article – State Finance and Procurement
Section 17–701 through 17–707 to be under the new subtitle “Subtitle 7. Health Insurance Requirements – Public Work Contracts”

Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1239 – Delegate Rosenberg

AN ACT concerning

Income Tax – Subtraction Modification – Furlough Days

FOR the purpose of providing a subtraction modification under the Maryland income tax in a certain amount for each day an employee of the State or a county government is furloughed during the year; providing that the subtraction modification may not exceed a certain amount; allowing a subtraction during a certain taxable year for days an employee is furloughed during a certain year; defining a certain term; providing for the application of this Act; and generally relating to a subtraction modification for certain furlough days.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–208(r)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1240 – Delegates Doory, Anderson, and McIntosh

AN ACT concerning

Creation of a State Debt – Baltimore City – Long–Term Care at Stadium Place

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the Govans Ecumenical Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan

proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1241 – Delegates Dumais, Bronrott, Carr, Feldman, Frick, Hixson, Hucker, Kaiser, Lee, Manno, McIntosh, Mizeur, Montgomery, Rice, and Rosenberg

AN ACT concerning

Family Law – De Facto Parents

FOR the purpose of requiring a court to determine that an individual is a de facto parent under certain circumstances; establishing that an individual who is judicially determined to be a de facto parent has the duties and obligations of a parent; and generally relating to de facto parents.

BY adding to

Article – Family Law

Section 5–207

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1242 – Delegates Ramirez, Hucker, Pendergrass, and Stocksdales

AN ACT concerning

Suspension of Medicaid and Children’s Health Program Benefits – Juvenile Incarceration

FOR the purpose of requiring the Department of Health and Mental Hygiene to suspend benefits under the Maryland Medical Assistance Program and Maryland Children’s Health Program for individuals under a certain age who are incarcerated; prohibiting the Department from terminating the Medical Assistance Program or the Children’s Health Program benefits for individuals under a certain age based on the incarceration of the individual; and generally relating to the Medical Assistance Program and the Children’s Health Program benefits for individuals under a certain age who are incarcerated.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–101(h)

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – Health – General
Section 15–109.3 and 15–306
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1243 – Delegates Frank, Aumann, Boteler, Bromwell, Cardin, DeBoy, Jennings, Kach, Minnick, Olszewski, and Weir

AN ACT concerning

Workers' Compensation – Baltimore County Deputy Sheriffs

FOR the purpose of providing for enhanced workers' compensation benefits for certain Baltimore County deputy sheriffs 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 Baltimore County deputy sheriffs.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1244 – Delegates Sossi, Eckardt, Haddaway, James, Rudolph, and Smigiel

AN ACT concerning

Municipal Corporations – Planning Commissions – Meetings

FOR the purpose of requiring that a planning commission appointed by a municipal corporation shall hold certain meetings at the call of the chair of the planning commission or at certain other times determined by the planning commission;

and generally relating to meetings of planning commissions appointed by municipal corporations.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 3.03
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1245 – Delegates Dumais, Eckardt, and Kullen

AN ACT concerning

Juvenile Services – Closure of the Thomas J. S. Waxter Children’s Center

FOR the purpose of repealing the authority of the Department of Juvenile Services to establish and operate the Thomas J. S. Waxter Children’s Center; requiring the Department to develop and implement a plan to close the Thomas J. S. Waxter Children’s Center by a certain date; providing for the effective dates of this Act; and generally relating to the closure of the Thomas J. S. Waxter Children’s Center.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–226
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 1246 – Delegates Ramirez, Barnes, Heller, Hucker, Ivey, Manno, Montgomery, Taylor, and Vaughn

AN ACT concerning

Labor and Employment – Maryland Wage and Hour Law – Damages

FOR the purpose of allowing an employee to recover liquidated damages under certain circumstances; requiring, instead of authorizing, a court to allow certain costs against an employer for a certain recovery in a certain action; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–413, 3–415(a), 3–419, and 3–420

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–427
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1247 – Delegate Hubbard

AN ACT concerning

**Health Occupations – Clinical Marriage and Family Therapists – Dual
Licensure Requirements**

FOR the purpose of exempting certain applicants for licensure as a marriage and family therapist from certain requirements for licensure; requiring the State Board of Professional Counselors and Therapists to waive certain requirements for licensure under certain circumstances; prohibiting certain licensees from serving as a certain member of the Board; and generally relating to the dual licensure of clinical marriage and family therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–306
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 17–306.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1248 – Delegate Hucker

AN ACT concerning

Civil Rights Tax Relief Act

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–207(y)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1249 – Delegates Bates, Aumann, Bartlett, Beitzel, Boteler, Eckardt, George, Guzzone, Jenkins, Krebs, Miller, Murphy, Myers, O'Donnell, Serafini, Shank, Stull, and Wood

AN ACT concerning

Maryland Economic Stimulus Act – Expensing of Business Property and Bonus Depreciation

FOR the purpose of limiting the applicability of certain Maryland income tax modifications for certain deductions for the cost of certain property treated as an expense for federal income tax purposes; limiting the applicability of certain Maryland income tax modifications for a certain additional depreciation allowance under the federal income tax for certain property; providing for the application of this Act; and generally relating to certain Maryland income tax modifications with respect to the federal income tax treatment of certain property.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–210.1(b)(1) and (3)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General

Section 10–310
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1250 – Delegates Hucker, Rosenberg, Glenn, Ali, Anderson, Barnes, Benson, Bobo, Carr, Feldman, Gutierrez, Hecht, Holmes, Hubbard, Ivey, Jones, Lee, Levi, Manno, McHale, Montgomery, Niemann, Pena–Melnyk, Ramirez, Reznik, Rice, Ross, Schuler, Stukes, Taylor, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Courts and Judicial Proceedings – Strategic Lawsuits Against Public Participation

FOR the purpose of altering the remedies available to a defendant in an alleged strategic lawsuit against public participation (SLAPP suit); establishing certain burdens of proof and procedures in an alleged SLAPP suit; requiring a court to consider certain evidence in ruling on a motion to dismiss an alleged SLAPP suit; authorizing the Office of the Attorney General or a government body to intervene to defend or support a certain party in an alleged SLAPP suit; requiring a court to stay any discovery and pending hearings or motions in an alleged SLAPP suit on the filing of a motion to dismiss and until the court rules on the motion; requiring a court to award certain attorney’s fees, costs, and other relief under certain circumstances; modifying a defined term; providing for the application of this Act; and generally relating to SLAPP suits.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–807
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1251 – Delegates Cardin, Ali, Anderson, Barkley, Benson, Bobo, Carr, Feldman, Gaines, Glenn, Gutierrez, Heller, Hixson, Holmes, Howard, Hubbard, Ivey, Manno, McIntosh, Mizeur, Montgomery, Niemann, Pendergrass, Proctor, Reznik, Rosenberg, Schuler, Valderrama, and Waldstreicher

AN ACT concerning

Campaign Finance Reform Act of 2010

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to receive certain supplemental distributions from the Public Election Fund; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for delayed effective dates for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Campaign Finance Reform Act of 2010.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 13–226, 13–227, and 13–235
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law
Section 13–502.1; and 15–101 through 15–117 to be under the new title “Title
15. Public Campaign Financing Act for General Assembly Candidates”
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1252 – Delegates Manno and Feldman

AN ACT concerning

Physicians – Professional Liability Coverage – Requirements

FOR the purpose of requiring physicians who perform certain services in the State in certain settings to maintain certain minimum amounts of professional liability insurance or attest that the physician has other certain coverage as a condition of licensure and to notify the State Board of Physicians prior to cancellation of the insurance or coverage; authorizing the Board to adopt certain regulations; defining certain terms; providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; and generally relating to physicians and liability coverage.

BY adding to

Article – Health Occupations
Section 14–312.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1253 – Delegates Manno and Feldman

AN ACT concerning

Physicians – Professional Liability Coverage – Proof and Notification

FOR the purpose of requiring physicians who perform certain services in the State in certain settings to provide verification or other documentation of professional liability insurance or other certain coverage as a condition of licensure;

authorizing the State Board of Physicians to take certain actions if verification or other documentation of insurance or coverage is not provided as required by this Act; authorizing the Board to conduct certain audits for certain purposes; requiring physicians licensed to practice medicine in the State to notify patients in writing and on each visit of certain information relating to professional liability insurance or coverage; requiring certain physicians to maintain certain records and post certain information in their place of practice; requiring the Board to develop certain language for a certain notice requirement; defining certain terms; providing for the application of certain provisions of this Act; providing for the construction of certain provisions of this Act; and generally relating to physicians and professional liability coverage.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14–316
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Health Occupations
Section 14–508
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1254 – Delegates Vaughn and Miller

AN ACT concerning

Credit Regulation – Mortgage Brokers – Charges

FOR the purpose of authorizing mortgage brokers to charge borrowers for the actual cost of certain services or goods required to complete a loan application process; and generally relating to fees that may be charged by mortgage brokers.

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 12–804
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1255 – Delegates Vaughn, Branch, Davis, McHale, Tarrant, and Walker

EMERGENCY BILL

AN ACT concerning

Public Service Companies – Gas and Electric Service – Alternative Payment Agreements

FOR the purpose of requiring the Public Service Commission to adopt regulations to limit the authority of a public service company to terminate gas or electric service to a residential customer in arrears under certain circumstances; requiring certain regulations to require a public service company to offer customers the option of entering into a certain alternative payment agreement under certain circumstances; requiring public service companies to provide certain notice to residential customers related to certain alternative payment agreement options; requiring the Commission to specify the circumstances under which certain restrictions and agreements may be required; requiring the Commission to include certain information in a certain annual report; requiring the Commission to adopt certain provisions for a limited period of time by order, notwithstanding a certain provision of law; requiring the Commission to adopt certain regulations to be effective by a certain date under certain circumstances; providing for the continuity of certain agreements under certain circumstances; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the termination of gas and electric service by a public service company to residential customers.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–307
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1256 – Delegates Barkley, Bronrott, Elmore, Frush, Lafferty, Reznik, Rice, Simmons, and Stein

AN ACT concerning

Maryland Transportation Authority – E-ZPass Account Maintenance Charge – Prohibition

FOR the purpose of prohibiting the Maryland Transportation Authority from imposing an E-ZPass account maintenance charge; defining a certain term; and generally relating to restricting charges that the Authority may impose on E-ZPass account holders.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1257 – Delegates Holmes, Barkley, Bartlett, Beidle, Bobo, Bronrott, Carr, Costa, DeBoy, Frush, Gilchrist, Glenn, Guzzone, Healey, Hucker, Kelly, Kullen, Lafferty, Malone, Niemann, Rosenberg, and Stein

AN ACT concerning

Natural Resources – Vessels – No–Discharge Designation for Maryland Waters

FOR the purpose of clarifying certain provisions of law relating to the duties of operators of vessels with respect to the overboard discharge of certain sewage into the waters of the State; increasing the amount of a certain penalty for certain violations; authorizing certain officers to enforce certain provisions of law and to inspect certain vessels; requiring the Department of Natural Resources to adopt certain regulations; requiring the Department to initiate a certain process with the U.S. Environmental Protection Agency relating to a no–discharge zone in Maryland waters on or before a certain date; altering certain definitions relating to marine sanitation devices; making a certain section of this Act subject to a certain contingency; and generally relating to the discharge of treated and untreated sewage from vessels into the waters of the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–741
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 8–741(g) and (h)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1258 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

**Creation of a State Debt – Prince George’s County – St. Mary’s School
Gymnasium and Multi-Purpose Room**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to St. Mary of the Assumption for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1259 – Delegates Sophocleus, Beidle, Dwyer, Kipke, Love, and Schuh

AN ACT concerning

Criminal Law – Definition of “Criminal Gang”

FOR the purpose of altering the definition of “criminal gang” to include any association of a certain number of persons meeting certain criteria; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801(c)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1260 – Delegates Sophocleus, Beidle, Dwyer, Kipke, Love, and Schuh

AN ACT concerning

Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders

FOR the purpose of excluding from the jurisdiction of juvenile court a child of at least a certain age alleged to have committed, as a member of a criminal gang, a certain act that would be a crime if committed by an adult; providing for the application of this Act; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)(4)(xvi) and (xvii)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)(4)(xviii)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–802, 9–803, and 9–804
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

**House Bill 1261 – Delegates Sophocleus, Love, DeBoy, Eckardt, Glenn,
Rudolph, and Wood**

EMERGENCY BILL

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; preempting certain rights of certain counties and municipalities; superseding certain laws of certain counties and municipalities; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; providing that certain provisions may not be construed to require junk dealers and scrap metal processors to incur certain additional expenses for complying with certain record submission requirements; authorizing certain law enforcement units to issue certain waivers under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing a catalytic converter except under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing cemetery urns, grave markers, and certain other items except under certain circumstances; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances;

authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; exempting certain items acquired from certain entities from certain record and reporting requirements; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17–1001(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1262 – Delegates Sophocleus, G. Clagett, and McComas

AN ACT concerning

Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges

FOR the purpose of altering the basis for which the State can petition a certain court to extend time for certain charges to remain against a defendant found incompetent to stand trial; repealing the requirement that the court dismiss a charge against a defendant found incompetent to stand trial under certain circumstances; authorizing the court to dismiss a charge against a defendant found incompetent to stand trial under certain circumstances; altering the time periods after which the court is required to dismiss, under certain circumstances, certain charges; and generally relating to incompetency and criminal responsibility and dismissal of charges.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 3–107

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

**House Bill 1263 – The Speaker (By Request – Administration) and Delegates
Busch, Hixson, Kaiser, and Rosenberg**

AN ACT concerning

Education Reform Act of 2010

FOR the purpose of altering the probationary period of employment of a certificated employee in a public school system; altering certain procedures related to the probationary period of a certificated employee; requiring a county board of education to evaluate annually a nontenured certificated employee based on established performance evaluation criteria; requiring certain certificated employees to be assigned a mentor and provided additional professional development under certain circumstances; requiring that a performance evaluation of a certificated teacher or principal in a public school system include certain data as a certain component of the evaluation; requiring that a certain component of an evaluation be one of multiple measures; requiring the State Board of Education to adopt regulations to implement certain provisions of this Act; requiring certain classroom teachers and principals working in certain public schools to receive a certain stipend, contingent on the receipt of certain federal funds; defining a certain term; providing for the application of a certain provision of this Act; and generally relating to the employment of certificated employees in a public school system.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 6–306(b)(5)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1264 – Delegates Sophocleus, DeBoy, Eckardt, Glenn, Krebs,
McDonough, Stocksdales, and Wood**

AN ACT concerning

**Division of Correction and Division of Parole and Probation – Reports and
Records – Immigration Status**

FOR the purpose of requiring a certain case record that is assembled by the Division of Correction for an inmate to include certain information on the immigration status, if any, of the inmate under certain circumstances; requiring the Division of Correction to forward certain information from a case record to the United States Immigration and Customs Enforcement Agency if the case record indicates that the individual has an immigration status; requiring the Division of Parole and Probation to forward certain information from a certain presentence investigation report to the United States Immigration and Customs Enforcement Agency if the presentence investigation report indicates that the individual who is the subject of the report has an immigration status; and generally relating to reports and records of the Division of Correction and the Division of Parole and Probation.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–601(a) and 6–112(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 3–601(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

**House Bill 1265 – Delegates Sophocleus, Beidle, Dwyer, Kipke, Love, and
Schuh**

AN ACT concerning

Criminal Law – Criminal Gangs – Underlying Crime

FOR the purpose of altering the definition of “underlying crime” as used in certain provisions of law concerning criminal gang offenses to include misdemeanor assault, malicious destruction, human trafficking, receiving earnings of a prostitute, and betting, wagering, and gambling; and generally relating to criminal gangs.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–801(a)

Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801(f)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

**House Bill 1266 – Delegates Barkley, Bronrott, Gilchrist, Love, Reznik, Rice,
and Simmons**

AN ACT concerning

Income Tax – Homebuyer Tax Credit

FOR the purpose of allowing certain homebuyers a credit against the State income tax for the purchase of a home under certain circumstances; limiting eligibility for the credit based on purchase price of a home and based on income of the homebuyer; providing for the recapture of the credits under certain circumstances; providing that only certain home purchases occurring on or after a certain date and before a certain date qualify for the credits; defining certain terms; providing for the application of this Act; and generally relating to credits against the State income tax for the purchase of certain homes.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1267 – Delegate Niemann

AN ACT concerning

Business Regulation – Returnable Containers – Plastic Secondary Packaging

FOR the purpose of prohibiting certain persons from purchasing more than a certain number of items of plastic secondary packaging for a certain purpose; requiring certain persons that purchase certain plastic secondary packaging to make a certain record of each transaction in which a person sells a certain number of items of plastic secondary packaging; requiring certain purchasers to verify the identity of certain sellers in a certain manner; requiring certain purchasers to

keep certain records of certain transactions; requiring certain records to be kept for a certain period of time; providing that a person that violates this Act is guilty of a misdemeanor and subject to a certain fine; defining a certain term; and generally relating to the purchase of plastic secondary packaging.

BY adding to

Article – Business Regulation

Section 19–308

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1268 – Delegates Sophocleus and Anderson

AN ACT concerning

Regulated Firearms – Ammunition

FOR the purpose of making it a misdemeanor to knowingly participate in the illegal sale, rental, transfer, purchase, possession, or receipt of ammunition solely designed for a regulated firearm; providing a penalty; and generally relating to ammunition solely designed for a regulated firearm.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a) and (d)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–143

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

House Bill 1269 – Delegates Sophocleus, Beidle, Dwyer, Kipke, Love, and Schuh

AN ACT concerning

Criminal Law – Criminal Gang Participation – Sentencing

FOR the purpose of altering a provision of law to require that a certain sentence for a violation of the prohibition against participation in a criminal gang under

certain conditions be separate from and consecutive to a sentence for the underlying crime; and generally relating to sentencing for criminal gang participation.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–804(a) and (b)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–804(c)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1270 – Delegates Sophocleus, Bronrott, Kipke, Krebs, McComas, McDonough, and Stocksdale

AN ACT concerning

**Operating a Vessel While Under the Influence of or Impaired by Alcohol or
Drugs – Compulsory Testing**

FOR the purpose of requiring a person to submit to certain tests of the person's breath or blood to determine alcohol concentration or drug or controlled dangerous substance content if the person is involved in an accident while operating or attempting to operate a vessel that results in the death of, or life-threatening injury to, another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been operating the vessel while under the influence of alcohol or impaired by alcohol, drugs, a combination of alcohol and drugs, or a controlled dangerous substance; providing that medical personnel who perform certain tests are not liable for civil damages under certain circumstances; providing for the admissibility of evidence of certain tests or analyses under certain circumstances; making certain conforming and stylistic changes; and generally relating to operating a vessel while under the influence of or impaired by alcohol or drugs.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–309(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–738
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1271 – Delegates Jones, Benson, Bobo, Dumais, Eckardt, Gutierrez, Guzzone, Haynes, Healey, Kramer, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Proctor, Rudolph, Taylor, and F. Turner

AN ACT concerning

Governor’s Office for Children – Division of Licensing and Monitoring of Residential Child Care Programs

FOR the purpose of requiring a person providing residential services to certain children to have a certain license; providing for a certain scope; establishing the Division of Licensing and Monitoring of Residential Child Care Programs in the Governor’s Office for Children; requiring the Division to license and monitor certain programs; authorizing the Division to impose certain sanctions; requiring the Children’s Cabinet to have oversight authority over the Division; requiring the Children’s Cabinet to adopt certain regulations; requiring a person to be licensed by the Division before the person may operate a residential child care program; requiring an applicant to meet certain qualifications and submit a certain application; requiring the Division to take certain actions on receipt of a complete application; requiring the Division to serve as a single point of entry for an applicant and a certain current provider; requiring the Division to provide certain information and to license and monitor certain programs; establishing certain penalties; prohibiting a person from operating, attempting to operate, or holding one’s self out as operating as a residential child care program unless licensed by the Division; requiring a person to be licensed by the Division before a person may operate as a child care home; requiring a person to be licensed by the Division before the person may operate as a child care institution; declaring the intent of the General Assembly that the Governor transfer certain positions and funds in a certain manner; providing that a certain transfer of positions and duties shall be made using existing resources; defining certain terms; altering certain definitions; and generally relating to licensing and monitoring of residential child care programs.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–508, 5–509, 5–509.1, and 5–526
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a) and (c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–903(a), 10–501, and 10–514
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Human Services
Section 8–1101 through 8–1108 to be under the new subtitle “Subtitle 11.
Division of Licensing and Monitoring of Residential Child Care
Programs”
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–235 and 9–236
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

**House Bill 1272 – Delegates Mizeur, Barkley, Barnes, Bronrott, Carr,
Feldman, Frick, Gilchrist, Glenn, Gutierrez, Hammen, Hecht, Hixson,
Hucker, Ivey, Kaiser, Krysiak, Lafferty, Lee, Love, Manno, McHale,
McIntosh, Montgomery, Murphy, Niemann, Pena–Melnik, Pendergrass,
Reznik, Riley, Rosenberg, Ross, Taylor, F. Turner, and Waldstreicher**

AN ACT concerning

Maryland Family and Medical Leave Act

FOR the purpose of requiring employers in the State that are subject to the federal Family and Medical Leave Act of 1993 to provide certain leave to a certain eligible employee with respect to the eligible employee’s brother, sister, grandparent, grandchild, or domestic partner and the son or daughter of the eligible employee’s domestic partner; providing that an eligible employee who takes leave provided under this Act is entitled to certain protections and rights; providing that the amount of leave taken by an eligible employee under the

federal Family and Medical Leave Act of 1993 during a certain period of time shall be counted against the amount of leave the eligible employee is entitled to under this Act; requiring the Commissioner of Labor and Industry to enforce this Act and adopt regulations to carry out this Act; defining certain terms; and generally relating to family and medical leave benefits.

BY adding to

Article – Labor and Employment

Section 3–803

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1273 – Delegates Aumann, Bates, Boteler, Frank, Gaines, Gutierrez, Haddaway, Heller, Lafferty, Montgomery, Myers, Proctor, Serafini, Sophocleus, Stocksdale, and Wood

AN ACT concerning

State Government – Employees – Suicide Awareness and Prevention Program

FOR the purpose of establishing that each State employee shall have the opportunity to attend a certain suicide awareness and prevention program selected by the head of each principal unit; requiring the suicide awareness and prevention program to include certain topics; requiring the suicide awareness and prevention program to be provided to each State employee each year in a certain manner; and generally relating to State employees and a suicide awareness and prevention program.

BY adding to

Article – State Personnel and Pensions

Section 2–801 to be under the new subtitle “Subtitle 8. Suicide Awareness and Prevention Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1274 – Delegate Costa

AN ACT concerning

Well Drilling – Local Health Department – Appeal

FOR the purpose of authorizing a certain person that has been issued or has applied for a certain permit to appeal a certain decision of a certain local health department to the Department of the Environment; establishing certain procedures for a certain appeal; requiring the Department to make a certain final decision and provide certain notice within a certain period of time; and generally relating to a permit to drill a well.

BY adding to

Article – Environment

Section 9–1307.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1275 – Delegates McComas, Aumann, Bartlett, Bates, Beidle, Benson, Bobo, Boteler, Carter, Dumais, Dwyer, Eckardt, Frank, Frush, Gaines, George, Glenn, Gutierrez, Haddaway, Harrison, Healey, Hecht, Howard, Impallaria, Ivey, Jameson, Jennings, Jones, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McDonough, McIntosh, Mizeur, Montgomery, Morhaim, Myers, Nathan–Pulliam, Norman, Pendergrass, Riley, Robinson, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama

AN ACT concerning

**Maryland Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act**

FOR the purpose of establishing the Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; authorizing a court of this State to treat a foreign country as if the country were a state for the purpose of applying this Act; authorizing a court of this State to make a certain request of an appropriate court of another state in a certain guardianship or protective proceeding in this State and to grant a certain request from an appropriate court of another state in a certain guardianship or protective proceeding in that state; authorizing the offer of testimony by deposition or certain other means in a certain guardianship or protective proceeding; requiring a court of this State to cooperate with courts of other states in designating an appropriate location for a deposition or testimony in a certain guardianship or protective proceeding; establishing that a court of this State has jurisdiction to appoint a guardian or issue a protective order for a certain respondent under certain circumstances; establishing that a court of this State that lacks certain jurisdiction under this Act has special jurisdiction to take certain steps; requiring a court in this State to dismiss a certain proceeding at the request of a certain court in another state under certain circumstances; establishing that a court that has appointed a guardian or issued a protective order consistent with this Act has exclusive and

continuing jurisdiction over the proceeding until the proceeding is terminated by the court or the appointment or order expires by the terms of the appointment or order; authorizing a court to decline to exercise jurisdiction under certain circumstances; requiring a court that declines jurisdiction to take certain steps in certain circumstances; authorizing a court to take certain steps if a certain determination is made; requiring a certain petitioner to provide certain notice to certain persons; authorizing a court to proceed or requiring the court to take certain steps on the filing of a certain petition under certain circumstances; authorizing a certain guardian or conservator to petition a court to transfer a guardianship or conservatorship to another state under certain circumstances; providing that a certain notice of a petition to transfer a guardianship or conservatorship to another state be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order granting a petition to transfer a guardianship or conservatorship to another state on a certain finding; requiring a guardian or conservator to petition a court in this State to accept a certain guardianship or conservatorship under certain circumstances; providing that a certain notice of a petition to accept a guardianship or conservatorship be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order approving a certain petition unless a certain objection is made; requiring a court to recognize a guardianship or conservatorship order from another state under certain circumstances; establishing that the denial of a petition to accept a guardianship or conservatorship from another state does not affect the ability of a certain person to seek a certain court appointment; authorizing a guardian appointed in another state to register a certain guardianship order in this State as a foreign judgment under certain circumstances; authorizing a conservator appointed in another state to register a certain conservatorship order in this State as a foreign judgment under certain circumstances; authorizing, with certain exceptions, a certain guardian or conservator to exercise certain powers in this State; authorizing a court in this State to grant certain relief to enforce a certain registered order; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; making certain technical corrections; defining certain terms; and generally relating to adult guardianship and protective proceedings.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–101(a), (e), and (h), 13–201 through 13–206, 13–208 through 13–221,
and 13–705 through 13–713

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–105, 13–207, 13–222, and 13–704

Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 13.5–101 through 13.5–504 to be under the new title “Title 13.5.
Maryland Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

House Bill 1276 – Delegate Love

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Entertainment Complex License

FOR the purpose of creating in Anne Arundel County an alcoholic beverages entertainment complex license; specifying the type of facility for which a license may be issued; specifying the privileges of the license; specifying the persons to whom a license may be issued; declaring that the holder of the license may obtain another alcoholic beverages license; stating that the license allows the playing of music and dancing; providing for a fee; defining a certain term; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–202(k)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1277 – Delegate McComas

AN ACT concerning

Judgments – Exemptions from Execution – No Impairment of Child Support Liens

FOR the purpose of providing that certain provisions relating to exemptions from execution on a judgment do not impair child support liens; and generally relating to exemptions from execution on judgments.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–507
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 10–140
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1278 – Delegate McComas

AN ACT concerning

Vehicle Laws – Drugged Driving – Test

FOR the purpose of altering certain requirements for a police officer requesting, requiring, or directing a certain test for drug or controlled dangerous substance content for a person driving or attempting to drive a vehicle; and generally relating to altering certain requirements for a certain test for drug or controlled dangerous substance content.

BY repealing
Article – Transportation
Section 16–205.1(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 16–205.1(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1279 – Delegate Conaway

AN ACT concerning

Marriage – Valid Between Consenting Adults

FOR the purpose of providing that a marriage between consenting adults is valid in the State; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the validity of marriages in the State.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–201
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1280 – Delegates Feldman, Barkley, Braveboy, Harrison, Hecht, King, Kirk, Love, Manno, Mathias, McHale, Minnick, Taylor, and Vaughn

AN ACT concerning

Workers' Compensation – Medical Presumptions

FOR the purpose of altering the occupational disease presumption under the workers' compensation law as applied to certain firefighters, certain fire fighting instructors, certain rescue squad members, certain advanced life support unit members, and certain sworn members of the Office of the State Fire Marshal; providing that certain diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a certain manner; providing that a certain presumption applies only if certain circumstances are met; and generally relating to the occupational disease presumption for certain diseases and cancers under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1281 – Delegates Busch and V. Clagett

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis High School
Booster Club Concession Stand**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis High School Sports Booster Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1282 – Delegates Anderson, Aumann, Bartlett, Bates, Beitzel, Bohanan, Boteler, Bromwell, Cane, Conway, Costa, Dwyer, Eckardt, Feldman, Glenn, Gutierrez, Haddaway, Harrison, Jameson, Jennings, Kach, Kelly, Kramer, Kullen, McComas, McConkey, McDonough, Miller, Minnick, Myers, Norman, O'Donnell, Oaks, Olszewski, Riley, Schuler, Serafini, Smigiel, Sossi, Stocksdale, Stukes, Stull, Vaughn, and Weir

AN ACT concerning

**Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –
Exceptions**

FOR the purpose of providing certain exceptions to the prohibition against operating or riding on a motorcycle without certain protective headgear; requiring the Motor Vehicle Administration to study the effect of this Act on motorcycle injuries and fatalities during a certain period of time and to report to the Governor and the General Assembly by a certain date; providing for the termination of this Act; and generally relating to exceptions to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1306
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1283 – Delegates Taylor, Bronrott, Feldman, Frush, Gilchrist, Hucker, Kramer, Montgomery, and Rice

AN ACT concerning

Developmental Disabilities Waiting List Reduction Act of 2010

FOR the purpose of requiring the Governor to include in the annual budget a certain appropriation for the Waiting List Equity Fund for providing community-based

services to certain individuals in certain fiscal years; and generally relating to the Waiting List Equity Fund and community-based services provided by the Developmental Disabilities Administration.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–205(b)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1284 – Delegates Burns, Aumann, Cardin, Frank, Jennings, Jones, Kach, Lafferty, McDonough, Minnick, Nathan–Pulliam, Schuler, Stein, and Weir

AN ACT concerning

**Baltimore County – Veterans’ Treatment Court Pilot Program
– Establishment**

FOR the purpose of authorizing the establishment of a Veterans’ Treatment Court Pilot Program in Baltimore County under certain circumstances; authorizing the Chief Judge of the Court of Appeals to accept a gift or grant for certain purposes under certain circumstances; providing that a defendant charged with a certain nonviolent crime who is a veteran and who exhibits substance abuse or mental health problems is eligible for diversion to a certain veterans’ treatment court; providing for certain procedures; requiring the Administrative Office of the Courts to incorporate the Veterans’ Treatment Court Pilot Program under the Office of Problem–Solving Courts, make certain best practice recommendations, and establish performance evaluations for the veterans’ treatment courts; providing for the period for which a veterans’ treatment court retains jurisdiction; authorizing the use of funds from a certain special fund for providing certain substance abuse services through a veterans’ treatment court; establishing the applicability of the subtitle; defining certain terms; requiring the circuit administrative judge for a certain circuit to submit a certain report on the pilot program; making this Act subject to a certain contingency; providing for the termination of this Act; and generally relating to the establishment of a Veterans’ Treatment Court Pilot Program in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–220(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure

Section 6–2A–01 through 6–2A–09 to be under the new subtitle “Subtitle 2A.
Veterans’ Treatment Court Pilot Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 8–6A–01(b)(1) and (3)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–6A–01(c)

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1285 – Delegates Kramer, Hucker, and Mizeur

AN ACT concerning

Real Property – Abatement of Nuisance – Prostitution

FOR the purpose of establishing that the use of real property for prostitution is a nuisance that may be the subject of a certain action for abatement; defining a certain term; making a stylistic change; and generally relating to prostitution and abatement of nuisance actions.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 11–301(c)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–120

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1286 – Delegates Jennings, Aumann, Boteler, Dwyer, Frank, George, Haddaway, McConkey, McDonough, Miller, Norman, O’Donnell, Shank, Shewell, Smigiel, Sossi, Stifler, and Stocksdales

AN ACT concerning

Sales and Use Tax – Rate

FOR the purpose of altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales and use tax; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; and generally relating to altering the rate of the sales and use tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–105(b), 11–104(a) and (b), and 11–301
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1287 – Delegate Ali

AN ACT concerning

State Board of Education – Student Member Full Voting Rights Act

FOR the purpose of repealing certain limits on the right of the student member of the State Board of Education to vote on certain matters; and generally relating to the student member of the State Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–202(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1288 – Delegate Weir

AN ACT concerning

Video Lottery Terminals – Increase in Number of Terminals and Licensees

FOR the purpose of increasing the number of video lottery operation licenses and video lottery terminals that may be awarded by the Video Lottery Facility Location Commission; authorizing the awarding of video lottery operation licenses to holders of certain alcoholic beverages licenses in the State; limiting the number of video lottery terminals that may be operated in one licensed establishment; authorizing the Commission to replace certain video gaming devices with video lottery terminals; making this Act contingent on the passage and ratification of a certain constitutional amendment; requiring the Commission to adopt certain regulations; and generally relating to the operation of video lottery terminals in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–05(a) and 9–1A–36(f), (g), and (p)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–1A–05(e)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1289 – Delegate Costa

AN ACT concerning

Well Drilling – Regulation of Water Supply – Public Hearing and Notice

FOR the purpose of authorizing persons who reside in an affected hydrogeologic area to request the Department of the Environment to hold a public hearing on proposed regulations that affect a groundwater aquifer or well located in the State; requiring, under certain circumstances, the Department to hold a public hearing before adopting the regulations; requiring the public hearing to be held at a location in the affected hydrogeologic area; requiring the Department to publish certain notice of a certain public hearing; defining a certain term; and generally relating to the regulation of the water supply in the State.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1305(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Environment
Section 9–1305(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1290 – Delegate Davis

AN ACT concerning

Underground Facilities – Damage Prevention

FOR the purpose of repealing certain provisions of Maryland’s underground facilities damage prevention laws; expanding the scope of the underground facilities damage prevention laws to apply to an owner or lessee of a private residence who performs an excavation or demolition on the land of the private residence; establishing the Maryland Underground Facilities Damage Prevention Authority; declaring the intent of the General Assembly that the Authority not be funded through State budget appropriations; providing for the appointment and terms of the members of the Authority; providing for the selection of a chair of the Authority in a certain manner; establishing quorum requirements for the Authority, and requiring the Authority to meet at a certain frequency; providing that a member of the Authority may not receive compensation and is not entitled to reimbursement for expenses; authorizing the Authority to perform certain acts; requiring the Authority to adopt a code of conduct for its members; authorizing the Authority to obtain funding for its operational expenses from certain sources; authorizing the Authority to enforce the underground facilities damage prevention laws by hearing complaints, assessing certain penalties, and reaching a settlement instead of certain penalties; authorizing the Authority to establish certain fees and use the services of a third party to collect certain civil penalties; requiring that a certain hearing before the Authority be conducted in a certain manner; authorizing a person aggrieved by a decision of the Authority to request judicial review of the decision in a certain manner; requiring the Authority to submit a certain report to the Governor and General Assembly each year; establishing the Maryland Underground Facilities Damage Prevention Education and Outreach Fund as a special, nonlapsing fund to be used for certain purposes; providing for the use, accounting, and administration of the Fund; providing for the investment of the Fund and disbursement of any revenue from the investment in a certain manner; requiring a person performing a certain emergency excavation or demolition immediately to notify a certain one–call system to inform certain owners of underground facilities of the excavation or demolition; providing that a person that abuses the emergency demolition procedures in this Act is subject to certain penalties; requiring an owner of underground facilities to be a member of a one–call system and to submit to the one–call system and keep current certain information; requiring a person that intends to perform an excavation or demolition in the State to

initiate a certain ticket request with a certain one-call system; providing that a ticket is valid for a certain period; requiring a person that intends to perform an excavation or demolition to repeat a certain notice to the one-call system under certain circumstances; requiring an owner of underground facilities to mark the underground facilities in a certain manner under certain circumstances; requiring an owner to report certain information to an underground facilities information exchange system within a certain period after a certain event; requiring an owner to take certain actions if the owner, for certain reasons, is unable to mark the underground facilities within a certain period; authorizing an owner and person conducting an excavation or demolition to reach a working agreement regarding the schedule for marking an underground facility; providing that a person may begin excavation or demolition only after receiving a certain notice; providing that a person performing an excavation or demolition is responsible for the maintenance of underground facility markings and shall perform the excavation or demolition in a certain manner; requiring a certain person to provide certain notice of certain damage to, or disturbance of, an underground facility; requiring a person to take certain measures if the person knows or has reason to know of an unmarked underground facility in the area of an excavation or demolition; repealing the authority of a political subdivision or municipal corporation to charge a marking or re-marking fee for the reimbursement of expenses incurred by the political subdivision or municipal corporation in complying with the State's underground facilities damage prevention laws; authorizing a designer to initiate a ticket request with a certain one-call system under certain circumstances; requiring an owner to respond to a ticket requested by a designer in a certain manner within a certain period after receiving a certain notice; providing that an owner or agent of an owner is not liable for inaccurate information provided to a designer in response to a ticket request; increasing certain civil penalties under the underground facilities damage prevention laws; authorizing the Authority to impose certain measures instead of or in addition to certain civil penalties; providing that certain civil penalties may be assessed only by the Authority; providing that a court may assess certain civil penalties and award certain attorney's fees under certain circumstances; providing that the Authority may not assess a certain penalty if a certain action has been brought in a certain venue; altering a provision regarding the disposition of civil penalties and requiring that civil penalties recovered under the underground facilities damage prevention laws be paid into the Fund; providing that employees and officials of the Authority are State personnel under the Maryland Tort Claims Act; altering the definition of underground facility to include stormwater drains after a certain date; requiring an owner of stormwater drains to make a good faith effort to identify the location of the stormwater drains by a certain date; holding an owner harmless under this Act with respect to any stormwater drain the owner could not locate and identify after a good faith effort; providing for a delayed effective date for a certain provision of this Act; defining certain terms and altering certain definitions; making stylistic changes; and generally relating to excavation or demolition near underground facilities and underground facilities damage prevention.

BY repealing

Article – Public Utility Companies

Section 12–107 through 12–110; and 12–201 through 12–203 and the subtitle
“Subtitle 2. Excavation Near Underground Lines and Structures in
Montgomery County”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Public Utility Companies

Section 12–104, 12–105, 12–106, 12–111, 12–112, and 12–113, respectively
to be Section 12–120, 12–121, 12–122, 12–128, 12–134, and 12–135, respectively
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 12–101 and 12–103 to be under the new part “Part I. Definitions;
General Provisions”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–102

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Public Utility Companies

Section 12–106 through 12–114 to be under the new part “Part II. Maryland
Underground Facilities Damage Prevention Authority”; 12–117 to be
under the new part “Part III. Maryland Underground Facilities Damage
Prevention Education and Outreach Fund”; 12–123 through 12–127; and
12–131 to be under the new part “Part V. Designer Requests”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 12–120, 12–121, 12–122, and 12–128 to be under the new part “Part IV.
Excavation and Demolition”; and 12–135

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 12–134 to be under the new part “Part VI. Enforcement and Penalties”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)(2)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 12–101(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 12–101(o)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1291 – Delegates McIntosh, Bronrott, Cane, Carr, Frush, Glenn, Healey, Hecht, Hucker, Kaiser, Lafferty, Montgomery, Niemann, Pena–Melnik, Reznik, and Stein

AN ACT concerning

Residential Home Sales – Disclosure of Utility Consumption

FOR the purpose of requiring a vendor of single family residential property to include certain utility information for a certain time period in a certain listing; requiring the vendor to submit certain utility information to the Maryland Association of Realtors under certain circumstances; requiring certain utility information to be calculated in a certain manner; requiring the vendor to provide to the purchaser, before signing a sales contract, certain materials and certain utility information; requiring the Maryland Association of Realtors to publish certain utility information to a certain website; requiring the website developed under this Act to allow visitors to search certain information in a certain manner; providing for the scope of this Act; defining certain terms;

providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 1–101(l) and (n)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 10–702.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1292 – Delegates Glenn, Anderson, Conaway, and Tarrant

AN ACT concerning

Circuit Court for Baltimore City – Jury Duty – Parking

FOR the purpose of requiring the Circuit Court for Baltimore City to provide free parking accommodations for prospective, qualified, or sworn jurors for a certain time period; and generally relating to jury duty in the Circuit Court for Baltimore City.

BY adding to
Article – Courts and Judicial Proceedings
Section 8–427.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1293 – Delegates Reznik, Barkley, Benson, Bromwell, Carr, Hucker, Levi, Manno, Montgomery, Olszewski, Tarrant, Taylor, and V. Turner

AN ACT concerning

State Finance and Procurement – Public Works Contracts – Required Clause

FOR the purpose of requiring certain public bodies to require certain public works contracts to include a clause covering the obligation of contractors to certify that

not more than a certain percentage of employees receive certain medical assistance; and generally relating to public works contracts.

BY adding to

Article – State Finance and Procurement

Section 17–701 and 17–702 to be under the new subtitle “Subtitle 7. Medical Assistance Cost Savings for Public Works Contracts”

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1294 – Delegates Krysiak and Jones

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Baltimore Metropolitan Council – Eligibility

FOR the purpose of including certain employees of the Baltimore Metropolitan Council in the State Employee and Retiree Health and Welfare Benefits Program; providing that certain service accrued by certain employees of the Baltimore Metropolitan Council shall be included as part of the employee’s State service; requiring the Baltimore Metropolitan Council to pay to the State a certain amount of money based on a certain subsidy; and generally relating to the employees of the Baltimore Metropolitan Council participating 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 2009 Supplement)

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

House Bill 1295 – Delegates Krysiak, Jameson, Kirk, McHale, Minnick, and Rudolph

AN ACT concerning

Workers’ Compensation – Uninsured Employers’ Fund – Uninsured Employer Assessments

FOR the purpose of increasing the amount of assessments that the Workers’ Compensation Commission imposes against uninsured employers and directs as

payment into the Uninsured Employers' Fund; and generally relating to assessments imposed on employers that have failed to secure workers' compensation insurance.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–1005
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1296 – Delegates Robinson, Glenn, and Oaks

AN ACT concerning

Living Wage – Nonprofit Organizations – Applicability

FOR the purpose of providing that certain provisions regarding the living wage requirement for State contracts for services apply to contracts with nonprofit organizations; and generally relating to living wage requirements for State contracts.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 18–102
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1297 – Delegates Valderrama and Vallario

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Delegation of Contested Claims to Office of Administrative Hearings

FOR the purpose of establishing that a member of the Criminal Injuries Compensation Board is not entitled to compensation or reimbursement to attend a certain hearing; authorizing the Board to adopt regulations for the approval of attorney's fees for representation before the Office of Administrative Hearings; repealing the authority of the Board to hear and determine a certain claim, hold hearings, administer oaths, examine any person under oath, and issue certain subpoenas; authorizing the Board to tentatively determine a certain claim and request certain subpoenas; repealing the authority of the Board to delegate certain power to a certain member or employee; requiring the Board to provide

a certain report to a certain claimant and a certain attorney; requiring the Secretary of Public Safety and Correctional Services to delegate the authority to conduct a certain hearing to the Office of Administrative Hearings under certain circumstances and requiring the Office to hold the hearing at a certain location under certain circumstances; altering a certain provision of law to require the Secretary to modify, affirm, or reverse a certain decision within a certain time period under certain circumstances; requiring that a certain claimant and a certain attorney be given a copy of a certain decision; authorizing a certain claimant to appeal a certain decision within a certain time period; authorizing the transfer and appropriation of certain money in a certain manner to the Office of Administrative Hearings for a certain purpose; providing for the application of this Act; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–804, 11–805, 11–814, and 11–815
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1298 – Delegates Glenn, Ali, Beidle, Frush, Healey, Holmes, Ivey, Lafferty, Niemann, Serafini, Shewell, Stein, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Transfer Fees – Prohibition

FOR the purpose of prohibiting a person who conveys a fee simple interest in real property from recording a covenant for the payment of a transfer fee under certain circumstances; establishing that a covenant that requires a certain payment of a transfer fee is void under certain circumstances; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to the prohibition on transfer fees on real property.

BY adding to
Article – Real Property
Section 10–708
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1299 – Delegates Davis, Barkley, Braveboy, Burns, Feldman, Hecht, Hubbard, Hucker, Kirk, Krysiak, Love, Manno, McHale, Taylor, and Vaughn

AN ACT concerning

Labor and Employment – Healthy Retail Employee Act

FOR the purpose of requiring certain retail employers to provide a certain nonworking or working shift break to certain employees under certain circumstances; authorizing certain employees to file a complaint with the Commissioner of Labor and Industry under certain circumstances; authorizing the Commissioner to investigate whether a certain provision of law has been violated under certain circumstances; requiring the Commissioner to attempt to resolve a certain issue informally or issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain civil penalty under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; requiring a court to award certain attorney's fees and costs under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to shift breaks for employees.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–103(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 3–710
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1300 – Delegates Carr, Hecht, and Hucker

AN ACT concerning

Common Interest Community Managers – Licensing and Regulation

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and for meetings of the Board; authorizing the Board to sue in the

name of the State, with the approval of the Attorney General, to enjoin certain conduct; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board before the individual may provide certain management services to common interest communities in the State; establishing certain education and examination requirements for a license; requiring common interest community managers to obtain and maintain a certain fidelity bond or a certain insurance policy; providing for the application, term, renewal, and reinstatement of licenses; requiring common interest community managers to establish a certain code of conduct, provide management services in accordance with written contracts, and establish certain internal accounting controls; requiring a certified public accountant to review or audit certain financial statements in a certain manner; authorizing the Board to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing procedures and rights to judicial review; authorizing a licensed common interest community manager to provide certain management services through certain business organizations if the business organization holds a permit issued by the Board; requiring a partnership, corporation, limited liability company, limited liability partnership, or other form of business organization to hold a permit issued by the Board before the person operates a business through which certain management services are provided to common interest communities; establishing certain requirements for a permit; providing for the application, issuance, scope, renewal, and reinstatement of permits; authorizing the Board to deny, suspend, or revoke a permit or reprimand a permit holder under certain circumstances; prohibiting certain acts; establishing certain criminal penalties; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations, beginning on a certain date; prohibiting certain fees from increasing by more than a certain amount each year; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms and qualifications of the initial members of the Board; providing for the application of this Act; defining certain terms; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community management.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (34), respectively

to be Section 2–108(a)(11) through (35), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(13) through (68), respectively
to be Section 8–403(b)(14) through (69), respectively
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Business Occupations and Professions
Section 4.5–101 through 4.5–602 to be under the new title “Title 4.5. Common
Interest Community Managers”
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Business Regulation
Section 2–106.7, 2–106.8, and 2–108(a)(10)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – State Government
Section 8–403(b)(13)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1301 – Delegates Carr, Pena–Melnyk, Ali, Beidle, Hucker, Lafferty,
Manno, Mizeur, and Niemann**

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

FOR the purpose of requiring a custodian of a public record to provide certain applicants with a copy of the public record in an electronic format under certain circumstances; requiring the custodian to make a public record available in any electronic format in which the public record is kept; requiring a custodian of a

public record to provide the public record in the electronic format requested under certain circumstances; requiring an official custodian to comply with certain provisions of this Act even if the public record is in the physical custody or control of another person; providing for the construction of certain provisions of this Act; authorizing a custodian to charge an applicant a certain fee for producing a copy of a public record in an electronic format under certain circumstances; and generally relating to access to public records.

BY repealing and reenacting, with amendments,

Article – State Government
Section 10–620 and 10–621
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1302 – Delegates Kipke, Kach, Kullen, and Montgomery

AN ACT concerning

Health Occupations – Dental Hygienists – Practice in Long-Term Care Facilities

FOR the purpose of authorizing a dental hygienist to practice dental hygiene under the general supervision of a dentist in long-term care facilities under certain circumstances; requiring certain dental hygienists to have a certain written agreement; requiring certain dental hygienists to consult with the supervising dentist or a treating physician under certain circumstances; requiring certain dental hygienists to assess the appropriate recall interval for a patient in a certain manner; requiring certain dental hygienists to ensure that certain long-term care facilities have a medical emergency plan and certain equipment; defining certain terms; and generally relating to the practice of dental hygiene.

BY adding to

Article – Health Occupations
Section 4–308(j)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1303 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Real Property – Recording

FOR the purpose of altering certain procedures for recording certain deeds in Worcester County so as to require that certain deeds granting property within a certain sanitary district operated by the County Commissioners of Worcester County be marked by the county to indicate that certain assessments and charges due to the county have been paid before the deed may be accepted by the Clerk of the Circuit Court for recording; and generally relating to the recordation of property lying in the boundaries of a sanitary district operated by the County Commissioners of Worcester County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–104(f)(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1304 – Delegate Ramirez

AN ACT concerning

Sales and Use Tax – Pawn Transactions

FOR the purpose of providing that a certain exemption from the sales and use tax does not apply to the sale of certain pawn transactions made over a certain period of time involving property of a certain value; altering certain definitions under the sales and use tax law; and generally relating to the application of the sales and use tax to certain pawn transactions.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(h)(3)(ii)1. and (i) and 11–209(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1305 – Delegate Kelly

AN ACT concerning

Public Safety – Maryland Railroad Police Act – Definition of “Railroad Police Officer”

FOR the purpose of altering the definition of “railroad police officer” for purposes of the Maryland Railroad Police Act to provide that a railroad police officer is a certain individual who performs official duties in the State on a regular or periodic basis; and generally relating to the Maryland Railroad Police Act.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1306 – Delegates Dwyer, Costa, George, King, Kipke, McDonough, and Schuh

AN ACT concerning

Property Tax Credit – Property Leased to Nonprofit Schools

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against county or municipal corporation property tax imposed on real property leased to a nonprofit school and used exclusively for primary or secondary educational purposes; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; providing for the application of this Act; and generally relating to a local property tax credit for real property leased to nonprofit schools.

BY adding to
Article – Tax – Property
Section 9–252
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1307 – Delegates Dwyer, Beidle, Kipke, Love, Schuh, and Sophocleus

AN ACT concerning

Criminal Law – Statewide Definition of Criminal Gang Member

FOR the purpose of requiring all law enforcement agencies in the State to define “criminal gang member” as a person whose membership in a criminal gang is proven by certain criteria; and generally relating to criminal gangs.

BY adding to

Article – Criminal Law

Section 9–805

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

House Bill 1308 – Delegates Conway and Mathias

AN ACT concerning

Creation of a State Debt – Worcester County – Pocomoke City Volunteer Fire Company Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Pocomoke City Volunteer Fire Company, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1309 – Delegates Mathias and Conway

AN ACT concerning

Somerset and Worcester Counties – Liquor Control Boards – Ethics

FOR the purpose of including the Liquor Control Board for Somerset County and the Liquor Control Board for Worcester County in the definition of “executive unit” as it relates to the Maryland Public Ethics Law to clarify that the Maryland Public Ethics Law applies to both liquor control boards; specifying that the members and employees of both liquor control boards are public officials for certain purposes; and generally relating to the Liquor Control Board for Somerset County and the Liquor Control Board for Worcester County.

BY repealing and reenacting, without amendments,

Article – State Government
Section 15–101(b) and 15–102(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–102(m) and 15–103(b)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1310 – Delegates Valderrama, Anderson, Barnes, Benson, Bobo, Conaway, Dumais, Gaines, Gilchrist, Glenn, Gutierrez, Hecht, Hucker, Ivey, Kaiser, Kullen, Lee, Levi, McComas, Montgomery, Oaks, Pena–Melnik, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Criminal Law – Sexual Crimes – Definitions

FOR the purpose of altering the definition of “sexual act” to include an act in which a part of an individual’s body is used to penetrate certain body parts of another individual; altering the definition of “sexual contact”; and generally relating to definitions relating to sexual crimes.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–301(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301(e) and (f)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1311 – Delegate Myers

AN ACT concerning

State Boards of Plumbing, Master Electricians, and Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Membership

FOR the purpose of altering the membership of the State Board of Plumbing, State Board of Master Electricians, and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors to add a certain number of code officials; requiring certain code official members of each board to be from the State at large; providing for the qualifications of certain code official members; and generally relating to membership on the State Board of Plumbing, State Board of Master Electricians, and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6-202 and 12-202
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A-202
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1312 – Delegates Walker, Olszewski, Rice, and Stukes

AN ACT concerning

Education – Maryland Center for School Safety

FOR the purpose of creating the Maryland Center for School Safety; creating the Board of Directors of the Center; providing for the composition of the Board and the staffing of the Center; providing that a member of the Board may not receive compensation but may be reimbursed for certain expenses; specifying the terms of the initial members of the Board; authorizing the Board to elect certain officers; specifying the duties of the Center; requiring the Center to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the Maryland Center for School Safety.

BY adding to
Article – Education
Section 24-701 through 24-705 to be under the new subtitle “Subtitle 7.
Maryland Center for School Safety”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1313 – Delegates Conway, Mathias, Cane, and Rudolph

AN ACT concerning

Creation of a State Debt – Wicomico County – Parsonsburg Volunteer Fire Company Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Parsonsburg Volunteer Fire Company, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1314 – Delegates Glenn, Anderson, and Rosenberg

AN ACT concerning

Criminal Law – Dangerous Dogs – Registration and Penalties

FOR the purpose of requiring the owner of a dangerous dog to obtain a certain registration certificate from a local animal control unit within a certain period of time; requiring the owner to pay a certain fee set by the animal control unit; requiring a certain registration certificate to include certain information; requiring a local animal control unit to issue a certain registration certificate if the owner of a dangerous dog provides certain satisfactory evidence; requiring a certain registration certificate to be renewed annually at a fee set by the local animal control unit; requiring the owner of a dangerous dog to notify the local animal control unit of certain changes in information; requiring certain animal control units to forward certain information to the State Board of Veterinary Medical Examiners in the State Department of Agriculture; requiring the Board to publish certain information on a certain website; prohibiting a person from importing a dangerous dog into the State; prohibiting a person from selling, adopting, or otherwise transferring a dangerous dog in the State to another person other than an animal control unit; establishing certain penalties for certain violations of this Act; establishing certain penalties for the owner of a dangerous dog if the dangerous dog kills or inflicts injury on a person or on a domestic animal; establishing a certain penalty for the owner of a dangerous dog if the dog kills or inflicts severe injury on a person caused by the owner's gross negligence or reckless, wanton, or intentional misconduct; prohibiting a court from imposing less than a certain mandatory minimum sentence; prohibiting a court from suspending any part of a certain mandatory minimum

sentence; requiring an owner of a potentially dangerous dog who sells or gives the dog to another to make a certain written notification; removing a certain act from the list of acts for which a certain unit may determine that a dog is potentially dangerous; defining certain terms; and generally relating to registration of dangerous dogs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–619
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1315 – Delegates Glenn and Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Collington Square Community Kitchen

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of the Episcopal Community Services of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1316 – Delegates Glenn, Anderson, Conaway, Rosenberg, and Tarrant

AN ACT concerning

Baltimore City Circuit Court – Correspondence Relating to Jury Service

FOR the purpose of requiring the Clerk of the Circuit Court for Baltimore City to forward any correspondence relating to a certain matter to the Jury Commissioner.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–205
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

**House Bill 1317 – Delegates Glenn, Hucker, Manno, Niemann, Schuler,
Taylor, and Valderrama**

AN ACT concerning

Public Investment Protection Act

FOR the purpose of establishing the Public Investment Protection Act; stating findings and declarations of the General Assembly; requiring that certain employers receiving certain State subsidies pay certain wages to certain employees; requiring certain employers to participate in a certain apprenticeship program; requiring certain employers to enter into certain labor agreements with certain labor organizations; requiring the Commissioner of Labor and Industry to publish certain wage rates at certain times; requiring that certain agreements between the State and certain persons include certain provisions; requiring employers to post a certain notice at certain work sites; requiring certain employers to keep certain records and to make the records available to the Commissioner at certain times for certain purposes; establishing presumptions; prohibiting certain employers from discharging or taking other adverse actions against certain employees or other persons; authorizing certain persons to bring court actions for certain remedies for certain violations; specifying penalties; authorizing the Commissioner to conduct investigations, make determinations, and issue orders; authorizing certain persons to bring a private right of action against certain employers for certain violations; authorizing the Commissioner to adopt certain regulations; defining certain terms; providing for the construction of this Act; providing for the application of this Act; making this Act severable; and generally relating to the Public Investment Protection Act.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–413
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 3–1001 through 3–1012 to be under the new subtitle “Subtitle 10. Public
Investment Protection Act”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1318 – Delegates Krysiak, Davis, and Kelly

AN ACT concerning

Workers' Compensation – Death Benefits – Dependency

FOR the purpose of altering the authority of the Workers' Compensation Commission to make certain determinations of dependency; altering a provision of law that specifies that certain surviving spouses and individuals are not entitled to certain death benefits; altering the provisions relating to the calculation of death benefits for individuals who are wholly or partly dependent; requiring an employer or its insurer to pay certain death benefits to certain dependents for a certain period of time; specifying the calculation of certain death benefits; specifying the minimum amount of certain death benefits; specifying the minimum amount of time for the payment of certain death benefits; providing an exception to the time limitation for certain dependents who are incapable of self-support under certain circumstances; providing for the termination of certain death benefits under certain circumstances; providing an exception to the termination of certain death benefits for certain children under certain circumstances; providing the amount of death benefits to certain dependents who are neither a dependent spouse nor a dependent child; providing for an annual adjustment in a certain manner of a certain death benefit; specifying that the Commission has continuing jurisdiction under certain circumstances; increasing the amount of certain funeral expenses that the employer or its insurer is required to pay; making stylistic changes; and generally relating to workers' compensation death benefits for dependents of covered employees.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–678
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–679, 9–680, 9–681, 9–683, and 9–689
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Labor and Employment
Section 9–682
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 9–682

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1319 – Delegates Glenn and Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Mount Pleasant Family Life Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Mount Pleasant Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1320 – Delegates Glenn, Anderson, Conaway, Rosenberg, and Tarrant

AN ACT concerning

Courts – Jury Service – Employer Compensation

FOR the purpose of requiring an employer to provide certain compensation to an employee as a result of responding to a summons for jury service; providing for certain penalties; providing for the application of this Act; and generally relating to jury service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–502
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1321 – Delegates Carr, Bronrott, Frick, Frush, Gutierrez, Healey, Holmes, Lee, Manno, Niemann, Oaks, Reznik, Riley, and Stukes

AN ACT concerning

**Transportation – Littering and Securing Loads on Vehicles – Online
Reporting of Violations and Issuance of Citations**

FOR the purpose of requiring the State Highway Administration to compile and publish annually and keep copies of certain information concerning highway litter removal programs and reports of certain violations; requiring the Administration to establish an online reporting system that allows an adult individual to file a report electronically if the individual witnesses a violation of certain provisions of law relating to littering and to securing loads on vehicles; requiring a certain report to contain certain information under certain circumstances; requiring the Administration to forward certain reports to certain local police departments; requiring a police officer with a local police department to conduct an investigation of a certain report under certain circumstances; requiring a local police department to mail a citation to a certain person under certain circumstances; requiring a certain citation to contain certain information; requiring a person who receives a citation under this Act to pay the penalty in accordance with the instructions in the citation or elect to stand trial in the District Court for the alleged violation; requiring the Department of State Police and the Administration jointly to adopt regulations to implement certain provisions of this Act; altering certain presumptions of liability for certain violations related to littering and to securing loads on vehicles; requiring a police department that issues a certain citation to maintain a record of the citation and to submit annually to the Administration certain information related to the citation; and generally relating to littering and to securing loads on vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–205
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 8–208
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1111 and 24–106.3
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation

Section 21-1111.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1322 – Delegates Hucker, Benson, Ali, Barkley, Barve, Bobo, Bronrott, Carr, Feldman, Gutierrez, Hecht, Hixson, Hubbard, Kullen, Manno, Montgomery, Morhaim, Reznik, Taylor, Vaughn, and Waldstreicher

AN ACT concerning

Business Regulation – Lodging Establishments – National Human Trafficking Resource Center Hotline Information

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to design a sign that contains certain information regarding the National Human Trafficking Resource Center Hotline; requiring the sign to meet certain requirements and be placed on the Department website; requiring an innkeeper of a lodging establishment to post a certain sign in certain places for a certain period of time if certain conditions are met; providing certain penalties for the violation of a certain provision of this Act; and generally relating to lodging establishments and information regarding the National Human Trafficking Resource Center Hotline.

BY adding to
Article – Business Regulation
Section 15-207
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1323 – Delegate Jennings

AN ACT concerning

Civil Air Patrol Leave Act of 2010

FOR the purpose of establishing a certain leave policy for members of the Civil Air Patrol; providing that an employer may not take certain actions against certain employees; requiring employers to provide a certain number of days of a certain leave for certain employees; requiring a certain employee to provide certain notices to an employer; permitting an employer to require a certain certification; allowing an employee to maintain certain leave; allowing an employer to provide a certain paid leave; requiring an employer to restore an employee to a

certain position after use of a certain leave except in certain circumstances; prohibiting use of a certain leave while using other certain grants of leave; allowing negotiation between an employer and employee regarding payment of certain benefits during a certain leave; disallowing the loss of certain benefits that accrued at a certain time; maintaining the current obligations of an employer under a certain agreement or benefit plan; providing that a certain agreement or employee plan entered into after a certain date may not diminish the use of a certain leave; providing that this Act does not diminish certain rights of certain employees; authorizing an employee to take certain legal actions to enforce this Act; defining certain terms; and generally relating to leave taken by members of the Civil Air Patrol.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–703
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 3–1001 through 3–1007 to be under the new subtitle “Subtitle 10. Civil
Air Patrol Leave”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1324 – Delegate Schuh

AN ACT concerning

Public General Laws – Terminology – Substitution for “Mentally Defective”

FOR the purpose of repealing the term “mentally defective individual” from the Public General Laws of Maryland and substituting the term “individual with a cognitive disability, intellectual disability, or mental illness”; and generally relating to individuals with cognitive disabilities, intellectual disabilities, or mental illness.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 8–603(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services

Section 8–603(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–301(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301(b), 3–304(a), 3–306(a), and 3–307(a)(2)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–603(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 11–107(b)(7)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1325 – Delegates Frick, Barkley, Bobo, Bronrott, Carr, G. Clagett, Dumais, Frush, Hecht, Howard, Lee, Mizeur, Reznik, Rice, and F. Turner

AN ACT concerning

**State and Local Government Procurement – Banking and Financial Services
– Preference for State Financial Institutions**

FOR the purpose of requiring the State Treasurer, when evaluating competing bids or proposals submitted by financial institutions to provide banking or financial services to the State or an agency of the State, to multiply any bid or proposal submitted by a State financial institution by a certain factor in order to give the State financial institution a preference over the other bids or proposals submitted to provide those services; requiring a local government unit, when evaluating competing bids or proposals submitted by financial institutions to

provide banking or financial services to the local government unit, to multiply any bid or proposal submitted by a State financial institution by a certain factor in order to give the State financial institution a preference over the other bids or proposals submitted to provide those services; defining certain terms; and generally relating to the procurement of banking and financial services by the State and local government units.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–201(a), (b), (e), and (f)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–229
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 6–230
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article 95 – Treasurer
Section 23
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1326 – Delegates Robinson, Anderson, Glenn, Haynes, McHale, Oaks, Stukes, and Tarrant

AN ACT concerning

Baltimore City – Consumption of Alcoholic Beverages – Unlicensed Restaurants

FOR the purpose of prohibiting, with a certain exception, an establishment in Baltimore City that is not licensed by the Board of License Commissioners from performing certain activities, including giving, serving, or dispensing alcoholic beverages on its premises; authorizing certain restaurants not licensed by the Board to allow a patron to consume alcoholic beverages during a certain time

under certain conditions; repealing provisions concerning the establishment and registration of bottle clubs; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (22)(i) and (ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1327 – Delegates Ramirez, Heller, and Montgomery

AN ACT concerning

Business Regulation – Home Improvement – Providing Services Without a License

FOR the purpose of altering the penalty for acting or offering to act as a contractor or subcontractor or for selling or offering to sell a home improvement in the State without a license; requiring an owner to determine whether or not a person holds a contractor license before the owner enters into a home improvement contract; prohibiting an owner from entering into a home improvement contract with a contractor who is required to be licensed but is not licensed; prohibiting a certain owner from arguing a certain defense under certain circumstances; providing certain exemptions from certain civil and criminal penalties; and generally relating to providing home improvement services without a license.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–601, 8–620, and 8–623
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 8–618
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1328 – Delegate Vallario

AN ACT concerning

Firearms – Knowing Violation of Specified Prohibitions – Penalty

FOR the purpose of applying a certain penalty to the knowing violation of a certain prohibition against the possession of a regulated firearm or ammunition solely designed for a regulated firearm by a person who is under a certain age, and to the knowing violation of a certain prohibition against obliterating, removing, changing, or altering the manufacturer's identification mark or number on a firearm; and generally relating to firearms violations.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–133 and 5–142
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–143
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1329 – Delegate Rice

AN ACT concerning

Campaign Finance Entities – Contribution Records and Reports

FOR the purpose of requiring the treasurer of a campaign finance entity, to the extent practicable, to record certain information regarding an individual who makes contributions of a certain cumulative amount during a certain period of time to the campaign finance entity; requiring the treasurer to include certain information regarding contributors in the campaign finance report that the treasurer of a campaign finance entity is required to file; providing for a delayed effective date; and generally relating to the contribution records and reports of campaign finance entities.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–221 and 13–304(b)

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1330 – Delegates Conway, Bates, Cane, G. Clagett, DeBoy, Elmore, Mathias, Proctor, Robinson, Rudolph, Sophocleus, and Wood

AN ACT concerning

Child Abuse and Neglect – Reports and Records – Disclosure to Division of Parole and Probation

FOR the purpose of requiring the disclosure of a report or record of child abuse or neglect to the Division of Parole and Probation in the Department of Public Safety and Correctional Services if the local department of social services has reason to believe or learns that an individual who is living in or has a regular presence in a child's home is under the supervision of the Division of Parole and Probation; and generally relating to disclosure of reports and records of child abuse and neglect.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(b)
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 1331 – Delegates Dumais, Anderson, Barnes, Lee, Ramirez, and Valderrama

AN ACT concerning

Civil Litigation Funding

FOR the purpose of establishing that the contingent right to receive an amount of the potential proceeds of a certain legal claim is assignable and that an assignment of that right is valid for certain purposes; establishing certain requirements for a contract for nonrecourse civil litigation funding; establishing that the responsibilities of a certain attorney if a certain dispute arises shall be consistent with the Maryland Rules of Professional Responsibility; establishing that certain communications do not affect certain evidentiary privileges; prohibiting a civil litigation funding company from assessing fees for a certain period; limiting the compounding of certain fees; requiring a civil litigation funding company, in calculating the annual percentage fee or rate of return, to include certain charges and compute the rate based on a certain amount;

establishing certain prohibitions; requiring each civil litigation funding company to be licensed by the Commissioner of Financial Regulation in accordance with certain provisions of law; establishing that, with certain exceptions, certain provisions of law apply to a civil litigation funding company; requiring each licensed civil litigation funding company to report annually certain information to the Commissioner; requiring the Commissioner to adopt certain regulations and submit a certain annual report to the General Assembly; providing for the construction of this Act; defining certain terms; and generally relating to civil litigation funding.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–1201 through 5–1208 to be under the new subtitle “Subtitle 12. Civil Litigation Funding”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Financial Institutions

Section 11–202.1

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1332 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Evangel Assembly
Family Life Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Evangel Assembly Family Life Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching funds for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1333 – Delegates Valderrama and Vallario

AN ACT concerning

Torts – Pets – Injury or Death

FOR the purpose of altering the measure of compensatory damages that may be awarded to an owner of a pet for tortious death of, or injury to, the pet; making clarifying changes; providing for the application of this Act; and generally relating to compensatory damages for tortious death of, or injury to, a pet.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–110
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1334 – Delegates Rice, Stein, Barkley, Bartlett, Dumais, Feldman, Frick, Gutierrez, Hucker, Montgomery, Myers, Ross, Tarrant, Taylor, and Walker

AN ACT concerning

Nonpublic Schools – Bullying Policies – Compliance

FOR the purpose of providing that certain provisions of law regarding the development of a certain bullying, harassment, and intimidation policy apply to nonpublic schools that accept certain State money; providing that certain provisions of law do not apply to nonpublic schools that accept State money for the placement of students with disabilities in nonpublic programs; and generally relating to bullying policies in nonpublic schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–424.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1335 – Delegates Ramirez, Anderson, Kullen, Pendergrass, Simmons, Smigiel, Valderrama, and Vallario

AN ACT concerning

Mental Health – Local Correctional Facilities – Incarcerated Individuals with Mental Illness

FOR the purpose of requiring the managing official of a local correctional facility to provide access to a certain amount of medication to certain individuals under certain circumstances; providing that part of a certain supply of medication may be provided by prescription under certain circumstances; establishing immunity from civil liability for certain persons; creating a certain exception; and generally relating to mental health treatment for incarcerated individuals.

BY adding to

Article – Correctional Services

Section 11–206

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1336 – Washington County Delegation

AN ACT concerning

Washington County – Domestic Violence – GPS Tracking System Pilot Program for Offenders

FOR the purpose of authorizing Washington County to implement a global positioning satellite tracking system pilot program that will require, as a condition of a defendant's pretrial release on a charge of violating a certain protective order, that the court order the defendant be supervised by means of active electronic monitoring as a condition of bail under certain circumstances; authorizing Washington County to implement a global positioning satellite tracking system pilot program that will require, if the court suspends the sentence of a certain defendant convicted of failing to comply with certain relief granted in an interim protective order, temporary protective order, or final protective order, that the court place the defendant under active electronic monitoring as a condition of probation under certain circumstances; requiring a certain defendant to pay certain fees established by the county under certain circumstances; requiring the Sheriff of Washington County and the administrative judge for the District Court in Washington County to submit a certain report on the pilot program; providing for the termination of this Act; and generally relating to a pilot program for the electronic monitoring of defendants subject to protective orders in Washington County.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 5–202(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure
Section 5–202(g)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 6–221
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law
Section 4–509(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1337 – Delegates Hixson, Cardin, Elmore, Frick, George, Reznik, Simmons, and F. Turner

AN ACT concerning

Election Law – Polling Places – Electioneering Boundaries

FOR the purpose of altering the location of the line beyond which electioneering is prohibited outside a polling place; and generally relating to electioneering at a polling place.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 16–206
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1338 – Delegates Ramirez, Gutierrez, Lee, and Simmons

AN ACT concerning

State Government – Office of the Juvenile Justice Monitor

FOR the purpose of renaming the Office of the Juvenile Justice Monitoring Unit to be the Office of the Juvenile Justice Monitor in the Office of the Attorney General;

altering the membership of the State Advisory Board for Juvenile Services; specifying certain duties and authority of the Office of the Juvenile Justice Monitor; requiring the Department of Juvenile Services to take certain actions under certain circumstances; providing for certain access to certain records by the Office of the Juvenile Justice Monitor; providing for the confidentiality and the disclosure of certain records; making conforming changes; defining certain terms; and generally relating to the establishment of the Office of the Juvenile Justice Monitor in the Office of the Attorney General.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 1–202(c)(1)(ix), 9–212(a), 9–221(b)(1), 9–227(c)(2)(iii), and 9–230(c)

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 6–401 through 6–406 to be under the amended subtitle “Subtitle 4. Office of the Juvenile Justice Monitor”

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – State Government

Section 6–406 and 6–408

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1339 – Delegate Glenn

AN ACT concerning

Business Regulation – Restaurants – Prohibition on Automatic Gratuity

FOR the purpose of prohibiting a restaurant from including an automatic gratuity on a restaurant invoice; establishing certain penalties for a violation of this Act; establishing that each invoice that includes an automatic gratuity in violation of this Act is a separate offense; requiring the Division of Consumer Protection of the Office of the Attorney General to enforce this Act; providing a certain exception for large parties; clarifying a certain scope provision; defining a certain term; and generally relating to the prohibition against including an automatic gratuity on a restaurant invoice.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 17-1602
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17-1605
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1340 – Delegate Davis

AN ACT concerning

Electric Companies and Gas Companies – Customer Account Information

FOR the purpose of requiring an electric company, a gas company, or an electric and gas company, on a certain request by a certain competitive supplier of electricity or gas, to provide certain information related to certain customer accounts to the supplier, subject to a certain restriction; requiring the distribution utility to provide the information in a certain form and to update it periodically; prohibiting a distribution utility from providing certain information without the prior authorization of a certain customer; providing the method by which a distribution utility must obtain the customer's authorization, including requiring certain notice to be provided containing certain information; requiring the notice to be provided to certain customers at certain times; establishing when a customer is deemed to have given certain authorization; authorizing a customer to withdraw authorization in a certain manner; requiring a distribution utility to ensure that certain information is not shared under certain circumstances; requiring the Public Service Commission to establish a certain fee in a certain manner to cover certain costs; providing that a competitive supplier may use certain information only for a certain purpose; prohibiting a competitive supplier from selling or providing certain information to any other person, with a certain exception; authorizing a competitive supplier to provide certain information to an authorized agent for a certain purpose; providing that the authorized agent is subject to the same restrictions on the use, sale, or provision of the information as the competitive supplier; providing that this Act does not apply to an electric cooperative or a gas cooperative; defining certain terms; and generally relating to electricity, gas supply, and customer account information.

BY adding to
Article – Public Utility Companies
Section 7-510.1
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1341 – Delegate Davis

AN ACT concerning

**Unemployment Insurance – Exemption from Covered Employment –
Messenger Service Drivers**

FOR the purpose of defining “messenger service business” as it relates to a provision of law that establishes that work performed by certain messenger service drivers is not covered employment under the unemployment insurance law; and generally relating to coverage of work performed by messenger service drivers under unemployment insurance law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–206(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1342 – Delegate Glenn

AN ACT concerning

**Creation of a State Debt – Baltimore City – Fine Arts Center for Archbishop
Curley High School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of Archbishop Curley High School for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1343 – Delegates King and Schuh

AN ACT concerning

Maryland Small Business Investment Companies

FOR the purpose of allowing a credit against the insurance premium tax for investments by certain persons in certain companies that make investments in certain qualified businesses in the State; providing for administration of the credit by the Department of Business and Economic Development; establishing certain requirements for initial certification and continued certification of Maryland small business investment companies; providing for applications to the Department for certification as a Maryland small business investment company; prohibiting certain persons from engaging in certain activities relating to a Maryland small business investment company; providing for determinations by the Department as to whether certain investments by Maryland small business investment companies will meet certain requirements; requiring Maryland small business investment companies to provide certain reports and certain audited financial statements to the Department; requiring certain applicants to pay certain nonrefundable application fees; requiring a Maryland small business investment company to pay certain annual renewal fees; providing for annual reviews by the Department of Maryland small business investment companies; providing for decertification of Maryland small business investment companies under certain circumstances; authorizing the Department to impose administrative penalties for certain violations; providing for the recapture of certain tax credits under certain circumstances; providing for the carry forward of certain unused tax credits; providing for the allocation of credits among Maryland small business investment companies; limiting the total designated capital for which premium tax credits may be allowed for all years; limiting the total credits that may be allowed for all participating investors for any year; providing for allocation of the maximum amount of credits under certain circumstances; authorizing certain investments to be treated in a certain manner for certain purposes under the insurance law; providing for certain treatment of certain tax credits for insurance rate making purposes; providing for the transfer of certain tax credits under certain circumstances; requiring the Department to prepare and submit a certain report; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to an insurance premium tax credit for investments in certain companies making investments in qualified businesses in the State.

BY adding to

Article – Economic Development

Section 6–501 through 6–522 to be under the new subtitle “Subtitle 5. Maryland Small Business Investment Company Tax Credit”

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 6–122

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1344 – Delegates Beidle, Barnes, Holmes, Love, McConkey, and Sophocleus

AN ACT concerning

Construction and Development – Permits and Approvals – Expiration Dates

FOR the purpose of correcting certain language relating to the applicability of certain provisions of law related to permits issued for construction and development; extending a certain tolling period for certain permits issued by the State; extending a certain tolling period for certain permits issued by a local approving authority; altering the applicability of certain provisions of law to include certain approvals issued by a local approving authority; clarifying that the running of the period of approval for certain construction and development permits and approvals begins again on a certain date; extending to a certain date the termination provisions relating to the expiration of construction and development permits and approvals; defining certain terms; and generally relating to the expiration of construction and development permits and approvals.

BY repealing and reenacting, with amendments,

Article – State Government

Section 11–202

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 23–101 and 23–102

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Chapter 334 of the Acts of the General Assembly of 2009

Section 2, 3, and 5

BY repealing and reenacting, with amendments,

Chapter 335 of the Acts of the General Assembly of 2009

Section 2, 3, and 5

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1345 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

Recreational Fishing Licenses – Licensing and Registration

FOR the purpose of expanding the requirement to obtain certain fishing licenses or authorizations to apply to certain fishing activity in the State waters of the Atlantic Ocean and the Atlantic coastal bays and tributaries; altering the application process for obtaining a freshwater angling license; altering the duration of the short-term freshwater angling license and the short-term tidal sport fishing license; repealing a provision of law governing the sale and disposal of expired trout stamps; altering the fee schedule for the nonresident trout stamp and the nonresident sport fishing license; providing for the term and expiration for certain tidal sport fishing licenses; providing for an application process for the tidal sport fishing license; altering certain exemptions from the requirement to obtain a tidal sport fishing license before fishing in tidal waters of the State; requiring certain individuals who are exempt from certain tidal fish licensing requirements to register with the Department of Natural Resources before fishing in tidal waters of the State; authorizing the Department to provide by regulation for the issuance of a special tidal commercial fishing pier license that is valid for all individuals fishing from the pier; establishing an annual fee for the commercial pier license; requiring the owner or operator of a commercial pier to maintain and submit to the Department certain information; extending the sunset date for the increase in certain recreational fishing license annual fees and the operation of the Task Force on Fishery Management; repealing the Task Force on Fishery Management; making certain stylistic changes; defining certain terms; repealing a certain definition; and generally relating to recreational fishing licenses.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-101, 4-210(g), 4-214, 4-216(d), 4-217(d), 4-604, 4-614, and 4-745

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Chapter 217 of the Acts of the General Assembly of 2007

Section 3

BY repealing

Article – Natural Resources

Section 4-215.4

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

(As enacted by Chapter ___ (S.B.___/H.B.___) of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1346 – Delegates Shank, Bartlett, Bates, Beitzel, George, Haddaway, Kach, Krebs, McComas, McConkey, and Smigiel

AN ACT concerning

State Employees – Collective Bargaining – “The Fair Share Act” – Repeal

FOR the purpose of repealing certain provisions of law authorizing collective bargaining negotiations pertaining to certain State employees to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; repealing a certain exemption for certain employees with certain religious beliefs and a requirement that the employees pay a certain amount of money to a certain charitable organization; and generally relating to service fees and collective bargaining for State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1347 – Delegates George, Aumann, Bartlett, Bates, Beitzel, Boteler, Eckardt, Frank, Frick, Haddaway, Kach, Kipke, McComas, McConkey, Miller, Murphy, Norman, O’Donnell, Olszewski, Schuh, Serafini, Shank, Smigiel, Sophocleus, Sossi, Stocksdale, Stukes, and Walker

AN ACT concerning

Maryland Transportation Authority – Toll Increase – Public Meeting Requirement

FOR the purpose of requiring that, prior to instituting a toll increase for a transportation facilities project under its jurisdiction, the Maryland Transportation Authority hold a public meeting at a place located within a certain radius of the transportation facilities project; and generally relating to a requirement for a public meeting related to toll increases for certain facilities.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1348 – Delegates Stein, Beidle, and Frush

AN ACT concerning

**Vehicle Laws – Carrying and Displaying Proof of Required Security –
Requirements**

FOR the purpose of requiring an individual who is operating a vehicle to carry a certain proof of required security in the vehicle and to display the proof of required security on demand of a police officer; providing that certain requirements regarding proof of required security for a rental vehicle may be satisfied by carrying and making available a valid rental agreement under certain circumstances; requiring an individual who receives a citation for a violation of this Act or the owner of the vehicle involved in the violation to submit to the Motor Vehicle Administration within a certain period of time certain evidence of required security; establishing that a failure to submit certain evidence of required security for a vehicle shall cause the required security for the vehicle to be considered lapsed for certain purposes; providing that a certain penalty applies to a failure to carry or display a certain proof of required security; defining a certain term; and generally relating to requirements for drivers to carry and provide proof of required security.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 17–103(a) and 27–101(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 17–111
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1349 – Delegate Manno

AN ACT concerning

Homeowners' Property Tax Credit – Assessment Limit

FOR the purpose of altering the maximum assessed value of a dwelling on which a certain homeowners' property tax credit is computed; altering the maximum assessed value of a dwelling on which the credit is computed for certain taxable years based on a certain cost-of-living adjustment percentage; requiring the Department of Assessments and Taxation to determine a certain cost-of-living adjustment percentage by a certain date based on the increase in a certain consumer price index; providing for the application of this Act; and generally relating to altering the computation of the homeowners' property tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–104(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–104(a)(13)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1350 – Delegates Ramirez, Frick, and Montgomery

AN ACT concerning

Real Property – Residential Property – Local Government Abandoned Property Registry

FOR the purpose of authorizing a county or municipal corporation to enact a local law establishing an abandoned property registry for certain property located in the county or municipal corporation; requiring a local law enacted under this Act to require a certain creditor owner to register certain abandoned residential property, to pay a certain registration fee, and to be responsible for the maintenance and security of the abandoned property; requiring a local law enacted under this Act to require a certain creditor owner to provide certain information on the property; requiring the county or municipal corporation to establish a special fund for the deposit of registration fees to be used for certain purposes; requiring a local law enacted under this Act to require a certain creditor owner who transfers title of or rents an abandoned property to notify the county or municipal corporation; requiring the county or municipal corporation to delete the property from the registry under certain circumstances; requiring a local law enacted under this Act to make the failure to maintain and secure the abandoned property a misdemeanor subject to a certain fine; requiring a local law enacted under this Act to subject a creditor owner to a certain civil penalty for failing to register an abandoned property;

defining certain terms; and generally relating to the authority of a county or municipal corporation to establish an abandoned property registry.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 14–126(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1351 – Delegates Manno and Montgomery

AN ACT concerning

Insurance – Use of Genetic Information and Genetic Tests

FOR the purpose of altering the application of certain provisions of law that relate to the use of genetic tests and genetic information by an insurer, nonprofit health service plan, or health maintenance organization; establishing an exception to the prohibition on the release of certain genetic information or results of a genetic test; authorizing an insurer or nonprofit health service plan to use genetic information for certain purposes with regard to a policy or contract of disability insurance, long-term care insurance, or life insurance, under certain circumstances; prohibiting an insurer or nonprofit health service plan from requiring a genetic test for certain purposes with regard to a policy or contract of disability insurance, long-term care insurance, or life insurance or, with a certain exception, releasing certain genetic information under certain circumstances; authorizing an insurer, nonprofit health service plan, or health maintenance organization to disclose certain genetic information to a certain person for a certain purpose, with respect to a health benefit plan or a policy or contract of disability insurance, long-term care insurance, or life insurance; authorizing the Maryland Insurance Commissioner to arrange for an independent review organization to review the use of genetic information by an insurer or nonprofit health service plan for a certain purpose and at the expense of the insurer or nonprofit health service plan; repealing, altering, and adding certain definitions; repealing certain provisions of law relating to the use of genetic tests and genetic information by a carrier that provides long-term care insurance rendered inconsistent by this Act; and generally relating to the use of genetic information and genetic tests with respect to health benefit plans and

policies and contracts of disability insurance, long-term care insurance, and life insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 18–120 and 27–909
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1352 – Delegates Stein, Ali, Bobo, Carr, V. Clagett, Frush, Glenn, Healey, Hucker, Lafferty, and Morhaim

AN ACT concerning

Forest Conservation Fund – Contribution Rates – Priority Funding Areas

FOR the purpose of altering the rates for contributions required to be made to the Forest Conservation Fund and a local forest conservation fund on the basis of whether a project is inside or outside a priority funding area under certain circumstances; making a clarifying change; defining a certain term; and generally relating to contribution rates for the Forest Conservation Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1610(a), (c), and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1353 – Delegates Stein, Aumann, Beitzel, Boteler, Burns, Cardin, Frush, McHale, Minnick, Morhaim, Reznik, and Tarrant

AN ACT concerning

Veterans Affairs – Military Health Care Provider Transition Plan

FOR the purpose of requiring the Department of Veterans Affairs to develop a Military Health Care Provider Transition Plan; providing for the purpose of the Plan; requiring the Department to work in conjunction with certain entities; requiring the Plan to include certain goals; requiring the Department to address the concerns and recommendations identified in a certain report; requiring the Department to complete the Plan by a certain date; requiring the Department to

submit to the Governor and General Assembly a certain report; and generally relating to the Military Health Care Provider Transition Plan.

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

House Bill 1354 – Delegate Manno

AN ACT concerning

Tobacco Products – Tax Stamps – Regulations

FOR the purpose of authorizing the Attorney General or the Comptroller to adopt regulations requiring that the tobacco tax stamps that are required to be affixed to certain cigarettes be generated by a technology capable of being read by certain devices and encrypted with certain information; and generally relating to the regulation of tobacco products.

BY adding to

Article – Business Regulation

Section 16–224

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1355 – Delegates Boteler, Aumann, Beitzel, Bromwell, G. Clagett, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, Impallaria, Jenkins, Jennings, Kach, Kelly, Lafferty, McComas, McConkey, McDonough, McHale, Minnick, Murphy, Myers, Norman, O'Donnell, Olszewski, Riley, Ross, Serafini, Shank, Sossi, Stein, Stifler, Stukes, Stull, Weir, and Wood

AN ACT concerning

State Lottery Agency – Veterans Lottery – Established

FOR the purpose of requiring the State Lottery Agency to conduct a certain number of lotteries for the benefit of the Maryland Veterans Trust Fund; requiring the Agency to deposit into the Fund the proceeds, after certain expenses of the veterans lotteries; requiring the Agency to meet certain advertising criteria in conducting the veterans lotteries; and generally relating to lotteries conducted by the State Lottery Agency.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120 and 9–913

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1356 – Delegates Boteler, Bartlett, Kach, Krebs, McComas,
McDonough, Schuler, Shank, and Stocksdale**

AN ACT concerning

**Motor Vehicle Administration – Documents and Records – Use of Mailing
Address**

FOR the purpose of authorizing a current or former State's Attorney, deputy State's Attorney, assistant State's Attorney, member of the judiciary of the State, United States Marshal, special agent of the Federal Bureau of Investigation, or certain current or former law enforcement officers, to provide a mailing address in lieu of a residence address on any application or other official document of the Motor Vehicle Administration; requiring the Administration, on the request of a certain individual, to ensure that only the individual's mailing address is printed on any official document or public record produced by the Administration; authorizing the Administration to adopt certain regulations to carry out the provisions of this Act; defining a certain term; and generally relating to the use of a mailing address for certain individuals in lieu of a residence address on certain documents and public records of the Motor Vehicle Administration.

BY adding to
Article – Transportation
Section 12–121
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1357 – Delegates Boteler, Aumann, Eckardt, Elliott, Elmore,
Frank, Haddaway, Kach, Krebs, Smigiel, Sossi, Stocksdale, and Wood**

AN ACT concerning

Professional Boards – Transfer of Funds – Repayment

FOR the purpose of providing that the Governor may not transfer money from certain professional funds to the General Fund of the State except under certain circumstances; providing that the General Assembly may not authorize the Governor to transfer money from certain professional funds to the General Fund except under certain circumstances; allowing the General Assembly to authorize the Governor to transfer money from certain professional funds to the General Fund if the use of the money is restricted to certain purposes; requiring the Governor, under certain circumstances, to include certain appropriations in the State budget for certain fiscal years to repay certain transfers from certain funds; defining a certain term; and generally relating to the transfer of money from certain professional funds.

BY adding to

Article – State Finance and Procurement
Section 7–239
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1358 – Delegates Mizeur, Smigiel, Ross, Barkley, Barnes, Benson, Bronrott, Carr, Frick, Frush, Gaines, Gutierrez, Hixson, Hubbard, Ivey, Kaiser, Kramer, Kullen, Lee, Manno, McHale, McIntosh, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnyk, Ramirez, Reznik, Rosenberg, V. Turner, and Valderrama

AN ACT concerning

Family Planning Works Act

FOR the purpose of altering the eligibility requirements for family planning services under the Maryland Medical Assistance Program by requiring the Program to provide those services to all women whose family income is at or below a certain percent of the poverty level under certain circumstances; declaring the intent of the General Assembly; and generally relating to eligibility for family planning services under the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–103(a)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1359 – Delegate Frank

AN ACT concerning

Family Law – Marital Property – Military Pensions

FOR the purpose of requiring a court that transfers ownership of an interest in a military pension in a proceeding for annulment or absolute divorce to order that certain direct payments to a former spouse shall terminate on the remarriage of the former spouse; and generally relating to marital property awards in annulment and absolute divorce and military pensions.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 8–203(b) and 8–205

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1360 – Delegates Boteler, Bromwell, Kach, Lafferty, Olszewski, Schuler, Shewell, and Stein

AN ACT concerning

Department of Agriculture – Invasive Plants – Labeling and Notice

FOR the purpose of designating certain species of plant as invasive plants; authorizing the Department of Agriculture to designate certain additional species of plant as invasive species if the species meet certain criteria; prohibiting a person, except as provided under this Act, from selling or offering for sale in the State, or from planting or supplying as part of a certain landscaping service in the State, invasive plants; requiring each container of invasive plant sold or offered for sale in the State to have attached a certain label containing certain information in a certain form; requiring a retail display of invasive plants to include a certain sign containing certain information; requiring the Department to develop a certain sign and provide it at no cost to certain retailers; requiring a person, before supplying or planting an invasive plant as part of a certain landscaping service, to give a certain customer certain notice; requiring the notice to contain certain information in a certain form; prohibiting a person from concealing, detaching, altering, defacing, or destroying a certain label, sign, or notice; requiring the Secretary of Agriculture to adopt certain regulations; requiring the Secretary to provide a certain person with certain notice of a suspected violation of this Act; requiring the Secretary to provide a certain person with an opportunity to dispute a suspected violation of this Act; providing that a person who violates the provisions of this Act is guilty of a

misdemeanor and, on conviction, is subject to a certain fine; defining certain terms; and generally relating to regulation of invasive plants.

BY adding to

Article – Agriculture

Section 9–801 through 9–808 to be under the new subtitle “Subtitle 8. Invasive Plants”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1361 – Delegates Boteler, Aumann, Frank, Kach, McDonough, Minnick, Stocksdale, and Weir

AN ACT concerning

General Assembly – Cosponsors of Legislation – Notification of Alterations

FOR the purpose of requiring a primary sponsor of a bill to notify each cosponsor of the bill, under certain circumstances, that the bill has been altered; requiring the primary sponsor to disclose to the cosponsor the content of the alteration; requiring a committee of the General Assembly that amends a bill to provide certain information to the primary sponsor of the bill at a certain time; and generally relating to notifying cosponsors of legislation of alterations to the legislation.

BY renumbering

Article – State Government

Section 2–1506

to be Section 2–1506.1

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – State Government

Section 2–1506

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1362 – Delegates Boteler, Aumann, Bartlett, Barve, Elmore, George, Kach, Murphy, Myers, Schuler, Shank, Shewell, Sossi, Stocksdale, and Stukes

AN ACT concerning

Education – Public Schools – Virtual Schools

FOR the purpose of authorizing a county board of education, subject to the approval of the State Department of Education, to establish a certain virtual school in the State; establishing that a virtual school is a public school subject to certain laws and regulations; authorizing a certain student to enroll in a virtual school; requiring a virtual school to provide certain curricular programs to the students of the virtual school; requiring a virtual school to provide certain materials and access to technology to the parent or guardian of a student enrolled in the virtual school; prohibiting a virtual school from providing certain funds to the parent or guardian of a student enrolled in the virtual school; authorizing a virtual school to reimburse the student's parent or guardian for certain costs; requiring each teacher employed by a virtual school to have a certain certification; requiring a virtual school to maintain a certain administrative office; requiring the sponsor of a virtual school to complete a certain annual evaluation of the virtual school; requiring the State Board of Education to adopt certain regulations; defining certain terms; and generally relating to the establishment of virtual schools.

BY repealing and reenacting, without amendments,

Article – Education

Section 4–109

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 7–1401 through 7–1408 to be under the new subtitle “Subtitle 14.
Virtual Schools”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1363 – Delegates Boteler, Eckardt, Frank, Kach, Shank, Shewell,
Smigielski, Stocksdale, and Wood**

AN ACT concerning

Procurement – Prevailing Wage – Rates

FOR the purpose of altering the manner in which the Commissioner of Labor and Industry, or other designated individuals, determine prevailing wage rates for certain classifications of workers; establishing a statewide prevailing wage rate for certain worker classifications; requiring the Commissioner to survey certain

contractors and subcontractors when establishing prevailing wage rates; requiring the Commissioner to estimate the prevailing wage rate under certain circumstances; altering certain provisions governing the review of the Commissioner's determination of the prevailing wage rate; and generally relating to prevailing wage rates in the State.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 17–201(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–201(h), 17–208, 17–209, and 17–211
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1364 – Delegate Bohanan

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – St. Mary's County – St. Mary's College Amphitheater

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to reduce the amount of a certain grant for the St. Mary's College Amphitheater; authorizing certain grants for the Cedar Lane Apartment Renovations and the United States Colored Troops Memorial Monument; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008 to alter certain grants.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA02)(BV)

BY adding to
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA02)(BV–1) and (BV–2)

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

House Bill 1365 – Delegates Robinson and Boteler

AN ACT concerning

Unemployment Benefits Claims – Information Required for Determination

FOR the purpose of prohibiting a claims examiner from making a determination regarding a claim for unemployment benefits unless certain information is provided by a certain employing unit so that the claims examiner may resolve whether the claimant is disqualified under a certain provision of law; and generally relating to information required for a determination regarding claims for unemployment benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–806(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1366 – Delegate Bohanan

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – St. Mary’s County – St. Mary’s College Amphitheater

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to reduce the amount of a certain grant for the St. Mary’s College Amphitheater; authorizing a certain grant for the Pathway’s Facility Renovation; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006 to alter a certain grant.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA02(BZ)

BY adding to
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA02(BZ–1)

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

House Bill 1367 – Delegate Frank

AN ACT concerning

Habitual Drunk and Drugged Driving – Revocation and Refusal of Registration, License, and Driving Privilege

FOR the purpose of requiring the Motor Vehicle Administration to refuse to register any vehicle owned by a person who is convicted of certain subsequent alcohol- or drug-related driving offenses; requiring the Administration to revoke the registration of any vehicle owned by a person who is convicted of certain subsequent alcohol- or drug-related driving offenses; prohibiting the Administration from issuing a driver's license to an individual who is convicted of certain subsequent alcohol- or drug-related driving offenses; requiring the Administration to revoke the driver's license or privilege to drive of a person who is convicted of certain subsequent alcohol- or drug-related driving offenses; prohibiting the Administration from reinstating a driver's license or privilege to drive that is revoked under certain circumstances; providing for certain hearings; providing for the application of this Act; and generally relating to revocation and refusal of a vehicle registration, driver's license, and privilege to drive for certain drunk and drugged driving habitual offenders.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 2-503(a), 2-504(a), 2-505(a), 2-506(a), 3-211(c)(1), (d)(1), (e)(1), and (f)(2)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 13-406.2, 13-707.1, 16-103.2, and 16-205(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21-902(a) and (d)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1368 – Delegate McConkey

AN ACT concerning

Criminal Procedure – Expungement of Court and Police Records – Prohibition for Embezzlement

FOR the purpose of establishing that a court or police record related to a charge of, conviction of, or granting of probation before judgment for embezzlement may

not be expunged; and generally relating to the expungement of court and police records.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 7–113
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 10–110
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1369 – Delegate Heller

AN ACT concerning

Task Force to Study Standardizing and Accountability of Introductory Courses in Higher Education in Maryland

FOR the purpose of establishing the Task Force to Study Standardizing and Accountability of Introductory Courses in Higher Education in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting members of the Task Force from receiving compensation but entitling members to reimbursement for expenses under certain regulations; requiring the Task Force to study and make recommendations regarding the standardization and accountability of introductory level courses at public institutions of higher education and community colleges in the State; requiring the Task Force to consult certain representatives when developing certain recommendations; requiring the Task Force to submit a certain report to the Governor, the Maryland Higher Education Commission, 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 Task Force to Study Standardizing and Accountability of Introductory Courses in Higher Education in Maryland.

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 1370 – Delegates Branch, Gaines, Bohanan, Bronrott, Conway, Haynes, Hixson, and James

AN ACT concerning

Public-Private Partnerships – Oversight

FOR the purpose of requiring certain State agencies to submit a report concerning a proposed public-private partnership to certain committees of the General Assembly at a certain time prior to issuing a public notice of solicitation for the public-private partnership; requiring certain State agencies to submit an annual report concerning public-private partnerships that are under consideration to certain committees of the General Assembly; requiring certain State agencies to submit an annual report concerning existing public-private partnerships to certain committees of the General Assembly; requiring certain units of State government to submit an annual report concerning public-private partnerships for which the unit is providing conduit financing to certain committees of the General Assembly; requiring the State Treasurer to analyze the impact of a public-private partnership operating lease on the State's capital debt affordability limits; requiring the State Treasurer to submit each analysis of a public-private partnership operating lease to certain committees of the General Assembly; prohibiting the Board of Public Works from approving a public-private partnership operating lease until certain committees of the General Assembly have commented on the State Treasurer's analysis of the lease; requiring that the annual report of the Capital Debt Affordability Committee include certain information concerning the impact of public-private partnership operating leases; establishing a Joint Legislative and Executive Commission on Oversight of Public-Private Partnerships; specifying the membership of the Commission; providing for the chair and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation but authorizing a member of the Commission to receive certain reimbursements; requiring the Commission to study and make recommendations regarding certain issues; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; repealing certain provisions of law requiring the Maryland Transportation Authority to provide certain information to certain committees of the General Assembly concerning public-private partnerships; providing that certain committees of the General Assembly have a certain period of time to review and comment on reports submitted under this Act; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to oversight of public-private partnerships.

BY adding to

Article – State Finance and Procurement

Section 10A-101 and 10A-102 to be under the new title “Title 10A.
Public-Private Partnerships”

Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 4-205(c)

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 4–406

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 1371 – Delegates George, Bartlett, Boteler, Cardin, Doory, Howard, Kaiser, Murphy, Myers, Shank, Stukes, and F. Turner

AN ACT concerning

Public Schools – Student Gang Activity – Records and Reporting

FOR the purpose of requiring certain public schools to maintain certain records of certain individuals determined to be school gang members and certain related incidents; requiring a certain record to include certain information; requiring a certain record of a certain public school student to be a part of the student's permanent school record and to be reported to certain teachers; requiring certain records to be reported to a law enforcement unit under certain circumstances; defining certain terms; and generally relating to records and reporting of public school student gang activity.

BY adding to

Article – Education

Section 7–424.2

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1372 – Delegates Hecht, Davis, Feldman, Haddaway, Krysiak, Manno, McHale, Rudolph, and Taylor

AN ACT concerning

Public Service Commission – Customer Education on Customer Choice

FOR the purpose of requiring an electric company that provides standard offer service to include certain information in a certain manner and at certain intervals about certain electricity supply options available to a customer; requiring the Public Service Commission to educate consumers about customer choice in

accordance with a certain provision of law; requiring the Commission to host a certain section on its website related to customer choice; requiring the website to include certain information; requiring the Commission to maintain a certain secure portal on its website to receive certain information from certain electricity suppliers; requiring certain electricity suppliers to submit certain information to the Commission through the secure portal at certain intervals; requiring the Commission to work with certain media outlets to develop and air certain public service announcements related to customer choice; requiring the Commission to recover certain costs in accordance with a certain provision of law; requiring the Commission to submit a certain report to the General Assembly by a certain date; requiring the Commission to convene a certain workgroup for a certain purpose; providing for the membership of the workgroup; requiring the Commission, by regulation or order, to establish certain requirements for certain information provided to customers by electricity suppliers based on certain recommendations; requiring the Commission to consult with the Maryland Energy Administration and the Office of People's Counsel for a certain purpose; defining a certain term; and generally relating to customer choice.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–510(c)(1) and (2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–510(c)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–510.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1373 – Delegates Frush, V. Clagett, Conway, Hecht, James, and Proctor

AN ACT concerning

Board of Public Works – Tax Forgiveness – Authority

FOR the purpose of authorizing the Board of Public Works, under certain circumstances, to waive any State tax liability owed by an estate if the Department of Natural Resources makes a certain request and the property is to be acquired by a unit of State or local government; authorizing the Department, under certain circumstances, to formally request that the Board waive certain tax liabilities; and generally relating to the authority of the Board of Public Works to waive certain tax liabilities.

BY adding to

Article – State Finance and Procurement
Section 10–207
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means and the Committee on Environmental Matters.

House Bill 1374 – Delegates Kach, Frank, Krebs, Levy, and Serafini

AN ACT concerning

**State Retirement and Pension System – Optional Retirement Program –
Membership and Participation**

FOR the purpose of providing that certain employees are not members of the Employees' Retirement or Pension Systems or the Teachers' Retirement or Pension Systems of the State Retirement and Pension System if the employees make certain elections to join a certain other retirement program; requiring that certain participating employers provide certain employees with the opportunity to participate in the optional retirement program of the State Retirement and Pension System; providing that certain supervising employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain supervising employers to administer certain aspects of the participation of certain employees participating in the optional retirement program; providing that certain employees are eligible to participate in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a certain period of time; defining a certain term; and generally relating to participation in the optional retirement program of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 22–201, 23–201, 30–101, 30–201, 30–202, 30–207, 30–210, 30–301,
30–302, 30–303, 30–305, and 30–307
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1375 – Delegate Mizeur

AN ACT concerning

Kids First Express Lane Eligibility Act

FOR the purpose of requiring the Comptroller under certain circumstances to send information from a taxpayer's tax return to the Department of Health and Mental Hygiene for the purpose of determining eligibility of a certain dependent child for the Maryland Medical Assistance Program and the Maryland Children's Health Program; repealing a certain provision of law that requires the Comptroller to send certain applications and enrollment materials to a taxpayer under certain circumstances; authorizing the Comptroller under certain circumstances to send information from a taxpayer's tax return to the Department; repealing a certain provision of law that prohibits the Comptroller from sending a notice or information with certain applications and enrollment instructions; requiring the Department, based on certain information, to send certain applications and enrollment instructions to a taxpayer; requiring the Comptroller and the Secretary of Health and Mental Hygiene to enter into an interagency agreement that allows the sharing of information from the income tax return of a taxpayer for a certain purpose; requiring the Comptroller, in consultation with the Department, to provide a certain notice with the income tax return; requiring the Comptroller to provide a box on the income tax return for a certain purpose; prohibiting the Comptroller from sharing information with the Department if a taxpayer opts out; authorizing the Comptroller to disclose information from the income tax return to the Department in accordance with certain federal and State laws; requiring certain taxpayer instructions to explain a certain term; repealing certain obsolete provisions of law; altering a certain definition; repealing a certain termination provision; and generally relating to the use of information on income tax returns to promote health insurance for dependent children.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1301(f)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–211.1 and 13–202
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 692 of the Acts of the General Assembly of 2008
Section 6

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

House Bill 1376 – Delegates Stull, G. Clagett, Elliott, Hecht, and Jenkins

AN ACT concerning

Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras

FOR the purpose of authorizing a county board of education, in consultation with a certain local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording a motor vehicle committing a violation relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violation to a certain local law enforcement agency; requiring a recording made by a school bus monitoring camera to include certain images and information; providing that the driver of a motor vehicle recorded committing a certain violation is subject to a certain civil penalty; providing that a civil penalty under this Act may not exceed a certain amount; requiring the District Court to prescribe a certain uniform citation form and civil penalty; requiring a certain local law enforcement agency to mail a certain citation to the owner of a certain motor vehicle within a certain period of time; providing for the contents of a certain citation; authorizing a local law enforcement agency to mail a warning instead of a citation; authorizing a person receiving a certain citation to pay the civil penalty or elect to stand trial; providing that a certain certificate is admissible as evidence in a proceeding concerning a certain violation; providing that a certain adjudication of liability is based on a preponderance of evidence; establishing certain defenses, and requirements for proving the defenses, for a certain violation recorded by a school bus monitoring camera; requiring the District Court to provide certain evidence to a local law enforcement agency under certain circumstances; authorizing a local law enforcement agency to mail a certain notice within a certain time period after receiving certain evidence; authorizing the Motor Vehicle Administration to refuse to register or reregister a motor vehicle or suspend the registration of a motor vehicle under certain circumstances; establishing that a violation for which a civil penalty may be imposed under this Act is not a moving violation for certain purposes, may be treated as a parking violation for certain purposes, and may not be considered for certain insurance purposes; requiring the Chief Judge of the District Court, in consultation with certain local law enforcement agencies, to adopt certain procedures; providing that a proceeding for a certain violation recorded by a school bus monitoring camera is under the exclusive original jurisdiction of the District Court; providing that a recorded image of a motor vehicle produced by a school bus

monitoring camera is admissible in a certain proceeding under certain circumstances; defining certain terms; and generally relating to the use of school bus monitoring cameras to enforce offenses relating to overtaking and passing school vehicles.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13) and 10–311
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–706
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–706.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1377 – Delegate Lafferty

AN ACT concerning

Department of Transportation – Local Development Reviews – Comments

FOR the purpose of requiring the Department of Transportation to act as a reviewing unit for certain land use and development review activities of certain local jurisdictions in a certain manner; requiring the Department to provide comments in a certain manner to certain local jurisdictions in the development of the transportation element of a certain comprehensive plan; requiring the Department to provide comments in a certain manner to certain local jurisdictions on certain applications for certain site plans and certain plans and plats; providing for the scope of actions subject to review under this Act; requiring the comments of the Department to address certain matters; authorizing the Department to enter into a memorandum of agreement with certain parties to facilitate certain notification and comments; stating the intent of a portion of this Act; requiring the Department to coordinate certain responses of its units for certain purposes; authorizing the Department to consult with the Department of Planning for certain purposes; providing that this Act applies to charter counties and to Baltimore City; defining a certain

term; and generally relating to the Department of Transportation and review of local development actions.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.03, 2.13, and 6.01(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 1.04(b)(1)(i) and (2), 3.05(a)(5)(i), 5.02(a), and 6.01(a), (c), and (d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article 66B – Land Use
Section 1.04(b)(5), 3.05(a)(9), 5.02(c), and 6.04
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 2–112
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1378 – Delegate Schuh

AN ACT concerning

For–Hire Driving Services – Temporary For–Hire Driver’s Licenses and Operator’s Dress Code

FOR the purpose of requiring the Public Service Commission to issue to a certain applicant a temporary for–hire driver’s license and, if applicable, a badge for a certain period immediately on receipt of a completed application in which the applicant has included certain information regarding certain felony and misdemeanor convictions, a certain application fee, and a certain certified driver’s record; providing that a certain temporary for–hire driver’s license shall expire at the earlier of a certain time if the Commission has not received a certain criminal history records check under certain circumstances, on the date of issuance or denial of a for–hire driver’s license, or on a certain date; requiring an individual who operates a motor vehicle for hire or a taxicab to comply with a

certain dress code while operating the motor vehicle for hire or taxicab under certain circumstances; and generally relating to for-hire driving services.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 10–101(a) and (d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 10–107
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 10–302
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1379 – Delegate Schuh

AN ACT concerning

State Retirement and Pension System – Funding

FOR the purpose of altering the determination of the State's contribution for certain plans in the State Retirement and Pension System; altering the number of years certain unfunded liabilities of the State Retirement and Pension System shall be amortized; requiring the State's actuary to calculate a certain alternative contribution rate for certain plans in the State Retirement and Pension System; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; defining certain terms; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304 and 21–305.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions

Section 21–304
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

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

House Bill 1380 – Delegates Murphy, Kipke, Bartlett, Barve, Bohanan, Boteler, Braveboy, Cardin, Doory, Elliott, Elmore, Frick, Frush, George, Gilchrist, Hecht, Hixson, Howard, Hubbard, Jameson, Kaiser, King, Kullen, Levy, O'Donnell, Pena–Melnyk, Rice, Ross, Shank, Stukes, F. Turner, Walker, and Wood

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

FOR the purpose of requiring a county board of education to establish certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions; requiring certain county boards to provide certain notice to the State Department of Education under certain circumstances; and generally relating to the establishment of written policies relating to the procurement of green product cleaning supplies by county boards of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–112
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1381 – Delegate Rudolph

AN ACT concerning

Prescription Drugs – Controlled Dangerous Substances – Certification of Information on Delivery

FOR the purpose of requiring deliverers of certain prescription drugs and the recipients of those drugs to endorse a certain form; requiring the form to certify certain information; requiring the retention of the form or a certain record in a certain manner and for a certain period that the State Board of Pharmacy requires; requiring the Board to adopt certain regulations; and generally relating to the delivery of prescription drugs that are controlled dangerous substances to patients.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–403
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1382 – Delegates Glenn, Ali, Anderson, Barnes, Bobo, Dumais, Hecht, Hucker, Levi, McIntosh, Niemann, Pena–Melnik, Shewell, and Stein

AN ACT concerning

Rental Housing – Protection for Victims of Domestic Violence and Sexual Assault

FOR the purpose of authorizing a tenant who is a victim of domestic violence or a victim of sexual assault to terminate a residential lease under certain circumstances; requiring a certain tenant to provide certain written notice to terminate a lease to the landlord; requiring a tenant who provides certain written notice to vacate the leased premises within a certain period of time; establishing a tenant’s responsibility for certain rent if the tenant terminates a lease under this Act; providing that a landlord is entitled to certain legal remedies under certain circumstances; requiring the written notice provided under this Act to include certain information; prohibiting a landlord from bringing an action for possession under certain circumstances; prohibiting a court from entering a judgment against a certain tenant if the tenant provides certain evidence; authorizing a court to make a certain judgment in an action for possession under certain circumstances; authorizing a tenant to provide the landlord with a request to change the locks on the leased premises under certain circumstances; requiring the request to change the locks to include certain information; requiring the landlord to change the locks or authorize the tenant to change the locks within a certain period of time after receiving the request; authorizing the tenant to change the locks without the landlord’s permission under certain circumstances; requiring the tenant to pay a certain fee within a certain period of time; prohibiting certain discrimination in housing on the basis of a person’s status as a victim of domestic violence or a victim of sexual assault; defining certain terms; and generally relating to protection for victims of domestic violence and sexual assault in rental housing.

BY adding to

Article – Real Property
Section 8–5A–01 through 8–5A–06 to be under the new subtitle “Subtitle 5A.
Rental Housing – Victims of Domestic Violence and Sexual Assault”

Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–701(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 20–701(j) and (k)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–705
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1383 – Delegates Levi, Dumais, Elmore, George, Gilchrist, Howard, Myers, Niemann, Olszewski, Rice, Rosenberg, Shank, Stukes, F. Turner, and Valderrama

AN ACT concerning

Election Law – Transfer from Slate to Candidate – Campaign Finance Report

FOR the purpose of requiring a certain slate that makes transfers of more than a certain amount to the campaign finance entity of one of its members during a certain period to file a campaign finance report for a certain reporting period; requiring the campaign finance report to be filed on a certain date; providing that the State Board of Elections is not required to provide notice to a certain entity that a campaign finance report is required to be filed under this Act; and generally relating to disclosure of campaign finance information when a slate makes certain transfers to the campaign finance entity of one of its members.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–209, 13–227, 13–304(a)(1), 13–312, and 13–327(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 13–309 and 13–321
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1384 – Delegates Levi, Glenn, Benson, Bohanan, Branch, Burns, DeBoy, Kirk, Montgomery, Ross, Schuler, Stukes, V. Turner, Vallario, Vaughn, and Walker

AN ACT concerning

Restore Respect at School Act

FOR the purpose of denying eligibility for a certain subtraction modification under the Maryland income tax for certain household and dependent care expenses to certain parents or guardians if their dependent child does not meet certain school discipline and attendance requirements; denying eligibility for a certain credit allowed against the State income tax for certain child care and dependent care expenses to certain parents or guardians if their dependent child does not meet certain school discipline and attendance requirements; requiring the State Board of Education to adopt certain regulations that provide a process for determining ineligibility; requiring a certain notice of ineligibility to be sent in writing to the Comptroller; requiring certain revenue attributable to a certain denial of a certain subtraction modification and a tax credit for certain dependent care expenses to certain parents or guardians to be distributed to a certain special fund; providing for the application of this Act; requiring the State Board of Education and the Comptroller to report to the General Assembly on or before a certain date; and generally relating to a certain subtraction modification and tax credit for certain dependent care expenses under the Maryland income tax.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–203(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 6–203(e) and 7–305(a) through (d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education

Section 7-311
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2-609, 10-208(e), and 10-716
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10-208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1385 – Delegate Cardin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Circuit Court Judges – Election, Qualifications, and Term of Office

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; altering certain qualifications for appointment of circuit court judges; providing for a transitional period during which the terms of certain amendments are effective; repealing certain obsolete provisions; making stylistic changes; generally relating to the selection, election, appointment, qualification, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 2, 3, 5A, 11, and 21(a)

BY proposing a repeal of the Maryland Constitution
Article IV – Judiciary Department
Section 5; 18B and the part “Part IIA – Interim Provisions”; and 21A

BY proposing an addition to the Maryland Constitution

Article XVIII – Provisions of Limited Duration
Section 6

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

House Bill 1386 – Delegate Mizeur

AN ACT concerning

Disclosure of Health Premium Expenditures Act

FOR the purpose of requiring health insurance carriers to disclose certain information about the distribution of premium dollars in each statement of benefits provided to enrollees; requiring health insurance carriers to disclose in their enrollment sales materials certain aggregate loss ratios for certain health benefit plans; requiring the disclosure of certain aggregate loss ratios to be in the form that the Maryland Insurance Commissioner establishes and adopts by regulation; altering the form and manner in which health insurers, nonprofit health service plans, and health maintenance organizations are required to disclose certain loss ratios for certain health benefits plans; providing for the application of this Act; requiring the Maryland Insurance Administration to monitor certain legislation and give certain notice to the Department of Legislative Services; providing for the termination of this Act under certain circumstances; and generally relating to the disclosure by health insurance carriers of information about loss ratios for health benefit plans and the distribution of health insurance premiums.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–121 and 15–605(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1387 – Delegates Bobo, Donoghue, and Pena–Melynk

AN ACT concerning

**Health Occupations – Pharmacists – Disposal of Unused Prescription Drugs
 (“Operation Take–back”)**

FOR the purpose of requiring certain containers of prescription drugs to include certain information; requiring certain labels of prescription drugs to include a certain notice; requiring certain pharmacists to include a certain information sheet with certain prescription drugs; requiring pharmacies to develop a

program for the disposal of unused prescription drugs; requiring the program to include the provision of certain containers; requiring pharmacies to dispose of certain containers in a certain manner; requiring pharmacies to post a certain notice; and generally relating to the disposal of unused prescription drugs.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–505
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 12–505.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1388 – Delegate Glenn

AN ACT concerning

Maryland Medical Marijuana Act

FOR the purpose of allowing the medical use of marijuana under certain circumstances; repealing certain criminal provisions that allow the imposition of a certain fine for use or possession of marijuana or use or possession of drug paraphernalia related to marijuana under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; authorizing the Department to vary certain fees in a certain manner; authorizing the Department to accept certain donations for a certain purpose; requiring the Department to issue a certain report to the Governor and the General Assembly on or before a certain date each year; authorizing certain persons to file a certain action under certain circumstances; providing that certain documents shall be deemed a valid registry identification card under certain circumstances; providing that a certain representation to a law enforcement official is punishable by a certain fine; establishing the Medical Marijuana Advisory Board in the Department; providing for the membership, quorum, and staffing of the Board; prohibiting a member of the Board from receiving compensation but providing that a member may receive certain reimbursement; providing for the duties of the Board; establishing certain application processes for compassion centers, compassion center associates, designated caregivers, and qualifying patients; providing that certain compassion centers are subject to reasonable inspection by the Department; requiring the Department to provide a compassion center certain notice before

conducting an inspection; establishing certain requirements for compassion centers, compassion center associates, designated caregivers, and qualifying patients; authorizing counties and municipalities to enact certain limits and zoning regulations regarding compassion centers; requiring the Department to notify a designated caregiver of a certain notice; providing that certain protections for a designated caregiver expire a certain time after a certain notification; providing that certain registry identification cards from other jurisdictions shall have the same force and effect as a registry identification card issued by the Department; prohibiting certain designated caregivers from possessing over a certain amount of marijuana; authorizing certain designated caregivers to receive compensation under certain circumstances; prohibiting a qualifying patient from possessing over a certain amount of marijuana under certain circumstances; providing that certain qualifying patients and designated caregivers may not be subject to penalty for certain actions; providing that a practitioner may not be subject to penalty solely for providing a certain certification or a certain statement; prohibiting certain entities from discriminating against or penalizing certain persons; providing for a certain presumption for the medical use of marijuana; providing that certain evidence may rebut a certain presumption; prohibiting a person from being denied custody of or visitation with a minor for the sole reason of conduct allowed under this Act; providing that there may not be a presumption of neglect or child endangerment for the sole reason of conduct allowed under this Act; providing that medical use of marijuana shall be considered the equivalent of the authorized use of certain medication under certain circumstances; prohibiting marijuana and other certain property from being seized or forfeited under certain circumstances; providing that compassion centers and compassion center associates may not be subject to penalty for certain activities; prohibiting certain law enforcement agencies from providing certain information to certain entities under certain circumstances; clarifying that this Act does not authorize certain activities; providing that nothing in this Act may be construed to require certain activities; providing for the confidentiality of certain information under certain circumstances; requiring the Department to establish a certain verification system; defining certain terms; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–601(c) and 5–619(c)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY adding to

Article – Health – General

Section 25–101 through 25–702 to be under the new title “Title 25. Maryland Medical Marijuana Act”

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1389 – Delegates Vallario, Conway, Anderson, Aumann, Bohanan, Branch, Bronrott, Cane, DeBoy, Doory, Eckardt, Elmore, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Haynes, Heller, James, Jones, Levy, Mathias, Mizeur, Proctor, Robinson, Rosenberg, and Wood

AN ACT concerning

Traffic Cases – Funds for State Police Helicopters and Ambulance, Fire, and Rescue Companies

FOR the purpose of providing that a certain District Court surcharge that provides revenue to certain public safety funds shall apply to certain traffic cases; requiring that a certain surcharge be imposed as a court cost; making stylistic and conforming changes; providing for the application of this Act; and generally relating to a certain surcharge in certain traffic cases in the District Court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and 7–301(a) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing
Article – Transportation
Section 27–101.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1390 – Delegates Rosenberg and Hubbard

AN ACT concerning

Tobacco Use Prevention and Cessation Program and Cancer Prevention, Education, Screening, and Treatment Program – Funding

FOR the purpose of requiring the Governor to include certain amounts in the annual budget for certain activities aimed at reducing tobacco use in Maryland; authorizing the Secretary of Budget and Management to redistribute certain funding appropriated for certain grants under the Statewide Academic Health Center Component of the Cancer Prevention, Education, Screening, and

Treatment Program; requiring the Governor to include certain amounts in the annual budget for certain grants under the Statewide Academic Health Center Component for certain fiscal years; repealing a certain termination provision; and generally relating to funding for the Tobacco Use Prevention and Cessation Program and the Cancer Prevention, Education, Screening, and Treatment Program.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1015, 13–1114(c), 13–1116(a)(1), 13–1117(a)(1), and 13–1118(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – Health – General

Section 13–1114(f)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 487 of the Acts of the General Assembly of 2009

Section 44

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

House Bill 1391 – Delegates Montgomery, Reznik, Barnes, Bronrott, Cardin, Frick, Frush, Heller, Ivey, Kaiser, Kramer, Kullen, Mizeur, Morhaim, Pena–Melnyk, Rice, and Walker

AN ACT concerning

Education – Student–Athletes – Concussions

FOR the purpose of requiring the State Department of Education, in collaboration with certain organizations and individuals, to develop and implement a certain program; requiring a certain program to include a certain verification process; requiring county boards of education to provide a certain information sheet to certain individuals; requiring certain individuals to sign certain statements; requiring the Department to create a certain information sheet and acknowledgment statement; requiring the removal from play of certain student–athletes; prohibiting the return to play of certain student–athletes until certain student–athletes receive certain evaluation and clearance; granting certain immunity to certain health care providers, county boards, and youth sports programs under certain circumstances; establishing certain requirements for certain insurance policies; requiring youth sports programs to provide certain information to county boards under certain circumstances;

providing that certain grants of immunity do not impair the ability of certain persons to recover certain damages; and generally relating to the development and implementation of a program to provide awareness and training on the nature and risk of concussions.

BY adding to

Article – Education

Section 7–430

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1392 – Delegates McDonough, Boteler, Costa, Elmore, Jennings, Kach, Minnick, Smigiel, Stocksdale, and Weir

AN ACT concerning

Transportation – Bridges Over State Highways – Memorials to Fallen Heroes

FOR the purpose of authorizing the Governor to post a sign or plaque on certain bridges to honor fallen heroes who died in the performance of certain duties while serving the State, local, or federal government in a certain capacity; requiring the sign or plaque to be visible to travelers on certain roads or highways; requiring the Governor to select the fallen heroes to be honored under this Act; defining a certain term; and generally relating to bridge memorials to honor certain fallen heroes.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 8–101(o), (q), and (s)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 8–103

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1393 – Delegates Schuh and King

AN ACT concerning

**State Highway Administration – State Line and Welcome Signs – Prohibition
on Including Names of Elected Officials**

FOR the purpose of prohibiting the State Highway Administration from including the name of any person currently holding elected office on any new State line or welcome sign placed by the Administration; and generally relating to State line and welcome signs placed by the State Highway Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–605
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1394 – Delegates Rosenberg and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Glen Avenue Firehouse

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Baltimore City Fire Department for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1395 – Delegates Oaks and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Swann Avenue Firehouse

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Baltimore City Fire Department for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1396 – Delegates Haynes, Carter, Conaway, Glenn, Harrison, Kirk, McHale, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Fire Safety – High–Rise Buildings – Mobility Impaired Individuals and Senior Citizens

FOR the purpose of requiring the owner of a residential high–rise building to give priority to individuals who are mobility impaired or are senior citizens when renting certain units in the building; defining certain terms; and generally relating to fire safety in high–rise buildings.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 9–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 9–405
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1397 – Delegates Haynes, Carter, Conaway, Glenn, Harrison, Kirk, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

EMERGENCY BILL

AN ACT concerning

Baltimore City Fire Station Closing and Realignment Citizens' Review Board

FOR the purpose of establishing a Baltimore City Fire Station Closing and Realignment Citizens' Review Board; providing for the membership, terms, and duties of the Board; providing for the chair of the Board; providing that a member of the Board may not receive compensation as a member of the Board but may receive reimbursement for certain expenses; requiring the Board to study the distribution of certain fire stations and fire and rescue services in Baltimore City, hear evidence on fire station closings and fire service realignments in Baltimore City, and make certain recommendations to the Mayor and City Council of Baltimore; making this Act an emergency measure; and generally relating to the Baltimore City Fire Station Closing and Realignment Citizens' Review Board.

BY adding to

Article – Public Safety
Section 7–404
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1398 – Delegates Haynes, Carter, Conaway, Glenn, Hammen, Harrison, Kirk, McHale, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

EMERGENCY BILL

AN ACT concerning

Study on Number and Placement of Fire Stations in Baltimore City

FOR the purpose of requiring the State Fire Marshal, in consultation with the Mayor of Baltimore City and the Chief of the Baltimore City Fire Department, to study and make findings and recommendations on the appropriate number and placement of fire stations in Baltimore City on or before a certain date; requiring the State Fire Marshal to consider certain factors; requiring the State Fire Marshal to report to the Governor, the Mayor and City Council of Baltimore, the Chief of the Baltimore City Fire Department, 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 a study on the number and placement of fire stations in Baltimore City.

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

House Bill 1399 – Delegate Lafferty

AN ACT concerning

Residential Mortgage Loans – Required Notice of Housing Counseling Programs and Services

FOR the purpose of repealing certain provisions of Maryland lending laws that require a lender or credit grantor to provide a borrower with certain information regarding home buyer education or housing counseling in connection with certain high interest or high fee mortgage loans; requiring a lender to provide to a borrower a certain written notice regarding home buyer education or housing counseling in connection with a certain mortgage loan; requiring the

Department of Housing and Community Development to provide and maintain certain information; prohibiting a lender from closing on a certain mortgage loan unless the lender has provided to the borrower the notice required under this Act; requiring the Department, in consultation with the Commissioner of Financial Regulation, to adopt regulations, on or before a certain date, specifying the form and time of delivery of the notice required under this Act; requiring the Department, in adopting the regulations, to consult with the mortgage lending industry to determine the most effective time for delivery of the notice; defining certain terms; repealing certain definitions; providing for a delayed effective date for certain provisions of this Act; and generally relating to mortgage loans.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 12–124.1, 12–311, and 12–1029

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Commercial Law

Section 12–1201 through 12–1204 to be under the new subtitle “Subtitle 12.
Mortgage Loans – Notice of Housing Counseling Programs and Services”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1400 – Delegates Stein and Krebs

AN ACT concerning

Commissioner of Financial Regulation – Financial Education Resources Clearinghouse

FOR the purpose of requiring the office of the Commissioner of Financial Regulation to serve as a clearinghouse for information on financial education resources, services, and programs available to residents of the State; requiring the Commissioner to develop and maintain a website to make certain information available to the public; authorizing the Commissioner to designate an individual to administer the clearinghouse operations within the office of the Commissioner; and generally relating to the office of the Commissioner of Financial Regulation.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–107

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Financial Institutions

Section 2–120

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1401 – Delegates DeBoy, Smigiel, and Guzzone

AN ACT concerning

Local Government – Collective Bargaining Referendum – Local Ordinance Prohibition

FOR the purpose of prohibiting a county from enacting certain prohibitions on collective bargaining by county employees under certain conditions; authorizing a county under certain conditions to submit a certain local law for referendum; establishing that a certain local law enacted under certain conditions shall not take effect unless approved by referendum; requiring a county governing body and board of elections to take certain actions to provide for and hold a certain referendum; and generally relating to collective bargaining of county employees.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 24–101 to be under the new title “Title 24. Collective Bargaining”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1402 – Delegates Conway, G. Clagett, DeBoy, Bates, Eckardt, Elmore, Haddaway, Mathias, Proctor, Sophocleus, and Wood

AN ACT concerning

Public Safety – Preemployment Polygraph Examinations for Correctional Officer Applicants

FOR the purpose of requiring an individual to pass a polygraph examination before the individual may be appointed to serve as a correctional officer in a correctional facility; requiring the Commissioner of Correction to adopt certain regulations governing the administration of polygraph examinations required under this Act; providing an exemption for an applicant for employment as a correctional officer of a State or local correctional facility from a certain

prohibition against requiring a polygraph examination as a condition of employment; making stylistic and conforming changes; and generally relating to polygraph examinations for correctional officer applicants.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–215
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1403 – Delegates Miller, Bates, Feldman, and Manno

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Prohibition of Transfer of Money from Insurance Funds to General Funds

FOR the purpose of adding a new section to the Maryland Constitution to prohibit the General Assembly from enacting a law authorizing the transfer to the General Funds of the State of, or otherwise diverting from their intended purposes, any money of certain funds established by law to provide certain insurance and pay certain claims; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 62

Read the first time and referred to the Committee on Appropriations and the Committee on Economic Matters.

House Bill 1404 – Delegates Gaines, Aumann, Barkley, Barnes, Barve, Beitzel, Branch, Braveboy, Bronrott, Feldman, Frick, Frush, Gutierrez, Healey, Holmes, Hucker, Ivey, Kramer, Lee, Levy, Manno, Mizeur, Niemann, Pena–Melnyk, Ramirez, and Ross

AN ACT concerning

Maryland Department of Transportation – Transit Review and Evaluation

FOR the purpose of requiring the Maryland Department of Transportation to review and evaluate transit priority treatments, best practices, and certain transit thresholds; requiring the Secretary of Transportation to submit a certain report to the General Assembly on or before a certain date; and generally relating to a transit study by the Maryland Department of Transportation.

Read the first time and referred to the Committee on Environmental Matters.

INTRODUCTION OF JOINT RESOLUTIONS**House Joint Resolution 10 – Delegates Love, Schuh, Beidle, Dwyer, Kipke, and Sophocleus**

A House Joint Resolution concerning

Targeted Interference with Wireless Communication Service Within Correctional Facilities

FOR the purpose of urging the United States Congress to pass legislation allowing targeted interference with wireless communication service within correctional facilities; and generally relating to wireless communication service.

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

House Joint Resolution 11 – Delegate Frank

A House Joint Resolution concerning

General Assembly Compensation Commission – Recommendations – Optional Retirement Program

FOR the purpose of providing that in accordance with the provisions of Article III, Section 15 of the Maryland Constitution, rejecting certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address certain proposed changes to salaries, in–district travel, out–of–state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out–of–state travel remain at the levels set by the Resolution dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in–district travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated

January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided by the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to require that certain members of the Legislative Pension Plan join the Optional Retirement Program of the State Retirement and Pension System subject to certain conditions; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain members of the Legislative Pension Plan be required to participate in the Optional Retirement Program of the State Retirement and Pension System; and generally relating to the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010.

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

House Joint Resolution 12 – Delegate Frank

A House Joint Resolution concerning

General Assembly Compensation Commission – Recommendations – Employees’ Pension System

FOR the purpose of rejecting, in accordance with the provisions of Article III, Section 15 of the Maryland Constitution, certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address certain proposed changes to salaries, in–district travel, out–of–state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out–of–state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in–district travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to require that certain members of the

Legislative Pension Plan join the Employees' Pension System of the State Retirement and Pension System subject to certain conditions; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain members of the Legislative Pension Plan be required to participate in the Employees' Pension System of the State Retirement and Pension System; and generally relating to the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010.

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

SPECIAL ORDERS

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

House Bill 126 – Delegates Ramirez, Vallario, Barnes, Conaway, and Simmons

AN ACT concerning

Outstanding Arrest Warrants – Drivers' Licenses and Vehicle Registrations

STATUS OF BILL: BILL ON 2ND READING. 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 131 Members present.

(See Roll Call No. 86)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 74 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Maryland Uniform Interstate Family Support Act – Revision

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

Affirmative – 135 Negative – 0 (See Roll Call No. 87)

The Bill was then sent to the Senate.

House Bill 75 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Criminal Law – Escape from Juvenile Facility

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

Affirmative – 133 Negative – 0 (See Roll Call No. 88)

The Bill was then sent to the Senate.

House Bill 77 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims Outside the United States

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

Affirmative – 134 Negative – 0 (See Roll Call No. 89)

The Bill was then sent to the Senate.

House Bill 122 – Delegates Anderson, Barnes, Benson, Bronrott, Burns, Carter, Conaway, Conway, George, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Hucker, Ivey, Kirk, Levi, McComas, McIntosh, Murphy, Nathan–Pulliam, O’Donnell, Oaks, Pena–Melnyk, Proctor, Ramirez, Robinson, Rosenberg, Ross, Schuler, Shank, Smigiel, Stukes, Tarrant, V. Turner, and Vallario

AN ACT concerning

Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification

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

Affirmative – 136 Negative – 0 (See Roll Call No. 90)

The Bill was then sent to the Senate.

House Bill 138 – Delegates Waldstreicher, Vallario, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Jennings, Kelly, Kramer, Lee, Levi, McComas, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Valderrama

AN ACT concerning

Criminal Injuries Compensation Board – Right to Hearing

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

Affirmative – 135 Negative – 0 (See Roll Call No. 91)

The Bill was then sent to the Senate.

House Bill 161 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Family Law – ~~Permanency Planning and~~ Guardianship Review Hearings – Consultation with Child

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

Affirmative – 135 Negative – 0 (See Roll Call No. 92)

The Bill was then sent to the Senate.

House Bill 168 – Delegates Rosenberg, Anderson, and Dumais

AN ACT concerning

Architectural ~~or~~, Engineering, Inspecting, or Surveying Services – ~~Construction Industry~~ – Indemnity Agreements – Void

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

Affirmative – 136 Negative – 0 (See Roll Call No. 93)

The Bill was then sent to the Senate.

House Bill 208 – Delegates Schuler, Anderson, Barnes, Cardin, Carter, Conaway, Ramirez, Rosenberg, Simmons, Smigiel, Stein, and Valderrama

AN ACT concerning

Courts – County Administrative Judge – Responsibilities

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

Affirmative – 134 Negative – 2 (See Roll Call No. 94)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 95)

ADJOURNMENT

At 10:36 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 19, 2010.

Annapolis, Maryland
Friday, February 19, 2010

The House met at 11:23 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 96)

The Journal of February 18, 2010 was read and approved.

EXCUSES:

Del. G. Clagett – business

Del. Hecht – personal

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1405 – Delegates Harrison, Branch, Glenn, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Dayspring Square

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

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

House Bill 1406 – Delegate Barkley

AN ACT concerning

Creation of a State Debt – Carroll County – Carroll County Agriculture Center

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

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

House Bill 1407 – Delegate Conaway

AN ACT concerning

Financial Institutions – Mortgage Loan Originators – Prohibited Acts

FOR the purpose of prohibiting a person subject to regulation as a mortgage loan originator from making a payment, threat, or promise to another person for a certain purpose in connection with a residential mortgage loan; prohibiting a person subject to regulation as a mortgage loan originator from making a payment, threat, or promise to an appraiser of a property for a certain purpose with respect to the value of the property; providing that a certain penalty applies to a willful violation of the prohibited acts; and generally relating to the regulation of mortgage loan originators.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11–617
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Financial Institutions
Section 11–624
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1408 – Delegate G. Clagett

EMERGENCY BILL

AN ACT concerning

Stormwater Management – Regulations – Delay and Adoption of New Regulations

FOR the purpose of making certain stormwater management regulations adopted by the Department of the Environment applicable to certain new development and redevelopment projects that do not have certain final approvals by a certain date; prohibiting the Department from enforcing certain regulations that are in conflict with this Act; requiring the Department to propose to repeal certain stormwater management regulations and replace the regulations with certain new stormwater management regulations, developed in consultation with certain stakeholder groups, by a certain date; requiring the Department to submit certain new proposed regulations to the Joint Committee on Administrative, Executive, and Legislative Review by a certain date; making this Act an emergency measure; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–203
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1409 – Delegate G. Clagett

EMERGENCY BILL

AN ACT concerning

Stormwater Management – Development Projects – Special Taxing Districts

FOR the purpose of authorizing a person to submit a certain stormwater management plan that complies with certain laws and regulations in effect on a certain date if the development project is located within a special taxing district that meets certain requirements; making this Act an emergency measure; and generally relating to stormwater management in special taxing districts.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–204
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 198 – Senators Glassman, Garagiola, Gladden, Harris, Jacobs, Kasemeyer, Klausmeier, Kramer, Middleton, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone

AN ACT concerning

Farmer's Markets – ~~Raw~~ Agricultural Product Sales – Producer Mobile Farmer's Market License

FOR the purpose of altering a certain definition to exclude the sale of certain raw agricultural products at a farmer's market from regulation as a food service facility; prohibiting a local jurisdiction from requiring a license for the sale of raw agricultural products at a farmer's market; clarifying that a license is not required to deliver prepackaged food products; requiring the Department of Health and Mental Hygiene to establish a producer mobile farmer's market license; providing for the fee and duration of the license; authorizing a licensee to sell certain products at a farmer's market; providing that the license is valid in all jurisdictions in the State; prohibiting a local jurisdiction from requiring a certain licensee to obtain a separate permit or a license to sell certain products; requiring the Department to issue the license, conduct certain inspections, and adopt certain regulations; requiring the license to be displayed in a certain manner; establishing fines for violations of requirements relating to the license; requiring county health departments to enforce provisions relating to the license; establishing that certain fines for violations be paid to the county in which the violation occurred; defining certain terms; making conforming changes; making stylistic changes; and generally relating to the sale of ~~raw~~ agricultural products and mobile food service facility licenses.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–301(h)(2), 21–304, 21–305(b) and (c), and 21–308(c)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–305(a) and 21–309(a)

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Health – General
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 199 – Senators Glassman, Garagiola, Kasemeyer, Klausmeier, Kramer, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone

AN ACT concerning

Seasonal Farmer’s Market Producer Sampling License

FOR the purpose of authorizing a county to establish a seasonal farmer’s market producer sampling license to allow a producer of a farm product to prepare and offer samples of the product at a farmer’s market; requiring the license to be valid at all farmer’s markets in the county for a certain time period, for a single fee; limiting a licensee to offer samples only of a product produced by the licensee; requiring the Department of Health and Mental Hygiene to adopt certain regulations; requiring a county issuing the license to adopt certain ordinances; and generally relating to product sampling at farmer’s markets.

BY adding to

Article – Health – General
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 236 – Senators Middleton, Kelley, and Klausmeier

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers’ Compensation
Insurance – Notice**

FOR the purpose of requiring an insurer to provide certain notice to an independent insurance producer of a premium increase for certain types of insurance in a

certain manner; and generally relating to notice for premium increases for commercial and workers' compensation insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–608(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON APPROPRIATIONS REPORT #2

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

House Bill 149 – Chair, Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 307 – Cecil County Delegation

AN ACT concerning

Cecil County – Public Facilities Bond Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 339 – Caroline County Delegation

AN ACT concerning

Caroline County – Orphans’ Court Judges – Pensions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Joint Resolution 4 – The Speaker (By Request – Judicial Compensation Commission)

A House Joint Resolution concerning

Judicial Compensation Commission – Recommendations

HJ0004/124563/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE JOINT RESOLUTION 4

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 3, strike “proposing an alteration to” and substitute “establishing”.

On pages 1 and 2, strike in their entirety the lines beginning with line 6 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike line 12 in its entirety; and in lines 14, 15, 17, 18, 20, 22, and 23, respectively, strike “190,463”, “171,463”, “161,663”, “158,663”, “149,463”, “158,663”, and “136,363”, respectively.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 27 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.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #1

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

House Bill 62 – Delegate V. Turner

AN ACT concerning

Environment – Payment of Cost Differential – Nitrogen Removal Technology

HB0062/870115/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 62

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate V. Turner” and substitute “Delegates V. Turner and Beidle”; in line 3, strike “repealing a certain contingency on the requirement” and substitute “requiring”; in line 6, after “Fund” insert “under certain circumstances in certain calendar years”; strike beginning with “requiring” in line 6 down through “technology” in line 10 and substitute “declaring the intent of the General Assembly”; in line 20, strike “and 9-1605.2(h)(1) and (2)”; and in line 25, strike “and 9-1605.2(h)(3)(i)”.

AMENDMENT NO. 2

On page 2, in line 19, strike “In” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND IN**”; in lines 20 and 22, in each instance, strike the bracket; in line 20, strike “BY”; and strike in their entirety lines 23 through 27, inclusive, and substitute:

“(2) IN CALENDAR YEARS 2010, 2011, AND 2012, THE DEPARTMENT SHALL ASSIST HOMEOWNERS BY PAYING 100% OF THE COST DIFFERENCE BETWEEN A CONVENTIONAL ON-SITE SEWAGE DISPOSAL SYSTEM

AND A SYSTEM THAT UTILIZES NITROGEN REMOVAL TECHNOLOGY WITH MONEY FROM THE BAY RESTORATION FUND, IF THE HOMEOWNER:

(I) IS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION TO REPLACE AN EXISTING ON-SITE SEWAGE DISPOSAL SYSTEM WITH AN ON-SITE SEWAGE DISPOSAL SYSTEM THAT UTILIZES NITROGEN REMOVAL TECHNOLOGY; AND

(II) HAS A FAILING ON-SITE SEWAGE DISPOSAL SYSTEM.”.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 28 on page 2 through line 18 on page 4, inclusive.

AMENDMENT NO. 4

On page 4, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided by § 9-1108(c)(2) of the Environment Article, as enacted by Section 1 of this Act, it is the intent of the General Assembly that the Department of the Environment may use an economic means test to determine the financial assistance awarded to a homeowner for the cost difference between a conventional on-site sewage disposal system and a system that utilizes nitrogen removal technology.”;

and in line 19, 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.

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

House Bill 89 – Delegate O’Donnell

AN ACT concerning

Environment – Wetlands and Waterways Program Fees – Aquaculture

HB0089/310819/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 89

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Program;” insert “requiring the Aquaculture Coordinating Council to report certain information to the Department of the Environment and the General Assembly on or before a certain date.”.

AMENDMENT NO. 2

On page 4, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Aquaculture Coordinating Council shall report to the Department of the Environment and, in accordance with § 2-1246 of the State Government Article, the General Assembly on:

(1) The status of commercial aquaculture in the State;

(2) The fiscal impact of the fee exemption established under this Act;

and

(3) Any other findings and recommendations related to the implementation of this Act.”;

and in line 10, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 109 – Delegate Ali

AN ACT concerning

Residential Property Tax Disclaimer Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 97)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #4

House Bill 33 – ~~Delegate Hubbard~~ Delegates Hubbard, Benson, Bronrott, Cane, Healey, Kramer, Manno, Montgomery, V. Turner, and Waldstreicher

AN ACT concerning

Child Care Articles ~~and Toys~~ Containing Bisphenol-A – Prohibition

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

Affirmative – 137 Negative – 0 (See Roll Call No. 98)

The Bill was then sent to the Senate.

House Bill 67 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

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

Affirmative – 134 Negative – 2 (See Roll Call No. 99)

The Bill was then sent to the Senate.

House Bill 69 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Insurers – Audits, Investments, and Operations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 100)

The Bill was then sent to the Senate.

House Bill 71 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan) and Delegates Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Senior Prescription Drug Assistance Program – ~~Appointment of Insurance Producers~~ Training for Insurance Producers

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

Affirmative – 136 Negative – 0 (See Roll Call No. 101)

The Bill was then sent to the Senate.

House Bill 209 – Delegates Vaughn, Gutierrez, Haynes, Holmes, Hucker, Love, Oaks, ~~and Robinson~~ Robinson, Hammen, Pendergrass, Benson, Bromwell, Donoghue, Hubbard, Kullen, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

General Obligation Bonds for Capital Projects – Required Reports

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

Affirmative – 120 Negative – 17 (See Roll Call No. 102)

The Bill was then sent to the Senate.

House Bill 261 – Delegate Tarrant

AN ACT concerning

Health – Administrative Service Provider Contracts – Contracting Provider Definition

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

Affirmative – 137 Negative – 0 (See Roll Call No. 103)

The Bill was then sent to the Senate.

House Bill 292 – ~~Delegate Morhaim~~ Delegates Morhaim, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Uniform Consultation Referral Form – Electronic Transmission

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

Affirmative – 137 Negative – 0 (See Roll Call No. 104)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT**MEMORANDUM**

To: Hon. Peter A. Hammen, Chairman, HGO
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 879	JUD

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 105)

ADJOURNMENT

At 11:48 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 22, 2010.

Annapolis, Maryland
Monday, February 22, 2010

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseph J. Minnick of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 106)

The Journal of February 19, 2010 was read and approved.

EXCUSES:

Del. Braveboy – illness
Del. G. Clagett – mother-in-law illness
Del. V. Clagett – medical
Del. Davis – doctor’s appointment
Del. King – illness
Del. McDonough – business
Del. V. Turner – late – business
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1410 – Delegates Morhaim, Costa, Donoghue, and Nathan–Pulliam

AN ACT concerning

**Health Services Cost Review Commission – Podiatric Medical Examiners
Residency Program**

FOR the purpose of authorizing an accredited hospital to apply to the Health Services Cost Review Commission for funding to establish a certain podiatric medical examiners residency program; requiring the Commission to select one accredited hospital that applied for funding and transfer funds sufficient for the accredited hospital to provide a certain residency program to a certain number of podiatric medical residents each year for a certain number of years; requiring the accredited hospital to repay certain funds to the Commission within a certain period of time; providing for the termination of this Act; and generally

relating to the funding of a podiatric medical examiners residency program by the Health Services Cost Review Commission.

BY adding to

Article – Health – General
Section 19–209.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1411 – Delegates Shewell, Aumann, Boteler, Elliott, Frank, Impallaria, Krebs, McDonough, Sossi, Stocksdales, and Weir

AN ACT concerning

Criminal Law – Homicide by Motor Vehicle or Vessel – Penalties

FOR the purpose of increasing the penalties for certain crimes of homicide by motor vehicle or vessel while impaired by alcohol, homicide by motor vehicle or vessel while impaired by drugs, and homicide by motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to homicide by motor vehicle or vessel.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 2–503
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 2–504, 2–505, and 2–506
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1412 – Delegates DeBoy, Barkley, Bromwell, G. Claggett, Costa, Glenn, Guzzone, Jones, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Department of State Police – Collective Bargaining – Police Employees

FOR the purpose of establishing collective bargaining rights for certain police employees in the Department of State Police; specifying which police employees are eligible to participate in the collective bargaining process; requiring certain individuals or entities to designate one or more representatives to participate as a party in collective bargaining; requiring the parties to meet at reasonable times and engage in collective bargaining in good faith; requiring the exclusive representative to make a certain notification of the intent to commence negotiations on or before a certain date; requiring the parties to begin negotiations on or before a certain date; requiring the parties to conclude negotiations on or before a certain date for inclusion in a certain budget request; requiring the parties to conclude negotiations on or before a certain date for certain items; requiring the Governor to include certain amounts in the budget bill; authorizing a party under certain circumstances to provide written notice that an impasse has been reached and request that a fact finder be employed to resolve the issues; providing for the employment of a fact finder; establishing the powers and duties of the fact finder; authorizing the fact finder to receive and consider certain evidence; requiring the written recommendations of the fact finder to be delivered to certain parties; establishing that, under certain circumstances, certain written recommendations of the fact finder are binding on certain parties; authorizing a party to file a motion to vacate or modify the fact finder's recommendation in a certain manner under certain circumstances; authorizing a court to vacate or modify the fact finder's recommendation in a certain manner under certain circumstances; authorizing the parties to modify certain terms by mutual agreement; authorizing the fact finder to stop or delay impasse procedures under certain circumstances; providing that impasse procedures may not be stopped or delayed because of certain acts; authorizing the parties to reach a certain voluntary settlement; prohibiting a party from altering certain conditions of employment during a certain period of time except under certain circumstances; requiring a memorandum of understanding to be executed in a certain manner; requiring certain matters to be recommended to the General Assembly for approval or appropriation of funds; providing that negotiations for a memorandum of understanding are considered closed sessions; providing for the application of this Act; defining a certain term; and generally relating to collective bargaining of police employees in the Department of State Police.

BY adding to

Article – Public Safety

Section 2–419

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

House Bill 1413 – Eastern Shore Delegation

AN ACT concerning

Sexual Offenders Omnibus Act of 2010

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain inmate who is serving a sentence for a certain sexual offense against a minor; eliminating parole eligibility for sexual offenders who are serving terms of confinement for certain offenses against minors committed on or after a certain date; providing that this Act does not restrict a certain authority of the Governor to pardon or remit a certain sentence; repealing the requirement that the Maryland Parole Commission administer extended sexual offender parole supervision; altering certain provisions relating to extended sexual offender supervision of certain offenders; altering the term for certain extended sexual offender supervision; requiring a sentence for certain persons to include a term of lifetime sexual offender supervision; altering the term of lifetime sexual offender supervision; establishing that lifetime sexual offender supervision is imposed on a defendant for a crime committed on or after a certain date; requiring a certain sentencing court to impose certain conditions of lifetime sexual offender supervision and to advise certain persons of the conditions of lifetime sexual offender supervision; requiring the sentencing court to order a presentence investigation under certain circumstances; authorizing a certain sentencing court to adjust certain conditions of lifetime sexual offender supervision under certain circumstances; establishing a certain offense and penalty for violation of lifetime sexual offender supervision; authorizing certain procedures for violations of lifetime sexual offender supervision; requiring certain judges to hear certain violations and certain petitions; authorizing a certain sentencing court to deny a certain petition under certain circumstances; providing for the discharge of certain persons from lifetime sexual offender supervision under certain circumstances; requiring a certain sentencing court to hear and adjudicate certain petitions; altering the composition of a certain sexual offender management team; requiring certain progress reports of a certain sexual offender management team; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is registered on a certain registry; authorizing the Department of Public Safety and Correctional Services to adopt certain regulations; requiring the Department, within a certain period of time after receiving a registration statement, to send a copy of the registration statement to the Motor Vehicle Administration; requiring rather than authorizing the Department to post on the Internet certain information about a certain registrant; requiring the Department to include the known aliases of a certain registrant on a certain posting on the Internet; prohibiting a certain registrant who is arrested on suspicion of any violation of the Code from being released from custody or charges from being dropped until the registrant is brought before a certain judge for a certain examination; creating a procedure in which a person who has been convicted of a sexually violent offense and who suffers from a certain mental abnormality or personality disorder may be placed in the custody of the

Secretary of Health and Mental Hygiene until the person meets certain criteria; establishing that a term of extended parole supervision commences on the expiration of a certain term of commitment to a certain State facility; requiring the Commissioner of Correction of the Department to give notice to the Attorney General before certain persons who have been convicted of certain sexually violent offenses are released from confinement; requiring the Attorney General to determine if certain persons meet the criteria of sexually violent offenders in need of commitment; establishing certain procedures for determining whether persons are sexually violent offenders in need of commitment; requiring that a review committee of prosecutors and a multidisciplinary team be formed to make recommendations concerning the identification of sexually violent offenders in need of commitment; making the Commissioner and certain other individuals immune from civil liability for acts performed in good faith in carrying out this Act; specifying the criteria for finding a person to be a sexually violent offender in need of commitment; authorizing the Attorney General to petition the circuit court to find probable cause that a certain person is a sexually violent offender in need of commitment; authorizing a court to order a certain person taken into custody if the court determines certain probable cause exists; authorizing a court to conduct a trial under certain circumstances to determine if a certain person is a sexually violent offender in need of commitment; allowing a certain person certain rights at trial; requiring that the standard of proof at a trial to determine whether a person is a sexually violent offender in need of commitment be that of proof beyond a reasonable doubt; requiring that a person who is found to be a sexually violent offender in need of commitment be placed in the custody of the Secretary of Health and Mental Hygiene for control, care, and treatment at a State facility until the mental abnormality or personality disorder of the person has so changed that the person is not likely to engage in a certain act if released; requiring that a certain committed person in a State facility be subject to an annual mental examination and an annual status review hearing; authorizing the court to determine at an annual status review hearing that probable cause exists to believe that the committed person is not likely to engage in certain acts if released; authorizing that a release hearing be held under certain circumstances; establishing the procedures for certain hearings; requiring that the court release a committed person under certain circumstances; providing that this Act has no effect on the operation of certain provisions of the Code; requiring the Administration, on receipt of a certain notice that a holder of or an applicant for a driver's license or identification card has registered on a certain registry, to place a prominent notation on any driver's license or identification card issued to the holder or the applicant indicating that the holder is a sexual offender registrant; prohibiting the removal of a certain notation unless the Department provides a certain written notice to the Administration; making a certain technical correction; deleting certain terms; making certain conforming changes; defining certain terms; and generally relating to sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services

Section 3-702, 7-206, and 7-301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure
Section 5-202(g) and 11-728
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 11-701, 11-704, 11-713, 11-717, and 11-723 through 11-726
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 1-101(a), (c), and (k) and 10-101(e) and (h)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Health – General
Section 10-636 through 10-646 to be under the new part “Part VI. Sexually
Violent Offender in Need of Commitment”
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Transportation
Section 12-303.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1414 – Delegates Shewell, Elliott, Krebs, and Stocksdales

AN ACT concerning

Criminal Procedure – Violent Offenders – Parole as Condition for Alcohol or Drug Abuse Treatment

FOR the purpose of providing that a defendant who has been sentenced to the Division
of Correction after being convicted of a certain violent crime is not eligible for

commitment for alcohol or drug abuse treatment until the defendant is eligible for parole; and generally relating to the eligibility of violent offenders for drug or alcohol abuse treatment.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 7–301(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 8–507(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 8–507(p)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1415 – Delegate Morhaim

AN ACT concerning

Tobacco Products – Manufacturer Certification – Filing Fee

FOR the purpose of requiring certain tobacco product manufacturers to pay a certain certification filing fee of a certain amount; and generally relating to a certification filing fee for tobacco product manufacturers.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–503
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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

House Bill 1416 – Delegate Frush

AN ACT concerning

Vehicle Laws – Parking for Individuals with Disabilities – Zoning

FOR the purpose of making certain provisions related to exceptions to local zoning ordinances for compliance with the Maryland Accessibility Code applicable to certain local jurisdictions; clarifying that a local jurisdiction is required to provide an exception to local zoning ordinances when necessary to bring an existing parking lot into compliance with Maryland Accessibility Code requirements for parking spaces for individuals with disabilities; providing that a person may comply with Maryland Accessibility Code requirements governing certain disabled parking spaces by restriping the parking lot; requiring a local jurisdiction to grant an exception to certain local zoning ordinances for certain parking lots under certain circumstances; requiring that a certain exception process be used for compliance with certain provisions of the Maryland Accessibility Code for certain development; making certain technical corrections; and generally relating to local zoning ordinances governing parking for individuals with disabilities.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.03, 2.13, and 4.04(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–202(a) through (c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1006
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1417 – Delegates Jones, Barkley, Barve, Carter, G. Clagett, Dumais, Frush, Gilchrist, Heller, Kullen, Lafferty, McHale, Mizeur, Myers, Rosenberg, Simmons, Stocksdales, Taylor, and F. Turner

AN ACT concerning

Child Welfare Training Act of 2010

FOR the purpose of requiring the Department of Human Resources to identify State funds that are used for the training of the child welfare workforce, in the public and private sector, in order to receive the maximum amount of federal matching funds available to the Department under Title IV–E of the Social Security Act, in accordance with a certain federal law; and generally relating to funding for the training of the child welfare workforce.

BY adding to

Article – Family Law

Section 5–1312

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1418 – Delegate Lafferty

AN ACT concerning

Environment – At–Store Recycling – Plastic Carryout Bags

FOR the purpose of requiring the operator of certain retail stores to establish an at–store recycling program for plastic carryout bags; requiring certain retail stores to print or display certain language on plastic carryout bags provided by the store; requiring certain stores to provide certain collection bins for the recycling of plastic carryout bags in a certain manner; requiring certain retail stores to maintain certain records and to make those records available to the Department of the Environment or a local jurisdiction under certain circumstances; requiring certain stores to make reusable bags available to customers; requiring a plastic carryout bag manufacturer to develop and make available certain educational materials; prohibiting a county or municipality from adopting certain ordinances, resolutions, regulations, or rules under certain circumstances; providing a certain exception to the prohibition; establishing certain penalties for certain violations; providing for the recovery of the penalties by the State in certain civil actions; authorizing the Department to delegate the implementation and enforcement of this Act to a local government; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the recycling of plastic carryout bags.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Environment

Section 9–1733 through 9–1736 to be under the new part “Part V. Plastic Carryout Bag Recycling”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1419 – Delegates Barnes, Pena–Melnyk, Frush, and Kach

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Police Department Facility – Community Space

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1420 – Delegate Howard

AN ACT concerning

Task Force to Study the Supervision of Group Homes

PG 405–10

FOR the purpose of establishing the Task Force to Study the Supervision of Group Homes; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to certain reimbursement for certain expenses; requiring the Task Force to study and make certain recommendations regarding the supervision of residential child care programs; requiring the Task Force to submit a 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 the Supervision of Group Homes.

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

MESSAGE FROM THE SENATE**FIRST READING OF SENATE BILLS****Senate Bill 70 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

Department of Natural Resources – Vessel Noise – Limitation

FOR the purpose of altering the maximum allowable noise level from certain vessels for engines manufactured on or after a certain date; prohibiting a person from owning or operating a vessel on State waters unless the vessel meets certain requirements and regulations for noise suppression; requiring the Department to issue a warning for a certain violation; and generally relating to noise limitations for vessels owned or operated on State waters.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8-725.4
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Joint Resolution 5 – The President (~~By Request – General Assembly
Compensation Commission~~)**

A Senate Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

FOR the purpose of rejecting certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address ~~the levels of compensation and allowances for members of the General Assembly, the President of the Senate, and the Speaker of the House of Delegates; providing that certain compensation for members of the General Assembly, the President of the Senate, and the Speaker of the House of Delegates shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; and generally relating to the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010.~~ certain proposed changes to salaries.

in-district travel, out-of-state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out-of-state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in-district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to require that certain members, retirees, or beneficiaries of members or retirees are subject to a forfeiture of certain benefits if the member or retiree committed certain crimes during a certain period of time; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain members, retirees, or beneficiaries of certain members or retirees are only entitled to a return of certain member contributions, plus interest; and generally relating to recommendations of the General Assembly Compensation Commission.

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

WASHINGTON'S DAY ADDRESS

Delegate Craig L. Rice
Montgomery County

“From George Washington to Barack Obama...the Progress of a Nation through Patriotism”

Thank you Mr. Speaker and members of the General Assembly. I'd like to give a special thanks to my wife, Tia, my daughters Anaiya and Caelyn, my mother, Vivian, and father, Leon for being here to support me.

We meet this evening to celebrate the birth of one of our great leaders, not only to reflect upon his life, but also to renew our sense of patriotism and reflect upon the progress of our great Nation through the leaders that followed him.

But this is not, nor should it be, an easy task.

First, we often are prone to think that by just merely reciting the great deeds of a leader; that it will somehow magically energize and motivate us. And we rest on the notion that our future is secure because the past progress has been so great.

Second, we think that by inheritance, the qualities of these great leaders will somehow filter to us, because we may share commonalities in descent or interests.

As for the latter, the simple fact of territorial origin or religious affiliation or political party is unworthy to be the symbol of unity in a cosmopolitan nation as great as ours, and our devotion to our nation must be committed enough to obliterate racial, religious or gender distinction.

Simply, we must focus on the things that unite us and less on the lines that divide us. Only then do we begin to touch the spirit of our great leaders and reflect on their great deeds.

So what characterizes a great leader who has made their mark on history?

I think it's simple. They are a person who has looked through the confusion of the moment and has seen the moral issue involved; they are a person who has refused to have their sense of justice distorted by special interests; they have listened to their conscience until their conscience becomes a trumpet call to like-minded individuals, so they can all come together, with a common goal, and make a new period in history...hence progress.

And so we begin tonight with our nation's first President, George Washington, who resigned his post in this very building, and think. What do we admire most about him and how did he contribute to our nation's progress?

Much has been said about the history of our first President. We've all heard the stories, many unsubstantiated but nonetheless entertaining, about his strength in moral character by admitting he chopped down a cherry tree or his physical prowess in throwing a silver dollar across the Potomac River.

But one thing is uniformly conceded by all. George Washington didn't have the ability to blame the current problems of his nation on a previous administration's failed policies.

It's tough being the first of anything. And it was Washington's experiences as a young man that made it seem unlikely that he would ever live long enough to achieve that first. He suffered from malaria, smallpox, pleurisy, and dysentery, all before he was 30.

But it was destined, that George Washington was to be our first President. And the thing I think we most admire is the spirit of the soldier in George Washington. And the progress gleaned from him is to have to found a similar spirit in the civil life of the people, the same pride in the protection of our nation, the spirit of courage, and the spirit of self-surrender...

For a soldier embraces the notion of losing one's own life for the life of a larger cause; they hold personal suffering of no account; they fling down in the heat of battle their all, and say, "I will stand or fall with this cause."

Now, while we hold deference for the soldier, we can't forget about George Washington, the Statesman, who believed, "The unity of government...is a main pillar in the edifice of your real independence...of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize."

And keep in mind that when George Washington was helping to craft the Constitution, there was a belief that unity included accepting that ALL men were created equal. According to him, equality meant equal opportunity, and believed if we lost opportunity, so too went the chance for our nation to truly promote equality.

Even before President Lincoln had undertaken the task of addressing equality and slavery, Washington had been very clear about his position. He neither bought nor sold slaves himself and he had a problem with the idea of holding slaves. In fact, so much, that he freed the slaves that were on his property in his will. It was his last contribution to the betterment of a nation.

George Washington believed that **anything** that would provide for the betterment of the country was the best form of patriotism.

And so, when we look at his life and achievements, his greatest contribution to our nation's progress was the birth and prosperity of patriotism.

And as we travel down the storied path of progress of our nation, we heard last week about Abraham Lincoln, who guided this country through one of the most devastating experiences in its history – the CIVIL WAR.

He is considered by many historians to have been the greatest American President. But to accomplish that, Lincoln had to build upon the accomplishments of former Presidents like George Washington.

As a Commander in Chief, Lincoln was noted for vigorous measures, sometimes at odds with the very Constitution Washington helped craft. The Constitution had come to protect slavery in peace, but in war, Lincoln came to believe, the Commander in Chief could abolish slavery as a military necessity.

The preliminary Emancipation Proclamation even bore this military justification, as did **all** of Lincoln's racial measures, including his decision in the final proclamation, to accept blacks in the Army.

Lincoln's achievements – saving the Union that George Washington had felt so strongly needed to be protected and freeing the slaves which Washington had believed was the right thing to do – assured Lincoln his place in history and more importantly the continuation of Washington's prescribed, patriotism of a nation through tolerance.

Fast forwarding to today, President Barack Obama, like President Lincoln and Washington, is a man whose fate it has been to arrive in the Presidency at a period of wartime crisis and economic tumultuousness.

The day before his inauguration, President Obama retraced Abraham Lincoln's journey by train from Philadelphia to Washington with adulatory crowds lining the tracks the entire length of his trip.

And while many detractors have said that President Obama hasn't yet done anything for our nation, I assert that with his election alone, he brought our nation into a new place. For not only is a black man our Commander in Chief but the election also showed many that a woman, who was very close to receiving the Democratic nomination for President, was a possible reality.

President Obama has given us hope. And not just in the sense of desire that one day our nation **will** be in a better place, but to the contrary, that we **are** in a better place. We again have a point in our country's history, much like Washington and Lincoln, that we can point to and say...progress has been made, and it's quantifiable.

Interestingly, in Obama's inauguration address, he evoked the words, not of Lincoln, who he shared so many similarities with, but of George Washington. I quote:

At the moment when the outcome of our revolution was most in doubt, the father of our nation ordered these words to be read to the people: "Let it be told to the future world...that in the depth of winter, when nothing but hope and virtue could survive... that the city and the country, alarmed at one common danger, came forth to meet [it]."

I believe our depth of winter is our current economic situation and our conflict in the Middle East. But as long as we come forth to meet them, as our current President might say, with an "audacity of hope", and as President Lincoln said by "appealing to the better angels of our nature". For our First President George Washington said, "There is a destiny which has the control of our actions..." and I hope that THAT destiny is the continued progress of our nation.

So tonight, as we celebrate George Washington's birthday, let us remember that if it were not for the father of our nation, the first to preach that hope would get us through the tough times; our progress might not find us where we are.

And it is imperative that we continue to meet the needs of patriotism and progress to build a better nation.

Thank you all...God bless Maryland and God Bless the United States of America.

Delegate Barve moved the Delegate's remarks be journalized.

The motion was adopted.

FALLEN HEROES REMEMBRANCE CEREMONY

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 107)

ADJOURNMENT

At 8:50 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 23, 2010.

Annapolis, Maryland
Tuesday, February 23, 2010

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Andrew A. Serafini of Washington County.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 108)

The Journal of February 22, 2010 was read and approved.

EXCUSES:

Del. V. Clagett – medical

Del. King – illness

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1421 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Creation of a State Debt – Baltimore County – Owings Mills High School Stadium

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

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

House Bill 1422 – Delegate Costa

AN ACT concerning

Kidney Dialysis Centers – Emergency Backup Generators

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt regulations that require a kidney dialysis center to have a certain emergency backup generator on the premises; and generally relating to kidney dialysis centers and emergency backup generators.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–3B–03
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1423 – Delegate Costa

AN ACT concerning

Small Group Market Health Insurance – Renewal Notice

FOR the purpose of altering the minimum number of days before the expiration of a health benefit plan by which a health insurance carrier is required to mail a notice of renewal to a certain small employer; providing for the application of this Act; and generally relating to renewal of health benefit plans under small group market health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1212(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Medicaid State Plan Amendments – Effective Dates

FOR the purpose of establishing the effective date of Medicaid State Plan amendments and Medical Assistance Program waiver applications and modifications; providing for the application of this Act; and generally relating to Medicaid State Plan amendments and Medical Assistance Program waiver applications and modifications.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–134(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 15–134(d)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1425 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Consolidation and Administration of Environmental Funds

FOR the purpose of requiring certain penalties recovered by State agencies for violations of sediment control laws to be deposited in the Maryland Clean Water Fund; requiring certain other penalties collected for violations of certain provisions of the sediment control law to be deposited in the Maryland Clean Water Fund; repealing the Sewage Sludge Utilization Fund and requiring certain fees, funds, penalties, and fines to be deposited in the Maryland Clean Water Fund; altering the uses of the Maryland Clean Water Fund; requiring certain costs incurred by the Department of the Environment for responding to certain situations to be reimbursed to the Department and paid into the Maryland Clean Water Fund; requiring certain expenditures for the emergency removal of sewage sludge to be reimbursed to the Department by the sewage sludge utilizer under certain circumstances; authorizing the Attorney General to bring a certain action to recover certain costs and interest under certain circumstances; providing for the transfer of certain funds to the Maryland Clean Water Fund; and generally relating to the administration and consolidation of environmental funds in the Department of the Environment.

BY repealing and reenacting, without amendments,

Article – Environment
Section 1–301(d)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–301(d)(2), 4–116, 9–244, 9–269, and 9–320
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1426 – Delegates McHale and Hammen (By Request)

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2007 and 2008 – Baltimore City
– Beans and Bread**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2007 and 2008 to reduce to \$0 a grant to the Board of Directors of St. Vincent de Paul of Baltimore, Inc. for the planning, design, renovation, construction, and capital equipping of a homeless facility, located in Baltimore City.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(P)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA02)(N)

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #3

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

**House Bill 83 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Real Estate
Commission – Continuing Education**

HB0083/413492/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 83
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “authorizing” and substitute “requiring”; in line 9, strike “set certain fees for” and substitute “require certain”; and in the same line, after “courses” insert “to pay a certain fee of a certain amount”.

AMENDMENT NO. 2

On page 4, in line 25, strike “MAY SET A” and substitute “SHALL REQUIRE EACH COURSE PROVIDER TO PAY A”; in line 26, strike “TO BE PAID BY THE COURSE PROVIDER” and substitute “OF \$25”; and in line 28, strike “2011” and substitute “2012”.

On page 5, in line 2, strike “2011” and substitute “2012”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 116 – Delegates Ali, Barkley, Feldman, Manno, Taylor, and Vaughn

AN ACT concerning

Credit Card Blacklisting Prevention Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 222 – Delegate Vaughn

AN ACT concerning

**Task Force on the Minority Business Enterprise Program and Equity
Investment Capital**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 249 – Delegate Rudolph

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers’ Compensation
Insurance – Notice**

HB0249/483294/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 249

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “an” insert “independent”; and in line 5, after “insurance” insert “in a certain manner”.

AMENDMENT NO. 2

On page 2, in line 11, after “(1)” insert “**(I)**”; in the same line, strike “**AND INSURANCE PRODUCER, IF ANY**”; in line 12, after “premium;” insert “**AND**”; and after line 12, insert:

“(II) TO THE INDEPENDENT INSURANCE PRODUCER, IF ANY:

1. A COPY OF THE RENEWAL POLICY THAT INCLUDES THE RENEWAL POLICY PREMIUM THROUGH POSTAL OR ELECTRONIC MAIL; OR

2. AT THE SAME TIME AS THE INSURER SENDS THE RENEWAL POLICY TO THE INSURED, A NOTICE OF THE AVAILABILITY OF THE RENEWAL POLICY THROUGH THE INSURER'S ONLINE ELECTRONIC SYSTEM;

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 ENVIRONMENTAL MATTERS REPORT #2

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

House Bill 68 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Grants – Small Businesses and Certified Minority Business Enterprises

HB0068/730117/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 68

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “circumstances;” insert “requiring the Department to consider the availability to grantees of certain small businesses and certain certified minority business enterprises when making a certain determination;”.

AMENDMENT NO. 2

On page 4, after line 24, insert:

“(3) IN DETERMINING WHETHER THE GRANTEE TOOK THE STEPS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL CONSIDER THE AVAILABILITY TO THE GRANTEE OF SMALL BUSINESSES,

CERTIFIED MINORITY BUSINESS ENTERPRISES, AND CERTIFIED MINORITY BUSINESS ENTERPRISES CLASSIFIED AS WOMEN-OWNED BUSINESSES THAT ARE CAPABLE OF COMPLETING ALL OR PART OF THE PROJECT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 93 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Identification Cards and Drivers’ Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, ~~and Glassman~~ Glassman, Edwards, Klausmeier, Frosh, Gladden, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, and Simonaire

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 207 – Delegates Frank, Aumann, Bartlett, Beitzel, Dwyer, Eckardt, Elmore, George, Haddaway, Jennings, Kelly, Kramer, Krebs, McComas, McConkey, Miller, Norman, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Victims of Crime – Burglary and Crimes of Violence – Civil Immunity

HB0207/642117/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 207

(First Reading File Bill)

On page 2, in line 12, strike beginning with “ACTS” through “NEGLIGENCE” and substitute “:

(1) IS CONVICTED OF A CRIME OF VIOLENCE UNDER § 14–101 OF THE CRIMINAL LAW ARTICLE, ASSAULT IN THE SECOND DEGREE, OR RECKLESS ENDANGERMENT ARISING OUT OF THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (B) OF THIS SECTION; OR

(2) ACTS WITH MALICE OR GROSS NEGLIGENCE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 328 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates and Trusts – Guardianship – Payment of Expenses After Death of Ward

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 329 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates and Trusts – Elective Share – Extension of Time for Making Election

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 337 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Real Property – Effect of Deed Granting Property from Trust or Estate

Favorable report adopted.

FLOOR AMENDMENT

HB0337/133828/1

BY: Chairman, House Judiciary Committee

AMENDMENTS TO HOUSE BILL 337

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “trustee” insert “under certain circumstances”; and in line 7, after “representative” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 14, strike “A” and substitute “IF EXECUTED BY THE TRUSTEE OR TRUSTEES APPOINTED AND ACTING FOR THE TRUST ON THE EFFECTIVE DATE OF THE DEED, A”; and in line 27, strike “A” and substitute “IF”

EXECUTED BY THE PERSON OR PERSONS INDICATED IN ITEM (I) OR (II) OF THIS PARAGRAPH AS APPLICABLE, A”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 347 – Delegates Serafini, Bates, Beitzel, Jenkins, Miller, Myers, Niemann, Shank, Shewell, and F. Turner

AN ACT concerning

Criminal Law – Foreclosed Residential Property – Malicious Destruction of Property and Acts of Graffiti

HB0347/332511/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 347
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law – Foreclosed Residential Property –”; strike beginning with “of” in line 2 down through “Graffiti” in line 3 and substitute “Property of Another – Definition and Foreclosure Notices”; strike beginning with “prohibiting” in line 4 down through “both;” in line 11 and substitute “defining “property of another” for purposes of the prohibition against malicious destruction of property;”; strike beginning with “provisions” in line 13 down through “fixtures” in line 16 and substitute “criminal sanctions for malicious destruction of property provided under a certain provision of law; and generally relating to malicious destruction of property”; in line 17, strike “adding to” and substitute “repealing and reenacting, with amendments,”; and in line 19, strike “6–301.1” and substitute “6–301”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 16 on page 3, inclusive, and substitute:

“6–301.”

(A) IN THIS SECTION, "PROPERTY OF ANOTHER" MEANS PROPERTY IN WHICH A PERSON OTHER THAN THE OFFENDER HAS AN INTEREST THAT THE OFFENDER DOES NOT HAVE THE AUTHORITY TO DEFEAT OR IMPAIR, EVEN THOUGH THE OFFENDER ALSO MAY HAVE AN INTEREST IN THE PROPERTY.

[(a)] (B) A person may not willfully and maliciously destroy, injure, or deface the real or personal property of another.

[(b)] (C) A person who, in violation of this section, causes damage of at least \$500 to the property is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$2,500 or both.

[(c)] (D) A person who, in violation of this section, causes damage of less than \$500 to the property is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 60 days or a fine not exceeding \$500 or both.

[(d)] (E) (1) For purposes of this subsection, an act of "graffiti" means a permanent drawing, permanent painting, or a permanent mark or inscription on the property of another without the permission of the owner of the property.

(2) In addition to the penalties set forth in subsections [(b)] (C) and [(c)] (D) of this section, the court shall order a person convicted of causing malicious destruction by an act of graffiti to pay restitution or perform community service or both.

(3) Title 11, Subtitle 6 of the Criminal Procedure Article applies to an order of restitution under this subsection.

[(e)] (F) (1) Except as provided in paragraph (2) of this subsection, to determine a penalty, the court may consider as one crime the aggregate value of damage to each property resulting from one scheme or continuing course of conduct.

(2) If separate acts resulting in damage to the properties of one or more owners are set forth by separate counts in one or more charging documents, the separate counts may not be merged for sentencing.

[(f)] (G) (1) The value of damage is not a substantive element of a crime under this section and need not be stated in the charging document.

(2) The value of damage shall be based on the evidence and that value shall be applied for the purpose of imposing the penalties established in this section.

(3) If it cannot be determined from the evidence whether the value of the damage to the property is more or less than \$500, the value is deemed to be less than \$500.”.

AMENDMENT NO. 3

On page 3, in line 21, strike “**PROVISIONS OF § 6-301.1**” and substitute “**CRIMINAL SANCTIONS FOR MALICIOUS DESTRUCTION OF PROPERTY PROVIDED UNDER § 6-301**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 375 – Garrett County Delegation

AN ACT concerning

Garrett County – Orphans’ Court Judges

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 448 – Delegates Carter and Vallario

AN ACT concerning

Estates and Trusts – Maryland International Wills Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 449 – Delegate Carter

EMERGENCY BILL

AN ACT concerning

Estates and Trusts – Construction of References in Will or Trust to Federal Estate Tax or Generation–Skipping Transfer Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 650 – Delegates Simmons and Lee

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 769 – Delegates Levi and Vallario

AN ACT concerning

Orphans' Court – Minors – Guardianship of Person

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #1

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

House Bill 6 – Delegate F. Turner

AN ACT concerning

Property Tax – Notice – 60–Day Appeal

HB0006/215461/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 6

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate F. Turner” and substitute “Delegates F. Turner, Bartlett, Barve, Doory, Frick, George, Gilchrist, Howard, Ivey, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and Walker”; in line 3, after the second “of” insert “certain”; and in line 7, after “of” insert “certain”.

AMENDMENT NO. 2

On page 1, in line 22, strike the second “**OF**” and substitute “**FOR SINGLE FAMILY RESIDENTIAL**”; and in the same line, after “**PROPERTY**” insert “**IMPROVED BY FOUR OR FEWER SINGLE FAMILY UNITS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 96 – Delegate Kullen

AN ACT concerning

**Calvert County – Education – Junior Reserve Officer Training Corps
Instructors**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 692 – Delegates Kaiser and Kach

AN ACT concerning

Election Law – Campaign Funds – Certificates of Deposit

HB0692/195061/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 692

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Certificates of Deposit” and substitute “Investments”; in line 3, strike “deposit” and substitute “invest”; and in line 4, after “term” insert “or a United States Treasury bill”.

AMENDMENT NO. 2

On page 2, in line 4, strike “DEPOSIT” and substitute “INVEST”; and strike beginning with “IN” in line 5 down through “LESS” in line 6 and substitute “IN:

**(I) A CERTIFICATE OF DEPOSIT WITH A TERM OF 1 YEAR OR
LESS; OR**

(II) A UNITED STATES TREASURY BILL”.

The preceding 2 amendments were read only.

Delegate Hixson moved to make the Bill and Amendments a Special Order for February 24, 2010.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 109)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #5

House Bill 62 – ~~Delegate V. Turner~~ Delegates V. Turner and Beidle

AN ACT concerning

Environment – Payment of Cost Differential – Nitrogen Removal Technology

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

Affirmative – 138 Negative – 0 (See Roll Call No. 110)

The Bill was then sent to the Senate.

House Bill 89 – Delegate O'Donnell

AN ACT concerning

Environment – Wetlands and Waterways Program Fees – Aquaculture

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

Affirmative – 138 Negative – 0 (See Roll Call No. 111)

The Bill was then sent to the Senate.

House Bill 109 – Delegate Ali

AN ACT concerning

Residential Property Tax Disclaimer Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 112)

The Bill was then sent to the Senate.

House Bill 126 – Delegates Ramirez, Vallario, Barnes, Conaway, and Simmons

AN ACT concerning

Outstanding Arrest Warrants – Drivers’ Licenses and Vehicle Registrations

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

Affirmative – 89 Negative – 49 (See Roll Call No. 113)

The Bill was then sent to the Senate.

House Bill 149 – Chair, Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

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

Affirmative – 138 Negative – 0 (See Roll Call No. 114)

The Bill was then sent to the Senate.

House Bill 307 – Cecil County Delegation

AN ACT concerning

Cecil County – Public Facilities Bond Bill

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

Affirmative – 135 Negative – 0 (See Roll Call No. 115)

The Bill was then sent to the Senate.

House Bill 339 – Caroline County Delegation

AN ACT concerning

Caroline County – Orphans' Court Judges – Pensions

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

Affirmative – 134 Negative – 3 (See Roll Call No. 116)

The Bill was then sent to the Senate.

House Joint Resolution 4 – The Speaker (By Request – Judicial Compensation Commission)

A House Joint Resolution concerning

Judicial Compensation Commission – Recommendations

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

Affirmative – 133 Negative – 0 (See Roll Call No. 117)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT**MEMORANDUM**

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 988	ECM

Read and ordered journalized.

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker

Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1163	ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 118)

ADJOURNMENT

At 10:51 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 24, 2010.

Annapolis, Maryland
Wednesday, February 24, 2010

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Barbara A. Robinson of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 119)

The Journal of February 23, 2010 was read and approved.

EXCUSES:

Del. Beitzel – business

Del. Kullen – business

Del. Proctor – funeral

Del. Schuler – funeral

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1427 – Delegate Hucker

AN ACT concerning

**Environment – Permits to Construct or Materially Alter an Incinerator –
Limitations on Issuance**

FOR the purpose of prohibiting the Secretary of the Environment from issuing certain permits to construct or materially alter an incinerator located within a certain distance of certain locations; repealing a certain provision prohibiting the Secretary from issuing certain permits to construct or operate a municipal waste incinerator for the disposal of a certain solid waste stream within a certain distance of certain schools; repealing a certain provision related to the application of a certain prohibition; clarifying a certain term; and generally relating to the permitting authority of the Secretary of the Environment related to incinerators.

BY repealing and reenacting, without amendments,

Article – Environment
Section 9–204(a) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–204(k)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1428 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or Standing

FOR the purpose of prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to sit on the floor of the school bus; establishing that this Act does not apply during a certain period of time at the beginning of a school year for public schools or, under certain circumstances, in an emergency; making certain conforming changes; and generally relating to a prohibition on permitting pupils to sit on the floor or stand on a school bus.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1118
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1429 – Delegates Stukes, Anderson, Conaway, Glenn, Harrison, Haynes, Heller, Howard, Kaiser, Kirk, Kramer, Miller, Norman, Olszewski, Proctor, Rice, Riley, Robinson, Rosenberg, Simmons, Tarrant, Valderrama, and Walker

AN ACT concerning

Commission on Responses to Serious Incidents of Inclement Weather

FOR the purpose of establishing a Commission on Responses to Serious Incidents of Inclement Weather; providing for the membership and duties of the Commission; providing for the staffing of the Commission; requiring the Governor to appoint the chair of the Commission; prohibiting a member of the Commission from receiving certain compensation; authorizing a member of the Commission to receive reimbursement for certain expenses; requiring the Commission to report to the Governor and the General Assembly by certain dates; providing for the termination of this Act; and generally relating to the establishment of a Commission on Responses to Serious Incidents of Inclement Weather.

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

House Bill 1430 – Delegates Walker, Ali, Barnes, Bartlett, Beidle, Beitzel, Branch, Braveboy, Burns, Cane, Cardin, Carter, Conaway, Elmore, Feldman, Gutierrez, Healey, Holmes, Howard, Ivey, Kach, Kipke, Minnick, Oaks, Pena–Melnyk, Proctor, Rice, Riley, Schuh, Sophocleus, Sossi, Stukes, Taylor, V. Turner, and Valderrama

AN ACT concerning

Student Health and Fitness Act

FOR the purpose of requiring a public school student in kindergarten through a certain grade to be provided a certain minimum level of a program of physical activity each week; requiring that the program of physical activity for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate certain activities; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; requiring a county school system that receives a certain extension to have a plan to ensure the county school system's compliance with this Act by a certain date; and generally relating to student health and fitness.

BY renumbering

Article – Education

Section 7–409(b), (c), (d), (e), and (f), respectively

to be Section 7–409(c), (d), (e), (f), and (g), respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–205(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–409(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 7–409(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1431 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Alcoholic Beverages – Pub–Breweries and Micro–Breweries

FOR the purpose of adding Worcester County to the list of counties in which the holder of a Class 6 pub–brewery license may sell malt beverages for off–premises consumption under certain conditions; adding the county to the list of counties in which a Class 7 micro–brewery license may be issued; adding the county to the list of counties in which the licensee may sell at retail beer for consumption off the licensed premises under certain conditions; and generally relating to alcoholic beverages in Worcester County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 2–207(a) and (b) and 2–208(a), (b)(1), and (c)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–207(g) and 2–208(b)(2) and (d)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1432 – Delegates McComas, Bartlett, Jameson, Kullen, and Norman

AN ACT concerning

Criminal Law – Identity Fraud – Assumption of Identity of Fictitious Person

FOR the purpose of clarifying that a person is prohibited from knowingly and willfully assuming the identity of a fictitious person to avoid identification, apprehension, or prosecution for a crime, or with fraudulent intent to get a benefit, credit, good, service, or any other thing of value or to avoid the payment of debt or other legal obligation; providing penalties for a violation of this Act; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(c)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(g)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1433 – Delegates Norman and McComas

AN ACT concerning

Commercial Law – Attachment of Contract Payments Due from or Payable by the State, a Local Governing Body, or a Public Officer

FOR the purpose of providing that a contract payment due from or payable by the State or a local governing body, or by the public officers of the State or a local governing body, to a person is subject to a certain attachment process brought for the enforcement of certain legal obligations of the person; and generally relating to the attachment of contract payments.

BY adding to
Article – Commercial Law
Section 15–608 to be under the amended subtitle “Subtitle 6. Attachment of Wages and Contract Payments”
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1434 – Delegates Braveboy, Davis, and Griffith

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Field Renovation

FOR the purpose of authorizing the creation of a State Debt in the amount of \$220,000, the proceeds to be used as a grant to the Mayor and City Commissioners of the City of District Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1435 – Delegates Harrison, Branch, Glenn, Haynes, Kirk, and Stukes

AN ACT concerning

Baltimore City Charter – Community Benefits District – East Baltimore

FOR the purpose of authorizing the Mayor and City Council of Baltimore to establish by ordinance a Community Benefits District in the East Baltimore section to be a special tax district and provide certain services; authorizing the Mayor and City Council to establish a Community Benefits District Authority to provide certain services; requiring a certain ordinance to include certain provisions; requiring the Authority to establish a certain financial plan for the District under certain circumstances; requiring a certain financial plan to be subject to approval by the Baltimore City Board of Estimates; requiring the Authority to hold a public hearing on a certain financial plan; providing that certain property that is exempt from certain taxes be exempt from District taxes; authorizing the Authority to request that certain owners voluntarily contribute to the costs of the Authority; providing for a Board of Directors of the Authority; providing certain powers, duties, and limitations of the Community Benefits District Authority; providing that the District, Authority, Board of Directors, and District Administrator shall benefit from certain laws limiting liability under certain circumstances; providing that the Authority shall be subject to certain

City ordinances and goals regarding minority and women's business enterprises; requiring the Mayor and City Council to take certain matters into consideration and make certain determinations when enacting certain ordinances; prohibiting the Mayor and City Council from authorizing certain reductions in services; providing for the reversion of unspent funds under a certain condition; placing a certain condition on a certain ordinance taking effect; defining certain terms; and generally relating to the establishment of a Community Benefits District in East Baltimore.

BY adding to

The Charter of Baltimore City
Article II – General Powers
Section (65)
(2007 Replacement Volume, as amended)

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

House Bill 1436 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Everyman Theatre

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

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

House Bill 1437 – Delegates Vaughn and Howard

AN ACT concerning

Creation of a State Debt – Prince George's County – Capitol Heights Green Initiative

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Capitol Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1438 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Vehicle Laws – Drug–Related Driving Offense – Penalties

FOR the purpose of altering certain penalties for an offense of driving or attempting to drive while impaired by a drug, a combination of drugs, or a combination of one or more drugs and alcohol under certain circumstances; making technical and stylistic changes; and generally relating to penalties for a certain drug–related driving offense.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–402(a)(25) and (34), 21–902(c), and 27–101(c)(24), (25), and (26), (f), (j), (k), and (q)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1439 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Alcohol– or Drug–Related Crimes – Serious Physical Injury by Motor Vehicle or Vessel – Penalties

FOR the purpose of changing certain alcohol– or drug–related crimes from certain prohibitions against causing a life–threatening injury to another person to certain prohibitions against causing serious physical injury to another person; providing certain penalties; altering the names of certain criminal charges; making conforming changes; and generally relating to causing a serious physical injury by motor vehicle or vessel.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–201(a) and (d)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–211(c), (d), (e), and (f) and 3–212
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402(a)(33)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1440 – Delegate Barve

AN ACT concerning

Election Law – Campaign Finance Entity – Officers Authorized to Perform Duties of Treasurer

FOR the purpose of repealing the office of subtreasurer of a campaign finance entity; authorizing the chair of a campaign finance entity to make a disbursement for the campaign finance entity; requiring a chair who makes a disbursement to submit a certain report to the treasurer of the campaign finance entity within a certain number of days after the occurrence of certain events; prohibiting a chair who is a candidate from making a disbursement; and generally relating to officers of a campaign finance entity who are authorized to perform the duties of the treasurer.

BY repealing
Article – Election Law
Section 13–211 and 13–219
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–215 and 13–218
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1441 – Delegate Barve

AN ACT concerning

State Government – Notary Public – Fees

FOR the purpose of altering the requirement that the Secretary of State set certain fees for notarial acts; altering the fee a notary public may charge for compensation of travel expenses; authorizing a notary public to charge a certain hourly fee; and generally relating to fees charged by a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–112
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1442 – Delegate Smigiel**EMERGENCY BILL**

AN ACT concerning

Criminal Procedure – Sexual Offender Registry – Posting of Information on Internet

FOR the purpose of requiring the Department of Public Safety and Correctional Services to post on the Internet a current listing of certain information provided by sexual offenders in certain registration statements; making this Act an emergency measure; and generally relating to the sexual offender registry.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–706(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–717
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1443 – Delegates Elmore, Cane, Conway, Eckardt, Haddaway, and Mathias

AN ACT concerning

Employees' Pension System – Eligibility Service Credit – Early Service Retirement Allowance

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to apply certain overtime earned by certain individuals in certain employment during a certain period of time to the individual's eligibility service credit in the Employees' Pension System if the individual applies for a certain early service retirement allowance; providing for the termination of this Act; and generally relating to eligibility service credit for early service retirement allowances in the Employees' Pension System.

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 13 – Delegates Jenkins, Bates, Eckardt, Elliott, Elmore, Frank, George, Kach, McComas, McConkey, Serafini, Shewell, Smigiel, Sossi, Stocksdale, and Stull

A House Joint Resolution concerning

Climate Change

FOR the purpose of urging the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and to withdraw its endangerment finding and related regulations until a full and independent investigation of the climate change conspiracy and science can be undertaken; and generally relating to federal action on climate change.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 27 – Senator Conway

SECOND PRINTING

AN ACT concerning

Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding benefits for certain expenses arising from in vitro fertilization procedures when the patient's oocytes are fertilized with donor sperm under certain circumstances; providing for the application of this Act; and generally relating to benefits for in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–810

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 96 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Washington Suburban Sanitary Commission

FOR the purpose of adding a new division to the Public Utility Companies Article of the Annotated Code of Maryland, to be designated and known as “Division II. Washington Suburban Sanitary Commission”; revising, restating, and recodifying certain laws relating to the Washington Suburban Sanitary Commission, including laws relating to the members and employees of the Commission and the powers and duties of the Commission; revising, restating, and recodifying certain laws relating to personnel management and collective bargaining for Commission employees, ethics laws for the Commission, Commission procurements, the authority of the Commission to acquire and dispose of certain property, Prince George's County quick take condemnation, certain zoning map referrals, certain urban renewal projects, the issuance and sale of certain bonds and notes, certain taxes imposed by Montgomery County and Prince George's County, certain water and sewer systems, the construction of certain subdivision lines and service connections, the Commission's capital improvements program, certain construction projects and sewer cleaning, the imposition of certain rates and charges by the Commission, the provision of water from the Commission's system to certain other counties, authorities and

duties of the Commission regarding the right to enter on or disturb certain public roadways under certain circumstances, the Commission police force, prohibited acts and penalties for the violation of certain provisions, and stormwater management in Montgomery County and Prince George's County; transferring certain provisions relating to flood control and the use of certain lands acquired for flood control and navigation purposes; amending and transferring a certain provision relating to flood control and navigation bonds to the Session Laws; defining certain terms; adding the designation of a new division to the Public Utility Companies Article of the Annotated Code of Maryland, to be known as "Division I. Public Services and Utilities"; renaming the Public Utility Companies Article to be the Public Utilities Article of the Annotated Code; providing for the construction and application of this Act; providing for the continuity of a certain unit and the terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interests, licenses, registrations, certifications, and permits; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the laws of the State concerning the Washington Suburban Sanitary Commission.

BY repealing

Article 29 – Washington Suburban Sanitary District

Section 1–101 through 1–107, the title "Title 1. Definitions; General Provisions", and the subtitle "Subtitle 1. In General"; 1–201 through 1–208 and the subtitle "Subtitle 2. Legal and Financial Affairs"; 1–301 through 1–304 and the subtitle "Subtitle 3. Payment of Commission Obligations"; 2–101 through 2–104 and the title "Title 2. Prince George's County Quick Take"; 3–101 through 3–110, the title "Title 3. Water, Sewers, and Drainage", and the subtitle "Subtitle 1. In General"; 3–201 through 3–207 and the subtitle "Subtitle 2. Special Provisions"; 3–301 and the subtitle "Subtitle 3. Sewer Cleaning"; 4–101 through 4–110, 4–111A, and 4–112, the title "Title 4. Bonds and Anticipation Notes Generally", and the subtitle "Subtitle 1. General Obligation Bonds and Notes"; 4–201 through 4–212 and the subtitle "Subtitle 2. Revenue Bonds"; 5–101 through 5–109 and the title "Title 5. Front Foot Benefit Charges"; 6–101 through 6–113 and the title "Title 6. Rates and Charges Generally"; 7–101 through 7–107 and the title "Title 7. WSSC Capital Improvements Program"; 8–101 through 8–104 and the title "Title 8. Plumbing, Waterworks, and Sewer Construction"; 9–101 and 9–102 and the title "Title 9. Miscellaneous Powers and Duties of WSSC"; 10–101 through 10–108 and the title "Title 10. Highways and Streets"; 11–101 through 11–117 and the title "Title 11. Merit System"; 11.5–101 through 11.5–114 and the title "Title 11.5 Collective Bargaining"; 12–101 through 12–106, the title "Title 12. Ethics", and the subtitle "Subtitle 1. Conflicts of Interest and Lobbying"; 14–101 through 14–103 and the title "Title 14. Water System in Anne Arundel County"; 15–101 through 15–106 and the title "Title 15. Water System in Howard County"; 16–101 through 16–103 and the title "Title

16. Urban Renewal Projects”; 18–101 through 18–103, 18–104(a)(1) through (6) and (8) through (11) and (b) through (h), and 18–105 through 18–108 and the title “Title 18. Miscellaneous Provisions”; and 19–101 and the title “Title 19. Area Laws and Boundary Descriptions”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing

The article designation “Article 29 – Washington Suburban Sanitary District”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY transferring

Article 29 – Washington Suburban Sanitary District

Section 13–101 and 13–102, respectively, and the title “Title 13. Flood Control”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

to be

Article 28 – Maryland–National Capital Park and Planning Commission

Section 9–101 and 9–102, respectively, and the title “Title 9. Flood Control”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Public Utility Companies

Section 16–101 and the title “Title 16. Definitions”; 17–101 through 17–501 and the title “Title 17. Commission”; 18–101 through 18–217 and the title “Title 18. Personnel”; 19–101 through 19–108 and the title “Title 19. Ethics”; 20–101 through 20–304 and the title “Title 20. Procurement”; 21–101 through 21–403 and the title “Title 21. Property and Land Use Matters”; 22–101 through 22–210 and the title “Title 22. Bonds and Notes”; 23–101 through 23–316 and the title “Title 23. Water, Sewers, and Drainage”; 24–101 through 24–201 and the title “Title 24. Plumbing, Waterworks, and Sewer Construction”; 25–101 through 25–508 and the title “Title 25. Rates and Charges”; 26–101 through 26–206 and the title “Title 26. Water Systems in Anne Arundel County and Howard County”; 27–101 through 27–108 and the title “Title 27. Highways and Streets”; 28–101 and 28–201 and the title “Title 28. Miscellaneous Provisions”; and 29–101 through 29–107 and the title “Title 29. Prohibited Acts; Penalties” to be under the new division “Division II. Washington Suburban Sanitary Commission”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 24–101 through 24–801 to be under the new title “Title 24. Stormwater Management”
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 25–403(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 3 of this Act and Chapter 423 of Acts of the General Assembly of 2007)

BY adding to
Article – Public Utility Companies
The new division designation “Division I. Public Services and Utilities” to immediately precede Section 1–101
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments, and transferring to the Session Laws
Article 29 – Washington Suburban Sanitary District
Section 18–104(a)(7)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY renaming
Article – Public Utility Companies
to be
Article – Public Utilities
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 103 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners of Landscape Architects – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners of Landscape Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to certain statutory and regulatory authority of the Board; requiring that an

evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 9–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(36)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 104 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Chiropractic and Massage Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit certain reports on or before certain dates; altering a certain reference; and generally relating to the State Board of Chiropractic and Massage Therapy Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 3–602
Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(12)

Annotated Code of Maryland

(2009 Replacement Volume)

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

Senate Bill 145 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners in Optometry – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners in Optometry in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to statutory authority and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners in Optometry.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 11–602

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–403(b)(45)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 146 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Physical Therapy Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physical Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board, in conjunction with the Department of Health and Mental Hygiene, to submit a certain report on or before a certain date; and generally relating to the State Board of Physical Therapy Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–502
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(47)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 147 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Professional Land Surveyors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board for Professional Land Surveyors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board for Professional Land Surveyors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 15–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(35)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 148 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Pilots – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Pilots in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and

regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation, in conjunction with the Board, to submit a certain report on or before a certain date; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 11–802
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(50)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 149 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Plumbing – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Plumbing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation to submit a certain report on or before a certain date; and generally relating to the State Board of Plumbing.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(51)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 164 – Senator Conway

AN ACT concerning

**Advisory Committee on the Naming of State Facilities, Roads, and Bridges –
Repeal**

FOR the purpose of repealing the Advisory Committee on the Naming of State Facilities, Roads, and Bridges and other related provisions of law; and generally relating to the naming of State facilities, roads, and bridges.

BY repealing
Article – State Government
Section 2–10A–09
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 217 – Senator Stone

AN ACT concerning

Maryland Locksmiths Act – Exemptions – Repossession of Property

FOR the purpose of exempting the lawful repossession of tangible personal property from the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12.5–103

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 249 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

**Public Utilities and Washington Suburban Sanitary Commission –
Cross-References**

FOR the purpose of correcting certain cross-references to the Public Utility Companies Article in the Annotated Code of Maryland to reflect the renaming of the article to be the Public Utilities Article; correcting certain cross-references to Article 29 – Washington Suburban Sanitary District in the Annotated Code of Maryland to reflect the nonsubstantive revision of the article; correcting certain cross-references in the Public Utility Companies Article; making stylistic changes; and generally relating to the nonsubstantive revision of Article 29 of the Code and to the renaming of the Public Utility Companies Article.

BY repealing and reenacting, without amendments,
Article 1 – Rules of Interpretation
Section 25(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 1 – Rules of Interpretation
Section 25(z)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 23 – Miscellaneous Companies
Section 182(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 5–101(a) and 9–606(c)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission
Section 5–118(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 11–502(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–203(a)(3), 11–701(d), and 13–301(15)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(10)(iii) and (iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–906(a), 6–303(a), 6–304(a), 6–305(b)(2), and 6–505(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–801(f)(7)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 15–109(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–402(3), 2–405(a)(1), (b), (e)(1), and (f), 2–1001(d), 5–203.1(b)(2)(i),
5–502(e), 7–506(i)(3), 7–514(d)(3), 9–726.1(d)(2), and 16–307(a)(5)(ii)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

- BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 2–102(a)(10)
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 5.5–106(a)(2) and 8–206(e)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–128(b), 3–302(a)(2), 3–304(2), 3–305(a)(3) and (d), 3–306(a) and (c),
3–307, 3–919(b), 5–403(e)(1), 5–409(c)(1), 5–1602(b)(5), and 5–1603(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–310(f), 12–502(a)(5), and 12–506(b)(1)(vii)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 1–101(a), 2–106(d)(1), 2–110(c)(1)(ii), 2–110.1(b)(4) and (d), 2–112(b)(2),
2–113(b), 2–115(a), 2–117(a)(1), 2–204(a)(2), 2–310, 3–101(c), 3–102(a)(2),
3–103(a), 3–112(a), 4–206(c), 4–501(a)(2), 4–502, 5–301(b), 7–204(a)(1),
7–505(b)(13)(i), 7–506(d), 7–507(l)(3), 7–711(a), 8–409(b)(1), 9–204,
9–207(d), 9–208(d), 10–110(b), 10–202(b), 11–102(b)(2), 13–101(b) and (c),
13–201(b)(1) and (c)(1), 13–202(c)(1), 13–206, 13–207, and 13–208(a)(1)
and (c)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–131(c)(2)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, with amendments,
Article – State Government

Section 9–20A–01(l), 9–20B–05(e)(5), (f)(3) and (4), (g)(2), and (i), 15–821(d),
15–829(c)(3)(iv), 15–838(b)(2)(iv), 15–848(b)(3)(iv), and 15–853(c)(3)(iv)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–401(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 8–401(c)(2)(ii), 8–407, and 10–704.1(a)(3) and (b)(2)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–239(a)(4) and (5) and 12–103(c)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 6–301(b)(3) and 7–208(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–423(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 469 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; altering the conditions under which the county councils of Montgomery County and Prince George's County may grant a full or partial exemption for certain properties owned by certain entities from the system development charge imposed by the Washington Suburban Sanitary Commission (WSSC); authorizing each board of community college trustees to waive certain out-of-state and out-of-county or out-of-region fees for certain students who have moved to the State as an employee or a family member of an employee as part of the Base Realignment and Closure (BRAC) process; altering the techniques that may be used to restrain certain individuals in certain facilities; requiring that certain trustees on the Board of Trustees of the State Retirement and Pension System be given reasonable time during work to attend certain Board of Trustees or committee meetings; extending the termination date of certain provisions of law relating to the name, powers and duties, and certain reports of the Mortality and Quality Review Committee, requiring the Office of Health Care Quality to provide certain data to the Committee, and requiring the Developmental Disabilities Administration to provide a certain report to certain facilities or programs; providing for the effect and construction of certain provisions of this Act; providing for the effective date of a certain provision of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 5–108
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–12
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 16–310(a)(1) and (6) and (b)(1) and (4) and 18–2806
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1707(f)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–701 and 21–305(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–104(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–301(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item RC00(A), Item RM00(D), and Item ZA00(AF)

BY repealing and reenacting, without amendments,
Chapter 268 of the Acts of the General Assembly of 2006, as amended by
Chapters 48 and 49 of the Acts of the General Assembly of 2009
Section 3

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–118(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 500, Section 2 of the Acts of the General Assembly of
2009)

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

Senate Bill 470 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8–216(a)(2)(iv)4., 9–204.1(d)(3), 10–103(b)(13)(x)3.C., and 10–301(i)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 2–101(b)(1) and 9–1301(h)(3)(ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission

Section 2–111(b) and (d) and 5–114.1(d)(6)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 66B – Land Use

Section 1.03(b)(4) and 14.05(f)(3)(ii)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article 66B – Land Use

Section 14.05(f)(3)(i)
Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)(1)(i) and 10–1601(c)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–401(a)(3) and 2–4A–01(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 2–106.1(c)(2), (d), (e), and (f), 8–707(b)(1), and 16–501(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 4A–1002(b)(5)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
New subtitle designation “Subtitle 5. Task Force on Prisoner Reentry” to
immediately precede Section 2–501
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–501(b)(9)(vii)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–708(b)(4), 3–8A–27(b)(4)(i), and 4–301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law

Section 8–301(k) and 8–801(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202(e)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–445(b), 10–449(b)(2)(ii), 10–801(a), and 12–209(b)(2)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1001(c)(6), (d)(4), and (e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapters 348 and 349 of the Acts of the General Assembly of
2008)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–206(f)(2)(iii) and (3), 5–401(b)(2)(ii), 7–426.1(e), 8–401(a)(4) and (5),
11–206.1(a), 11–305(4), 18–601(d)(3)(ii), and 18–705(a)(5)(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–205(b)(2)(ii), 2–206, 3–101(c)(3) and (4), 3–501(2) and (4), 4–203(f)(2),
9–406(b), 13–209(c)(1), 13–304(a)(1), 13–321, 13–322(2), and 13–328(a)
and (c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 13–317
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment

Section 1-701(g)(3)(i), 3-105(a)(3)(ii), 9-658(c)(1), 9-1703(d), and 15-823(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13-207(a)(9)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5-580.3(a)(2), 10-301(v)(2)(ii)2., and 10-304(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2-113(d)(4), 4-803(e)(2)(ii), 5-203(b)(2), 11-601(c), and 11-603(c)(5)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2-302(b)(2), 4-224, 4-301(k)(5) and (6), 5-310(d)(2)(v), 5-609(d),
5-704(a)(2), 7-403(b)(2), 7-602(c), 7-604(a), 7-606(a) and (b)(2),
7-1006(c)(1)(vi), 8-502(a)(1), 10-208(a)(1), 10-622(b)(1)(i), 10-623(a),
10-624(a)(1)(ii), 10-701(g)(3), 10-708(j), 10-812(c), 10-905, 13-1101(l),
13-1604, 13-2702(a)(2)(ii), 14-401(k), 15-103(e), 15-133(a), 15-201(c)(2),
15-205(a), 15-501(a), 18-213(j)(2) and (k), 18-213.1(h)(2) and (i),
18-308(e), 18-331(c), 18-338.1(h)(1) and (l), 18-338.3(a)(8) and (b)(1),
18-404(e), 18-906(b)(6), 19-109(a)(3) and (b)(4), 19-214(d)(3)(i)3.,
19-303(a)(3)(ii), 19-307.1(9), 19-345(a)(4), 19-345.1(c) and (e)(2),
19-346(d)(3) and (n)(1), 19-3A-02(b)(4), 19-705.3(b)(1), 19-1407(a)(2),
(5), and (6), 19-1411(b), 21-2A-01(c)(8), 21-301(h)(2), 21-302,
21-304(a)(2)(ii), 21-316(a), 21-318(a), 21-323.1(c), 21-1111(b),
21-1204(a), 21-1214(b), 24-803(6), 24-806(b)(6), 24-903(6),
24-1203(b)(2)(iii), and 24-1406(g)(2)(ii)1.
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1-207, 3-5A-11(a)(16), 4-205(a)(6), 4-315(a)(28) and (b)(16), 4-403(d),
4-501(b)(7) and (8), 7-205(a)(9), 7-316(a)(28), 8-205(a)(14), 8-316(a)(15),
8-6A-10(a)(23), 8-6B-06(10), 8-6B-18(a)(24), 9-302(d)(1)(i), 10-101(l),

12-6B-11(a), 14-205(a)(1)(iv), 14-404(a)(31), 14-504(g)(2), 15-202(a)(4),
15-205(b)(3)(iii), 15-314(7), 16-205(b)(4), and 16-311(a)(25)

Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-101(i)(2)

Annotated Code of Maryland

(2009 Replacement Volume)

(As enacted by Chapters 352 and 353 of the Acts of the General Assembly of
2007)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 1-202(c)(2)

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 8-605.1(c) and 9-229.1(a)(7)(i)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 10-705(a)(4) and 10-708

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

(As enacted by Chapters 316 and 317 of the Acts of the General Assembly of
2009)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15-112.2(a)(4) and (5), 15-403.2(c)(2) and (d), 15-409(d)(3),
15-817(c)(2)(i), 19-807(c)(3)(iii), 27-401(b)(2)(i), 27-402(8), and
27-605(b)(6)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 5-205(n) and (o)(1) and (2)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–104(m)(1), 4–204(a)(3), 4–710(e), 5–102(a)(1), 5–304(2)(iii), and
5–307(g)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–1808(d)(4)(ii)1.

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–202(b)(2)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–401(d)(4) and (5), 8–110.1(a)(8), 11–102.2(c), 11–108.1, 11–111.1(i),
11–114(g)(2)(iv), 11–126(a)(2)(ii), 11–127(d)(1)(ii), and 14–120(i)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(b)(1)(ii)

Annotated Code of Maryland

(2009 Replacement Volume)

(As enacted by Chapter 3 of the Acts of the General Assembly of 1994)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–108(a)(1) and (b)(1), 14–401(d)(2)(ii), and 14–305(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 6–301(e), (f), and (g), 6–304(a) and (b), 6–306(a)(1) and (b)(1),
6–307(c)(1), 9–1A–01(m), 9–1A–03(b), 9–1A–07(c)(7)(v)2., 9–1A–24(b)(2),
9–603(a), 9–604, 9–1008(b), 9–2701(h)(3), 9.5–308(b), 10–222.1(c),
10–1102(f)(1), 10–1103(c), 20–401, and 20–1013(d)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9.5–101(a)

Annotated Code of Maryland

(2009 Replacement Volume)

(As enacted by Chapter 521 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–707(a)(1), 3–202(f)(1), 3–2A–02(f)(1), 21–306(e)(3)(iii), 22–406(n)(7),
23–204(d)(2), 23–407(n)(7), and 38–103(d)(2)(ii)2.

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–727(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 8–401(f) and 9–105(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.1(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–209(a), 13–402(c)(10), (11), and (12), 15–311.2(a)(1), 16–208(a)(1),
16–301(c) through (g), 16–402.1(a)(2), 16–812(a)(2)(iii), 18–105,
21–902(c)(3), 21–1207.1(c), 21–1207.2(a), and 24–301(b)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session

Section 9

BY repealing and reenacting, with amendments,

Chapter 171 of the Acts of the General Assembly of 2009

Section 6

BY repealing and reenacting, with amendments,
Chapter 172 of the Acts of the General Assembly of 2009
Section 6

BY repealing and reenacting, with amendments,
Chapter 180 of the Acts of the General Assembly of 2009
Section 5

BY repealing and reenacting, with amendments,
Chapter 181 of the Acts of the General Assembly of 2009
Section 5

BY repealing and reenacting, with amendments,
Chapter 186 of the Acts of the General Assembly of 2009
Section 5

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009
Section 47

BY repealing and reenacting, with amendments,
Chapter 500 of the Acts of the General Assembly of 2009
Section 3 through 9

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #4

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

House Bill 87 – Chair, Economic Matters Committee (By Request – Departmental – State Police)

AN ACT concerning

State Fire Marshal – Nongovernmental Electrical Inspectors

HB0087/703794/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 87

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “inspected;” in line 9.

AMENDMENT NO. 2

On page 3, in line 12, after “GOVERNMENT” insert “DURING AN EMERGENCY”; in line 13, strike “AN” and substitute “THE”; in line 15, strike “COUNTY” and substitute “LOCAL JURISDICTION”; in line 16, after “ELECTRICAL” insert “INSPECTORS AND”; and in the same line, strike “COUNTY” and substitute “LOCAL JURISDICTION”.

On page 4, strike in their entirety lines 19 through 24, inclusive; and in lines 25 and 30, strike “(B)” and “(C)”, respectively, and substitute “(A)” and “(B)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 340 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Electrical Examiners and Licensing of Electricians

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 393 – Delegates Love, Barnes, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena–Melnik, and Schuh

AN ACT concerning

Anne Arundel County – Motorcycle Dealers – Sunday Operations

Favorable report adopted.

FLOOR AMENDMENT

HB0393/793426/2

BY: Delegate Love

AMENDMENT TO HOUSE BILL 393

(First Reading File Bill)

On page 1, in the sponsor line, strike beginning with “Delegates” down through “Schuh” and substitute “Anne Arundel County Delegation”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 403 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Office of Cemetery Oversight – Preneed Trust Account – Underfunding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 453 – Washington County Delegation

AN ACT concerning

**Washington County – Emergency Communications Center – Polygraph
Examinations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #2**

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

House Bill 131 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Physical Therapy Examiners – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 135 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 162 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Expedited Partner Therapy Pilot Program – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 179 – Delegates Elliott and Krebs

AN ACT concerning

State Board of Nursing – Temporary License – Issuance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 200 – Delegates Rosenberg, Ali, Carter, Donoghue, and Oaks

AN ACT concerning

Health Occupations – Morticians and Funeral Directors – Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 219 – Delegates Bronrott, Anderson, Dumais, Eckardt, Barnes, Ross, Shewell, Levi, Burns, Morhaim, Nathan-Pulliam, Pena-Melnyk, and Reznik

AN ACT concerning

Office of the Governor – State Drug and Alcohol Abuse Council

HB0219/736685/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 219

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike “Office of the Governor to designate” and substitute “Alcohol and Drug Abuse Administration to provide”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“(XIII) THE PUBLIC DEFENDER OF MARYLAND, OR THE PUBLIC DEFENDER’S DESIGNEE;”;

and in lines 4 and 8, strike “(XIII)” and “(XIV)”, respectively, and substitute “(XIV)” and “(XV)”, respectively.

On page 4, in line 7, strike “(XIII) AND”; in the same line, after “(XIV)” insert “AND (XV)”; in line 13, strike “(XIV)” and substitute “(XV)”; and in line 17, strike “(XIII)” and substitute “(XIV)”.

AMENDMENT NO. 3

On page 7, in line 21, strike beginning with “OFFICE” through the second “THE” and substitute “ALCOHOL AND DRUG ABUSE ADMINISTRATION SHALL PROVIDE”.

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:

House Bill 692 – Delegates Kaiser and Kach

AN ACT concerning

Election Law – Campaign Funds – Certificates of Deposit

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

HB0692/195061/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 692

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Certificates of Deposit” and substitute “Investments”; in line 3, strike “deposit” and substitute “invest”; and in line 4, after “term” insert “or a United States Treasury bill”.

AMENDMENT NO. 2

On page 2, in line 4, strike “DEPOSIT” and substitute “INVEST”; and strike beginning with “IN” in line 5 down through “LESS” in line 6 and substitute “IN:

(I) A CERTIFICATE OF DEPOSIT WITH A TERM OF 1 YEAR OR LESS; OR

(II) A UNITED STATES TREASURY BILL”.

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 136 Members present.

(See Roll Call No. 120)

ADJOURNMENT

At 10:32 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 25, 2010.

Annapolis, Maryland
Thursday, February 25, 2010

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James E. Malone, Jr. of Baltimore and Howard counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 124)

The Journal of February 24, 2010 was read and approved.

EXCUSES:

Del. Donoghue – late – doctor’s appointment

Del. Heller – illness

Del. McHale – business

Del. Stifler – personal

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

**House Bill 1444 – Delegates Bronrott, Lee, Frick, Dumais, Feldman,
Gutierrez, Heller, and Mizeur**

AN ACT concerning

**Creation of a State Debt – National Center for Children and Families Youth
Activities Center**

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

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

House Bill 1445 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Vehicle Laws – Controlled Dangerous Substances – Per Se Driving Offenses

FOR the purpose of prohibiting a person from driving or attempting to drive if there is in the person's blood a certain controlled dangerous substance or its metabolite under certain circumstances; providing that a certain defense is not available for certain charges; providing for certain penalties; making a conforming change; and generally relating to a prohibition on driving or attempting to drive with a certain controlled dangerous substance or its metabolite in a person's blood under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–402(a)(34), 21–902(d), and 27–101(k) and (q)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1446 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Bonds Supported by the American Recovery and Reinvestment Act

FOR the purpose of authorizing the Board of Public Works to issue general obligation bonds and other evidence of indebtedness of the State or of a local government unit that are authorized under the American Recovery and Reinvestment Act (ARRA); authorizing the Board to provide for specific terms and conditions of the ARRA bonds; providing certain duties for the State Treasurer when the Board provides for the sale of ARRA bonds; providing that the Board may issue ARRA bonds to finance State projects that have been authorized by separate State enabling acts; providing that ARRA bonds issued to finance State projects shall be State debt for which the full faith and credit of the State shall be pledged; providing that the Board may issue ARRA bonds on behalf of local government units under certain circumstances and if certain conditions are met; providing that a local government unit may agree with the Board to pledge any money, including a share of the income tax that the local government unit is entitled to receive from the State; providing that ARRA bonds issued by the Board to local government units are not the debt, liability, or pledge of the full

faith and credit or taxing power of the State; providing that this Act shall remain in effect until a certain contingency occurs but not later than a certain date; and generally relating to the issuance of bonds supported by the American Recovery and Reinvestment Act.

BY adding to

Article – State Finance and Procurement

Section 8–501 through 8–504 to be under the new subtitle “Subtitle 5. Bonds Supported by the Federal American Recovery and Reinvestment Act”

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1447 – Delegate Jones

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

FOR the purpose of amending certain prior Acts of the General Assembly that authorized the creation of State Debt through the issuance, sale, and delivery of general obligation bonds, the proceeds of which were designated for funding certain capital projects; extending the deadline by which certain loan proceeds must be expended or encumbered by the Board of Public Works; extending the deadline by which certain grantees must present evidence to the Board of Public Works that certain matching funds will be provided; altering and expanding the authorized uses of certain grants; altering the purpose of certain grants; altering the grantees under certain projects; altering the location of certain grants; reducing the amount of certain grants and increasing the amount of certain grants; repealing a requirement that a certain grantee grant and convey a certain easement; repealing the requirement that certain grantees provide a certain matching fund; altering the matching fund requirements of certain grants; and generally relating to amending prior authorizations of State Debt by the General Assembly to fund certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 163 of the Acts of the General Assembly of 2001, as amended by
Chapter 219 of the Acts of the General Assembly of 2008
Section 1

BY repealing and reenacting, with amendments,

Chapter 326 of the Acts of the General Assembly of 2001, as amended by
Chapter 30 of the Acts of the General Assembly of 2003, Chapter 188 of
the Acts of the General Assembly of 2005, and Chapter 219 of the Acts of
the General Assembly of 2008

Section 1

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 94 of the Acts of the General Assembly of 2005, and Chapter 488 of the Acts of the General Assembly of 2007

Section 13(3)(ii) Item (T-2)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of the Acts of the General Assembly of 2008, and Chapter 707 of the Acts of the General Assembly of 2009

Section 1(3) Item ZA01(AR) and Item ZA02(AV)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA02(BX) and (BZ)

BY adding to

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA02(BZ-1)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA01(R) and (AC) and Item ZA02(W) and (AC)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA01(AR) and Item ZA02(AM) and (CD)

BY adding to

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA02(BO-1)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA02(BO)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA01(BG), (BY), and (CA) and Item ZA02(J), (AA), (AQ), (BC), (BI), (BM), (BQ), and (BV)

BY adding to

Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA02)(BV-1) and (BV-2)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA00(AB), Item ZA02(C), (M), (O), and (AB), and Item
ZA03(C), (AE), and (AH)

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

House Bill 1448 – Delegate Heller

AN ACT concerning

Creation of a State Debt – Montgomery County – Threshold Services Group Home Renovations

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

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

House Bill 1449 – Delegate Branch

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Baltimore City – Roberta’s House

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to extend the deadline by which the Board of Directors of Roberta’s House, Inc. must present evidence that a certain match will be provided.

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(AA) and ZA02(X)

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

House Bill 1450 – Delegate Frush

AN ACT concerning

Vehicle Laws – Parking Lot Requirements – Exceptions to Local Zoning Ordinances

FOR the purpose of establishing that certain provisions of law that require a local legislative body to provide certain exceptions to local zoning ordinances when necessary to bring an existing parking lot into compliance with certain requirements apply to charter counties; establishing that a parking lot constructed before a certain date may be brought into compliance with certain requirements by restriping the parking lot; requiring a local legislative body to provide a certain exception to local zoning ordinances if the restriping of a parking lot for a certain purpose results in a reduction in the number of available parking spaces below a certain amount; and generally relating to parking lot requirements.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.03
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 4.04(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1006(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1451 – Delegates Barve and Dumais

AN ACT concerning

Maryland Revised Anatomical Gift Act

FOR the purpose of repealing the Maryland Anatomical Gift Act and enacting the Maryland Revised Anatomical Gift Act; authorizing certain individuals to make, amend, or revoke anatomical gifts; providing the methods by which anatomical gifts may be made; authorizing certain individuals to refuse to make certain anatomical gifts; establishing certain circumstances under which an anatomical gift is prohibited; establishing the persons to which certain anatomical gifts may be made; establishing a certain priority if more than one person in a certain class makes a gift; establishing certain purposes for which certain anatomical gifts can be made; establishing a certain priority for certain anatomical gifts if more than one purpose is given for the anatomical gift; requiring certain persons to search certain individuals for a document of gift or other information identifying the individual as a donor under certain circumstances; requiring certain individuals to allow certain examination and copying of certain anatomical gifts or refusals; requiring that certain procurement organizations be allowed certain access to certain records of the Motor Vehicle Administration; authorizing certain procurement organizations to make certain examinations to ensure the medical suitability of certain anatomical gifts; providing for the acceptance and removal of certain anatomical gifts; establishing certain acts as felonies and establishing certain penalties; providing that certain persons are guilty of a felony and subject to a certain penalty for purchasing or selling certain parts under certain circumstances; authorizing a person to charge a certain amount for providing certain services; establishing that certain donors may make certain gifts by authorizing that certain statements or symbols be included on a certain registry; providing that certain persons that act in good faith are not liable in certain civil actions; requiring the Secretary of Health and Mental Hygiene to contract with and provide compensation to a certain nonprofit entity for the establishment, maintenance, and operation of a donor registry; requiring that the Organ and Tissue Donation Awareness Fund provide funds for the establishment, operation, and maintenance of a certain donor registry; requiring the Motor Vehicle Administration to cooperate in the transfer of certain information to the donor registry; establishing certain administrative terms for the donor registry; providing for the resolution of conflicts between certain anatomical gifts and certain advance directives; requiring that certain procurement organizations and the Office of the Chief Medical Examiner (OCME) cooperate to maximize the opportunity to recover certain anatomical gifts and to facilitate certain OCME examinations; providing for the terms of the recoveries between certain procurement organizations and OCME; providing for the resolution of conflicts between certain anatomical gift designations and certain investigations by OCME; providing that this Act supersedes a certain federal statute; requiring that certain directions to make, amend, revoke, or refuse to make an anatomical gift be recorded in certain medical records; altering the circumstances under which the consent of certain representatives is not necessary; requiring the custodian of certain motor vehicle records containing personal information to disclose certain personal information for use by certain procurement organizations under certain circumstances; repealing a certain provision prohibiting that certain donor designations appear on certain minors' drivers'

licenses; making certain technical changes; defining certain terms; and generally relating to the Maryland Revised Anatomical Gift Act.

BY repealing

Article – Estates and Trusts

Section 4–501 through 4–513 and the subtitle “Subtitle 5. Maryland Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 4–501 through 4–522 to be under the new subtitle “Subtitle 5. Maryland Revised Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–408, 5–604.1, 13–901, and 19–310(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–303

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1452 – Delegate McConkey

AN ACT concerning

Courts – Public Auction – Electronic Interception of Oral Communication

FOR the purpose of making it lawful for a certain record owner of residential property that is being sold at a public foreclosure sale conducted by a court appointed trustee to use an electronic device to intercept, record, or use the contents of a public oral communication of the trustee during the sale in order to preserve a record of the sale for certain purposes; providing for the application of this Act; and generally relating to the electronic interception of oral communication in the course of a public auction of foreclosed residential property.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 10–402(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1453 – Delegate McConkey

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Carroll Field Puglise Stadium Field Lights

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Arundel Boosters Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1454 – Delegate McConkey

AN ACT concerning

Family Law – Child Support – Change of Address or Employment

FOR the purpose of authorizing a child support recipient to send notice of a change of address to a child support enforcement agency in a certain manner; authorizing a child support obligor to send notice of a change of address or place of employment to a child support enforcement agency in a certain manner; and generally relating to notification of a change of address or employment to a support enforcement agency.

BY repealing and reenacting, with amendments,
Article – Family Law

Section 10–131(a)(3)(ii) and 10–132(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1455 – Delegates Boteler, Kach, Minnick, and Weir

AN ACT concerning

Baltimore City – Public School Employees – Representation by Employee Organization

FOR the purpose of providing that, in Baltimore City, certain positions or classifications or public school employees in certain positions or classifications that on a certain date were a part of a unit represented by a certain employee organization shall remain in that unit; authorizing a certain public school employer, in negotiations with an employee organization representing both supervisory and nonsupervisory employees, to create a certain number of units to be represented by the same employee organization; and generally relating to the representation of certain public school employees and the status of certain employee organizations in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–505
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 122 – Senators Brochin and Stone

AN ACT concerning

Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages Licenses – Restaurants – ~~Minimum Capital Investment and Transfers~~

FOR the purpose of ~~lowering~~ altering in the Towson Commercial Revitalization District in Baltimore County the ~~minimum~~ amount of capital investment required for certain restaurants for which certain alcoholic beverages licenses may be transferred and new licenses issued; altering the food sales and seating capacity requirements for certain restaurants; ~~reducing the time by a certain amount that an applicant for transfer must wait under certain circumstances~~; and generally relating to alcoholic beverages licenses for restaurants in Baltimore County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–204.3(a) ~~and (b)(1)~~, (b)(1), and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 8–204.3(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–204.3(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section ~~8–204.3(f)~~ 8–204.3(d)(3) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 173 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City Police Department Death Relief Fund – Procedures and Benefit Amount

FOR the purpose of altering the amount of benefit payable from the Baltimore City Police Department Death Relief Fund because of the death of an officer or civilian employee under certain circumstances; changing certain references to the rank of “captain” to be references to the rank of “deputy major”; ~~requiring a~~

~~certain oath of office taken by a certain trustee to be administered by the Police Commissioner of Baltimore City or the Police Commissioner's designee and requiring the oath to be filed in the Police Commissioner's office;~~ repealing a requirement that copies of a certain report of the board of trustees of the Fund be submitted for posting at certain facilities; requiring a certain report of the board of trustees of the Fund to be provided to all members of the board by electronic mail; requiring the board of trustees of the Fund to post copies of a certain report on the Baltimore City Police Department's Intranet; and generally relating to the Baltimore City Police Department Death Relief Fund.

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 16–101
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 16–103(a), 16–105(a)(1) ~~and (d)~~, and 16–106(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #3

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

Senate Joint Resolution 2 – The President (By Request – Governor's Salary Commission)

A Senate Joint Resolution concerning

Governor's Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

SJ0002/954462/1

BY: Appropriations Committee

AMENDMENT TO SENATE JOINT RESOLUTION 2

(Third Reading File Joint Resolution)

On page 2, after line 12, insert:

“WHEREAS, Article II, Section 21A of the Maryland Constitution established a seven-member Governor’s Salary Commission comprised of the State Treasurer, three members appointed by the President of the Senate, and three members appointed by the Speaker of the House of Delegates. The Governor’s Salary Commission is currently constituted as follows: Nancy K. Kopp, State Treasurer; E. Steuart Chaney, Barry Gossett, and Robert R. Neall appointed by the President of the Senate; Howard S. Pinsky, George L. Russell, Jr., and Konrad M. Wayson appointed by the Speaker of the House of Delegates. The Commission elected George L. Russell, Jr. as Chair; and

WHEREAS, Pursuant to Article II, Section 21A of the Maryland Constitution, this Joint Resolution may be amended to decrease, but not increase, the salaries recommended by the Governor’s Salary Commission. The salaries may not be decreased below their January 2010 levels. If the General Assembly fails to adopt a Joint Resolution in accordance with Article II, Section 21A within 50 calendar days after introduction of this Joint Resolution, the salaries recommended by the Governor’s Salary Commission shall apply effective January 19, 2011. If the General Assembly amends this Joint Resolution, the salaries specified in the Joint Resolution, as amended, shall apply; and

WHEREAS, At the meetings conducted in December 2009, the Commission evaluated gubernatorial compensation relative to a number of principles: growth in the responsibilities of the office, compensation commensurate with the stature of this high office, changes in the cost of living, maintenance of a reasonable differential between the Governor’s salary and of other major State officials in Maryland, and acceptable comparability with salaries of the governors of other states. The Commission selected tentative salaries for the two offices and solicited public views regarding its proposals. Thereafter, the Commission made its final determinations which are presented in this Resolution and discussed in the Commission’s Report, dated January 2010; now, therefore, be it”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)

A Senate Joint Resolution concerning

Judicial Compensation Commission – Recommendations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 125)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #6

House Bill 249 – Delegate Rudolph

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers’ Compensation
Insurance – Notice**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 126)

The Bill was then sent to the Senate.

House Bill 328 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

**Estates and Trusts – Guardianship – Payment of Expenses After Death of
Ward**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 127)

The Bill was then sent to the Senate.

House Bill 329 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates and Trusts – Elective Share – Extension of Time for Making Election

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

Affirmative – 134 Negative – 0 (See Roll Call No. 128)

The Bill was then sent to the Senate.

House Bill 337 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Real Property – Effect of Deed Granting Property from Trust or Estate

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

Affirmative – 135 Negative – 0 (See Roll Call No. 129)

The Bill was then sent to the Senate.

**House Bill 347 – Delegates Serafini, Bates, Beitzel, Jenkins, Miller, Myers,
Niemann, Shank, Shewell, and F. Turner**

AN ACT concerning

~~**Criminal Law – Foreclosed Residential Property – Malicious Destruction of
Property and Acts of Graffiti – Property of Another – Definition and
Foreclosure Notices**~~

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

Affirmative – 136 Negative – 0 (See Roll Call No. 130)

The Bill was then sent to the Senate.

House Bill 375 – Garrett County Delegation

AN ACT concerning

Garrett County – Orphans’ Court Judges

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

Affirmative – 137 Negative – 0 (See Roll Call No. 131)

The Bill was then sent to the Senate.

House Bill 448 – Delegates Carter and Vallario

AN ACT concerning

Estates and Trusts – Maryland International Wills Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 132)

The Bill was then sent to the Senate.

House Bill 449 – Delegate Carter**EMERGENCY BILL**

AN ACT concerning

Estates and Trusts – Construction of References in Will or Trust to Federal Estate Tax or Generation–Skipping Transfer Tax

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

Affirmative – 137 Negative – 0 (See Roll Call No. 133)

The Bill was then sent to the Senate.

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

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

Affirmative – 137 Negative – 0 (See Roll Call No. 134)

The Bill was then sent to the Senate.

House Bill 650 – Delegates Simmons and Lee

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

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

Affirmative – 135 Negative – 0 (See Roll Call No. 135)

The Bill was then sent to the Senate.

House Bill 769 – Delegates Levi and Vallario

AN ACT concerning

Orphans’ Court – Minors – Guardianship of Person

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

Affirmative – 136 Negative – 1 (See Roll Call No. 136)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #7**House Bill 6 – ~~Delegate F. Turner~~ Delegates F. Turner, Bartlett, Barve, Doory, Frick, George, Gilchrist, Howard, Ivey, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and Walker**

AN ACT concerning

Property Tax – Notice – 60-Day Appeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 137)

The Bill was then sent to the Senate.

House Bill 68 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

**Department of the Environment – Grants – Small Businesses and Certified
Minority Business Enterprises**

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

Affirmative – 136 Negative – 1 (See Roll Call No. 138)

The Bill was then sent to the Senate.

**House Bill 83 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Real Estate
Commission – Continuing Education**

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

Affirmative – 135 Negative – 1 (See Roll Call No. 139)

The Bill was then sent to the Senate.

**House Bill 93 – Chair, Environmental Matters Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicle Administration – Identification Cards and Drivers' Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 140)

The Bill was then sent to the Senate.

House Bill 96 – Delegate Kullen

AN ACT concerning

**Calvert County – Education – Junior Reserve Officer Training Corps
Instructors**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 141)

The Bill was then sent to the Senate.

House Bill 116 – Delegates Ali, Barkley, Feldman, Manno, Taylor, and Vaughn

AN ACT concerning

Credit Card Blacklisting Prevention Act

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

Affirmative – 124 Negative – 13 (See Roll Call No. 142)

The Bill was then sent to the Senate.

House Bill 207 – Delegates Frank, Aumann, Bartlett, Beitzel, Dwyer, Eckardt, Elmore, George, Haddaway, Jennings, Kelly, Kramer, Krebs, McComas, McConkey, Miller, Norman, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Victims of Crime – Burglary and Crimes of Violence – Civil Immunity

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

Affirmative – 136 Negative – 1 (See Roll Call No. 143)

The Bill was then sent to the Senate.

House Bill 222 – Delegate Vaughn

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

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

Affirmative – 135 Negative – 2 (See Roll Call No. 144)

The Bill was then sent to the Senate.

Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, ~~and Glassman~~ Glassman, Edwards, Klausmeier, Frosh, Gladden, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, and Simonaire

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers

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

Affirmative – 137 Negative – 0 (See Roll Call No. 145)

The Bill was then returned to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1377	ENV

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 146)

ADJOURNMENT

At 10:50 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 26, 2010.

Annapolis, Maryland
Friday, February 26, 2010

The House met at 11:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Virginia P. Claggett of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 147)

The Journal of February 25, 2010 was read and approved.

EXCUSES:

Del. King – illness

Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1456 – Delegates Davis, Braveboy, and Griffith

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Largo High School PTSA
Track Renovation**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$180,000, the proceeds to be used as a grant to the Largo High School Parent Teacher Student Association for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1457 – Delegates Dumais, Anderson, Barnes, Carter, Conaway, Dwyer, Frank, Jennings, Levi, McComas, McConkey, Rosenberg, Schuler, and Valderrama

AN ACT concerning

**Civil Liability – AMBER, Silver, or Emergency Alert Dissemination –
Immunity for Broadcast Media**

FOR the purpose of establishing that certain broadcasters and their employees, officers, directors, members, managers, or agents are not liable for damages for any act or omission in broadcasting or disseminating a certain AMBER, Silver, or Emergency Alert after receiving a certain notification under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the dissemination of an AMBER, Silver, or Emergency Alert.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–427

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1458 – Delegates G. Clagett and DeBoy

AN ACT concerning

**State Police Retirement System – Special Disability Retirement Allowance
– Forfeiture**

FOR the purpose of prohibiting certain members or former members of the State Police Retirement System who commit certain criminal offenses during a certain period of time from applying for a certain disability retirement allowance; requiring the Board of Trustees of the State Retirement and Pension System to temporarily suspend the application process for a certain disability retirement allowance if the member or former member applying for the certain disability retirement allowance has committed certain criminal offenses during a certain period of time; requiring the Board of Trustees to temporarily suspend a certain disability retirement allowance of certain disability retirees of the State Police Retirement System if the disability retirees commit certain criminal offenses during a certain period of time; requiring the Board of Trustees to permanently terminate a certain disability application process of certain members or former members if certain convictions of certain criminal offenses have been upheld; requiring the Board of Trustees to permanently terminate the payment of a certain disability retirement allowance of certain disability retirees if certain convictions of certain criminal offenses have been upheld; providing that certain members or former members may apply for a certain disability retirement allowance or resume the application process for a

certain disability retirement allowance if a certain verdict on certain criminal offenses is rendered; providing that certain disability retirees may resume receipt of a certain disability retirement allowance if a certain verdict on certain criminal offenses is rendered; requiring the Secretary of State Police to report certain information to the Board of Trustees; requiring the Board of Trustees to take certain actions immediately after receiving certain information from the Secretary of State Police; defining a certain term; and generally relating to members, former members, and disability retirees of the State Police Retirement System forfeiting certain rights to a special disability retirement allowance following the conviction of criminal offenses.

BY adding to

Article – State Personnel and Pensions
Section 29–119
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1459 – Delegates Nathan–Pulliam, Benson, Glenn, Oaks, Pena–Melnyk, Stukes, Tarrant, and V. Turner

AN ACT concerning

Maryland Medical Assistance Program – Analysis and Reduction of Racial and Ethnic Health Care Disparities

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to require staff of the Maryland Medical Assistance Program to work with the Office of Minority Health and Health Disparities to carry out certain analyses, develop certain strategies, provide certain guidance, and submit certain reports relating to racial and ethnic health care disparities among Program enrollees; and generally relating to analyses and reduction of health care disparities among enrollees of the Maryland Medical Assistance Program.

BY adding to

Article – Health – General
Section 15–109.3
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1460 – Delegates V. Turner, Valderrama, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hope Institute

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Community Builders, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1461 – Delegates Vaughn and Howard

AN ACT concerning

Creation of a State Debt – Prince George’s County – Glenarden Senior Center

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

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

House Bill 1462 – Delegates Conway, Cane, Eckardt, Elmore, Haddaway, Mathias, and Sossi

AN ACT concerning

**Creation of a State Debt – Wicomico County – Salisbury Zoological Park
Animal Health Clinic**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Salisbury Zoo Commission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1463 – Delegates Kelly, Barnes, Beitzel, Conaway, Donoghue, Dumais, Feldman, Frank, Gilchrist, Gutierrez, Hixson, Kaiser, Kramer, Lee, McComas, Montgomery, Myers, Reznik, Rice, Rosenberg, Serafini, Simmons, and Valderrama

AN ACT concerning

Rachel’s Law – Closed Captioning in Movie Theaters

FOR the purpose of requiring a certain place of public accommodation to provide access to closed-captioning technology for deaf and hard of hearing individuals; requiring the Department of Labor, Licensing, and Regulation, in consultation with the Governor’s Office of the Deaf and Hard of Hearing, to identify and approve the appropriate technology to provide reasonable accommodation and to set the minimum number of showings required to be made available with closed-captioning technology at a movie theater; requiring the Department, in consultation with the Governor’s Office, to adopt certain regulations; defining certain terms; and generally relating to closed captioning in movie theaters for deaf and hard of hearing individuals.

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–301

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–305

Annotated Code of Maryland

(2009 Replacement Volume)

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

House Bill 1464 – Delegates Myers, Beitzel, Kelly, Lafferty, Norman, Serafini, Stein, and Stull

AN ACT concerning

Land Bank Authorities – Establishment by Municipal Corporations

FOR the purpose of authorizing a municipal corporation to establish a land bank authority by ordinance; requiring an ordinance establishing an authority to

include certain articles of incorporation; requiring certain articles of incorporation to be filed, accepted, and amended in a certain manner; authorizing a municipal corporation creating an authority to take certain actions by ordinance; providing for the disposition of property and obligations of an authority on termination; requiring an ordinance creating an authority to establish and provide for a board of directors; providing that the procedures of a municipal corporation incorporating an authority control in certain circumstances; establishing the powers of an authority; authorizing an authority to delegate certain powers; prohibiting an authority to purchase, own, or sell property located outside of the municipal corporation in which the authority is located; authorizing an authority to employ certain staff and retain certain consultants; authorizing a court to appoint an authority to serve as a certain receiver; requiring an authority to adopt a certain code of ethics; establishing certain policies and procedures, and complying with certain provisions of law; providing an authority with certain immunities; authorizing an authority to take certain actions relating to property held or owned by an authority; requiring property held by an authority to be inventoried and classified in a certain manner; prohibiting a certain register of deeds from charging a certain fee; providing certain tax exemptions for certain properties, activities, and principal, interest, and income from bonds; authorizing an authority to bring a certain civil action; requiring an authority to be made a party to certain actions; prohibiting a certain proceeding from being held until certain service of process is made; establishing that property and income of an authority is for a certain purpose; providing that an authority is subject to certain zoning laws, permitting processes, and land use controls; requiring an authority to make a certain annual report in a certain time period; authorizing an authority to issue certain bonds for certain purposes under certain circumstances; authorizing an authority to issue certain bond anticipation notes; authorizing an authority to take certain actions in connection with bonds issued by an authority; requiring an authority to pass a certain resolution in connection with each issue of its bonds; authorizing an authority to enter into certain trust agreements in connection with bonds issued by an authority; requiring an authority to convey title and release certain collateral under certain circumstances; authorizing certain persons to bring certain actions; defining certain terms; providing for the construction of this Act; establishing that the powers granted in this Act are supplemental to certain other powers; establishing that this Act does not authorize an authority to exercise certain powers or impose certain taxes or assessments; and generally relating to land bank authorities.

BY adding to

Article 23A – Corporations – Municipal

Section 52 through 82 to be under the new subtitle “Land Bank Authorities”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1465 – Delegate Beitzel

AN ACT concerning

Procurement – Employee Uniforms and Equipment – Place of Manufacture

FOR the purpose of prohibiting a public employer, under certain circumstances, from knowingly buying, furnishing, or requiring an employee to buy or acquire for use while on duty, certain uniforms and other equipment unless the uniforms or other equipment are manufactured in the United States; providing for the application of this Act; defining a certain term; and generally relating to the procurement of employee uniforms and equipment.

BY adding to

Article – State Finance and Procurement
Section 14–409
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1466 – Delegates Bohanan, O’Donnell, and Wood

AN ACT concerning

St. Mary’s County – Property Tax Credit – Property Leased to Nonprofit Schools

FOR the purpose of authorizing the governing body of St. Mary’s County or of a municipal corporation in St. Mary’s County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on real property leased to a nonprofit school and used exclusively for primary or secondary educational purposes; providing for the duration of the credit; providing for the application of this Act; and generally relating to authority for a property tax credit in St. Mary’s County for certain real property leased to a nonprofit school.

BY adding to

Article – Tax – Property
Section 9–320(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1467 – Delegate Stein

AN ACT concerning

**Environment – Coal Combustion By-Products – Minimum Standards –
Beneficial Uses**

FOR the purpose of requiring a person using or disposing of coal combustion by-products to comply with certain standards if the by-products come into contact with the ground; requiring a person making certain use of coal combustion by-products to comply with certain regulations and permit provisions; requiring a person using coal combustion by-products for certain purposes to use engineering practices that meet a certain standard; repealing certain provisions made obsolete by this Act; and generally relating to the use of coal combustion by-products.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9-289
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing
Article – Environment
Section 15-407
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

**House Bill 1468 – Delegates Tarrant, Bromwell, Elliott, Hubbard, Krebs,
Kullen, Reznik, and V. Turner**

AN ACT concerning

**Health Insurance – Nonparticipating Providers – Disclosure of Status
and Charges**

FOR the purpose of requiring nonparticipating health care providers to disclose to enrollees covered by health insurance carriers with which the nonparticipating health care providers do not have a contractual relationship certain information in a certain manner under certain circumstances; requiring the disclosure to be provided to an enrollee at a certain time in a certain manner, to be signed in a

certain manner, and to be maintained in a certain manner; requiring certain health care facilities that contract with nonparticipating health care providers to display in a certain manner a notice with certain information; requiring health insurance carriers to disclose certain information about nonparticipating health care providers in a certain manner on their Internet websites and to provide links to a certain directory; requiring a health care provider to provide a copy of a certain disclosure statement under certain circumstances; prohibiting a health care provider from seeking or recovering in any proceeding certain amounts for payment except under certain circumstances; requiring health care providers to establish a process for resolving certain complaints or inquiries by enrollees; requiring carriers to establish a process for resolving certain complaints or inquiries by enrollees; requiring the Maryland Insurance Commissioner to develop certain forms; defining certain terms; providing for the application of this Act; and generally relating to disclosure of information about nonparticipating health care providers and charges for their services.

BY adding to

Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Insurance
Section 15–1801 through 15–1807 to under the new subtitle “Subtitle 18.
Nonparticipating Health Care Providers”
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1469 – Delegates Frick, Hixson, King, Feldman, and Schuh

AN ACT concerning

Maryland Small Business Investment Companies

FOR the purpose of allowing a credit against the insurance premium tax for investments by certain persons in certain companies that make investments in certain qualified businesses in the State; providing for administration of the credit by the Department of Business and Economic Development; establishing certain requirements for initial certification and continued certification of Maryland small business investment companies; providing for applications to the Department for certification as a Maryland small business investment company; prohibiting certain persons from engaging in certain activities relating to a Maryland small business investment company; providing for

determinations by the Department as to whether certain investments by Maryland small business investment companies will meet certain requirements; requiring Maryland small business investment companies to provide certain reports and certain audited financial statements to the Department; requiring certain applicants to pay certain nonrefundable application fees; requiring a Maryland small business investment company to pay certain annual renewal fees; providing for annual reviews by the Department of Maryland small business investment companies; providing for decertification of Maryland small business investment companies under certain circumstances; authorizing the Department to impose administrative penalties for certain violations; providing for the recapture of certain tax credits under certain circumstances; providing for the carry forward of certain unused tax credits; providing for the allocation of credits among Maryland small business investment companies; limiting the total designated capital for which premium tax credits may be allowed for all years; limiting the total credits that may be allowed for all participating investors for any year; providing for allocation of the maximum amount of credits under certain circumstances; authorizing certain investments to be treated in a certain manner for certain purposes under the insurance law; providing for certain treatment of certain tax credits for insurance rate making purposes; providing for the transfer of certain tax credits under certain circumstances; requiring the Department to prepare and submit a certain report; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to an insurance premium tax credit for investments in certain companies making investments in qualified businesses in the State.

BY adding to

Article – Economic Development

Section 6–501 through 6–522 to be under the new subtitle “Subtitle 5. Maryland Small Business Investment Company Tax Credit”

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 6–122

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request – Departmental – Deaf and Hard of Hearing, Office of the)**

AN ACT concerning

State Government – Human Relations – Closed-Captioning Activation Required

FOR the purpose of requiring activation of closed captioning on request on certain television receivers in public areas in places of public accommodation during regular hours; providing certain exceptions; defining certain terms; and generally relating to the activation of closed captioning on television receivers in places of public accommodation.

BY adding to

Article – State Government
Section 20–306
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 112 – Senator Stone

AN ACT concerning

Baltimore County – Property Tax Credit – Rosewald Beach Civic League

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county tax imposed on real property owned by the Rosewald Beach Civic League; providing for the application of this Act; and generally relating to a property tax credit in Baltimore County for the Rosewald Beach Civic League.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–305(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 118 – Senators Zirkin and Stone

AN ACT concerning

Courts – Jury Trials in Civil Actions – Amount in Controversy

FOR the purpose of altering the amount in controversy in a civil action in which a party may not demand a jury trial; providing for the construction and application of this Act; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to jury trials in civil actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–402(e)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 119 – Senators Zirkin and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Civil Jury Trials – Amount in Controversy

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to alter the amount in controversy in civil proceedings in which the right to a jury trial may be limited by legislation; altering the amount in controversy in civil proceedings in which the right to a jury trial shall be inviolably preserved; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Declaration of Rights
Articles 5(a) and 23

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

Senate Bill 125 – Senators Brochin, Frosh, and Stone

AN ACT concerning

**Criminal Procedure – Strip Search or Body Cavity Search of an Arrestee
– Restrictions**

FOR the purpose of prohibiting a police officer from conducting or supervising a strip search or body cavity search of an individual arrested for certain misdemeanors or traffic offenses under certain circumstances, or of a minor detained for a certain act that would be a misdemeanor if committed by an adult or for certain traffic offenses under certain circumstances; providing for certain exceptions; authorizing a police officer to conduct or supervise a strip search or body cavity search only if the officer has a reasonable suspicion that certain items may be concealed by the individual or minor and the officer is granted authorization by a ~~certain~~ supervising officer on duty; establishing certain requirements for the conducting of a strip search or a body cavity search; requiring a medical professional to conduct a body cavity search; providing that a complaint against a police officer alleging a violation of this Act shall be investigated in accordance with a certain law; providing that nothing in this Act limits or repeals a common law or statutory right of an individual regarding an action for damages or injunctive relief; defining certain terms; and generally relating to restrictions on the conducting of a strip search or body cavity search of individuals arrested under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–101(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–108
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–104(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e) and 3–104(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

Senate Bill 144 – The President (By Request – Department of Legislative Services) and Senators Middleton, Astle, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, and Pugh

AN ACT concerning

**State Board of Examiners of Nursing Home Administrators – Sunset
Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; altering the membership of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 9–202 and 9–502
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(42)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 179 – Senator McFadden

AN ACT concerning

**Baltimore City Public School System – Exclusion from Amount of Bonds
Outstanding**

FOR the purpose of excluding Qualified School Construction Bonds from the limitation on the aggregate principal amount of bonds outstanding for the Baltimore City

Public School System; and generally relating to an exclusion from the amount of bonds outstanding for the Baltimore City Public School System.

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–306.2(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 213 – Senators Frosh, Dyson, Exum, Garagiola, Gladden, Harrington, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, ~~and Rosapepe~~ Rosapepe, Middleton, Astle, Della, Glassman, and Klausmeier

AN ACT concerning

Child Care Articles ~~and Toys~~ Containing Bisphenol-A – Prohibition

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain ~~toys or~~ child care articles containing bisphenol-A; requiring a person to use the least toxic alternative; prohibiting a person from using certain carcinogens or certain reproductive toxicants when complying with a certain provision of this Act; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; providing for a certain penalty; defining ~~certain terms~~ a certain term; and generally relating to certain ~~toys and~~ child care articles containing bisphenol-A.

BY adding to
Article – Health – General
Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 223 – Senator Colburn

AN ACT concerning

Dorchester County – County Transfer Tax – Repeal of Sunset Provision

FOR the purpose of repealing the termination provision applicable to certain authority for Dorchester County to impose a county transfer tax; and generally relating to the Dorchester County transfer tax.

BY repealing and reenacting, with amendments,
Chapter 715 of the Acts of the General Assembly of 1994
Section 2

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 231 – Senators Kelley and Forehand

AN ACT concerning

**Maryland Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act**

FOR the purpose of establishing the Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; authorizing a court of this State to treat a foreign country as if the country were a state for the purpose of applying this Act; authorizing a court of this State to make a certain request of an appropriate court of another state in a certain guardianship or protective proceeding in this State and to grant a certain request from an appropriate court of another state in a certain guardianship or protective proceeding in that state; authorizing the offer of testimony by deposition or certain other means in a certain guardianship or protective proceeding; requiring a court of this State to cooperate with courts of other states in designating an appropriate location for a deposition or testimony in a certain guardianship or protective proceeding; establishing that a court of this State has jurisdiction to appoint a guardian or issue a protective order for a certain respondent under certain circumstances; establishing that a court of this State that lacks certain jurisdiction under this Act has special jurisdiction to take certain steps; requiring a court in this State to dismiss a certain proceeding at the request of a certain court in another state under certain circumstances; establishing that a court that has appointed a guardian or issued a protective order consistent with this Act has exclusive and continuing jurisdiction over the proceeding until the proceeding is terminated by the court or the appointment or order expires by the terms of the appointment or order; authorizing a court to decline to exercise jurisdiction under certain circumstances; requiring a court that declines jurisdiction to take certain steps in certain circumstances; authorizing a court to take certain steps if a certain determination is made; requiring a certain petitioner to provide certain notice to certain persons; authorizing a court to proceed or requiring the court to take certain steps on the filing of a certain petition under certain circumstances; authorizing a certain guardian or conservator to petition a court

to transfer a guardianship or conservatorship to another state under certain circumstances; providing that a certain notice of a petition to transfer a guardianship or conservatorship to another state be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order granting a petition to transfer a guardianship or conservatorship to another state on a certain finding; requiring a guardian or conservator to petition a court in this State to accept a certain guardianship or conservatorship under certain circumstances; providing that a certain notice of a petition to accept a guardianship or conservatorship be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order approving a certain petition unless a certain objection is made; requiring a court to recognize a guardianship or conservatorship order from another state under certain circumstances; establishing that the denial of a petition to accept a guardianship or conservatorship from another state does not affect the ability of a certain person to seek a certain court appointment; authorizing a guardian appointed in another state to register a certain guardianship order in this State as a foreign judgment under certain circumstances; authorizing a conservator appointed in another state to register a certain conservatorship order in this State as a foreign judgment under certain circumstances; authorizing, with certain exceptions, a certain guardian or conservator to exercise certain powers in this State; authorizing a court in this State to grant certain relief to enforce a certain registered order; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; making certain technical corrections; defining certain terms; and generally relating to adult guardianship and protective proceedings.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–101(a), (e), and (h), 13–201 through 13–206, 13–208 through 13–221,
and 13–705 through 13–713

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–105, 13–207, 13–222, and 13–704

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 13.5–101 through 13.5–504 to be under the new title “Title 13.5.
Maryland Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Motorcycle Dealers – Sunday Operations

FOR the purpose of authorizing in Anne Arundel County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of title for a motorcycle on Sunday; and generally relating to motorcycle dealers in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 18–101
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 302 – Senator Glassman

AN ACT concerning

Commercial Law – Equipment Dealer Contract Act – Outdoor Power Sports Equipment

FOR the purpose of expanding the scope of the Equipment Dealer Contract Act to include outdoor power sports equipment; defining a certain term; altering certain definitions; and generally relating to the Equipment Dealer Contract Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 19–101, 19–202, and 19–203
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 313 – Senators King, Miller, Harrington, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, ~~and Stone~~ Stone, and Middleton

AN ACT concerning

Health Insurance – Annual Preventive Care

FOR the purpose of ~~prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations that provide covered benefits for annual preventive care from denying coverage solely because a certain number of days has not elapsed since the previous annual preventive care occurred;~~ requiring ~~the~~ certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for ~~the~~ certain types of annual preventive care if certain conditions are met; prohibiting certain provisions from being construed to require coverage for a certain service; making certain requirements applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance coverage for annual preventive care.

BY adding to

Article – Insurance

Section 15–134

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General

Section 19–706(cccc)

Annotated Code of Maryland

(2009 Replacement Volume)

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

Senate Bill 408 – Senators Peters, Astle, Colburn, Garagiola, Klausmeier, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, ~~and Zirkin~~ Zirkin, Middleton, Della, Exum, Glassman, Kelley, Kittleman, and Pipkin

AN ACT concerning

Public Health – Disposition of Remains – Armed Forces Members

FOR the purpose of authorizing a certain person designated on a certain form to arrange for the final disposition of the body of a member of the United States armed forces under certain circumstances; and generally relating to the disposition of the remains of United States armed forces members.

BY repealing and reenacting, with amendments,

Article – Health – General

AMENDMENT TO HOUSE BILL 113

(First Reading File Bill)

On page 2, in line 4, strike “October” and substitute “June”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 218 – Delegates Elmore, Aumann, Bartlett, Bates, Beitzel, Bohanan, Boteler, Cane, Conway, Costa, DeBoy, Eckardt, Frank, George, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, King, Kipke, Krebs, Kullen, Levy, Mathias, McConkey, McDonough, Miller, Murphy, Myers, Norman, O’Donnell, Rudolph, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stull, Walkup, Weir, and Wood

AN ACT concerning

Natural Resources – Oysters – Dredge Devices

HB0218/530115/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 218

(First Reading File Bill)

On page 1, in the sponsor line, strike “Kipke,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 245 – Allegany County Delegation

AN ACT concerning

Allegany County – Turkey Hunting – Sundays

HB0245/280318/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 245

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Delegation” insert “and Garrett County Delegation”; in line 2, after “County” insert “and Garrett County”; and in line 4, after “County” insert “and Garrett County”.

AMENDMENT NO. 2

On page 2, in line 19, after “**COUNTY**” insert “**AND GARRETT COUNTY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 246 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

**Allegany County and Garrett County – Deer Hunting on Private Property –
Sundays**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 420 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

Secretary of Agriculture – Mosquito Control – Enforcement Authority

HB0420/410710/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 420

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 5 down through “purposes;” in line 6; and in line 12, strike “5–409” and substitute “5–408”.

AMENDMENT NO. 2

On page 1, in line 19, strike “AFTER CONSULTING” and substitute “IN COOPERATION WITH”.

On page 2, strike in their entirety lines 9 through 15, inclusive; in lines 16 and 29, strike “5–408.” and “5–409.”, respectively, and substitute “5–407.” and “5–408.”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 421 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Advertising Agricultural Products as Locally
Grown – Regulatory Authority**

HB0421/160112/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 421

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “standards” insert “under certain conditions”; in line 5, after “products;” insert “requiring the Secretary to convene and consult with a certain advisory group before adopting certain standards:”.

AMENDMENT NO. 2

On page 1, in line 21, strike “**THE**” and substitute “**(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**”; and after line 23, insert:

“(B) BEFORE ADOPTING STANDARDS UNDER THIS SECTION, THE SECRETARY SHALL CONVENE AND CONSULT WITH AN ADVISORY GROUP OF INTERESTED STAKEHOLDERS, INCLUDING REPRESENTATIVES FROM ORGANIZATIONS THAT REPRESENT:

- (1) FARMERS;**
- (2) FOOD DISTRIBUTORS;**
- (3) RETAIL STORES;**
- (4) FOOD SERVICE INDUSTRIES; AND**
- (5) RESTAURANTS.”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 452 – Washington County Delegation

AN ACT concerning

Washington County – Office of the County Attorney

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 454 – Washington County Delegation

AN ACT concerning

Washington County – Aid to Manufactories

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 458 – Washington County Delegation

AN ACT concerning

Washington County – County Contributions to Private or Cooperative Public Improvement Projects

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 474 – The Speaker (By Request – Administration) and Delegates Bartlett, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Frush, Gaines, Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Rice, and Stein

AN ACT concerning

Smart, Green, and Growing – Maryland Sustainable Growth Commission

HB0474/430414/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 474
(First Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 6, strike “30”; after line 25, insert:

“7. THE SECRETARY OF AGRICULTURE, OR THE SECRETARY’S DESIGNEE;”;

in lines 26 and 28, strike “7.” and “8.”, respectively, and substitute “8.” and “9.”, respectively.

On page 6, in lines 1 and 3, strike “9.” and “10.”, respectively, and substitute “10.” and “11.”, respectively.

AMENDMENT NO. 2

On page 7, in lines 1 and 3, in each instance, strike “ONE REPRESENTATIVE” and substitute “THREE REPRESENTATIVES”; in line 7, after “(2)” insert “(I)”; and after line 8, insert:

“(II) OF THE THREE MEMBERS REPRESENTING THE WASHINGTON METROPOLITAN AREA, ONE SHALL REPRESENT LOCAL OR REGIONAL GOVERNMENT.

“(III) OF THE THREE MEMBERS REPRESENTING THE BALTIMORE METROPOLITAN AREA, ONE SHALL REPRESENT LOCAL OR REGIONAL GOVERNMENT.

“(IV) OF THE MEMBERS APPOINTED BY THE GOVERNOR, ONE SHALL BE AN ARCHITECT THAT:

1. IS LICENSED TO PRACTICE IN THE STATE; AND

2. IS A RESIDENT OF THE STATE.**AMENDMENT NO. 3**

On page 8, in line 13, strike “FOR” and substitute “ON THE ADEQUACY,”; in the same line, after “COORDINATION” insert a comma; in line 15, after “INFRASTRUCTURE” insert “AND LAND PRESERVATION”; in line 20, after “FACILITATE” insert “VOLUNTARY”; in line 27, after “PREDICTABLE” insert “MODEL”; and in line 31, after “THE” insert “STATE AND LOCAL GOVERNMENT”.

AMENDMENT NO. 4

On page 9, strike beginning with “REVIEW” in line 1 down through “(8)” in line 5; in lines 8 and 9, strike “HAVE A DETRIMENTAL EFFECT ON SMART GROWTH” and substitute “AFFECT THE ACHIEVEMENT OF THE GOALS OF THE STATE ECONOMIC GROWTH, RESOURCE PROTECTION, AND PLANNING POLICY”; and in lines 10, 12, 16, and 20, strike “(9)”, “(10)”, “(11)”, and “(12)”, respectively, and substitute “(8)”, “(9)”, “(10)”, and “(11)”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 511 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Annual Financial Report – Filing Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 550 – Delegates Norman, George, Jennings, McComas, and McConkey

AN ACT concerning

School Bus Seat Belt Corrective Language Act

HB0550/130717/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 550

(First Reading File Bill)

On page 1, in line 2, strike “School Bus Seat Belt Corrective Language Act” and substitute “Vehicle Laws – School Buses and Former School Buses – Seat Belts”.

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 139 Members present.

(See Roll Call No. 148)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #8

**House Bill 87 – Chair, Economic Matters Committee (By Request –
Departmental – State Police)**

AN ACT concerning

State Fire Marshal – Nongovernmental Electrical Inspectors

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

Affirmative – 138 Negative – 1 (See Roll Call No. 149)

The Bill was then sent to the Senate.

House Bill 131 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Physical Therapy Examiners – Sunset Extension and Program Evaluation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 150)

The Bill was then sent to the Senate.

House Bill 135 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Sunset Extension and Program Evaluation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 151)

The Bill was then sent to the Senate.

House Bill 162 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Expedited Partner Therapy Pilot Program – Extension

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

Affirmative – 139 Negative – 0 (See Roll Call No. 152)

The Bill was then sent to the Senate.

House Bill 179 – Delegates Elliott and Krebs

AN ACT concerning

State Board of Nursing – Temporary License – Issuance

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

Affirmative – 129 Negative – 7 (See Roll Call No. 153)

The Bill was then sent to the Senate.

House Bill 200 – Delegates Rosenberg, Ali, Carter, Donoghue, and Oaks

AN ACT concerning

Health Occupations – Morticians and Funeral Directors – Licenses

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

Affirmative – 139 Negative – 0 (See Roll Call No. 154)

The Bill was then sent to the Senate.

House Bill 219 – Delegates Bronrott, Anderson, Dumais, Eckardt, Barnes, Ross, Shewell, Levi, Burns, Morhaim, Nathan–Pulliam, Pena–Melnyk, and Reznik

AN ACT concerning

Office of the Governor – State Drug and Alcohol Abuse Council

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

Affirmative – 139 Negative – 0 (See Roll Call No. 155)

The Bill was then sent to the Senate.

House Bill 340 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Electrical Examiners and Licensing of Electricians

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

Affirmative – 138 Negative – 0 (See Roll Call No. 156)

The Bill was then sent to the Senate.

House Bill 393 – ~~Delegates Love, Barnes, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena-Melnyk, and Schuh~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Motorcycle Dealers – Sunday Operations

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

Affirmative – 139 Negative – 0 (See Roll Call No. 157)

The Bill was then sent to the Senate.

House Bill 403 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Office of Cemetery Oversight – Preneed Trust Account – Underfunding

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

Affirmative – 139 Negative – 0 (See Roll Call No. 158)

The Bill was then sent to the Senate.

House Bill 453 – Washington County Delegation

AN ACT concerning

Washington County – Emergency Communications Center – Polygraph Examinations

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

Affirmative – 139 Negative – 0 (See Roll Call No. 159)

The Bill was then sent to the Senate.

House Bill 692 – Delegates Kaiser and Kach

AN ACT concerning

Election Law – Campaign Funds – ~~Certificates of Deposit~~ Investments

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

Affirmative – 130 Negative – 8 (See Roll Call No. 160)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 1267	ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 161)

ADJOURNMENT

At 11:52 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 1, 2010.

Annapolis, Maryland
Monday, March 1, 2010

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Carolyn J. B. Howard of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 171)

The Journal of February 26, 2010 was read and approved.

EXCUSES:

Del. Benson – mother's death

Del. V. Clagett – medical

Del. Hubbard – illness

INTRODUCTION OF BILLS

House Bill 1470 – Delegates Rudolph, Miller, and Niemann

AN ACT concerning

**Title Insurance – Title Insurers and Title Insurance Producers – Regulation
and Reports**

FOR the purpose of providing that a title insurance producer independent contractor who is the agent of a title insurance producer is not required to file a certain fidelity bond, surety bond, or letter of credit with the Maryland Insurance Commissioner under certain circumstances; prohibiting a title insurance producer from using or accepting the services of a title insurance producer independent contractor unless the title insurance producer independent contractor is covered under the title insurance producer's fidelity bond and surety bond or letter of credit; providing that a title insurance producer that uses the services of a title insurance producer independent contractor is the legal principal of the title insurance producer independent contractor and is liable for certain actions of the title insurance producer independent contractor; requiring any deed of trust executed by a title insurance producer independent contractor as the agent of a title insurance producer to include certain

information; requiring the Maryland Insurance Commissioner to conduct a certain study, adopt certain regulations, examine a certain rate review and approval process, and report certain information to certain committees of the General Assembly; requiring the Maryland Insurance Administration and the Department of Labor, Licensing, and Regulation to develop a certain document and make it available on their websites, adopt certain regulations, share certain information, and report certain information to certain committees of the General Assembly; altering a certain definition; and generally relating to title insurers and title insurance producers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 10–101(a) and 10–121(e), (g), and (k)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–101(j), 10–121(n), and 10–121.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 10–121(n)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1471 – Delegates Rudolph, Miller, and Niemann

AN ACT concerning

Real Property – Real Estate Settlements – Disclosures

FOR the purpose of requiring a person who has a connection with the settlement of real estate transactions involving land in the State to comply with certain federal disclosure requirements; and generally relating to real estate settlements.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–127
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1472 – Dorchester County Delegation, Somerset County Delegation, and Wicomico County Delegation

AN ACT concerning

Hunting Wild Waterfowl – Dorchester, Somerset, and Wicomico Counties

FOR the purpose of altering the location in which a person may hunt wild waterfowl by certain methods in the waters of Dorchester, Somerset, and Wicomico counties; decreasing the distance from shore that the Department of Natural Resources prescribes by regulation for the hunting of wild waterfowl by certain methods in the waters of Dorchester, Somerset, and Wicomico counties; and generally relating to hunting wild waterfowl in the waters of Dorchester, Somerset, and Wicomico counties.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–604 through 10–606
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1473 – Delegate Anderson

AN ACT concerning

Public Safety – Missing Offenders – Blue Alert Program

FOR the purpose of requiring the Department of State Police to establish a Blue Alert Program to provide a system for rapid dissemination of certain information to assist in locating and apprehending certain missing offenders; requiring the Department to adopt certain guidelines and develop certain procedures for issuing a Blue Alert for missing offenders, provide certain training and assistance to local law enforcement agencies, recruit certain broadcasters, local volunteer groups, and other members of the public to assist in developing and implementing a Blue Alert, and consult with the State Highway Administration and the Governor's Division of Emergency Management to establish a certain plan; requiring certain law enforcement officers or agencies to provide a certain notification under certain circumstances; defining certain terms; and generally relating to the establishment of a Blue Alert Program.

BY adding to

Article – Public Safety
Section 3–605
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1474 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

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

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

House Bill 1475 – Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Maintenance of Effort Waiver

PG 428–10

FOR the purpose of waiving the maintenance of effort provisions in law for a certain fiscal year for Prince George’s County; making this Act an emergency measure; and generally relating to the maintenance of effort requirement of Prince George’s County.

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

House Bill 1476 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Prince George's County – Maryland–National Capital Park and Planning
Commission – Commissioners**

PG/MC 119–10

FOR the purpose of altering the date on which a commissioner of the Maryland–National Capital Park and Planning Commission from Prince George's County is appointed; applying certain provisions regarding conflicts of interest to commissioners appointed from Prince George's County; providing for the termination of the terms of certain commissioners of the Maryland–National Capital Park and Planning Commission; providing for the appointment and terms of office of certain commissioners of the Maryland–National Capital Park and Planning Commission; and generally relating to commissioners of the Maryland–National Capital Park and Planning Commission appointed from Prince George's County.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 2–102 and 2–115
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1477 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Municipal Corporations – School Zones and Speed
Monitoring Systems**

PG 319–10

FOR the purpose of authorizing a municipal corporation in Prince George's county to establish school zones on certain highways; requiring a municipal corporation in the county to be responsible for certain costs related to certain traffic control devices for certain school zones; authorizing a municipal corporation in the county to implement and use a speed monitoring system on certain county highways under certain circumstances; prohibiting the county from unreasonably denying a request from a municipal corporation to implement and use a speed monitoring system on certain county highways; prohibiting the county from placing certain requirements on the implementation and use of a speed monitoring system; requiring the county to state in writing the reasons for any denial of a request made by a municipal corporation for permission to

implement and use a speed monitoring system on certain county highways; authorizing a municipal corporation to contest in the circuit court a certain denial of permission by the county; prohibiting a municipal corporation in the county from implementing or using a speed monitoring system in certain school zones unless it has obtained certain approval; and generally relating to school zones and the use of speed monitoring systems in a municipal corporation in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–803.1 and 21–809(b)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1478 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Beer and Wine Tastings

PG 320–10

FOR the purpose of creating in Prince George's County a beer tasting license and a beer/wine tasting license; specifying to whom the licenses may be issued; setting maximum limits on the amounts of certain individual servings; specifying that certain licenses may be issued for tasting or sampling purposes only; providing for certain license fees; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–409
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1479 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Abandoned Property Registry

PG 429-10

FOR the purpose of authorizing Prince George's County to enact a local law establishing an abandoned property registry for certain property located in the county; requiring a local law enacted under this Act to require a certain creditor owner to register certain abandoned residential property, to pay a certain registration fee, and to be responsible for the maintenance and security of the abandoned property; requiring a local law enacted under this Act to require a certain creditor owner to provide certain information on the property; requiring the county to establish a special fund for the deposit of registration fees to be used for certain purposes; requiring a local law enacted under this Act to require a certain creditor owner who transfers title of or rents an abandoned property to notify the county; requiring the county to delete the property from the registry under certain circumstances; requiring a local law enacted under this Act to make the failure to maintain and secure the abandoned property a misdemeanor subject to a certain penalty; requiring a local law enacted under this Act to subject a creditor owner to a certain civil penalty for failing to register an abandoned property; defining certain terms; and generally relating to the authority of Prince George's County to enact a local law establishing an abandoned property registry.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7-105.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 14-126(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1480 – Prince George's County Delegation

AN ACT concerning

Stormwater Management – Construction Activities – State and Local Governments

PG 430-10

FOR the purpose of prohibiting the Department of the Environment from establishing certain criteria and procedures for stormwater management for certain

construction activities of the State or a local government that are less stringent than certain construction activities of the private sector; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–203(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 4–203(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1481 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Montgomery County – Maryland–National Capital Park and Planning Commission – Lease, Contract, or Agreement – Terms

PG/MC 118–10

FOR the purpose of prohibiting a certain lease, contract, or agreement entered into by the Maryland–National Capital Park and Planning Commission from including certain provisions under certain circumstances; providing that a certain prohibition applies only in Montgomery County; and generally relating to the terms of a lease, contract, or agreement entered into by the Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 5–110
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1482 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Minority Business Enterprise
Participation Goals**

PG/MC 117–10

FOR the purpose of requiring the Washington Suburban Sanitary Commission to structure procurement procedures for certain contracts awarded by the Commission to try to achieve certain participation levels of certain minority business enterprises; and generally relating to the Washington Suburban Sanitary Commission minority business enterprise utilization program.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 20–203(b) and 20–204(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Chapter ___ (S.B. 96) of the Acts of the General Assembly of 2010)

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

House Bill 1483 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Youth Fitness Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of the Fort Washington Area Recreation Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1484 – Delegate Love

AN ACT concerning

**Base Realignment and Closure – Public Charter Schools Located on a
Federal Military Base**

FOR the purpose of exempting certain public charter schools from certain admission requirements; authorizing public charter schools subject to this Act to be open to certain students on a certain basis and to certain other students under certain circumstances; and generally relating to public charter schools located on a federal military base.

BY repealing and reenacting, with amendments,
Article – Education
Section 9–102
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 9–102.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1485 – Delegates George, Bartlett, Bates, Beidle, Beitzel, Bromwell, Dwyer, Eckardt, Elliott, Elmore, Frank, Haddaway, Jenkins, Kach, Kipke, Krebs, Mathias, McComas, McConkey, Miller, Minnick, Norman, O'Donnell, Olszewski, Schuh, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, and Weir

AN ACT concerning

**Voter Registration – Motor Vehicle Administration – Information on
Noncitizens**

FOR the purpose of prohibiting the Motor Vehicle Administration from providing certain individuals with an opportunity to register to vote or update a voter registration; requiring the Administration to forward the name and addresses of certain individuals to the State Administrator of Elections each month; requiring the information forwarded to the State Administrator to be in a format required by the State Administrator; requiring the State Administrator to transmit certain information to the appropriate local board of elections; requiring an election director to remove a voter from the statewide voter registration list under certain circumstances; and generally relating to voter registration and the Motor Vehicle Administration.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 3–203(a), 3–501, and 3–504
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1486 – Delegates Gutierrez, Rice, Ali, Barkley, Barnes, Bobo, Bronrott, Carr, Carter, Frick, Griffith, Howard, Huckler, Ivey, Kaiser, Kirk, Krysiak, Lee, Manno, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnik, Ramirez, Reznik, Ross, Schuh, Sophocleus, Stukes, Taylor, V. Turner, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Public Schools – Student Attendance – Preventing Chronic Absenteeism

FOR the purpose of requiring certain schools to maintain a record of the daily attendance of certain students using a certain identifier, calculate and maintain a certain record of certain student attendance information, and submit a certain report to the county board of education that includes certain student attendance information at certain times each year; requiring each county board of education to calculate and maintain a certain record of certain attendance information; requiring a county board to report certain information to the State Board of Education at least a certain number of times each year; requiring each county board to develop and implement a certain attendance incentive action plan that includes certain information; defining certain terms; and generally relating to tracking and reporting student attendance in public schools.

BY adding to
Article – Education
Section 4–127
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 92 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Natural Resources)**

EMERGENCY BILL

AN ACT concerning

Department of Natural Resources – Boating Safety Requirements

FOR the purpose of altering a certain definition to make the prohibition on a person from operating a vessel unless certain individuals are wearing a personal flotation device apply based solely on the age of the individuals; altering the required age for a child to wear a personal flotation device; requiring individuals under a certain age to ~~obtain~~ possess a certain certificate of boating safety education ~~under certain circumstances and~~ or comply with certain other requirements under certain circumstances; clarifying language; making this Act an emergency measure; providing for the effective date of certain provisions of this Act; and generally relating to boating safety requirements.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–712.2(a) and 8–743
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 106 – The President (By Request – Administration) and Senators Miller, Currie, Kasemeyer, Astle, Brinkley, Colburn, DeGrange, Forehand, Garagiola, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Peters, Pugh, Robey, Rosapepe, ~~and Zirkin~~ Zirkin, and Stone

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

FOR the purpose of establishing the Job Creation and Recovery Tax Credit; providing a credit against the State income tax for certain employers employing certain individuals in certain qualified positions; defining certain terms; providing for certification by the Department of Labor, Licensing, and Regulation of persons eligible for the credit and of the maximum amount of credit for which a qualified employer is eligible; limiting to a certain amount the credit each qualified employer may receive; providing for a cap of the total aggregate amount of the tax credit that the Department may approve; allowing the credit as a credit against the payment of certain withholding taxes under certain circumstances; making the credit refundable under certain circumstances; requiring certain reports; authorizing the adoption of certain regulations; making the provisions

of this Act severable; making this Act an emergency measure; and generally relating to tax credits in connection with the employment of certain individuals in certain qualified positions in the State and the Job Creation and Recovery Tax Credit program.

BY adding to

Article – Labor and Employment

Section 11–1101 through 11–1107 to be under the new subtitle “Subtitle 11. Job Creation and Recovery Tax Credit”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – General

Section 10–728

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 129 – Senators Pugh, Conway, Forehand, Jacobs, Jones, Kelley, King, ~~and Kramer~~ Kramer, Middleton, Astle, Exum, Garagiola, and Klausmeier

AN ACT concerning

International Marriage Brokers – Regulation

FOR the purpose of requiring an international marriage broker to provide certain information to a recruit; requiring a client of an international marriage broker to provide certain information to the international marriage broker and to affirm that certain information is accurate and complete; requiring an international marriage broker to ~~request~~ conduct a certain criminal history records ~~checks from the Criminal Justice Information System Central Repository; requiring the Central Repository to process certain State and national criminal history records checks on submission of certain information and fees~~ check; prohibiting an international marriage broker from providing services to a certain client or recruit until certain information is received and provided to a recruit; prohibiting an international marriage broker from further dissemination of certain information; authorizing an international marriage broker to disclose certain information only after obtaining certain written consent; providing that a certain international marriage broker shall be deemed to be doing business in the State; establishing penalties for violating this Act; requiring the court to consider certain factors in determining a certain penalty; requiring the Department of Labor, Licensing, and Regulation, in consultation with the Department of Public Safety and Correctional Services, to report on and make certain recommendations relating to registering and licensing

international marriage brokers; defining certain terms; and generally relating to international marriage brokers.

BY adding to

Article – Business Regulation

Section 19–601 through ~~19–606~~ 19–607 to be under the new subtitle “Subtitle 6. International Marriage Brokers”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 139 – ~~Senators Madaleno and Miller~~, Miller, and Jones

AN ACT concerning

**~~Property Tax – Exemption for Disabled Veterans and Surviving Spouses –~~
~~Definition~~ Public Health Service and NOAA Officers and Surviving Spouses**

FOR the purpose of altering the definition of “disabled veteran” for purposes of a certain property tax exemption for dwelling houses owned by certain disabled veterans or surviving spouses of disabled veterans or of certain individuals who died while in the active military, naval, or air service of the United States; providing for the application of this Act; and generally relating to a property tax exemption for disabled veterans.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7–208(a) and (d)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 7–208(b)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 237 – ~~Senator Zirkin~~ Senators Zirkin, Brinkley, Currie, DeGrange, Edwards, Jones, Kasemeyer, King, Kramer, Madaleno, McFadden, Munson, Peters, Robey, and Stoltzfus

AN ACT concerning

Sales and Use Tax – Exemptions – Veterans’ Organizations

FOR the purpose of providing for an exemption from the sales and use tax for sales to certain veterans' organizations; 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 a sales and use tax exemption for sales to certain veterans' organizations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(a)(7) and (8)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 11–204(a)(9)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(a)(6) and (7)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

BY adding to
Article – Tax – General
Section 11–204(a)(8)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 323 – Senator Jones (Chair, Joint Audit Committee) and Senators Currie, Haines, Kramer, McFadden, and Pugh

AN ACT concerning

Office of Legislative Audits – Auditing Local School Systems

FOR the purpose of continuing the requirement that the Office of Legislative Audits conduct audits of certain local school systems by requiring the Office to conduct audits of each local school system within certain periods of time; and generally relating to audits of local school systems by the Office of Legislative Audits.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1220(e)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 348 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines

AN ACT concerning

Capital Debt Affordability

FOR the purpose of altering the due date for the annual report of the Capital Debt Affordability Committee and the annual deadline for the Governor to determine the amount of advisable new State debt; and generally relating to State debt affordability.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–112 and 8–113
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 476 – Senators ~~Currie~~, King, Currie, Peters, and ~~Exum~~ Exum, Forehand, and Garagiola

AN ACT concerning

Maintenance of Effort – Penalty

FOR the purpose of waiving the maintenance of effort penalty for a certain fiscal year; requiring certain legislative committees to report to the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to the maintenance of effort penalty.

Read the first time and referred to the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 172)

ADJOURNMENT

At 8:32 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 2, 2010.

**Annapolis, Maryland
Tuesday, March 2, 2010**

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Robert A. Costa of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 173)

The Journal of March 1, 2010 was read and approved.

EXCUSES:

Del. Benson – late – personal

Del. Burns – personal

Del. Impallaria – left early – doctor’s appointment

Del. Schuler – business

INTRODUCTION OF BILLS

House Bill 1487 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – The Women’s Veteran’s Center

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

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

House Bill 1488 – Delegate Haynes

AN ACT concerning

State Board of Dental Examiners – Written Notification of Risk of Trigeminal Neuralgia

FOR the purpose of requiring a licensed dentist to provide a patient with written notice each time the licensed dentist performs a dental procedure that has the risk of resulting in trigeminal neuralgia; authorizing a patient to submit a certain complaint to the State Board of Dental Examiners under certain circumstances; requiring the Board to investigate a certain complaint and take disciplinary action against a licensed dentist under certain circumstances; authorizing the Board to adopt regulations to carry out a certain provision of law; and generally relating to written notification of the risk of trigeminal neuralgia by licensed dentists.

BY adding to

Article – Health Occupations
Section 4–509
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1489 – Delegates Haynes and Kirk

AN ACT concerning

Bail Bonds – Surety Bondsmen – Licensure, Regulation, and Financing of Bail Bonds

FOR the purpose of requiring licensure by the Maryland Insurance Commissioner of certain bail bondsmen; exempting property bondsmen from certain licensing requirements; altering certain definitions; authorizing the Commissioner to take certain disciplinary action in connection with certain violations; authorizing a premium finance company to finance bail bonds under certain circumstances; requiring the Commissioner to adopt regulations regarding the premium financing of bail bonds; defining the scope of certain provisions; providing for the repeal of laws inconsistent with this Act; providing for the construction of this Act; making certain stylistic changes; providing for a delayed effective date; and generally relating to the licensure and regulation of surety bondsmen.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 5–203(a) and 5–210
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 5–209
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–126(a), 10–301, 10–304(a), and 10–305
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing
Article – Insurance
Section 10–302
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 23–104
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1490 – Cecil County Delegation

AN ACT concerning

Cecil County – Emergency Medical Services – Collective Bargaining

FOR the purpose of authorizing the representatives of certain employees in the Division of Emergency Medical Services to bargain collectively with the Cecil County Commissioners on certain issues; authorizing the County Commissioners to recognize or withdraw recognition of a certain representative under certain circumstances; providing for the subject of, the time frame of, the rules of conduct for, and the process and remedies for violations of the collective bargaining agreement; requiring a certain memorandum between the County Commissioners and a certain representative; authorizing the County Commissioners to also have a certain representative; establishing certain actions not authorized by this Act; defining certain terms; and generally relating to collective bargaining of emergency medical services employees in Cecil County.

BY adding to

The Public Local Laws of Cecil County
Section 15-13
Article 8 – Public Local Laws of Maryland
(1989 Edition and July 2009 Supplement, as amended)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #4

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

House Bill 766 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Capital Debt Affordability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 770 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Police Retirement System – Deferred Vested Members – Survivor Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 771 – Delegates Griffith, Branch, Conway, and Proctor

AN ACT concerning

**Blue Ribbon Commission to Study Retiree Health Care Funding Options –
Extension of Reporting and Termination Dates**

HB0771/394062/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “requiring the Blue Ribbon Commission to Study Retiree Health Care Funding Options to issue a certain report by a certain date:”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“(2) ON OR BEFORE DECEMBER 31, 2010, THE COMMISSION SHALL ISSUE A SECOND INTERIM REPORT OF ITS FINDINGS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”

On page 2, in line 1, strike “(2)” and substitute “**(3)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 772 – Delegate Griffith (Chair, Joint Committee on Pensions) and
Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy**

AN ACT concerning

**State Retirement and Pension System – Noncontributory Former Vested
Members – Vested Retirement Allowance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 773 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

Law Enforcement Officers’ Pension System – Deferred Retirement Option Program – Participation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #5

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

House Bill 372 – Delegates Barnes, Frush, Manno, and Pena–Melnyk

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 402 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Collection Agencies – Application and Renewal Fees

HB0402/553793/1

BY: Economic Matters Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “adopt” in line 3 down through “to” in line 4; and in line 13, strike “7-207 and”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 2 on page 2, 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 ENVIRONMENTAL MATTERS REPORT #4

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

House Bill 66 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Department of Housing and Community Development – Neighborhood Business Development Program – Microenterprise Loans

HB0066/490415/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 66

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 5, strike “Microenterprise Loan Program” and substitute “microenterprise loan program”; in line 5, strike “certain”; in line 6, strike “authorizing” and substitute “requiring”; in line 8, strike “financial funding” and substitute “financing”; in the same line, after the semicolon insert “altering the purposes for which financial assistance may be used under a certain business”

development program;"; in line 10, after the semicolon insert "authorizing the Department to directly fund a loan to a microenterprise under certain circumstances; authorizing the Department to provide financial assistance to a certain entity for the purpose of the entity making a loan to a microenterprise under certain circumstances; altering certain definitions;"; in line 11, after "to" insert "microenterprise loans and"; in lines 11 and 12, strike "and the Microenterprise Loan Program"; in line 16, strike "and (e)"; in line 21, after "Section" insert "6-301(e) and (g)."; and in the same line, after "6-306" insert ", and 6-307(b)".

AMENDMENT NO. 2

On page 2, in line 10, after "capital" insert "OR FINANCIAL ASSISTANCE"; and after line 11, insert:

"(g) (1) "Project" means a neighborhood business development project that receives financial assistance from the Fund.

(2) "PROJECT" INCLUDES A MICROENTERPRISE PROJECT THAT RECEIVES FINANCIAL ASSISTANCE FROM THE FUND."

On page 3, after line 8, insert:

"6-307.

(b) Financial assistance under the Business Development Program may be used for:

(1) a part of the [project] development costs OF A PROJECT; OR

(2) THE DEVELOPMENT COSTS, WORKING CAPITAL, OR BUSINESS EXPENSES OF A MICROENTERPRISE PROJECT."

in lines 11, 16, and 27, in each instance, strike "**MICROENTERPRISE LOAN PROGRAM**" and substitute "MICROENTERPRISE LOAN PROGRAM"; in line 14, strike "**BY REGULATION, THE**" and substitute "THE"; in the same line, after "SHALL" insert "ADOPT REGULATIONS TO"; in lines 19 and 24, in each instance, strike "**PROGRAM**" and substitute "PROGRAM"; and in line 28, strike "**AND**".

On page 4, in line 1, strike "**THE**" and substitute "A"; in line 7, strike "**AND**"; in line 8, strike "**THE**" and substitute "AN"; in line 9, strike "**IT ORIGINATES**"; and in line

10, after “MICROENTERPRISE” insert “THAT IS ORIGINATED BY THE APPROVED ENTITY;”

(5) DIRECTLY FUND A LOAN TO A MICROENTERPRISE THAT IS ORIGINATED BY AN APPROVED ENTITY; AND

(6) PROVIDE FINANCIAL ASSISTANCE TO AN APPROVED ENTITY FOR THE PURPOSE OF THE APPROVED ENTITY MAKING A LOAN TO A MICROENTERPRISE IN ACCORDANCE WITH THIS SUBTITLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 295 – Delegate O’Donnell

AN ACT concerning

Natural Resources – Incidental Taking Permit for Endangered Puritan Tiger Beetle – Requirements

HB0295/520215/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 295

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 8, after “Beetle;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 and 19 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety,

has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 487 – Delegate McIntosh (Chair, Environmental Matters Committee)

AN ACT concerning

**Environment – State Board of Waterworks and Waste Systems Operators
– Sunset Extension and Revisions**

HB0487/460411/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 487

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Board;” insert “altering the composition of the Board;”; and in line 16, after “12-101(c)(2)” insert “, 12-202(a)(2)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“12-202.

(a) (2) With the advice and consent of the Senate, the Governor shall appoint 8 members who represent one or more of the following:

(i) Municipal government;

(ii) County government;

- (iii) A sanitary or a metropolitan commission;
- (iv) Waterworks supervision;
- (v) Wastewater works or industrial wastewater works supervision;
- (vi) Agriculture;
- (vii) Industrial wastewater works superintendents; and
- (viii) The [Department of Natural Resources] **MARYLAND ENVIRONMENTAL SERVICE.**

AMENDMENT NO. 3

On page 4, strike beginning with the first “the” in line 18 down through “specifically” in line 20.

On pages 4 and 5, strike in their entirety the lines beginning with line 21 on page 4 through line 14 on page 5, inclusive, and substitute:

“(1) the options for development of a database to be used for tracking waste systems facilities and the employment of superintendents at facilities;

(2) whether to recommend statutory changes to exempt facilities of a certain size or type from the requirement to employ a certified superintendent;

(3) the use of circuit riders by facilities in Maryland and system compliance for facilities with circuit riders;

(4) the adoption of regulations establishing the Board’s circuit rider experience crediting policy;

(5) workforce conditions, including retirement, turnover, and salary, that affect future facility compliance with the certified operator requirement;

(6) the options for upgrading the Board’s administrative database and website, and the compatibility of the Board’s administrative database with the Department of the Environment’s databases;

(7) the use of the Department of the Environment’s penalty authority and any recommended changes to that authority;

(8) preexamination training opportunities for operators;

(9) the status of implementing computer-based examinations; and

(10) the Board’s ability to generate sufficient fee revenue for the General Fund to cover the Board’s expenses.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #4

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

House Bill 191 – Delegates Malone, Conway, Costa, Jennings, Mathias, Morhaim, Stull, and Weir

AN ACT concerning

Criminal Law – Sale of Novelty Lighters – Prohibition

HB0191/132912/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 191

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert:

“EMERGENCY BILL”;

and in line 6, after “term;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike beginning with “shall” in line 26 down through “2010” 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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 257 – Delegate Rosenberg

AN ACT concerning

Evidence – Journalist’s Testimonial Privileges – Student

HB0257/382916/2

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 257

(First Reading File Bill)

On page 2, in lines 12 and 22, in each instance, after “ACTIVITY” insert “OR IN CONJUNCTION WITH AN ACTIVITY SPONSORED, FUNDED, MANAGED, OR SUPERVISED BY SCHOOL STAFF OR FACULTY”.

On page 3, strike beginning with “A” in line 16 down through “professional” in line 17 and substitute “AN”; and in line 17, strike “OR A SCHOLASTIC ACTIVITY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 283 – Delegates Waldstreicher, Dumais, Ali, Anderson, Barkley, Barnes, Barve, Carr, Dwyer, Eckardt, Feldman, Frush, Haddaway, Hecht, Hubbard, Hucker, Kullen, McComas, McDonough, Montgomery, Morhaim, O’Donnell, Ramirez, Rosenberg, Shank, Shewell, Smigiel, and Vaughn

AN ACT concerning

Criminal Law – Sexual Solicitation of a Minor and Human Trafficking – Prohibitions and Proof

HB0283/682310/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 283

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sexual Solicitation of a Minor and”; in line 3, strike “and Proof”; strike beginning with “providing” in line 10 down through “circumstances;” in line 12; strike beginning with “sexual” in line 20 down through “and” in line 21; and in line 24, strike “3-324, 11-301,” and substitute “11-301”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 29, inclusive.

On page 4, in line 13, strike “(I)”; and strike in their entirety lines 15 through 18, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 661 – Delegate Barnes

AN ACT concerning

Criminal Procedure – Arrest – Violation of Protective Order

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #2

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

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

Favorable report adopted.

FLOOR AMENDMENT

HB0056/913527/1

BY: Delegate Bromwell

AMENDMENTS TO HOUSE BILL 56

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 6, in each instance, before “Worcester” insert “Baltimore County and”.

AMENDMENT NO. 2

On page 2, in line 9, after “(1)” insert “BALTIMORE COUNTY;

(2)”;

and in lines 10, 11, 12, 13, 14, 15, 16, and 17, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively.

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

Affirmative – 27 Negative – 102 (See Roll Call No. 174)

Delegate O’Donnell moved to make the Bill a Special Order for March 3, 2010.

The motion was adopted.

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

House Bill 277 – Howard County Delegation

AN ACT concerning

Howard County – Tax Sales – Auctioneers’ Fees

Ho. Co. 4–10

HB0277/365662/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 277

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 5, in each instance, after “County” insert “and Prince George’s County”.

AMENDMENT NO. 2

On page 2, in line 26, after the third “County,” insert “PRINCE GEORGE’S COUNTY”.

AMENDMENT NO. 3

On page 3, in line 18, after “COUNTY,” insert “PRINCE GEORGE’S COUNTY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 796 – Delegates Murphy, Jameson, Levy, and Wood

AN ACT concerning

**Charles County – Property Tax Credit for Homes Formerly Owned by
Habitat for Humanity of Charles County**

HB0796/965360/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 796

(First Reading File Bill)

On page 1, in line 7, after “credit;” insert “authorizing the governing body of Charles County to provide, by law, for any other provision necessary to carry out the tax credit;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 850 – Delegates Barve, Branch, Cane, Donoghue, Dumais, Elmore,
Frick, Hammen, Hixson, James, Jones, Kach, Love, Mathias, McHale,
Morhaim, Murphy, O'Donnell, Shank, Sophocleus, and Stifler**

AN ACT concerning

Property Tax Credit – Habitat for Humanity

HB0850/195464/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 850

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stifler” and substitute “Stifler, Bartlett, Boteler, Cardin, Doory, George, Gilchrist, Howard, Ivey, Kaiser, Myers, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker”.

AMENDMENT NO. 2

On page 2, in line 24, after “ANY” insert “OTHER”.

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 138 Members present.

(See Roll Call No. 175)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #9**House Bill 45 – Delegate Cane**

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

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

Affirmative – 134 Negative – 2 (See Roll Call No. 176)

The Bill was then sent to the Senate.

House Bill 113 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Membership of Sanitary Commission

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

Affirmative – 138 Negative – 0 (See Roll Call No. 177)

The Bill was then sent to the Senate.

House Bill 218 – Delegates Elmore, Aumann, Bartlett, Bates, Beitzel, Bohanan, Boteler, Cane, Conway, Costa, DeBoy, Eckardt, Frank, George, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, King, ~~Kipke~~, Krebs, Kullen, Levy, Mathias, McConkey, McDonough, Miller, Murphy, Myers, Norman, O'Donnell, Rudolph, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stull, Walkup, Weir, and Wood

AN ACT concerning

Natural Resources – Oysters – Dredge Devices

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

Affirmative – 129 Negative – 4 (See Roll Call No. 178)

The Bill was then sent to the Senate.

House Bill 245 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Allegany County and Garrett County – Turkey Hunting – Sundays

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

Affirmative – 131 Negative – 5 (See Roll Call No. 179)

The Bill was then sent to the Senate.

House Bill 246 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

**Allegany County and Garrett County – Deer Hunting on Private Property –
Sundays**

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

Affirmative – 131 Negative – 6 (See Roll Call No. 180)

The Bill was then sent to the Senate.

**House Bill 420 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

Secretary of Agriculture – Mosquito Control – Enforcement Authority

Delegate Smigiel moved to make the Bill a Special Order for March 3, 2010.

The motion was adopted.

**House Bill 421 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Advertising Agricultural Products as Locally
Grown – Regulatory Authority**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 181)

The Bill was then sent to the Senate.

House Bill 452 – Washington County Delegation

AN ACT concerning

Washington County – Office of the County Attorney

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

Affirmative – 139 Negative – 0 (See Roll Call No. 182)

The Bill was then sent to the Senate.

House Bill 454 – Washington County Delegation

AN ACT concerning

Washington County – Aid to Manufactories

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

Affirmative – 139 Negative – 0 (See Roll Call No. 183)

The Bill was then sent to the Senate.

House Bill 458 – Washington County Delegation

AN ACT concerning

Washington County – County Contributions to Private or Cooperative Public Improvement Projects

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

Affirmative – 139 Negative – 0 (See Roll Call No. 184)

The Bill was then sent to the Senate.

**House Bill 474 – The Speaker (By Request – Administration) and Delegates
Bartlett, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Frush, Gaines,
Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan-
Pulliam, Proctor, Ramirez, Rice, and Stein**

AN ACT concerning

Smart, Green, and Growing – Maryland Sustainable Growth Commission

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

Affirmative – 110 Negative – 28 (See Roll Call No. 185)

The Bill was then sent to the Senate.

House Bill 511 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Annual Financial Report – Filing Date

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

Affirmative – 138 Negative – 0 (See Roll Call No. 186)

The Bill was then sent to the Senate.

House Bill 550 – Delegates Norman, George, Jennings, McComas, and McConkey

AN ACT concerning

~~**School Bus Seat Belt Corrective Language Act**~~
Vehicle Laws – School Buses and Former School Buses – Seat Belts

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

Affirmative – 138 Negative – 0 (See Roll Call No. 187)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #2

Senate Joint Resolution 2 – The President (By Request – Governor’s Salary Commission)

A Senate Joint Resolution concerning

Governor’s Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

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

Affirmative – 138 Negative – 0 (See Roll Call No. 188)

The Bill was then returned to the Senate.

Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)

A Senate Joint Resolution concerning

Judicial Compensation Commission – Recommendations

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

Affirmative – 135 Negative – 0 (See Roll Call No. 189)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 190)

ADJOURNMENT

At 10:53 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 3, 2010.

Annapolis, Maryland
Wednesday, March 3, 2010

The House met at 10:19 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 198)

The Journal of March 2, 2010 was read and approved.

EXCUSES:

Del. Impallaria – left early – doctor’s appointment

Del. Lee – husband’s surgery

Del. Levy – doctor’s appointment

Del. McIntosh – friend’s surgery

INTRODUCTION OF BILLS

House Bill 1491 – Delegate Conaway

AN ACT concerning

**Criminal Law – Prohibited Sexual Acts – Exclusion for Private Consensual
Noncommercial Adult Sexual Activity**

FOR the purpose of providing that certain prohibitions against certain sexual acts do not apply to certain consensual noncommercial sexual activity that takes place between consenting adults in private; and generally relating to the applicability of certain provisions of law prohibiting certain sexual acts.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–321 and 3–322

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

House Bill 1492 – Delegates Krysiak, Hammen, Jones, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery

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

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

House Bill 1493 – Delegates Olszewski, Bromwell, Cardin, Costa, Elmore, George, Impallaria, Kach, Kipke, McDonough, Minnick, Ross, Smigiel, Walker, and Weir

AN ACT concerning

Election Law – Voting by Registered Offenders at Polling Places – Prohibition

FOR the purpose of prohibiting certain registered offenders from voting at certain polling places on election day or at certain early voting centers; authorizing certain registered offenders who are prohibited from voting at certain polling places or early voting centers to vote at certain early voting centers or by absentee ballot; requiring the supervising authority of certain registered offenders to give written notice and explain the requirements of this Act when a registrant registers; repealing a provision of law authorizing certain registered offenders to enter school property for the purpose of voting on election day; requiring the supervising authority of certain registered offenders to give written notice of the requirements of this Act to each offender who is registered on the date this Act takes effect; providing that the State Board of Elections and local boards of elections are not required to take any action to implement or administer this Act; and generally relating to prohibiting certain registered offenders from voting at certain polling places and early voting centers.

BY adding to

Article – Election Law
Section 10–103

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–708(a) and 11–722
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1494 – Delegates Norman, Anderson, Bartlett, Bates, Boteler, Conaway, Eckardt, Elliott, Frank, Haddaway, Impallaria, James, Kach, McComas, Niemann, Riley, Shank, Sossi, Stocksdale, and Stull

AN ACT concerning

Department of Health and Mental Hygiene – Forms – Social Security Number

FOR the purpose of prohibiting a certain form provided by the Secretary of Health and Mental Hygiene from requiring or requesting an individual's complete Social Security number; authorizing a certain form provided by the Secretary to request the last four digits of an individual's Social Security number for a certain purpose; and generally relating to forms provided by the Secretary of Health and Mental Hygiene and Social Security numbers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–503(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–206(a)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1495 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bladensburg Market Square II

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Prince George’s Heritage, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1496 – Delegate Aumann

AN ACT concerning

Baltimore County – Alcoholic Beverages – Tasting Licenses – Fees

FOR the purpose of authorizing in Baltimore County a holder of a Class BWT beer and light wine tasting license or a Class BWLT beer, wine and liquor tasting license to pay a certain fee to use the license for a certain extended period; and generally relating to alcoholic beverages license fees in Baltimore County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–404.1(a) through (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–404.1(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1497 – Chair, Economic Matters Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Distribution of Tobacco-Related Products to Minors – Enforcement

FOR the purpose of prohibiting the distribution by certain persons of certain tobacco products, cigarette rolling papers, and tobacco-related coupons to minors; establishing a certain defense in an action for a certain violation; requiring a certain person distributing certain tobacco-related products to verify a prospective purchaser's or recipient's age by means of a certain examination of certain photo identification except under certain circumstances; providing that a violation of this Act is a civil infraction; establishing certain civil penalties for a violation of this Act; repealing a provision concerning civil enforcement of youth tobacco violations in Carroll County, Cecil County, Garrett County, and St. Mary's County; providing that this Act does not preempt any county or municipal law that regulates tobacco products; providing that the identification verification provision is modeled after certain federal statutes and regulations; and generally relating to the distribution of tobacco and tobacco-related products to minors.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–102.1
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General
Section 24–1701 through 24–1706 to be under a new subtitle “Subtitle 17.
Distribution of Tobacco-Related Products to Minors”
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1498 – Delegate Levy

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Charles County – Indian Head Center for the Arts

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to expand the authorized purposes of a certain grant and extend the deadline by which the Board of Directors of Chesapeake Bay Floating Theatre, Inc. must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(AS)

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

House Bill 1499 – Delegates Weir, Minnick, and Olszewski

AN ACT concerning

Creation of a State Debt – Baltimore County – Dundalk Fire Station

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

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

House Bill 1500 – Delegates Jones, Anderson, Barkley, Carr, Carter, Dumais, Kramer, Lee, Montgomery, Ramirez, Robinson, Rosenberg, Rudolph, Vallario, and Waldstreicher

AN ACT concerning

Child in Need of Supervision Pilot Program – Expansion and Extension

FOR the purpose of expanding the Child in Need of Supervision Pilot Program by requiring the Secretary of Juvenile Services to include Cecil County, Montgomery County, and Prince George's County in the Pilot Program; requiring the Governor to include a certain general fund appropriation in the budget bills for certain fiscal years to be provided as grants to Baltimore County, Baltimore City, Cecil County, Montgomery County, and Prince George's County to implement the continuation and expansion of the Pilot Program; extending the termination date of the Pilot Program in Baltimore City and Baltimore County; altering a certain definition; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Child in Need of Supervision Pilot Program.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 3–8A–10.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 601 of the Acts of the General Assembly of 2005, as amended by
Chapter 420 of the Acts of the General Assembly of 2009
Section 3 and 5

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

House Bill 1501 – Delegate Rice

AN ACT concerning

State Government – Human Relations – Closed–Captioning Activation Required

FOR the purpose of requiring activation of closed captioning on certain television receivers in public areas in places of public accommodation during regular hours; providing certain exceptions; defining certain terms; and generally relating to the activation of closed captioning on television receivers in places of public accommodation.

BY adding to
Article – State Government
Section 20–306
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1502 – Delegates Braveboy, Ali, Barkley, Feldman, Hucker, Krysiak, Love, Manno, Minnick, Taylor, and Vaughn

AN ACT concerning

Commercial Law – Gasohol and Gasoline Products – Provision to Noncontrolled Outlets

FOR the purpose of altering the circumstances under which certain distributors must provide gasoline products to certain noncontrolled outlets at a certain wholesale price; altering the definition of “independent jobber” for purposes of certain provisions of law relating to the marketing of gasohol and gasoline products;

making certain stylistic and clarifying changes; and generally relating to gasohol and gasoline products.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 11–301(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–301(e) and (h) and 11–304(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 95 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Farmland Preservation Partnership Program

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to establish a Farmland Preservation Partnership Program to purchase certain agricultural preservation easements under certain circumstances; requiring the Foundation to develop certain criteria for participation in the Partnership Program; altering the date for the submission of a certain annual report to the Governor and the General Assembly by the Foundation; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–506
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Agriculture
Section 2–517.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 126 – Senator Exum

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Multiple Special Licenses

FOR the purpose of prohibiting the Board of License Commissioners for Prince George’s County to issue multiple special licenses at the same time to the same person; authorizing the Board to issue a second or subsequent special license to an applicant only after the completion of the event for which the previous special license was issued; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 130 – Senators Pugh, Currie, Harrington, Jones, King, Lenett, Madaleno, ~~and Muse~~ Muse, and Peters

AN ACT concerning

Procurement – Minority Business Enterprises – ~~Reciprocal~~ Certification Process

FOR the purpose of requiring the Board of Public Works to adopt regulations to ~~recognize and accommodate, for the purpose of certification under the State minority business enterprise program, minority business enterprises that receive~~ promote and facilitate certification under the State’s minority business enterprise program of minority business enterprises that have received

certification from a certain federal agency or ~~from a county government in the State~~ that uses a qualification process substantially similar to the State's certification process; requiring the Board to keep certain records and submit a certain annual report to the General Assembly about the certification of certain minority business enterprises; and generally relating to a ~~reciprocal~~ certification process for certain minority business enterprises.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 241 – Senator Conway

AN ACT concerning

State Board of Nursing – Changes to the Electrology Practice Committee and Licensing Requirements

FOR the purpose of establishing a certain quorum requirement for the Electrology Practice Committee of the State Board of Nursing; establishing certain requirements for when the Committee is to meet; providing that members of the Committee are entitled to certain compensation as determined by the Board and certain reimbursement for travel; requiring that certain applicants pass and schedule certain national and clinical examinations; extending the period of time the Board has to send certain renewal notices; providing that the Board may send certain renewal notices by electronic means; extending the date on which the Board is to begin requiring criminal history records checks for certain renewal applicants; extending the period of time between criminal history records checks for certain renewal applicants; and generally relating to the State Board of Nursing, the Electrology Practice Committee, and electrologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6B–05, 8–6B–08(e), 8–6B–10(b), and 8–6B–14(c) and (k)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 326 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

**Environment – State Board of Waterworks and Waste Systems Operators –
Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Waterworks and Waste Systems Operators in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; altering the composition of the Board; clarifying that the Department of the Environment is responsible for the enforcement of certain provisions; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; repealing obsolete language; and generally relating to the State Board of Waterworks and Waste Systems Operators.

BY repealing and reenacting, with amendments,

Article – Environment

Section 12–101(c)(2), 12–202(a)(2), 12–308, 12–402, 12–501, and 12–602

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing

Article – Environment

Section 12–305(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(67)

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 431 – Senators Conway, Exum, Klausmeier, and Pugh

AN ACT concerning

Infant Formula and Baby Food Food and Cosmetics – Auction Sales – Prohibition – Exception

FOR the purpose of prohibiting a person from selling certain infant formula and baby food at auction sales unless the person makes a certain notification; authorizing the Secretary of Health and Mental Hygiene to make certain inspections; prohibiting a person from selling certain infant formula and baby food at an auction sale under certain circumstances; exempting the sale of certain items at a charity auction from a certain prohibition under certain circumstances; and generally relating to auction sales of ~~infant formula and baby food~~ certain food and cosmetics.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–1110
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1206
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Joint Resolution 3 – Senators Stone, Astle, Brochin, Colburn, Currie, DeGrange, Della, Dyson, Forehand, Frosh, Garagiola, Glassman, Haines, Harris, Jacobs, Jones, Kasemeyer, Kelley, Kittleman, Klausmeier, McFadden, Middleton, Mooney, Munson, Raskin, Rosapepe, Simonaire, ~~and Zirkin~~ Zirkin, Harrington, Lenett, and Reilly

A Senate Joint Resolution concerning

Maryland American Legion Day

FOR the purpose of supporting the goals and ideals of American Legion Day and calling on the people of Maryland to observe American Legion Day with appropriate programs and activities.

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

THE COMMITTEE ON ECONOMIC MATTERS REPORT #6

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

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

HB0085/273194/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 85

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “requirements;” insert “repealing a requirement that the Commissioner of Labor and Industry establish certain insurance requirements by regulation;”; in line 6, after “commissions;” insert “repealing a certain provision authorizing the Commissioner to issue a certain special inspector commission;”; and in line 18, after “vessels;” insert “requiring the owner of an uninsured boiler or pressure vessel to contract with the Chief Boiler Inspector, a deputy boiler inspector, a special inspector, or an authorized inspection agency to make certain inspections;”.

AMENDMENT NO. 2

On page 3, in line 8, strike “**(E)**” and substitute “**(D)**”; strike in their entirety lines 20 through 22, inclusive; and in line 23, strike “(e)” and substitute “**(D)**”.

On page 4, in line 6, strike “(f) (1)” and substitute “**(E)**”; strike in their entirety lines 8 through 10, inclusive; and in lines 11, 16, 18, and 29, strike “(g)”, “(h)”, “(i)”, and “(j)”, respectively, and substitute “**(F)**”, “**(G)**”, “**(H)**”, and “**(I)**”, respectively.

On page 5, in lines 1, 5, and 23, strike “(k)”, “(l)”, and “(m)”, respectively, and substitute “**(J)**”, “**(K)**”, and “**(L)**”, respectively.

AMENDMENT NO. 3

On page 7, in line 29, after “WITH” insert “**THE CHIEF BOILER INSPECTOR, A DEPUTY BOILER INSPECTOR, A SPECIAL INSPECTOR, OR**”.

On page 8, in line 34, after “COMMISSIONER” insert “**IN CONJUNCTION WITH THE BOARD**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 267 – Delegate Taylor (Joint Committee on Unemployment Insurance Oversight) and Delegates Jameson, King, Ali, Feldman, Manno, and Rice

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 291 – Delegate King

AN ACT concerning

Maryland Locksmiths Act – Revisions – Definitions and Records Inspection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 305 – Delegates Davis, Burns, Love, Manno, Taylor, and Vaughn

AN ACT concerning

Insurance – Domestic Reinsurers

HB0305/313991/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 305
(First Reading File Bill)

On page 2, in line 30, after “GROSS” insert “DIRECT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 406 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Real Estate Licensees – Services Provided Through Teams

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 618 – Allegany County Delegation

AN ACT concerning

Workers’ Compensation – Allegany County Deputy Sheriffs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 250 – Delegates Morhaim, Bobo, Cane, Glenn, Hecht, Heller, Hixson, Hubbard, Lafferty, Lee, Levi, Montgomery, Nathan–Pulliam, Oaks, Reznik, Shewell, Stocksdales, Tarrant, V. Turner, and Walker

AN ACT concerning

Procurement – Minority Business Enterprises – Reciprocal Certification

HB0250/186580/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 250

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, and Kramer”; in line 2, strike “Reciprocal”; in the same line, after “Certification” insert “Process”; strike beginning with “recognize” in line 4 down through “receive” in line 6 and substitute “promote and facilitate certification under the State minority business enterprise program of minority business enterprises that have received”; in line 6, strike the second “from a”; in line 7, strike “in the State” and substitute “that uses a certification process substantially similar to the State’s certification process”; and in line 9, strike “reciprocal”.

AMENDMENT NO. 2

On page 2, in line 7, strike “RECIPROCAL”; lines 21 and 22, strike “RECOGNIZE AND ACCOMMODATE MINORITY BUSINESS ENTERPRISES THAT RECEIVE” and substitute “PROMOTE AND FACILITATE CERTIFICATION OF MINORITY BUSINESS ENTERPRISES THAT HAVE RECEIVED”; and in line 23, strike “GOVERNMENT IN THIS STATE” and substitute “THAT USES A CERTIFICATION PROCESS SUBSTANTIALLY SIMILAR TO THE PROCESS ESTABLISHED IN ACCORDANCE WITH ITEM (I) OF THIS ITEM”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 251 – Delegates Morhaim, Bobo, Cane, Cardin, Conaway, Glenn, Hecht, Heller, Hixson, Hubbard, Kaiser, Lafferty, Lee, Levi, Montgomery, Nathan–Pulliam, Oaks, Reznik, Robinson, Shewell, Stocksdale, Tarrant, V. Turner, and Walker

AN ACT concerning

State Procurement – Minority Business Enterprises – Electronic Certification Process

HB0251/166188/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 251

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, Kramer, Pendergrass, Benson, Kullen, Montgomery, and Pena–Melnyk”; strike beginning with “allow” in line 5 down through “application” in line 6 and substitute “promote and facilitate the submission of certain applications for certification as a minority business enterprise”.

AMENDMENT NO. 2

On page 2, in lines 10 and 11, strike “ALLOW A BUSINESS SEEKING CERTIFICATION TO COMPLETE THE” and substitute “PROMOTE AND FACILITATE THE SUBMISSION OF SOME OR ALL OF THE CERTIFICATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 384 – Delegates James and Riley

AN ACT concerning

**Task Force to Study Financial Matters Relating to Long-Term Care Facilities
– Extension**

HB0384/846783/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 384

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Riley” and substitute “, Riley, Benson, McDonough, and Nathan-Pulliam”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 459 – Delegates Healey, Bronrott, Eckardt, Feldman, Morhaim,
and Smigiel**

AN ACT concerning

**State Licensing Agencies – Justification Statements Required for Fee
Increases Proposed by Regulations**

HB0459/216984/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 459

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Smigiel” and substitute “Smigiel, Elliott, Jenkins, Krebs, and McDonough”.

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 HEALTH AND GOVERNMENT OPERATIONS
REPORT #4**

Delegate Hammen, Chair, for the Committee on Health and Government Operations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1039 – Delegates Bronrott, Barkley, Barve, Bobo, G. Clagett, Frush, Gaines, Guzzone, Healey, Hecht, Hubbard, Lee, Montgomery, Morhaim, Reznik, Taylor, F. Turner, and V. Turner

AN ACT concerning

Tanning Devices – Use by Minors – Prohibition

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #1

CONSENT CALENDAR #1

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

House Bill 1405 – Delegates Harrison, Branch, Glenn, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Dayspring Square

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1406 – Delegate Barkley

AN ACT concerning

Creation of a State Debt – Carroll County – Carroll County Agriculture Center

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1419 – Delegates Barnes, Pena–Melnyk, Frush, and Kach

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Police Department Facility – Community Space

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1421 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Creation of a State Debt – Baltimore County – Owings Mills High School Stadium

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1426 – Delegates McHale and Hammen (By Request)

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2007 and 2008 – Baltimore City – Beans and Bread

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1434 – Delegates Braveboy, Davis, and Griffith

AN ACT concerning

Creation of a State Debt – Prince George’s County – District Heights Field Renovation

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1436 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Everyman Theatre

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1437 – Delegates Vaughn and Howard

AN ACT concerning

Creation of a State Debt – Prince George’s County – Capitol Heights Green Initiative

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1444 – Delegates Bronrott, Lee, Frick, Dumais, Feldman, Gutierrez, Heller, and Mizeur

AN ACT concerning

Creation of a State Debt – National Center for Children and Families Youth Activities Center

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1448 – Delegate Heller

AN ACT concerning

**Creation of a State Debt – Montgomery County – Threshold Services Group
Home Renovations**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1449 – Delegate Branch

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore City
– Roberta’s House**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1453 – Delegate McConkey

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Carroll Field Puglise
Stadium Field Lights**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1456 – Delegates Davis, Braveboy, and Griffith

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Largo High School PTSA
Track Renovation**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1460 – Delegates V. Turner, Valderrama, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hope Institute

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1461 – Delegates Vaughn and Howard

AN ACT concerning

Creation of a State Debt – Prince George’s County – Glenarden Senior Center

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1462 – Delegates Conway, Cane, Eckardt, Elmore, Haddaway, Mathias, and Sossi

AN ACT concerning

Creation of a State Debt – Wicomico County – Salisbury Zoological Park Animal Health Clinic

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1474 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1483 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Youth Fitness Facility

The Bill was re-referred to the Committee on Appropriations.

SPECIAL ORDERS

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

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

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

FLOOR AMENDMENT

HB0056/953423/1

BY: Delegate O’Donnell

AMENDMENTS TO HOUSE BILL 56

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, and 6, in each instance, before “Worcester” insert “Calvert County and”.

AMENDMENT NO. 2

On page 2, in line 9, after “(1)” insert “CALVERT COUNTY;

(2)”;

and in lines 10, 11, 12, 13, 14, 15, 16, and 17, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, “**(8)**”, “**(9)**”, and “**(10)**”, respectively.

The preceding 2 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

**House Bill 420 – Chair, Environmental Matters Committee (By Request –
Departmental – Agriculture)**

AN ACT concerning

Secretary of Agriculture – Mosquito Control – Enforcement Authority

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 134 Negative – 2 (See Roll Call No. 199)

The Bill was then sent to the Senate.

SPEAKER’S MEDALLION AWARD

Awarded to: The Honorable Helen Delich Bentley

THOMAS KENNEY AWARD

Awarded to: The Honorable Lorraine Sheehan (posthumously)

CASPER R. TAYLOR, JR. FOUNDER’S AWARD

Awarded to: Delegate Carolyn J. Krysiak
Baltimore City

CHARLES McC. MATHIAS, JR. AWARD

Awarded to: Delegate James E. Proctor, Jr.
Calvert and Prince George’s Counties
and
Delegate Donald B. Elliott
Carroll and Frederick Counties

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 200)

ADJOURNMENT

At 11:37 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 4, 2010.

Annapolis, Maryland
Thursday, March 4, 2010

The House met at 10:23 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sheila E. Hixson of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 261)

The Journal of March 3, 2010 was read and approved.

EXCUSES:

Del. Cane – business

Del. Hucker – business

INTRODUCTION OF BILLS

House Bill 1503 – Delegate Hubbard

AN ACT concerning

Children’s Environmental Health Protection Act

FOR the purpose of requiring each county board to adopt a health and safety policy that includes certain standards for certain plans; providing for the scope of this Act; requiring a hazardous substance removal plan, a fire and life safety code repair plan, and a facility and equipment violation plan to contain certain provisions; requiring a health, safety, and environmental management plan to require the use of certain cleaning and maintenance products; requiring the Department of Health and Mental Hygiene, in conjunction with the Department of the Environment, to adopt certain regulations; requiring a water intrusion and moisture containment plan to require certain school personnel to take certain actions within a certain period of time; requiring each county board to conduct a walk-through of certain buildings to determine the status of each building regarding the presence of certain hazardous conditions; requiring the county board to appoint a certain observation team and requiring a certain observation team to consist of certain representatives; requiring a certain observation team to use a certain checklist; requiring the Department, in

conjunction with the Department of the Environment, to develop a certain curriculum, certain model plans, and a certain employee training program; providing for the requirements of the employee training program; requiring each county board to submit certain plans to the Secretary of Health and Mental Hygiene on or before a certain date; requiring each county board to prepare, publish, and make available a certain annual report; requiring the Secretary to allow for public notice and an opportunity for public comment before approving a certain plan; requiring the Secretary to make certain information available to the public; authorizing county boards to deplete a certain supply of cleaning and maintenance products until a certain date; defining a certain term; and generally relating to children's environmental health.

BY adding to

Article – Health – General

Section 13–3001 through 13–3006 to be under the new subtitle “Subtitle 30.

Children's Environmental Health”

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–111

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1504 – Delegate Ross

AN ACT concerning

Campaign Finance Entities – Contributions, Transfers, and Reports

FOR the purpose of prohibiting a political action committee located outside the State from making certain transfers of more than a certain cumulative amount to a campaign finance entity located in the State; specifying that a certain exception to a certain prohibition regarding campaign finance activity during a regular session of the General Assembly does not apply to a member of the General Assembly; requiring a campaign finance entity to submit a campaign finance report on a certain day of certain months; providing for a delayed effective date; and generally relating to contributions, transfers, and reports of campaign finance entities.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–227, 13–235, and 13–309
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1505 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Central Collection Unit – Collection of Debts Owed to the State

FOR the purpose of authorizing the Central Collection Unit in the Department of Budget and Management to certify to the Comptroller and the State Lottery Agency certain debts or claims owed to the State; providing that certain information be provided to the Agency; requiring the Agency to follow certain procedures when a certain debtor wins a certain lottery prize; requiring the Agency to withhold a certain prize under certain circumstances; requiring the Agency to honor certain lottery prize interception requests in a certain order; providing an opportunity for a certain appeal under certain circumstances; providing certain procedures for conducting a certain appeal; authorizing the Secretary of Budget and Management and the Director of the State Lottery Agency to adopt certain regulations; adding to the criteria under which a lottery prize may be assignable; prohibiting certain acts; providing for the application of this Act; and generally relating to the interception of lottery prizes and income tax refunds on behalf of the Central Collection Unit.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–618(c)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–113.1(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–304(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 3–307
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–122(b)(1) and 9–124(b)(6) and (c)(2) and (3)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 13–918
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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

House Bill 1506 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Septic System and Well Easements – Rural Zones

MC 11–10

FOR the purpose of providing that, with certain exceptions, in Montgomery County a subdivision located in a certain rural zone may be served by a septic system or a well located on a contiguous property under certain easements; establishing certain exceptions; clarifying that this Act does not authorize the creation of additional lots; defining certain terms; and generally relating to septic system and well easements in Montgomery County.

BY adding to

Article – Environment
Section 9–1110
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1507 – Delegates Vallario and Ramirez

AN ACT concerning

Criminal Law – Threat Against Deputy State’s Attorney or Assistant State’s Attorney

FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a deputy State’s Attorney or an assistant State’s Attorney; imposing certain penalties; and generally relating to the making of threats against deputy State’s Attorneys and assistant State’s Attorneys.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–708
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1508 – Delegate Rudolph

AN ACT concerning

Environment – Coal Combustion By–Products – Disposal Sites

FOR the purpose of prohibiting the Department of the Environment from issuing a certain permit to install a certain refuse disposal system that would accept certain coal combustion by–products for disposal if the refuse disposal system would be located in or adjacent to a certain critical area; altering the application of a certain definition; and generally relating to the disposal of coal combustion by–products.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–289(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–290
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1509 – Delegate Anderson

AN ACT concerning

Judgments – Appeals – Supersedeas Bond

FOR the purpose of limiting the amount of a supersedeas bond required of an appellant to stay the enforcement of a judgment in certain actions under certain circumstances; providing that this Act applies only to an appellant who is a participating manufacturer in a certain tobacco settlement agreement; providing for a certain exception; defining a certain term; providing for the application of this Act; and generally relating to supersedeas bonds.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 16–402(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 12–301.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1510 – Delegates Bartlett and Haddaway

AN ACT concerning

Renewable Energy – Funding

FOR the purpose of requiring an electric company to include a certain option on a customer's monthly bill to add a certain voluntary charge to be paid to the Maryland Strategic Energy Investment Fund to fund certain loans and grants related to the creation of new solar energy resources in the State; requiring the option to appear on the customer's bill in a certain manner and in a form approved by the Maryland Energy Administration; requiring an electric company to pay all money collected under this Act into the Fund; requiring money paid into the Fund under this Act to be used for a certain purpose; altering the name of the Solar Energy Grant Program to be the Solar and Wind Energy Grant Program; altering the purpose of the program to include providing grants for wind energy property; providing certain amounts of and limitations on grants authorized under the Program for wind energy property;

defining certain terms; and generally relating to funding for renewable energy in the State.

BY adding to

Article – Public Utility Companies
Section 7–305.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–2007 and 9–20B–05(e) and (j) through (l)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–20B–05(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – State Government
Section 9–20B–05(j)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–207(x)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 14 – Delegate Walkup

A House Joint Resolution concerning

**Recognition of Captain Lambert Wickes of Maryland – Revolutionary War
Naval Hero**

FOR the purpose of designating October 1 of each year as “Captain Lambert Wickes Day” in Maryland.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 29 – Senator Astle

AN ACT concerning

**Department of Natural Resources – Preparation of Fishery Management
Plans – Authority**

FOR the purpose of authorizing the Department of Natural Resources to prepare fishery management plans for any species of fish under certain circumstances; requiring the Department to include certain information relating to overfishing and sustainable harvests in a fishery management plan; authorizing the Department to waive a requirement to include certain information in a fishery management plan under certain circumstances; and generally relating to the authority of the Department of Natural Resources to prepare fishery management plans.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–215

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 36 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

FOR the purpose of establishing in Dorchester County that an unpaid Bay Restoration Fee is a lien against the property on which the wastewater facility, onsite sewage disposal system, or holding tank is located; requiring a notice of lien to be recorded in the land records of Dorchester County; and generally relating to the Bay Restoration Fee.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 262)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #10

House Bill 487 – Delegate McIntosh (Chair, Environmental Matters Committee)

AN ACT concerning

**Environment – State Board of Waterworks and Waste Systems Operators –
Sunset Extension and Revisions**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 263)

The Bill was then sent to the Senate.

House Bill 661 – Delegate Barnes

AN ACT concerning

Criminal Procedure – Arrest – Violation of Protective Order

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

Affirmative – 121 Negative – 17 (See Roll Call No. 264)

The Bill was then sent to the Senate.

House Bill 766 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Capital Debt Affordability

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

Affirmative – 139 Negative – 0 (See Roll Call No. 265)

The Bill was then sent to the Senate.

House Bill 770 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Police Retirement System – Deferred Vested Members – Survivor Benefits

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

Affirmative – 139 Negative – 0 (See Roll Call No. 266)

The Bill was then sent to the Senate.

House Bill 771 – Delegates Griffith, Branch, Conway, and Proctor

AN ACT concerning

Blue Ribbon Commission to Study Retiree Health Care Funding Options – Extension of Reporting and Termination Dates

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

Affirmative – 139 Negative – 0 (See Roll Call No. 267)

The Bill was then sent to the Senate.

House Bill 772 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Noncontributory Former Vested Members – Vested Retirement Allowance

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

Affirmative – 139 Negative – 0 (See Roll Call No. 268)

The Bill was then sent to the Senate.

House Bill 773 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

Law Enforcement Officers’ Pension System – Deferred Retirement Option Program – Participation

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

Affirmative – 139 Negative – 0 (See Roll Call No. 269)

The Bill was then sent to the Senate.

House Bill 796 – Delegates Murphy, Jameson, Levy, and Wood

AN ACT concerning

Charles County – Property Tax Credit for Homes Formerly Owned by Habitat for Humanity of Charles County

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

Affirmative – 138 Negative – 0 (See Roll Call No. 270)

The Bill was then sent to the Senate.

House Bill 850 – Delegates Barve, Branch, Cane, Donoghue, Dumais, Elmore, Frick, Hammen, Hixson, James, Jones, Kach, Love, Mathias, McHale, Morhaim, Murphy, O’Donnell, Shank, Sophocleus, ~~and Stifler~~ Stifler, Bartlett, Boteler, Cardin, Doory, George, Gilchrist, Howard, Ivey, Kaiser, Myers, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Property Tax Credit – Habitat for Humanity

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

Affirmative – 139 Negative – 0 (See Roll Call No. 271)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #11

**House Bill 66 – Chair, Environmental Matters Committee (By Request –
Departmental – Housing and Community Development)**

AN ACT concerning

**Department of Housing and Community Development – Neighborhood
Business Development Program – Microenterprise Loans**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 272)

The Bill was then sent to the Senate.

**House Bill 191 – Delegates Malone, Conway, Costa, Jennings, Mathias,
Morhaim, Stull, and Weir**

EMERGENCY BILL

AN ACT concerning

Criminal Law – Sale of Novelty Lighters – Prohibition

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

Affirmative – 111 Negative – 26 (See Roll Call No. 273)

The Bill was then sent to the Senate.

House Bill 257 – Delegate Rosenberg

AN ACT concerning

Evidence – Journalist’s Testimonial Privileges – Student

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

Affirmative – 138 Negative – 0 (See Roll Call No. 274)

The Bill was then sent to the Senate.

House Bill 277 – Howard County Delegation

AN ACT concerning

Howard County and Prince George’s County – Tax Sales – Auctioneers’ Fees

Ho. Co. 4–10

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

Affirmative – 139 Negative – 0 (See Roll Call No. 275)

The Bill was then sent to the Senate.

House Bill 283 – Delegates Waldstreicher, Dumais, Ali, Anderson, Barkley, Barnes, Barve, Carr, Dwyer, Eckardt, Feldman, Frush, Haddaway, Hecht, Hubbard, Hucker, Kullen, McComas, McDonough, Montgomery, Morhaim, O’Donnell, Ramirez, Rosenberg, Shank, Shewell, Smigiel, and Vaughn

AN ACT concerning

**Criminal Law – ~~Sexual Solicitation of a Minor and~~ Human Trafficking –
Prohibitions ~~and Proof~~**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 276)

The Bill was then sent to the Senate.

House Bill 295 – Delegate O’Donnell

EMERGENCY BILL

AN ACT concerning

Natural Resources – Incidental Taking Permit for Endangered Puritan Tiger Beetle – Requirements

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

Affirmative – 139 Negative – 0 (See Roll Call No. 277)

The Bill was then sent to the Senate.

House Bill 372 – Delegates Barnes, Frush, Manno, and Pena–Melnyk

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

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

Affirmative – 139 Negative – 0 (See Roll Call No. 278)

The Bill was then sent to the Senate.

**House Bill 402 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Collection Agencies – Application and Renewal Fees

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

Affirmative – 139 Negative – 0 (See Roll Call No. 279)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 280)

ADJOURNMENT

At 10:55 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 5, 2010.

Annapolis, Maryland
Friday, March 5, 2010

The House met at 11:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jeannie Haddaway–Ricchio of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 114 Members present.

(See Roll Call No. 287)

The Journal of March 4, 2010 was read and approved.

EXCUSES:

Del. Impallaria – doctor’s appointment

Del. Kipke – illness

Del. Walkup – medical

INTRODUCTION OF BILLS

House Bill 1511 – Delegates Minnick and Weir

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Baltimore County – Community Post

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to extend the date by which the Board of Directors of the Kingdom Economic System, Inc. must present evidence that a certain matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(AF) and Item ZA02(AC)

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

House Bill 1512 – Frederick County Delegation

AN ACT concerning

Frederick County – Archery Hunting – Safety Zone

FOR the purpose of establishing for archery hunters in Frederick 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 Frederick County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1513 – Delegate Valderrama

AN ACT concerning

Drunk and Drugged Driving with Child in the Vehicle – Retention of Child by Child Care Providers

FOR the purpose of authorizing an employee of a child care center or a person providing care at a family day care home to refuse to allow a certain person to leave the property of the child care center or family day care home in a vehicle with the child if the child care provider has a reasonable belief that the person is under the influence of alcohol or drugs and it is unsafe for the person to drive; requiring a certain child care provider to call local law enforcement and remain with a child under certain circumstances; requiring a local law enforcement officer, after receiving a certain request, to make a certain determination regarding whether a certain person is under the influence of alcohol or drugs at a level that would make driving unsafe; requiring a local law enforcement officer to attempt to locate a certain person to take temporary custody of a child under certain circumstances; requiring a local law enforcement officer to contact a certain local department if a person cannot be found to take temporary custody of a child under certain circumstances; requiring a local law enforcement officer to require a child care provider to allow an authorized person to leave the property of a child care center or family day care home with a child under certain circumstances; making it a felony for a person to drive or attempt to drive a vehicle while under the influence of alcohol or under the influence of alcohol per se and while transporting a minor; establishing a

certain penalty; defining certain terms; and generally relating to drunk and drugged driving with a child in the vehicle.

BY adding to

Article – Family Law

Section 5–505

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–902(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 27–101(q)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1514 – Delegates Beidle and Stein

AN ACT concerning

Real Property – Condominiums – Cancellation of Insurance

FOR the purpose of altering the procedure for cancellation of certain property and casualty insurance that must be maintained by the council of unit owners of a condominium; providing for the application of this Act; and generally relating to cancellation of insurance maintained by the council of unit owners of a condominium.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–114(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–114(f)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1515 – Delegate Serafini

AN ACT concerning

Business Regulation – Motor Fuel – Sales Below Cost – Meeting Competition Exception

FOR the purpose of providing that a retail service station dealer may sell motor fuel below cost if the sale is made in good faith to meet lawful competition; and generally relating to the sale of motor fuel below cost.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–304.1(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–304.1(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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

House Bill 1516 – Delegates Stukes, Anderson, Boteler, Conaway, George, Glenn, Harrison, Howard, Jones, Oaks, Tarrant, F. Turner, and Walker

AN ACT concerning

Vehicle Laws – Accidents Involving Self-Insured Vehicles – Required Information

FOR the purpose of requiring the driver of a certain self-insured vehicle involved in an accident to give evidence of self-insurance in the form required by the Motor Vehicle Administration to certain persons; requiring the Administration to adopt certain regulations; requiring the evidence of self-insurance to include certain information; and generally relating to evidence of self-insurance for self-insured vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation

Section 20–104(b) and (c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 20–105.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1517 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Standardbred Recovery Act of 2010

FOR the purpose of abolishing the State Racing Commission and establishing the Thoroughbred Racing Commission and the Standardbred Racing Commission; providing for the memberships, qualifications for members, terms, chairs, quorums, meetings, compensation, executive directors, staffs, certain employees, certain powers, and testing laboratories of the Thoroughbred Racing Commission and of the Standardbred Racing Commission; requiring that licensees and applicants for licenses meet certain requirements of a certain Commission; requiring certain Commissions to issue certain licenses under certain circumstances; authorizing the denial, suspension, or revocation of certain licenses and the reprimanding or other penalizing of certain licensees under certain circumstances; providing for certain adjudicatory proceedings; specifying certain requirements for the buying or transferring of licensees or licenses; providing that the Thoroughbred Racing Commission has certain powers concerning certain types of racing; providing that the Standardbred Racing Commission has certain powers concerning harness racing; specifying the powers and responsibilities of certain Commissions relating to certain intertrack betting; requiring that the Thoroughbred Racing Commission act with the Standardbred Racing Commission to approve facilities, grant permits, adopt regulations, and conduct other activities concerning satellite simulcast betting; providing for the membership of the Board of Directors of the Jockey Fund; specifying certain duties of certain Commissions relating to the Jockey Fund; specifying that certain money be paid to the Standardbred Racing Commission and that the Standardbred Racing Commission use the money for a certain purpose; specifying certain duties of the Thoroughbred Racing Commission and the Standardbred Racing Commission; altering the allocation of certain funds in the Purse Dedication Account in a certain manner; altering the allocation of certain funds in the Race Track Facility Renewal Account in a certain manner; defining certain terms; providing for the initial terms of

members of certain Commissions; providing that certain licensees and holders of permits need not obtain a certain license or permit until a certain date; specifying certain transitional provisions relating to a change of nomenclature and the transference of certain property, assets, liabilities, obligations, rights, and privileges; providing for the status and credit for service of certain employees; and generally relating to the Thoroughbred Racing Commission and the Standardbred Racing Commission.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 11–101; 11–201 through 11–214 to be under the amended subtitle “Subtitle 2. Thoroughbred Racing Commission”; 11–301, 11–303, 11–304, 11–305, 11–307, 11–308, 11–309, 11–310, 11–311, 11–312, 11–313, 11–314, 11–315, 11–316, 11–317, 11–318, 11–501, 11–507, 11–523, 11–529, 11–601, 11–701, 11–801, 11–802, 11–803, 11–804(b) and (c), 11–804.2, 11–805, 11–808(b) and (c), 11–809, 11–811(c), (d), and (e), 11–812, 11–816, 11–817, 11–818, 11–819, 11–820, 11–822, 11–825, 11–829, 11–831, 11–832, 11–904(b), 11–906, and 11–909

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Business Regulation

Section 11–2A–01 through 11–2A–14 to be under the new subtitle “Subtitle 2A. Standardbred Racing Commission”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–28(a) and (c) and 9–1A–29

Annotated Code of Maryland

(2009 Replacement Volume)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 31 – Senator Lenett

EMERGENCY BILL

AN ACT concerning

Maryland Communities for a Lifetime Commission

FOR the purpose of reestablishing the Statewide Empowerment Zones for Seniors Commission as the Maryland Communities for a Lifetime Commission to continue the work of the Statewide Empowerment Zones for Seniors Commission; providing for the membership of the Commission; authorizing the Commission to consult with certain individuals and entities; requiring the Secretary of Aging to perform certain duties; requiring the Commission to assist in the implementation of certain recommendations; requiring the Department of Aging to staff the Commission; providing that a member of the Commission may receive reimbursement for certain expenses; prohibiting the use of certain funds to pay any costs of the Commission; stating the intent of the General Assembly; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Maryland Communities for a Lifetime Commission.

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

Senate Bill 208 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines

AN ACT concerning

State Treasurer – Permissible Investments – Linked Deposit Program

FOR the purpose of altering the permissible investments that the State Treasurer may make with financial institutions participating in the Linked Deposit Program; and generally relating to permissible investments under the Linked Deposit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–211
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 265 – Senators Exum, Garagiola, Kelley, Klausmeier, and Pugh

AN ACT concerning

Assisted Living Programs – ~~Elevator Installation – Exemption~~ Noncommercial Elevator Units – Installation and Inspection

FOR the purpose of ~~exempting certain licensed assisted living programs from the registration and inspection requirements for installing an elevator; authorizing the adoption of certain regulations to enhance the safety of certain elevator units~~ authorizing the Commission of Labor and Industry to adopt regulations to authorize and regulate the installation and inspection of noncommercial elevator units in certain assisted living programs; defining a certain term; and generally relating to assisted living programs and the registration installation and inspection of elevators.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~12-804~~ 12-805
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 399 – Senators Raskin, Forehand, ~~and Pugh~~ Pugh, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

Real Property – Abatement of Nuisance – Prostitution

FOR the purpose of establishing that the use of real property for prostitution is a nuisance that may be the subject of a certain action for abatement; defining a certain term; making a stylistic change; and generally relating to prostitution and abatement of nuisance actions.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 11-301(c)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14-120
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

Senate Bill 442 – ~~Senator Raskin~~ Senators Raskin and Forehand

AN ACT concerning

Criminal Injuries Compensation Board – Right to Hearing

FOR the purpose of providing that a claim filed with the Criminal Injuries Compensation Board is subject to certain provisions of the Administrative Procedure Act; providing that if a claimant requests a hearing after the Board has issued proposed findings of fact, conclusions of law, or orders, the Board shall hold a hearing before the Board issues final findings of fact, conclusions of law, or orders; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–815
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 482 – Senator Edwards

AN ACT concerning

Workers’ Compensation – Allegany County Deputy Sheriffs

FOR the purpose of providing that an Allegany County deputy sheriff who suffers from heart disease or hypertension is presumed, under certain circumstances, to have an occupational disease that was suffered in the line of duty; providing for enhanced workers’ compensation benefits for certain Allegany County deputy sheriffs 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 Allegany County deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(b)(1) and 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 529 – Senators Garagiola, Astle, Exum, and Pugh

AN ACT concerning

Net Energy Metering – Fuel Cell

FOR the purpose of including, among the list of eligible customer–generators that are eligible for net energy metering, a customer that uses a certain fuel cell electric generating facility that meets certain conditions; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 610 – Senator Kittleman

AN ACT concerning

Workers’ Compensation – Jurisdiction Pending Appeal – Proposed Settlement

FOR the purpose of expanding the circumstances under which the Workers’ Compensation Commission retains jurisdiction pending an appeal of a Commission order to include a request for approval of a proposed settlement of all or part of a claim; and generally relating to the jurisdiction of the Commission pending an appeal of a workers’ compensation order.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–742
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 655 – Senator Lenett

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 288)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #12

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

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

Affirmative – 113 Negative – 22 (See Roll Call No. 289)

The Bill was then sent to the Senate.

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

Delegate Davis moved to reconsider the vote by which **House Bill 85** was ordered printed for Third Reading.

The motion was adopted.

Delegate Davis moved to make the Bill a Special Order for March 9, 2010.

The motion was adopted.

House Bill 250 – Delegates Morhaim, Bobo, Cane, Glenn, Hecht, Heller, Hixson, Hubbard, Lafferty, Lee, Levi, Montgomery, Nathan–Pulliam,

**Oaks, Reznik, Shewell, Stocksdale, Tarrant, V. Turner, ~~and Walker~~
Walker, and Kramer**

AN ACT concerning

**Procurement – Minority Business Enterprises – ~~Reciprocal~~ Certification
Process**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 290)

The Bill was then sent to the Senate.

House Bill 251 – Delegates Morhaim, Bobo, Cane, Cardin, Conaway, Glenn, Hecht, Heller, Hixson, Hubbard, Kaiser, Lafferty, Lee, Levi, Montgomery, Nathan-Pulliam, Oaks, Reznik, Robinson, Shewell, Stocksdale, Tarrant, V. Turner, ~~and Walker~~ Walker, Kramer, Pendergrass, Benson, Kullen, and Pena-Melnyk

AN ACT concerning

**State Procurement – Minority Business Enterprises – Electronic
Certification Process**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 291)

The Bill was then sent to the Senate.

House Bill 267 – Delegate Taylor (Joint Committee on Unemployment Insurance Oversight) and Delegates Jameson, King, Ali, Feldman, Manno, and Rice

AN ACT concerning

**Joint Committee on Unemployment Insurance Oversight – Repeal of
Termination Date**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 292)

The Bill was then sent to the Senate.

House Bill 291 – Delegate King

AN ACT concerning

Maryland Locksmiths Act – Revisions – Definitions and Records Inspection

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

Affirmative – 134 Negative – 0 (See Roll Call No. 293)

The Bill was then sent to the Senate.

House Bill 305 – Delegates Davis, Burns, Love, Manno, Taylor, and Vaughn

AN ACT concerning

Insurance – Domestic Reinsurers

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

Affirmative – 136 Negative – 0 (See Roll Call No. 294)

The Bill was then sent to the Senate.

**House Bill 384 – Delegates ~~James and Riley~~, Riley, Benson, McDonough, and
Nathan-Pulliam**

AN ACT concerning

**Task Force to Study Financial Matters Relating to Long-Term Care Facilities
– Extension**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 295)

The Bill was then sent to the Senate.

**House Bill 406 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Real Estate Licensees – Services Provided Through Teams

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

Affirmative – 135 Negative – 0 (See Roll Call No. 296)

The Bill was then sent to the Senate.

**House Bill 459 – Delegates Healey, Bronrott, Eckardt, Feldman, Morhaim,
~~and Smigiel~~ Smigiel, Elliott, Jenkins, Krebs, and McDonough**

AN ACT concerning

**State Licensing Agencies – Justification Statements Required for Fee
Increases Proposed by Regulations**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 297)

The Bill was then sent to the Senate.

House Bill 618 – Allegany County Delegation

AN ACT concerning

Workers' Compensation – Allegany County Deputy Sheriffs

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

Affirmative – 138 Negative – 0 (See Roll Call No. 298)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 299)

ADJOURNMENT

At 11:42 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 8, 2010.

Annapolis, Maryland
Monday, March 8, 2010

The House met at 8:04 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Craig L. Rice of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 305)

The Journal of March 5, 2010 was read and approved.

EXCUSES:

Del. Bartlett – personal

Del. Davis – illness

Del. Levi – illness

Del. McConkey – illness

Del. McDonough – personal

Del. Walkup – illness

INTRODUCTION OF BILLS

House Bill 1518 – Delegates Holmes and O’Donnell

AN ACT concerning

Natural Resources – Deer Hunting – Sundays

FOR the purpose of repealing certain provisions of law authorizing deer hunting on private property on certain Sundays in certain counties; authorizing the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays; providing for the application of this Act; and generally relating to Sunday deer hunting on private land.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–411 and 10–415
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1519 – Delegates Busch, V. Clagett, Costa, and George

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern and Broadneck High Schools Field Lights

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

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

House Bill 1520 – Delegates Myers, Aumann, Bartlett, Bates, Beitzel, Boteler, Elliott, Elmore, Frick, George, Kelly, Krebs, Miller, O'Donnell, Olszewski, Rice, Serafini, Shank, and Stull

AN ACT concerning

Tax Credit for New or Expanded Business Facilities

FOR the purpose of providing a credit against the State income tax for a qualified business entity that establishes or expands a business facility under certain circumstances; requiring the Secretary of Business and Economic Development to certify certain persons as eligible for the tax credit; requiring a qualified business entity to submit a certain application to be eligible for the tax credit; requiring the Secretary to certify the maximum amount of the tax credit for which a qualified business entity is eligible; providing that the total amount of credits approved may not exceed a certain amount; providing for the calculation of the tax credit; providing for the recapture of the tax credit under certain circumstances; requiring the Secretary to adopt regulations to specify the criteria and procedures for application and approval of projects for the tax

credit; making the credit refundable under certain circumstances; and generally relating to a State income tax credit for certain business entities that establish or expand certain business facilities in the State.

BY adding to

Article – Economic Development

Section 6–501 through 6–506 to be under the new subtitle “Subtitle 5. Tax Credit for New or Expanded Business Facilities”

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY adding to

Article – Tax – General

Section 10–728

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

House Bill 1521 – Delegate Shank

AN ACT concerning

Criminal Law – Mistreated Animals – Seizure Requirements and Procedures

FOR the purpose of providing that, if the owner or custodian of an animal that is removed from certain property under certain circumstances fails lawfully to regain possession of the animal within a certain time period, the person who removed the animal may petition the District Court for a certain disposition of the animal; authorizing the seizure and removal of an animal from certain property by a law enforcement officer or humane society officer or agent or the impoundment of the animal on the property if there is probable cause to believe the animal is being mistreated; requiring the local animal control agency or humane society to provide care for an animal impounded on the property; providing for the posting of the property if the animal is seized or impounded; providing for service of notice of impoundment or seizure; providing for the contents of the notice; requiring the owner or custodian to request a court hearing on the seizure or impoundment within a certain period of time; requiring the hearing to be held as soon as practicable; requiring the court to make certain findings before returning an animal to its owner or custodian; providing that the owner or custodian is liable for costs of caring for the animal if the court finds that the seizure or impoundment was justified; providing that the owner or custodian is not liable for certain costs if the court finds the seizure or impoundment was not justified; authorizing an owner of an animal to surrender ownership of the animal at any time to the seizing or impounding agency; providing that an owner’s liability for the costs of the animal’s care

ceases on surrendering ownership; providing that surrender of ownership does not preclude a criminal prosecution and may not be used as a defense to a prosecution; requiring the court to order the posting of a bond to cover the costs of care for the animal if criminal charges are filed; establishing that if an owner or custodian does not post a certain bond within a certain time period, the animal is considered abandoned and ownership shall revert to the impounding agency; providing that the owner or custodian of the animal convicted of a violation of a crime relating to animals is liable for the costs of caring for the animal; altering the period of time during which reasonable effort shall be used to ascertain an unknown owner or custodian of an animal before considering the animal a stray; making conforming changes; and generally relating to animal seizure and impounding requirements and procedures for mistreated animals.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–615
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1522 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – Little Sisters of the Poor

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Little Sisters of the Poor of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; prohibiting the use of the loan proceeds or matching funds for sectarian religious purposes; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1523 – Delegate Minnick

AN ACT concerning

Elevator Safety – Elevator Units in Churches – Exemption from Third-Party Inspections

FOR the purpose of requiring a State inspector to make certain periodic annual inspections of elevator units in churches, synagogues, mosques, and other buildings used for public religious worship; altering a requirement that third-party qualified elevator inspectors be hired to conduct certain elevator inspections by requiring that certain elevator inspections be made by a State inspector under certain circumstances; making a certain conforming change; and generally relating to inspections of elevator units.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–809 and 12–812
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1524 – Delegates Kelly, Beitzel, DeBoy, Donoghue, Frank, Minnick, Myers, and Serafini

AN ACT concerning

Health Insurance – Ambulance Service Providers – Direct Reimbursement

FOR the purpose of requiring health insurers, nonprofit health service plans, and health maintenance organizations to reimburse an ambulance service provider directly for certain covered services; providing that an ambulance service provider is entitled to direct reimbursement under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to reimbursement by insurers, nonprofit health service plans, and health maintenance organizations for transportation by ambulance.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–716
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1525 – Delegates Hucker, Bobo, Frush, and Niemann

AN ACT concerning

Natural Resources – Oysters – Fishery Management Plan and Sanctuaries

FOR the purpose of requiring the fishery management plan for oysters to include certain additional objectives and conservation and management measures and to recognize and adjust for certain factors; requiring, on or before a certain date, the Department of Natural Resources to prohibit by regulation the harvest or attempted harvest of oysters from certain waters of the State until the Department has adopted a certain fishery management plan that meets certain requirements and certain regulations that establish certain oyster sanctuaries; requiring, on or before a certain date, the Department to establish certain oyster sanctuaries by regulation; providing for the application of certain provisions of this Act; defining a certain term; and generally relating to the management of oyster resources in the State.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–215(h)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources

Section 4–215.5 and 4–1008.2

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1526 – Delegates Proctor and Vallario

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Henson Valley
Montessori School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of the Henson Valley Montessori School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

FOR the purpose of prohibiting a person from selling certain heating oil in the State with a sulfur content exceeding a certain proportion to a consumer for a certain use on or after a certain date; defining a certain term; and generally relating to the sulfur content of heating oil sold in the State.

BY adding to

Article – Environment

Section 2–701 and 2–702 to be under the new subtitle “Subtitle 7. Heating Oil”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1528 – Delegates Rudolph and Stocksdale

AN ACT concerning

Motor Vehicle Administration – Online Motor Vehicle Liability Insurance Verification System – Required Study

FOR the purpose of requiring the Motor Vehicle Administration to study the feasibility and desirability of establishing an online Motor Vehicle Liability Insurance Verification System to verify the compliance of a motor vehicle owner or operator with certain motor vehicle liability insurance requirements and proof of security requirements; requiring the study to examine certain matters; requiring the Administration, on or before a certain date, to report its findings and recommendations to the Governor and certain committees; and generally relating to a study by the Motor Vehicle Administration of an online Motor Vehicle Liability Insurance Verification System.

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

House Bill 1529 – Delegate Bohanan

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s County Fairgrounds

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

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

MESSAGE FROM THE SENATE**FIRST READING OF SENATE BILLS****Senate Bill 21 – Senators ~~Robey and Raskin~~, Raskin, Forehand, and Stone**

AN ACT concerning

Criminal Law – Animal Cruelty – Penalties and Conditions of Sentencing

FOR the purpose of increasing the penalties for certain violations concerning the abuse or neglect of animals; authorizing a court, as a condition of sentencing, to prohibit a certain defendant from ~~the future ownership of an animal~~ owning, possessing, or residing with an animal for the life of the defendant or for a specified period of time; providing that a certain violation of a condition of sentencing subjects the violator to removal of the animal at the expense of the violator and may be treated as criminal contempt; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–604 and 10–606

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

Senate Bill 22 – Senator Muse

AN ACT concerning

**Criminal Law – Prohibitions on Wearing, Carrying, or Transporting
Firearms – Exceptions**

FOR the purpose of establishing an exception to the prohibition against wearing, carrying, or transporting a handgun for a person who is carrying a certain court order ~~and is in the immediate process of surrendering the handgun to law enforcement~~ if the handgun is unloaded, the person notifies a certain law enforcement unit that the person is transporting the handgun to the unit in accordance with the court order, and the person transports the handgun directly to the unit; prohibiting a local government from prohibiting a person from transporting a certain firearm, ammunition, or firearm component if the person is carrying a certain court order ~~and is in the immediate process of surrendering the firearm, ammunition, or component to law enforcement,~~ if applicable, the firearm is unloaded, the person notifies a certain law enforcement unit that the person is transporting the firearm, ammunition, or firearm component to the unit in accordance with the court order, and the person transports the firearm, ammunition, or firearm component directly to the unit; authorizing a person who lawfully possesses an assault pistol and who is carrying a certain court order to transport the assault pistol ~~while in the immediate process of surrendering the assault pistol to law enforcement~~ if the assault pistol is unloaded, the person notifies a certain law enforcement unit that the person is transporting the assault pistol to the unit in accordance with the court order, and the person transports the assault pistol directly to the unit; authorizing a person who lawfully possesses a machine gun and who is carrying a certain court order to transport the machine gun ~~while in the immediate process of surrendering the machine gun to law enforcement~~ if the machine gun is unloaded, the person notifies a certain law enforcement unit that the person is transporting the machine gun to the unit in accordance with the court order, and the person transports the machine gun directly to the unit; establishing that, notwithstanding any other law, a respondent against whom a certain protective order has been issued and who is carrying ~~a certain court~~ the protective order may transport a firearm ~~while in the immediate process of surrendering the firearm to law enforcement~~ if the firearm is unloaded, the respondent notifies a certain law enforcement unit that the respondent is transporting the firearm to the unit in accordance with the protective order, and the respondent transports the firearm directly to the unit; establishing that a respondent who is carrying a certain protective order may transport a regulated firearm ~~while in the immediate process of surrendering the firearm to law enforcement~~ if the regulated firearm is unloaded, the respondent notifies a certain law enforcement unit that the respondent is transporting the regulated firearm to the unit in accordance with the protective order, and the respondent transports the regulated firearm directly to the unit; making stylistic changes; and generally relating to exceptions to the prohibitions on wearing, carrying, or transporting firearms.

BY repealing and reenacting, without amendments,
Article – Criminal Law

Section 4–203(a) and 4–209(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–203(b)(7) and (8), 4–303, and 4–402(b)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 4–203(b)(9) and 4–209(b)(3)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133(b)(8)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 5–133(e)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

Senate Bill 45 – Senator Haines

AN ACT concerning

Motor Vehicles – Registration Plates – “Home of Our National Anthem”

FOR the purpose of requiring that ~~a~~ certain registration ~~plate~~ plates for a vehicle display the words “Home of Our National Anthem”; providing for the application of this Act; and generally relating to requirements for registration plates.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–410(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 123 – Senators Brochin, Frosh, and Zirkin

AN ACT concerning

**Criminal Procedure – Victim’s Compensation – Temporary Lodging for
Domestic Violence Victims**

FOR the purpose of making certain victims eligible for certain monetary awards for temporary lodging for a certain period from the Criminal Injuries Compensation Fund under certain circumstances; and generally relating to awards from the Criminal Injuries Compensation Fund.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–811
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 131 – Senators Pugh, Currie, Exum, Harrington, Jones, King,
Lenett, Madaleno, Muse, ~~and Raskin~~ Raskin, and Peters**

AN ACT concerning

**State Procurement – Minority Business Enterprises – Electronic
Certification Process**

FOR the purpose of requiring the Board of Public Works to adopt regulations that include provisions that ~~allow a business seeking certification as a minority business enterprise to complete the application~~ promote and facilitate the submission of all or part of certain applications for certification as a minority business enterprise through an electronic process; and generally relating to an electronic certification process for minority business enterprises.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland

(2009 Replacement Volume)

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

Senate Bill 135 – Senator Kelley

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

FOR the purpose of requiring a person who files a petition for writ of actual innocence to notify the State of the filing in a certain manner; authorizing the State to file a response to a petition for writ of actual innocence within a certain period of time; requiring that the victim or victim's representative be notified of a hearing on a petition for writ of actual innocence before the hearing is held; establishing that a victim or victim's representative has the right to attend a hearing on a petition for writ of actual innocence; making this Act an emergency measure; and generally relating to a petition for writ of actual innocence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 151 – Senators Pinsky and Harrington

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class B–AE (Arts and Entertainment) License

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue a Class B–AE (arts and entertainment) beer, wine and liquor license; specifying that the license may be issued only to an establishment in a certain arts and entertainment district as approved by the City Council; specifying that the license may be issued for consumption of alcoholic beverages on the licensed premises only; prohibiting a person from holding more than a certain number of licenses; providing for an annual license fee; requiring the Board of License Commissioners to adopt certain regulations; limiting the number of licenses that the Board of License Commissioners may

issue; specifying that the license is exempt from a certain restriction; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i) and 9–217(a) and (e)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(18)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(a) and 9–217(b) and (e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 152 – Senators Glassman, Harris, and Jacobs

AN ACT concerning

Harford County – Sheriff's Office – Power to Enforce Noise Control Laws

FOR the purpose of authorizing the Secretary of the Environment to delegate enforcement of certain noise control provisions in Harford County to the Sheriff of Harford County; and generally relating to enforcement of noise control provisions in Harford County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 3–403(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 153 – Senators Glassman, Harris, and Jacobs

AN ACT concerning

Harford County – Liquor Control Board Membership – Nomination Process

FOR the purpose of altering the process in which nominees are selected for vacancies on the Harford County Liquor Control Board resulting from expired terms; requiring the County Executive to submit the name of one nominee within a certain time to the County Delegation of State Senators and Delegates for its advice and consent; requiring the County Delegation to approve or reject the nominee within a certain time; specifying that if the County Delegation fails to act the nominee shall be considered to have been approved; requiring the County Executive to submit the name of a new nominee to the County Delegation under certain circumstances if the previous nominee is rejected; requiring the County Executive to submit the name of the nominee approved by the County Delegation to the County Council for its advice and consent; specifying certain procedures to follow to fill a vacancy on the Board other than one resulting from an expired term; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(c)(3) and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 165 – Senator Conway

AN ACT concerning

Health Occupations – Therapy Management Contracts – ~~Repeal~~ Extension of Sunset

FOR the purpose of ~~repealing~~ altering the termination of the provisions of law relating to certain licensed physician–pharmacist agreements and certain licensed physician–pharmacist therapy management contracts.

BY repealing and reenacting, with amendments,
Chapter 249 of the Acts of the General Assembly of 2002, as amended by
Chapter 650 of the Acts of the General Assembly of 2008
Section 5

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

Senate Bill 171 – Senators Peters, Astle, Colburn, Conway, DeGrange, Garagiola, Harrington, Kasemeyer, Klausmeier, Lenett, Munson, Pugh, ~~and Robey~~ Robey, and Dyson

AN ACT concerning

Procurement – Service–Disabled Veteran Business Enterprise Participation

FOR the purpose of establishing a certain participation goal for certain certified service–disabled veteran business enterprises for certain procurement contracts; requiring certain solicitation documents to establish the degree of participation based on certain information; providing that certain provisions of this Act do not apply in certain circumstances; requiring a unit to award certain procurement contracts to certain bidders or offerors under certain circumstances; requiring the Board of Public Works to adopt certain regulations to implement this Act; requiring the Board to establish certain tracking and reporting procedures; requiring the Board to report annually on a certain program to the Legislative Policy Committee; establishing certain prohibited acts and certain penalties for certain violations; providing that certain provisions of law relating to protests do not apply to certain acts or omissions by certain procurement agencies under certain circumstances; ~~requiring the Department of Business and Economic Development to use certain resources to implement a certain program;~~ and generally relating to procurement participation by service–disabled veteran business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–601 through 14–605 to be under the new subtitle “Subtitle 6.
Service–Disabled Veteran Business Enterprise Participation”

Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 15–202

Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 174 – Senator Glassman

AN ACT concerning

~~Charter~~ **Counties – Local Laws – Digital Copies**

FOR the purpose of authorizing a charter or code county to make a digital copy of a certain compilation of laws available on the Internet as an alternative to a requirement to provide certain copies to certain entities; altering ~~a certain requirement~~ the number of copies of a certain compilation that a charter or code

county ~~must provide a copy of a certain compilation of laws to the Department of Legislative Services to authorize the copy to be in either a digital or printed form; authorizing a charter county under certain circumstances to make a digital copy of certain compilations or codes of local laws available on the Internet as an alternative to a requirement to deposit copies with certain State agencies; making stylistic changes; and generally relating to compilations and codes of local laws of charter counties.~~

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 7
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 12
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 182 – Senator Exum

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Drive-Through Purchase Facilities

FOR the purpose of prohibiting the Board of License Commissioners in Prince George’s County from issuing a new alcoholic beverages license on or after a certain date for use in a drive-through purchase facility in which alcoholic beverages are sold at retail and dispensed through a door or window to purchasers in or on a motor vehicle; providing for the application of this Act; and generally relating to alcoholic beverages sales in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9–217(n)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 195 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages – Micro–Brewery Licenses

FOR the purpose of authorizing a Class 7 micro–brewery licensee in Wicomico County to sell beer at retail to customers for consumption off the licensed premises in refillable containers that are sealed by the licensee at the time of each refill; and generally relating to micro–brewery licensees in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 201 – Senators Exum, Harrington, and Rosapepe

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Appeal of Order to Close
Place of Business**

FOR the purpose of specifying that, in an appeal from a decision of the Board of License Commissioners of Prince George’s County, the court may not stay an order of the Board to close a place of business that is licensed to sell alcoholic beverages; and generally relating to the Board of License Commissioners of Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 16–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–101(b)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 204 – Senators Pinsky, Harrington, Lenett, and Madaleno

AN ACT concerning

Student Stigma Act

FOR the purpose of changing references to emotional disturbance to emotional disability; providing that certain documents may not be used until the use of certain other documents; providing for the intent of this Act; and generally relating to changing references to emotional disturbance to emotional disability.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–401
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 224 – Senators King, Frosh, Garagiola, Kelley, Madaleno, Peters, Pugh, and Robey

AN ACT concerning

Real Property – Restrictions – Clotheslines or Other Similar Laundry Drying Devices

FOR the purpose of authorizing a homeowner or tenant of certain residential property to use a clothesline or other similar laundry drying device on the property of the homeowner or tenant notwithstanding the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other similar laundry drying devices on the property under certain circumstances; prohibiting the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other similar laundry drying devices by a homeowner or tenant from prohibiting or restricting the right of a homeowner or tenant to use clotheslines or other similar laundry drying devices under certain circumstances; authorizing the

governing body of a condominium, homeowners association, or housing cooperative or a landlord to adopt reasonable rules and regulations regarding the timing, placement, and manner of use of clotheslines and other similar laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative, or a landlord to hold an open meeting and provide advance notice of the open meeting before adopting proposed rules and regulations regarding the timing, placement, and manner of use of clotheslines and other similar laundry drying devices; providing for the application of this Act; and generally relating to the use of clotheslines and other similar laundry drying devices by homeowners and tenants.

BY adding to

Article – Real Property

Section 14–128.1

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 229 – Senators Garagiola, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Glassman, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, and Stone

AN ACT concerning

Blue Ribbon Commission on Maryland Transportation Funding

FOR the purpose of establishing a Blue Ribbon Commission on Maryland Transportation Funding; requiring the Commission to review, evaluate, and make recommendations concerning certain issues; specifying the membership and staffing of the Commission; requiring the Governor to designate the chair of the Commission; prohibiting members of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to submit an interim and final report of its findings and recommendations by certain dates; providing for the termination of this Act; and generally relating to the Blue Ribbon Commission on Maryland Transportation Funding.

Read the first time and referred to the Committee on Ways and Means and the Committee on Environmental Matters.

Senate Bill 230 – Senators Conway, Brochin, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, McFadden, Munson, Pugh, Raskin,

Rosapepe, Stoltzfus, and Stone Stone, Colburn, Harrington, Peters, and Pinsky

AN ACT concerning

Education – Instruction of Blind and Visually Impaired Students – Use of Braille

FOR the purpose of requiring the State Board of Education to establish standards for ~~the use of braille for~~ mastery of braille for use in instruction in certain subjects for blind and visually impaired students on or before a certain date; requiring the State Board and the Professional Standards and Teacher Education Board to review and, as appropriate, modify certain certification and recertification requirements for certain teachers; and generally relating to the use of braille for instruction of blind and visually impaired students.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–408
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 248 – Senators Frosh, Brochin, Forehand, Gladden, Haines, Muse, Raskin, and Stone

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges

FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in certain civil cases in the circuit courts and the District Court; making a stylistic change; and generally relating to certain surcharges deposited into the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–202(a)(1) and (d) and 7–301(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–202(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 255 – Senators Stone, DeGrange, Forehand, Klausmeier, Raskin,
and Robey**

AN ACT concerning

**Criminal Law – Assault – Law Enforcement Officers and Parole and
Probation Agents**

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a parole or probation agent engaged in performing the agent's official duties; ~~establishing penalties for a violation of this Act; increasing the penalty for the crime of intentionally causing physical injury to another if the person knows or has reason to know that the other is a law enforcement officer engaged in the performance of the officer's official duties;~~ and generally relating to assaults on law enforcement officers and parole and probation agents.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–201

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–203

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

**Senate Bill 256 – Senators Harrington, Frosh, Garagiola, Kasemeyer, Lenett,
Madaleno, McFadden, Peters, Pinsky, Pugh, Raskin, and Robey**

AN ACT concerning

Public Schools – Physical Education Facilities

FOR the purpose of requiring the State Department of Education to adopt regulations that require a public school that is newly constructed or completely renovated and occupied on or after a certain date to include a gymnasium and adequate support space for physical education instruction; requiring certain regulations to include a certain process to request a waiver from a certain requirement for certain reasons; requiring the Department to adopt guidelines for facilities for

physical education programs; providing for the application of this Act; and generally relating to physical education facilities in public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 286 – The President (By Request – Administration) and Senators Currie and Conway

AN ACT concerning

Governor’s P–20 Leadership Council of Maryland

FOR the purpose of establishing the Governor’s P–20 Leadership Council of Maryland; providing for the membership, tenure, chair, and staffing of the Council; establishing an Executive Committee of the Council; providing for the duties of the Executive Committee and the Council; requiring the Council to submit a certain annual report to the Governor and General Assembly on or before a certain date; and generally relating to the Governor’s P–20 Leadership Council of Maryland.

BY adding to
Article – Education
Section 24–701 to be under the new subtitle “Subtitle 7. Governor’s P–20 Leadership Council of Maryland”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

Senate Bill 289 – Senator Edwards

AN ACT concerning

Allegany County and Garrett County – Turkey Hunting – Sundays

FOR the purpose of authorizing a person to hunt turkey on certain Sundays during certain months in Allegany County and Garrett County; and generally relating to hunting on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 325 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Dental Examiners – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Dental Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; authorizing the solicitation of nominations for certain Board vacancies to be sent by electronic mail; expanding the grounds for discipline for a dentist and dental hygienist; altering certain defined terms; renaming and expanding the services of a certain committee to certain dental professionals; making technical changes; requiring the Board to report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 4–202(b), 4–315(a)(30) and (31) and (b)(16) and (17), 4–501.1, 4–508,
and 4–702
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Health Occupations
Section 4–315(a)(32) and (b)(18)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government
Section 8–403(b)(16)
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 343 – Senators Stone, Della, Jacobs, Klausmeier, McFadden, Mooney, Pinsky, and Simonaire

AN ACT concerning

Vehicle Laws – Accidents Resulting in Death – Appearance in Court for Traffic Citations

FOR the purpose of requiring a person who receives a traffic citation for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in the citation by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–204
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Senate Bill 361 – Senator Astle

AN ACT concerning

Natural Resources – Local Forest Conservation Funds – Use of Money

FOR the purpose of repealing the requirement that, at the end of a certain time period, unused money in a local forest conservation fund be returned to certain persons for certain purposes; and generally relating to the use of money in a local forest conservation fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1610
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 377 – Senator Della

AN ACT concerning

Baltimore City – Alcoholic Beverages – Class C Licensees to Reimburse Board for Costs

FOR the purpose of authorizing the Baltimore City Board of Liquor License Commissioners to collect reimbursement from a holder of a Class C special beer, wine and liquor license for costs the Board incurs while monitoring the event for which the Class C license is issued; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(d)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 378 – Senator Della

AN ACT concerning

Baltimore City – 46th District – Alcoholic Beverages – Issuance or Transfer of Licenses Prohibited in Certain Precincts – Food Sales

FOR the purpose of prohibiting the issuance of alcoholic beverages licenses in, or the transfer of alcoholic beverages licenses into, certain precincts of a certain ward in the 46th alcoholic beverages district of Baltimore City; altering the percentage of average daily receipts derived from the sale of food that is required of certain licensed restaurants in certain wards and precincts in the 46th alcoholic beverages district; and generally relating to alcoholic beverages licenses in certain wards and precincts in the 46th alcoholic beverages district of Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(d)(1)(ix) and 9–204.1(d)(3) and (f)(2)(i) and (ii) and (3)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages

Section 9–204.1(a), (b), (c), and (f)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 412 – Senators Pugh, Forehand, Harrington, Harris, Lenett,
Madaleno, Miller, Muse, Peters, and Raskin**

AN ACT concerning

Teacher Certification – Career Professionals

FOR the purpose of requiring the State Department of Education to establish teacher certification for career professionals in certain fields; requiring the Department to adopt certain regulations; and generally relating to the establishment of teacher certification for career professionals in specialized fields by the State Department of Education.

BY adding to

Article – Education
Section 6–121
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 454 – Senator Pinsky

AN ACT concerning

**State Licensing Agencies – Justification Statements Required for Fee
Increases Proposed by Regulations**

FOR the purpose of requiring units of State government, when adopting by regulation increases or decreases in fees for licenses to practice any business activity, business or health occupation, or business or health profession licensed or otherwise regulated under State law, to submit to the Joint Committee on Administrative, Executive, and Legislative Review certain information explaining or justifying the reasons for the proposed increase or decrease; and generally relating to regulations proposed by units of State government that license and regulate various occupations, professions, and business activities.

BY repealing and reenacting, with amendments,

Article – State Government
Section 10–110
Annotated Code of Maryland

(2009 Replacement Volume)

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

Senate Bill 481 – Senator Robey

AN ACT concerning

Criminal Procedure – Warrantless Arrest – Second Degree Assault

FOR the purpose of authorizing a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has committed a second degree assault under certain circumstances; requiring a police officer to consider whether a person acted in self–defense under certain circumstances; and generally relating to warrantless arrests for second degree assault.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–203
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 494 – Senator Astle

AN ACT concerning

Department of Natural Resources – Regulation of For–Hire Water Carriers

FOR the purpose of requiring the Department of Natural Resources to require for–hire water carriers to show certain proof that the water carriers hold a certain insurance policy or bond in accordance with a certain regulation before vessel registration; authorizing the Department to adopt certain regulations; altering a certain definition to exclude for–hire water carriers from regulation by the Public Service Commission; establishing the intent of this Act to transfer the regulatory authority over for–hire water carriers from the Public Service Commission to the Department; encouraging the Department to adopt certain regulations; defining a certain term; and generally relating to the regulation of for–hire water carriers.

BY adding to
Article – Natural Resources
Section 8–744
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 1–101(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 541 – Senator Harrington

AN ACT concerning

Natural Resources – Park Advisory Commission – Membership

FOR the purpose of increasing the membership of the Park Advisory Commission in the Department of Natural Resources; repealing certain obsolete language; and generally relating to the Park Advisory Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–204
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #2

CONSENT CALENDAR #2

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

House Bill 1407 – Delegate Conaway

AN ACT concerning

Financial Institutions – Mortgage Loan Originators – Prohibited Acts

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

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

House Bill 1408 – Delegate G. Clagett

EMERGENCY BILL

AN ACT concerning

Stormwater Management – Regulations – Delay and Adoption of New Regulations

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

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

House Bill 1409 – Delegate G. Clagett

EMERGENCY BILL

AN ACT concerning

Stormwater Management – Development Projects – Special Taxing Districts

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

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

House Bill 1411 – Delegates Shewell, Aumann, Boteler, Elliott, Frank, Impallaria, Krebs, McDonough, Sossi, Stocksdale, and Weir

AN ACT concerning

Criminal Law – Homicide by Motor Vehicle or Vessel – Penalties

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1412 – Delegates DeBoy, Barkley, Bromwell, G. Clagett, Costa, Glenn, Guzzone, Jones, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Department of State Police – Collective Bargaining – Police Employees

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1413 – Eastern Shore Delegation

AN ACT concerning

Sexual Offenders Omnibus Act of 2010

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1414 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Criminal Procedure – Violent Offenders – Parole as Condition for Alcohol or Drug Abuse Treatment

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1416 – Delegate Frush

AN ACT concerning

Vehicle Laws – Parking for Individuals with Disabilities – Zoning

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

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

House Bill 1417 – Delegates Jones, Barkley, Barve, Carter, G. Clagett, Dumais, Frush, Gilchrist, Heller, Kullen, Lafferty, McHale, Mizeur, Myers, Rosenberg, Simmons, Stocksdale, Taylor, and F. Turner

AN ACT concerning

Child Welfare Training Act of 2010

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1418 – Delegate Lafferty

AN ACT concerning

Environment – At-Store Recycling – Plastic Carryout Bags

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

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

House Bill 1420 – Delegate Howard

AN ACT concerning

Task Force to Study the Supervision of Group Homes

PG 405–10

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

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

House Bill 1422 – Delegate Costa

AN ACT concerning

Kidney Dialysis Centers – Emergency Backup Generators

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

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

House Bill 1423 – Delegate Costa

AN ACT concerning

Small Group Market Health Insurance – Renewal Notice

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

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

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Medicaid State Plan Amendments – Effective Dates

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

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

House Bill 1425 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Consolidation and Administration of Environmental Funds

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

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

House Bill 1428 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or Standing

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

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

House Bill 1429 – Delegates Stukes, Anderson, Conaway, Glenn, Harrison, Haynes, Heller, Howard, Kaiser, Kirk, Kramer, Miller, Norman, Olszewski, Proctor, Rice, Riley, Robinson, Rosenberg, Simmons, Tarrant, Valderrama, and Walker

AN ACT concerning

Commission on Responses to Serious Incidents of Inclement Weather

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

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

House Bill 1430 – Delegates Walker, Ali, Barnes, Bartlett, Beidle, Beitzel, Branch, Braveboy, Burns, Cane, Cardin, Carter, Conaway, Elmore, Feldman, Gutierrez, Healey, Holmes, Howard, Ivey, Kach, Kipke, Minnick, Oaks, Pena-Melnyk, Proctor, Rice, Riley, Schuh, Sophocleus, Sossi, Stukes, Taylor, V. Turner, and Valderrama

AN ACT concerning

Student Health and Fitness Act

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

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

House Bill 1431 – Delegates Mathias and Conway

AN ACT concerning

**Worcester County – Alcoholic Beverages – Pub-Breweries and
Micro-Breweries**

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

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

House Bill 1432 – Delegates McComas, Bartlett, Jameson, Kullen, and Norman

AN ACT concerning

Criminal Law – Identity Fraud – Assumption of Identity of Fictitious Person

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1433 – Delegates Norman and McComas

AN ACT concerning

Commercial Law – Attachment of Contract Payments Due from or Payable by the State, a Local Governing Body, or a Public Officer

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1435 – Delegates Harrison, Branch, Glenn, Haynes, Kirk, and Stukes

AN ACT concerning

Baltimore City Charter – Community Benefits District – East Baltimore

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

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

House Bill 1438 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Vehicle Laws – Drug-Related Driving Offense – Penalties

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1439 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

**Alcohol– or Drug–Related Crimes – Serious Physical Injury by Motor Vehicle
or Vessel – Penalties**

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1440 – Delegate Barve

AN ACT concerning

**Election Law – Campaign Finance Entity – Officers Authorized to Perform
Duties of Treasurer**

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

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

House Bill 1441 – Delegate Barve

AN ACT concerning

State Government – Notary Public – Fees

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

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

House Bill 1442 – Delegate Smigiel

EMERGENCY BILL

AN ACT concerning

**Criminal Procedure – Sexual Offender Registry – Posting of Information on
Internet**

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1443 – Delegates Elmore, Cane, Conway, Eckardt, Haddaway, and Mathias

AN ACT concerning

Employees’ Pension System – Eligibility Service Credit – Early Service Retirement Allowance

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1445 – Delegates Shewell, Elliott, Krebs, and Stocksdale

AN ACT concerning

Vehicle Laws – Controlled Dangerous Substances – Per Se Driving Offenses

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1447 – Delegate Jones

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1452 – Delegate McConkey

AN ACT concerning

Courts – Public Auction – Electronic Interception of Oral Communication

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1454 – Delegate McConkey

AN ACT concerning

Family Law – Child Support – Change of Address or Employment

The Bill was re-referred to the Committee on Judiciary.

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

**House Bill 1457 – Delegates Dumais, Anderson, Barnes, Carter, Conaway,
Dwyer, Frank, Jennings, Levi, McComas, McConkey, Rosenberg,
Schuler, and Valderrama**

AN ACT concerning

**Civil Liability – AMBER, Silver, or Emergency Alert Dissemination –
Immunity for Broadcast Media**

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1458 – Delegates G. Clagett and DeBoy

AN ACT concerning

**State Police Retirement System – Special Disability Retirement Allowance
– Forfeiture**

The Bill was re-referred to the Committee on Appropriations.

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

**House Bill 1459 – Delegates Nathan-Pulliam, Benson, Glenn, Oaks,
Pena-Melnyk, Stukes, Tarrant, and V. Turner**

AN ACT concerning

Maryland Medical Assistance Program – Analysis and Reduction of Racial and Ethnic Health Care Disparities

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

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

House Bill 1463 – Delegates Kelly, Barnes, Beitzel, Conaway, Donoghue, Dumais, Feldman, Frank, Gilchrist, Gutierrez, Hixson, Kaiser, Kramer, Lee, McComas, Montgomery, Myers, Reznik, Rice, Rosenberg, Serafini, Simmons, and Valderrama

AN ACT concerning

Rachel’s Law – Closed Captioning in Movie Theaters

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

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

House Bill 1464 – Delegates Myers, Beitzel, Kelly, Lafferty, Norman, Serafini, Stein, and Stull

AN ACT concerning

Land Bank Authorities – Establishment by Municipal Corporations

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

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

House Bill 1465 – Delegate Beitzel

AN ACT concerning

Procurement – Employee Uniforms and Equipment – Place of Manufacture

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

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

House Bill 1466 – Delegates Bohanan, O’Donnell, and Wood

AN ACT concerning

St. Mary’s County – Property Tax Credit – Property Leased to Nonprofit Schools

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

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

House Bill 1467 – Delegate Stein

AN ACT concerning

Environment – Coal Combustion By-Products – Minimum Standards – Beneficial Uses

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

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

House Bill 1468 – Delegates Tarrant, Bromwell, Elliott, Hubbard, Krebs, Kullen, Reznik, and V. Turner

AN ACT concerning

Health Insurance – Nonparticipating Providers – Disclosure of Status and Charges

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

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

House Bill 1469 – Delegates Frick, Hixson, King, Feldman, and Schuh

AN ACT concerning

Maryland Small Business Investment Companies

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

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

House Bill 1470 – Delegates Rudolph, Miller, and Niemann

AN ACT concerning

Title Insurance – Title Insurers and Title Insurance Producers – Regulation and Reports

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

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

House Bill 1471 – Delegates Rudolph, Miller, and Niemann

AN ACT concerning

Real Property – Real Estate Settlements – Disclosures

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

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

House Bill 1472 – Dorchester County Delegation, Somerset County Delegation, and Wicomico County Delegation

AN ACT concerning

Hunting Wild Waterfowl – Dorchester, Somerset, and Wicomico Counties

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

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

House Bill 1473 – Delegate Anderson

AN ACT concerning

Public Safety – Missing Offenders – Blue Alert Program

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1475 – Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Maintenance of Effort Waiver

PG 428–10

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

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

House Bill 1476 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George’s County – Maryland–National Capital Park and Planning Commission – Commissioners

PG/MC 119–10

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

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

House Bill 1477 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Municipal Corporations – School Zones and Speed Monitoring Systems

PG 319–10

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

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

House Bill 1478 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Beer and Wine Tastings

PG 320–10

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

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

House Bill 1479 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Abandoned Property Registry

PG 429–10

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

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

House Bill 1480 – Prince George’s County Delegation

AN ACT concerning

Stormwater Management – Construction Activities – State and Local Governments

PG 430–10

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

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

House Bill 1481 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Montgomery County – Maryland–National Capital Park and Planning Commission – Lease, Contract, or Agreement – Terms

PG/MC 118–10

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

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

House Bill 1482 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Participation Goals

PG/MC 117–10

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

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

House Bill 1484 – Delegate Love

AN ACT concerning

Base Realignment and Closure – Public Charter Schools Located on a Federal Military Base

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

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

House Bill 1485 – Delegates George, Bartlett, Bates, Beidle, Beitzel, Bromwell, Dwyer, Eckardt, Elliott, Elmore, Frank, Haddaway, Jenkins, Kach, Kipke, Krebs, Mathias, McComas, McConkey, Miller, Minnick,

Norman, O'Donnell, Olszewski, Schuh, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, and Weir

AN ACT concerning

Voter Registration – Motor Vehicle Administration – Information on Noncitizens

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

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

House Bill 1486 – Delegates Gutierrez, Rice, Ali, Barkley, Barnes, Bobo, Bronrott, Carr, Carter, Frick, Griffith, Howard, Huckler, Ivey, Kaiser, Kirk, Krysiak, Lee, Manno, Mizeur, Montgomery, Nathan-Pulliam, Pena-Melnyk, Ramirez, Reznik, Ross, Schuh, Sophocleus, Stukes, Taylor, V. Turner, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Public Schools – Student Attendance – Preventing Chronic Absenteeism

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

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

House Bill 1487 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – The Women's Veteran's Center

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1492 – Delegates Krysiak, Hammen, Jones, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1495 – Delegates Ivey, Niemann, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bladensburg Market Square II

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1497 – Chair, Economic Matters Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Distribution of Tobacco-Related Products to Minors – Enforcement

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

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

House Bill 1498 – Delegate Levy

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Charles County – Indian Head Center for the Arts

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1499 – Delegates Weir, Minnick, and Olszewski

AN ACT concerning

Creation of a State Debt – Baltimore County – Dundalk Fire Station

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1504 – Delegate Ross

AN ACT concerning

Campaign Finance Entities – Contributions, Transfers, and Reports

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

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

House Bill 1505 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Central Collection Unit – Collection of Debts Owed to the State

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1507 – Delegates Vallario and Ramirez

AN ACT concerning

Criminal Law – Threat Against Deputy State’s Attorney or Assistant State’s Attorney

The Bill was re-referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

House Bill 1530 – Delegates Bronrott, Frick, and Lee

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2008 and 2009 – Montgomery County – Imagination Stage

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2008 and 2009 to alter the matching fund requirement of certain grants to include

funds expended on or after a certain date and extending the deadline under certain grants to present evidence that a certain matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA02(AV)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(AH) and Item ZA03(AM)

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

House Bill 1531 – Delegates Busch, V. Clagett, and George

EMERGENCY BILL

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Renewal of Licenses

FOR the purpose of authorizing the Mayor, Counselor, and Aldermen of the City of Annapolis to determine a periodic basis on which payments for the renewal of alcoholic beverages licenses may be made; making this Act an emergency measure; make certain stylistic changes; and generally relating to the renewal of alcoholic beverages licenses in the City of Annapolis.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–202(c) and 10–301(a)(1)(ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 1532 – The Minority Leader

EMERGENCY BILL

AN ACT concerning

Recognition of Out-of-State Same-Sex Marriages – Changes in Governmental Policies – Moratorium

FOR the purpose of prohibiting, until the issue of the recognition by this State of same-sex marriages legally performed in other jurisdictions is decided by the Court of Appeals or addressed by the General Assembly of Maryland through the enactment of a law, a unit of State or local government from altering a certain policy, procedure, rule, or regulation on the basis of certain legal advice of the Attorney General; providing for the application of this Act; making this Act an emergency measure; and generally relating to the recognition of out-of-state same-sex marriages.

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

House Bill 1533 – The Minority Leader

AN ACT concerning

Deficit Reduction Financing Act of 2010

FOR the purpose of repealing the Maryland Stem Cell Research Fund, the Stem Cell Research Commission, and certain provisions of law providing for State-funded stem cell research; repealing a certain grant program; repealing certain laws authorizing and relating to senatorial and delegate scholarships; repealing certain laws requiring certain contractors and subcontractors to pay certain employees certain minimum wage rates under certain State procurement contracts; altering certain funding requirements; requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; repealing certain inflation adjustments for the calculation of certain State funding requirements; altering the calculation of certain State aid to community colleges; altering the calculation of certain State funding for Baltimore City Community College; altering certain State aid provided to certain nonpublic institutions of higher education; providing that under certain circumstances retirees are not eligible for a certain prescription drug benefit plan included in certain State employee health benefits; requiring the State to provide a certain supplemental prescription drug benefit plan for certain retirees; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short-term rental vehicles; requiring the Motor Vehicle Administration to issue a single registration plate to all classes of vehicles; providing for the method of attachment of the registration plate; making certain conforming changes and a certain technical correction; authorizing the publisher of the Annotated Code to make certain corrections; altering the distribution of certain highway user revenues for a certain fiscal year; stating the intent of the General Assembly regarding constraining spending in the State budget by implementation of certain actions; making the provisions of this Act severable; providing for the effective date and application of this Act; and generally relating to the financing of State government.

BY repealing

Article – Economic Development
Section 10–429 through 10–442 and the part “Part III. Stem Cell Research”
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing

Article – Education
Section 5–202(f); 18–401 through 18–408 and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – State Finance and Procurement
Section 18–101 through 18–109 and the title “Title 18. Living Wage”
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 4–122(b)(2), 5–202(a), 5–205(c), 5–206(f), 14–405(b)(2), 16–305(c)(1)(i), 16–512(a)(1), and 17–104(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 5–207(a)(4), 5–208(a)(6), 5–209(a)(7), 8–310.3(a)(4) and (b), and 8–317(a)(4), (b), and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 2–509.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1104 and 2–1302.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–410 and 13–411
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1534 – Delegate Hecht

AN ACT concerning

Electric Companies – Renewable Energy Portfolio Standard for Solar Energy

FOR the purpose of providing that the renewable energy portfolio standard for solar energy applies to all retail electricity delivered in the State and that the responsibility for meeting the solar renewable energy portfolio standard shall be fulfilled only by electric companies; altering the eligibility criteria for inclusion in meeting the renewable energy portfolio standard for certain energy from a certain Tier 1 source; requiring that the owner of a certain solar generating system offer certain solar renewable energy credits for sale first to a certain electric company under certain circumstances; providing that certain provisions relating to the solar renewable energy portfolio standard for solar energy apply only to electric companies; authorizing a certain electric company to request that the Public Service Commission delay a certain scheduled percentage increase of the standard for solar energy under certain circumstances; authorizing a certain electric company to request that the Commission allow a certain standard for solar energy for a certain year to apply to the electric company for the following year; altering a certain factor that the Commission is required to consider in making a certain determination; requiring a certain electric company to provide certain evidence under certain circumstances; providing that a certain delay continues for a certain period of time under certain circumstances; providing that a certain standard subject to a delay shall be increased under certain circumstances; authorizing certain electric companies to recover certain costs in the form of a surcharge payable by certain electric customers under certain circumstances; authorizing a certain electric company to enter into a long-term contract for a certain time period for the purchase of solar renewable energy credits on review and approval of the Commission under certain circumstances; altering the minimum number of years for a certain contract term for the purchase of certain solar renewable energy credits; requiring a certain electric company to purchase certain solar renewable energy credits from a certain renewable on-site generator; requiring a certain electric company to purchase certain renewable energy credits by a certain single initial payment under certain circumstances; requiring the Commission to require an electric company to enter into a certain mix of short-term and long-term contracts under certain circumstances; making

certain clarifying changes; and generally relating to the renewable energy portfolio standard for solar energy.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 1–101(a), (h), and (j)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–702(b), 7–703(a), 7–704(a)(2), 7–705(e), 7–706, and 7–709(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1535 – Delegate Hecht

AN ACT concerning

Electric Companies – Overhead Transmission Lines – Requirements

FOR the purpose of prohibiting an electric company from beginning construction on an overhead transmission line that is designed to carry a certain capacity or exercising a right of condemnation in connection with the construction unless the electric company first meets certain conditions; prohibiting the Public Service Commission from authorizing, and an electric company from undertaking or exercising a right of condemnation in connection with, the construction of an overhead transmission line designed to carry a certain capacity if the electric company's ownership meets certain criteria; providing for the application of a certain provision; providing that this Act applies retroactively to certain applications filed or pending on or after a certain date; and generally relating to the construction of overhead transmission lines.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 1–101(a) and (h) and 7–207(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Public Utility Companies

Section 7–207(i)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1536 – Delegates McHale, Anderson, Hammen, Krysiak, Minnick, and Morhaim

EMERGENCY BILL

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records and Reporting

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each acquisition of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing for the applicability of the record keeping requirements; providing that certain provisions of law do not preempt a county or municipal government from enacting and enforcing certain measures; providing for the form and contents of the records; requiring that certain records be kept in electronic form; providing for the submission of certain records to certain law enforcement units under certain circumstances; providing that certain provisions may not be construed to require junk dealers and scrap metal processors to incur a substantial expense to comply with certain record submission requirements; providing that certain records shall be kept confidential, are not public records, and are not subject to certain provisions of law; authorizing certain law enforcement units to issue certain waivers under certain circumstances; requiring certain records to be kept for a certain period of time; requiring certain records to be open to inspection at certain times under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing a catalytic converter except under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing cemetery urns, grave markers, and certain other items except under certain circumstances; requiring junk dealers and scrap metal processors to hold certain junk or scrap metal for a certain period of time with certain exceptions; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; exempting certain items acquired from certain entities from certain requirements; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering and adding certain definitions; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and (f) and 17–1002(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17–1001(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–501(a), (b), and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1537 – Delegate Hecht

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems

FOR the purpose of providing that energy from a certain solar water heating system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns and operates a certain solar water heating system shall receive a certain renewable energy credit under certain circumstances; requiring the total amount of energy generated and consumed by a commercial solar water heating system to be measured by a certain meter; requiring the total amount of energy generated and consumed by a residential solar water heating system to be measured in a certain way; prohibiting a residential solar water heating system from producing more than a certain number of solar renewable energy credits in any one year; defining a certain term; altering a certain definition; and generally relating to the eligibility of

solar water heating systems for inclusion in meeting the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–701(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–701(k–1) and 7–704(g)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–701(l)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 306)

ADJOURNMENT

At 8:35 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 9, 2010.

Annapolis, Maryland
Tuesday, March 9, 2010

The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tanya Thornton Shewell of Carroll County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 307)

The Journal of March 8, 2010 was read and approved.

EXCUSES:

Del. Bartlett – personal

Del. Simmons – business – court

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 176 – Senator McFadden

AN ACT concerning

Family Law – Family Day Care Homes and Child Care Centers – Inspections

FOR the purpose of requiring the ~~Department of Human Resources~~ State Department of Education to adopt regulations that provide for an announced inspection by the Department of each registered family day care home prior to issuance of a continuing registration; requiring the Department to inspect each child care center on an announced basis prior to issuing a continuing license or letter of compliance; repealing a requirement that the Department inspect on an announced basis certain family day care homes and child care centers at certain intervals; repealing a requirement that an inspection by the Department of certain family day care homes and child care centers include a determination of whether certain record keeping requirements are being met; and generally relating to inspections of family day care homes and child care centers.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 5–551(c)(7) and 5–578(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 278 – The President (By Request – Administration) and Senators Astle, Della, Exum, Forehand, Gladden, Harrington, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Peters, Pinsky, Pugh, and Stone

AN ACT concerning

Smart, Green, and Growing – Maryland Sustainable Growth Commission

FOR the purpose of repealing the Task Force on the Future for Growth and Development in Maryland; establishing the Maryland Sustainable Growth Commission; establishing the membership and the charge of the Commission; providing for the terms of the members; requiring the Governor to designate the chair and the vice chair of the Commission; authorizing the Commission to adopt rules of procedure; requiring the Commission to submit an annual report of its activities on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to the Maryland Sustainable Growth Commission.

BY repealing

Chapter 381 of the Acts of the General Assembly of 2006, as amended by
Chapter 626 of the Acts of the General Assembly of 2007
Section 4

BY adding to

Article – State Finance and Procurement
Section 5–701 through 5–707 to be under the new subtitle “Subtitle 7. Maryland Sustainable Growth Commission”
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #5

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

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – Specialty Fertilizers – Low Phosphorous Fertilizer

HB0050/180113/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 50

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Specialty Fertilizers” and substitute “Lawn Fertilizer”; and in line 4, after “apply;” insert “altering a certain applicability date; providing for a certain exception until a certain date;”.

AMENDMENT NO. 2

On page 2, in line 1, strike “paragraph” and substitute “PARAGRAPHS”; in the same line, after “(2)” insert “AND (3)”; in line 2, strike “2011” and substitute “2012”; after line 8, insert:

“(2) ON OR AFTER APRIL 1, 2014, THIS SUBSECTION APPLIES TO A LAWN FERTILIZER WITH ORGANIC PHOSPHOROUS MATERIALS.”;

and in line 9, strike “(2)” and substitute “**(3)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 72 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Oil and Gas Production Permits – Fees

HB0072/680918/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 72
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 11, insert:

“(F) “FUND” MEANS THE OIL AND GAS FUND.”;

and in lines 12, 14, 17, 20, 23, 25, 27, and 29, strike “(f)”, “(g)”, “(h)”, “(i)”, “(j)”, “(k)”, “(l)”, and “(M)”, respectively, and substitute “(G)”, “(H)”, “(I)”, “(J)”, “(K)”, “(L)”, “(M)”, and “(N)”, respectively.

AMENDMENT NO. 2

On page 3, in lines 3 and 8, strike “(N)” and “(O)”, respectively, and substitute “(O)” and “(P)”, respectively; and in line 27, after “SHALL” insert “ESTABLISH AND”.

AMENDMENT NO. 3

On page 4, after line 10, insert:

“(E) THE FEES COLLECTED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE DEPOSITED IN THE OIL AND GAS FUND ESTABLISHED UNDER § 14-122 OF THIS SUBTITLE.”;

in line 11, strike “(E)” and substitute “(F)”; in line 16, strike “SHALL CONSIST” and substitute “CONSISTS”; and in line 21, strike “IN EXCESS OF FUNDS NEEDED” and substitute “COLLECTED BY THE DEPARTMENT IN ACCORDANCE WITH THIS SUBTITLE THAT EXCEED THE AMOUNT NECESSARY”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 111 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Charter Counties – Local Laws – Digital Copies

HB0111/970016/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 111

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Charter”; in the same line, strike “Digital”; in the same line, after “Copies” insert “for Legislative Delegations”; strike beginning with “authorizing” in line 3 down through “agencies” in line 11 and substitute “authorizing certain counties to provide a certain notice regarding a digital copy of the county’s compilation of local laws to each member of the county’s legislative delegation as an alternative to furnishing each member a printed copy of the compilation under certain circumstances; clarifying that copies of compilations of local laws and enactments of local laws furnished by certain counties to certain units of State government under certain circumstances shall be printed copies”; in line 11, after “to” insert “copies of”; in line 12, strike “codes” and substitute “enactments”; in the same line, strike “charter”; after line 12, insert:

“BY repealing and reenacting, with amendments,

Article 25 – County Commissioners

Section 32A

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)”;

and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article 25B – Home Rule for Code Counties

Section 12

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “**MAKE**” in line 9 down through “**(II)**” in line 11; in line 11, after “**FURNISH**” insert “**PRINTED**”; in the same line, after “**COPIES**” insert “**OF THE COMPILATION**”; in the same line, strike the comma and substitute “**AND**”; in line 12, strike “, and to each member of the legislative delegation of the county” and substitute “**; AND**”

(II) ONCE EACH YEAR:

1. NOTIFY EACH MEMBER OF THE COUNTY’S LEGISLATIVE DELEGATION THAT A DIGITAL COPY OF THE COMPILATION IS AVAILABLE ON THE INTERNET; OR

2. FURNISH A PRINTED COPY OF THE COMPILATION TO EACH MEMBER OF THE COUNTY’S LEGISLATIVE DELEGATION”;

in line 13, strike “**(2)(II)**” and substitute “**(2)**”; in lines 17 and 31, in each instance, strike the brackets; in line 17, before “copies” insert “**PRINTED**”; in the same line, strike “**A DIGITAL OR PRINTED COPY**”; in line 31, after “that” insert “**PRINTED**”; and in the same line, strike the colon.

On page 3, strike beginning with “**(I)**” in line 1 down through “**COPIES**” in line 3; strike beginning with “**FAILS**” in line 5 down through “**INTERNET,**” in line 6; in line 6, after “supply” insert “**PRINTED**”; in line 31, strike the brackets; in the same line, strike the colon; and strike beginning with “**(1)**” in line 32 down through “**DEPOSIT**” in line 34 and substitute “**PRINTED**”.

AMENDMENT NO. 3

On page 1, after line 19, insert:

“Article 25 – County Commissioners

32A.

Whenever the board of county commissioners or county council of any county in this State publishes or issues in printed, mimeographed or similar duplicated form a code or compilation containing all or a portion of the public local laws of the county, the board or council shall deposit **PRINTED** copies free of charge with the following State agencies: State Archives, one copy; State Law Library, one copy; State Department of Legislative Services, five copies.”.

AMENDMENT NO. 4

On page 3, after line 36, insert:

“Article 25B – Home Rule for Code Counties

12.

(a) At the end of each calendar or fiscal year, each code county shall furnish in a convenient and legible compilation a complete set of all local laws enacted, amended, or repealed by the code county during that year.

(b) (1) Copies of this compilation shall be [made]:

(I) **MADE** available for inspection at the office of the board of county commissioners during normal business hours; and

(II) [copies shall be kept] **KEPT** on permanent record at the office of the board of county commissioners.

(2) [Copies also shall be furnished] **EACH CODE COUNTY SHALL:**

(I) **FURNISH PRINTED COPIES** to the State Archives[,] **AND** to the State Law Library[, and to each member of the legislative delegation of the county]; **AND**

(II) **ONCE EACH YEAR:**

1. **NOTIFY EACH MEMBER OF THE COUNTY’S LEGISLATIVE DELEGATION THAT A DIGITAL COPY OF THE COMPILATION IS AVAILABLE ON THE INTERNET; OR**

2. FURNISH A PRINTED COPY OF THE COMPILATION TO EACH MEMBER OF THE COUNTY'S LEGISLATIVE DELEGATION.

(3) [The foregoing copies] COPIES UNDER PARAGRAPH (2) OF THIS SUBSECTION shall be furnished without charge, and the county also may make other copies available at a reasonable cost to any person.

(c) Not later than March 1 of the next succeeding year, the code county, without charge, shall furnish 4 PRINTED copies of this compilation to the State Department of Legislative Services.

(d) (1) [In addition to furnishing copies of the compilation to the State Department of Legislative Services, the] EACH code county shall provide TO the STATE Department OF LEGISLATIVE SERVICES a statement concerning any referendum on any proposed local law.

(2) The statement shall include information on the results of any referendum held during the year, and it shall include information as to any referendum pending actually or potentially, but not yet held, at the end of the year.

(e) (1) At the end of each calendar year the State Department of Legislative Services shall address an inquiry to each code county inquiring whether or not during that calendar year or its latest fiscal year it has enacted, amended or repealed any portion of its public local laws.

(2) The code county shall promptly answer the inquiry and shall verify that PRINTED copies of all such enactments, amendments, or repeals have already been sent to the Department.

(f) (1) If the code county fails or refuses to supply PRINTED copies of this compilation and of the results of any referenda thereon to the State Department of Legislative Services by March 1 of the next succeeding year, or fails or refuses to certify that there have been no such enactments, amendments, or repeals, or referenda, during the last calendar or fiscal year, the Department shall promptly certify that fact to the State Comptroller, who then may order the discontinuance of all funds, grants or State aid which the code county is entitled to receive under State law.

(2) This section refers specifically to all funds, grants or State aid which the code county is entitled to receive under applicable provisions of State law relating to the income tax, the tax on racing, the recordation tax, the admissions and amusement tax, and the license tax.

(g) (1) The State Department of Legislative Services shall receive the [several] compilations and statements [thus] delivered to it.

(2) The titles of the laws of the several code counties which amend their codes of public local laws shall be arranged in a logical and convenient order and shall be delivered to the State printer for inclusion in the Session Laws of the General Assembly for its regular session in that year.

(3) The titles of the laws of the code counties which amend their codes of public local laws shall be printed and identified as such, and they shall be indexed with or in a supplemental volume to the laws enacted by the General Assembly.

(h) Whenever a code county in this State publishes or issues in printed, mimeographed, or similar duplicated form a code or compilation containing all or a portion of the public local laws of the county, the code county shall deposit **PRINTED** copies free of charge with the following State agencies: State Archives, 1 copy; State Law Library, 1 copy; State Department of Legislative Services, 5 copies.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 242 – Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Doory, Kaiser, Murphy, Rice, Stukes, and F. Turner

AN ACT concerning

Real Property – Mobile Home Park – Rental Agreement – Term of Payment

HB0242/630412/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 242

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 6 down through “agreement” in line 7 and substitute “providing for the application of this Act”.

AMENDMENT NO. 2

On page 2, in line 20, strike “OR”; and in line 21, strike the brackets.

AMENDMENT NO. 3

On page 3, after line 9, 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 rental agreement for a mobile home park site executed before the effective date of this Act.”;

and in line 10, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 320 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Mineral Interests Act**HB0320/560614/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 320
(First Reading File Bill)AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 27 down through “terms;” in line 29.

AMENDMENT NO. 2

On page 6, in line 10, strike “ACTING” and substitute “LEGALLY AUTHORIZED TO ACT”; strike beginning with “IF” in line 11 down through “IDENTIFIED” in line 14; in line 19, after “OWNER” insert “, OR CO-OWNERS,”; and strike beginning with the comma in line 19 down through “PRESERVED” in line 21.

AMENDMENT NO. 3

On page 8, in line 9, after “MINERALS” insert “TO THE OWNER OF THE SURFACE ESTATE”; in line 14, strike the colon; in line 15, strike “(1) FEE” and substitute “FEE”; and strike beginning with the semicolon in line 16 down through “SUBSECTION” in line 22.

AMENDMENT NO. 4

On page 9, strike beginning with the colon in line 17 down through “AFTER” in line 18 and substitute “AFTER”; and strike beginning with the semicolon in line 24 down through “OWNER” in line 27.

AMENDMENT NO. 5

On page 10, strike in their entirety, lines 27 through 31, inclusive; and in line 32, strike “(I)” and substitute “(H)”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 356 – Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

AN ACT concerning

Forest Product Operators – Standards, Procedures, and Enforcement

HB0356/480318/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 356

(First Reading File Bill)

On page 2, in line 16, after “**DEPARTMENT**” insert “**IN AN AMOUNT NOT TO EXCEED THE COSTS OF CARRYING OUT THIS SECTION**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 676 – Delegates Malone and Kramer

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

HB0676/230815/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 676

(First Reading File Bill)

On page 2, in line 14, strike "October" and substitute "June".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 733 – Delegate Beitzel

AN ACT concerning

**Garrett County – Volunteer Fire Departments and Rescue Squads –
Emergency Services Board**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 777 – The Speaker (By Request – Department of Legislative
Services)**

AN ACT concerning

Local Government – Applicability of Laws to Counties and Baltimore City

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters recommended the following Bill be re-referred to the Committee on Judiciary and the Committee on Health and Government Operations:

**House Bill 1389 – Delegates Vallario, Conway, Anderson, Aumann, Bohanan,
Branch, Bronrott, Cane, DeBoy, Doory, Eckardt, Elmore, Gaines,
Griffith, Gutierrez, Guzzone, Haddaway, Haynes, Heller, James, Jones,
Levy, Mathias, Mizeur, Proctor, Robinson, Rosenberg, and Wood**

AN ACT concerning

Traffic Cases – Funds for State Police Helicopters and Ambulance, Fire, and Rescue Companies

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

THE COMMITTEE ON JUDICIARY REPORT #5

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

House Bill 121 – Delegates Anderson, Barnes, Cardin, Glenn, Olszewski, Ramirez, Ross, Schuler, Smigiel, Stukes, Tarrant, Vallario, and Waldstreicher

AN ACT concerning

Office of the Public Defender – Eligibility for Services – Authorization to Access Agency Records

HB0121/382615/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 121

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Authorization” in line 2 down through “Records” in line 3 and substitute “Requests for Employment Status and Income Information”; strike beginning with “make” in line 4 down through “with” in line 5 and substitute “submit requests to”; in line 5, strike the third comma and substitute “and”; strike beginning with the comma in line 6 down through the second “to” in line 7 and substitute “for”; and in line 8, after “Office;” insert “requiring a certain request to be accompanied by a certain authorization; requiring the Department of Labor, Licensing, and Regulation and the Comptroller to comply with certain requests; authorizing certain requests and responsive information to be exchanged by facsimile transmission;”.

AMENDMENT NO. 2

On page 2, in line 27, strike the brackets; and in line 29, strike “; AND” and substitute a period.

On page 3, strike in their entirety lines 1 through 6, inclusive, and substitute:

“(3) (I) THE OFFICE MAY SUBMIT REQUESTS TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AND THE COMPTROLLER FOR INFORMATION REGARDING THE EMPLOYMENT STATUS AND INCOME OF APPLICANTS.

(II) EACH REQUEST SHALL BE ACCOMPANIED BY AN AUTHORIZATION FOR RELEASE OF INFORMATION THAT IS:

1. IN A FORM ACCEPTABLE TO THE AGENCY TO WHICH THE REQUEST IS SUBMITTED; AND

2. SIGNED BY THE APPLICANT.

(III) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AND THE COMPTROLLER SHALL COMPLY WITH REQUESTS FOR INFORMATION MADE BY THE OFFICE UNDER THIS PARAGRAPH.

(IV) REQUESTS AND RESPONSIVE INFORMATION MAY BE EXCHANGED BY FACSIMILE TRANSMISSION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 193 – Delegate Rosenberg

AN ACT concerning

Civil Proceedings – Foreign Defamation Judgments – Enforceability and Bases of Personal Jurisdiction

HB0193/522814/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 193
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Enforceability” and substitute “Recognition, Enforceability.”; strike beginning with “prohibiting” in line 6 down through “judgments;” in line 7; strike beginning with “authorizing” in line 9 down through “judgment;” in line 11; in lines 12 and 13, in each instance, after “foreign” insert “defamation”; in line 11, after “term;” insert “providing for the application of this Act;”; and in the same line, after “to” insert “recognition and”.

AMENDMENT NO. 2

On page 1, in line 16, after “6-103.3” insert “and 10-704(c)”; and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 3

On page 2, in line 11, strike “SHOULD” and substitute “MAY”.

AMENDMENT NO. 4

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 8 on page 3, inclusive, and substitute:

“(C) (1) IN THIS SUBSECTION, “DEFAMATION” INCLUDES INVASION OF PRIVACY BY FALSE FACTS.

“(2) A FOREIGN JUDGMENT MAY NOT BE RECOGNIZED IF:”.

AMENDMENT NO. 5

On page 3, in lines 9 and 16, strike “(6)” and “(7)”, respectively, and substitute “(I)” and “(II)”, respectively; and strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 6

On page 3, after line 25, 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 case filed in a court of this State before the effective date of this Act.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O’Donnell moved to make the Bill a Special Order for March 10, 2010.

The motion was adopted.

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

House Bill 426 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Juvenile Law – Confidentiality of Records – Access by Division of Pretrial Detention and Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1010 – Delegates Conaway, Vallario, Anderson, Dumais, Glenn, Kelly, Ramirez, and Robinson

AN ACT concerning

Juvenile Law – Transfer of Case at Sentencing – Expungement of Criminal Charge

HB1010/392618/1

BY: House Judiciary Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robinson” and substitute “Robinson, and Carter”.

AMENDMENT NO. 2

On page 1, in line 12, after the second “court” insert “and police”; and in line 24, after “10–101(c)” insert “and (h)”.

AMENDMENT NO. 3

On page 3, after line 29, insert:

“(h) “Police record” means an official record that a law enforcement unit, booking facility, or the Central Repository maintains about the arrest and detention of, or further proceeding against, a person for:

- (1) a criminal charge;
- (2) a suspected violation of a criminal law;
- (3) a violation of the Transportation Article for which a term of imprisonment may be imposed; or
- (4) a civil offense or infraction, except a juvenile offense, enacted under State or local law as a substitute for a criminal charge.”.

On page 4, in line 5, after “RECORDS” insert “AND POLICE RECORDS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1023 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Criminal Procedure – Expiration Date of Sentences – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #3

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

House Bill 223 – Montgomery County Delegation**EMERGENCY BILL**

AN ACT concerning

Montgomery County – Maintenance of Effort Waiver**MC 14-10****HB0223/205864/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 223

(First Reading File Bill)

AMENDMENT NO. 1

At the top of the page, strike “EMERGENCY BILL”; in the sponsor line, strike “Montgomery County Delegation” and substitute “Delegates Hixson, Howard, Feldman, Ali, Barkley, Barve, Bronrott, Carr, Dumais, Frick, Gilchrist, Gutiérrez, Heller, Hucker, Kaiser, Kramer, Lee, Manno, Mizour, Montgomery, Reznik, Rice, Simmons, Taylor, Waldstreicher, Benson, Boteler, Cane, G. Clagett, Davis, DeBoy, Doory, Frush, Gaines, Glenn, Healey, Hecht, Holmes, Ivey, King, Love, Minnick, Niemann, Pendergrass, Pena–Melnik, Proctor, Ramirez, Ross, Shewell, Sophocleus, Sossi, Stocksdale, Valderrama, Vaughn, Walker, and Wood”; in line 2, strike “Montgomery County –”; in the same line, strike “Waiver” and substitute “– Penalty”; strike in its entirety line 3; in line 4, strike “provisions in law” and substitute “penalty”; in line 5, strike “for Montgomery County”; in the same line, strike “making this Act an emergency measure” and substitute “requiring certain legislative”

committees to report to the General Assembly on or before a certain date; providing for the application of this Act"; and in lines 6 and 7, strike "requirement of Montgomery County" and substitute "penalty".

AMENDMENT NO. 2

After line 7, insert:

"Preamble

WHEREAS, The process for waiving the maintenance of effort requirement was established in 1996 and no county had applied for a waiver under that process until fiscal year 2010; and

WHEREAS, When the maintenance of effort waiver process was used for the first time in fiscal year 2010, numerous policy issues were identified including the lack of clarity in the factors used to guide the decision of the State Board of Education whether to grant a waiver; and

WHEREAS, Significant policy issues were also identified regarding the appropriate penalty for not meeting the maintenance of effort requirement; now, therefore,".

AMENDMENT NO. 3

In line 9, strike the colon and substitute a comma; in line 10, strike "Notwithstanding" and substitute "notwithstanding"; and strike beginning with "Montgomery" in line 11 down through "§ 5-202(d)" in line 12 and substitute "the penalty provision under § 5-213 of the Education Article may not be applied to any State aid increase provided under § 5-202".

AMENDMENT NO. 4

Strike in their entirety lines 13 through 17, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Senate Budget and Taxation Committee and the House Ways and Means Committee shall study the appropriate calculation of the penalty for failing to meet the maintenance of effort requirement and the appropriate party against whom the penalty should be applied. On or before December 31, 2010, the committees shall report their findings and recommendations to the Legislative Policy Committee, in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to any penalty that would otherwise be imposed for not meeting the maintenance of effort requirement in fiscal year 2010.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2010.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 233 – Howard County Delegation

AN ACT concerning

Howard County Public Schools – Funding Accountability and Transparency Act

Ho. Co. 12-10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 395 – Delegate Barve

AN ACT concerning

Maryland Business Tax Reform Commission – Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 413 – Delegates Hixson, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Frank, Frush, George, Gilchrist,

Glenn, Gutierrez, Hammen, Hecht, Heller, Hucker, Ivey, Kaiser, Kirk, Krysiak, Kullen, Lafferty, Lee, Levi, Love, Mathias, McHale, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, O’Donnell, Olszewski, Proctor, Reznik, Robinson, Rosenberg, Schuler, Shewell, Simmons, Sophocleus, Sossi, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, and Weir

AN ACT concerning

Education – Instruction of Blind and Visually Impaired Students – Use of Braille

HB0413/245967/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 413

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Weir” and substitute “Weir, Doory, Cardin, Elmore, Frick, Howard, Murphy, Myers, Rice, Ross, Shank, Stukes, Walker, and Kramer”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 506 – Delegates Dumais, Feldman, and Rice

AN ACT concerning

Higher Education – Delegate Scholarships – Summer School

HB0506/375260/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 506

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Rice” and substitute “Rice, Hixson, Bartlett, Barve, Cardin, Frick, Gilchrist, Howard, Ivey, Kaiser, Murphy, Myers, Ross, Stukes, F. Turner, and Walker”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 547 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Board of Elections – Membership

HB0547/515663/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 547

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Delegation” insert “, Worcester County Delegation, and Somerset County Delegation”; in line 2, after “County” insert “, Worcester County, and Somerset County”; in the same line, strike “Board” and substitute “Boards”; in line 4, after “Elections” insert “, the Worcester County Board of Elections, and the Somerset County Board of Elections”; in lines 4 and 5, in each instance, strike “board” and substitute “boards”; in line 8, after “Elections” insert “, the Worcester County Board of Elections, and the Somerset County Board of Elections”; and in line 16, strike “2–204(a)(23)” and substitute “2–204(a)(20), (23), and (24)”.

AMENDMENT NO. 2

On page 4, in line 18, after “COUNTY” insert “, WORCESTER COUNTY, AND SOMERSET COUNTY”.

AMENDMENT NO. 3

On page 5, after line 3, insert:

“(20) in Somerset County, \$1,000;”;

and after line 5, insert:

“(24) in Worcester County, \$1,500 for the president and \$1,200 for other regular members.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 592 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Property Tax Credit – Foster Parent

HB0592/695964/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 592

(First Reading File Bill)

On page 1, in line 4, after “on” insert “certain”; in line 6, strike “and certification”; in line 10, after “for” insert “certain”; and in lines 5 and 10, in each instance, strike “certain individuals” and substitute “a foster parent of a child”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 595 – Delegates Olszewski, Minnick, and Weir

AN ACT concerning

Baltimore County – Property Tax Credit – Rosewald Beach Civic League

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 623 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – Memorial Hilltop Centre

HB0623/555262/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 623

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certain” in line 8 down through “tax” in line 9 and substitute “the amount of the”; and in line 9, after “credit” insert “, eligibility criteria for the credit, certain regulations and procedures, and any other provision necessary to carry out the credit”.

AMENDMENT NO. 2

On page 2, in line 6, strike “AND” and substitute:

“(II) ELIGIBILITY CRITERIA FOR THE CREDIT;

“(III) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE CREDIT; AND”;

and in line 7, strike “(II)” and substitute “(IV)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 755 – Delegates Mizeur, Barkley, Bobo, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Glenn, Healey, Hecht, Hixson, Ivey, Kaiser, Lafferty, Manno, McIntosh, Montgomery, Murphy, Pena–Melnyk, Reznik, Rice, Robinson, Rosenberg, and Ross

AN ACT concerning

Earned Income Credit Information Act

Favorable report adopted.

Delegate O'Donnell moved to make the Bill a Special Order for March 11, 2010.

The motion was adopted.

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

House Bill 806 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1112 – Carroll County Delegation

AN ACT concerning

Carroll County – Green Building Tax Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

STATUS OF BILL: BILL ON 2ND READING. (RECONSIDERED)

FLOOR AMENDMENT

HB0085/533225/1

BY: Delegate Davis

AMENDMENTS TO HOUSE BILL 85

(Bill as printed for Third Reading)

AMENDMENT NO. 1

On page 2, in line 3, strike “adding certain inspection fees;”.

AMENDMENT NO. 2

On page 11, in line 22, strike the brackets and “\$40”; and strike beginning with “REPAIR” in line 30 down through “(III)” in line 31.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF BILLS

Delegate Olszewski moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 308)

In compliance with the rules, the Bill was introduced.

House Bill 1538 – Delegates Olszewski and Weir

AN ACT concerning

Firehouses – New Construction or Major Renovation – Fire Sprinkler Systems and Fire Suppression Systems

FOR the purpose of requiring a county to install a fire sprinkler system when constructing a new firehouse or conducting a major renovation of an existing firehouse; requiring a county to conduct a feasibility study on or before a certain date on the installation of fire sprinkler systems or other fire suppression systems in existing firehouses; requiring each county and Baltimore City to report to the General Assembly on or before a certain date; and generally relating to the installation of fire sprinkler systems or other fire suppression systems in firehouses.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 to be under the new title “Title 22. Firehouses”
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

Delegate Conaway moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 309)

In compliance with the rules, the Bill was introduced.

House Bill 1539 – Delegate Conaway

AN ACT concerning

Baltimore City – Property Taxes – Limitation

FOR the purpose of limiting the rate of increase of certain property taxes in Baltimore City to a certain amount; providing for certain exceptions to the limitation; submitting this Act to a referendum of the legally qualified voters of Baltimore City; and generally relating to property taxes in Baltimore City.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (39)(a)
(2007 Replacement Volume, as amended)

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

Delegate James moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 310)

In compliance with the rules, the Bill was introduced.

House Bill 1540 – Delegate James

EMERGENCY BILL

AN ACT concerning

Early Voting – Number of Early Voting Centers – Determination

FOR the purpose of requiring active and inactive voters to be included in the number of voters used for certain purposes; providing for the application of this Act; making this Act an emergency measure; and generally relating to the determination of the number of early voting centers in each county.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

Delegate James moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 311)

In compliance with the rules, the Bill was introduced.

House Bill 1541 – Delegates James and Riley

EMERGENCY BILL

AN ACT concerning

Real Property – Prohibition Against Entering

FOR the purpose of prohibiting a certain employee of the State or a local government from entering certain property for a certain period of time; providing an exception to this Act for certain law enforcement officers or emergency responders and for certain persons invited onto the property; making this Act an emergency measure; and generally relating to a certain prohibition against entering certain property.

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

Delegate Bromwell moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 312)

In compliance with the rules, the Bill was introduced.

House Bill 1542 – Baltimore County Delegation

AN ACT concerning

Baltimore County – Use of Public School Facilities – Games of Chance

FOR the purpose of authorizing the use of public school facilities in Baltimore County for certain games of chance; providing for the construction of this Act; and generally relating to the use of public school facilities in Baltimore County for games of chance.

BY repealing and reenacting, without amendments,

Article – Education

Section 7–108

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 7–108.1

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 313)

ADJOURNMENT

At 11:15 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 10, 2010.

Annapolis, Maryland
Wednesday, March 10, 2010

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

Prayer by Delegate Andrew A. Serafini of Washington County.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 314)

The Journal of March 9, 2010 was read and approved.

EXCUSES:

Del. Bartlett – personal

Del. Beidle – son’s wedding

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 107 – The President (By Request – Administration) and Senators Middleton, Della, Exum, Garagiola, and Kelley

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Unemployment Insurance – Tax Deferment, Trust Fund Solvency, and Cost-Neutral Modernization and Tax Relief Act

FOR the purpose of providing for an alternative method to determine the base period for unemployment insurance purposes under certain circumstances; altering certain provisions relating to benefit eligibility of certain part-time workers; providing that certain training benefits may not be charged to employers; creating an additional training benefit for certain individuals; providing for the calculation and limit for the additional training benefits; prohibiting the denial of additional training benefits under certain circumstances; prohibiting payment of additional training benefits after a certain period; ~~reducing the interest rate on certain late payments; adjusting the applicable table of~~

~~contribution rates for a certain time period under certain circumstances; altering the minimum amount of wages paid to a claimant for covered employment for the claimant to be eligible for benefits; decreasing the threshold for subtracting wages to determine an eligible claimant's weekly benefit amount; repealing a provision that prohibits the denial of certain benefits for failure to meet a certain requirement if the failure results from a certain illness or disability; altering the criteria used to determine when a disqualification for a finding of gross misconduct in connection with employment ends; altering the criteria used to determine when a disqualification for a finding of misconduct in connection with employment ends; requiring certain regulations to require the Secretary to offer certain payment plan options under certain circumstances; requiring the Secretary to offer certain payment plan options for certain calendar years; reducing the interest rate on certain late payments under certain circumstances; reducing the interest rate of certain late payments for certain calendar years; clarifying that certain money received during a certain period under the federal American Recovery and Reinvestment Act shall be included among certain total funds available for benefits; requiring the Joint Committee on Unemployment Insurance Oversight to study certain changes that would provide a certain cost-neutral plan to effectuate a certain increase in the maximum weekly benefit amount; requiring the study to include a certain determination of the impact of lowering the amount of wages that may be subtracted in the calculation of the weekly benefit amount; requiring the Joint Committee to report on or before a certain date; defining certain terms; altering certain definitions; providing for the effective dates and application of this Act; making this Act an emergency measure; and generally relating to unemployment insurance.~~

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8-101(a), ~~8-607(a) through (c)~~, and 8-802

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8-101(b) and (v), ~~8-611(e), 8-612(d)(6), 8-628, and 8-903(a)~~ 8-607(d),
8-611(e), 8-628, 8-903(a), 8-907, 8-1002, and 8-1003

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8-803(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Chapters 287 and 288 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–803(b) and (d)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Chapters 287 and 288 of the Acts of the General Assembly of 2009)

BY adding to

Article – Labor and Employment

Section 8–812

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 252 – Senators Frosh, Forehand, Garagiola, Gladden, Jacobs, Kelley, King, Muse, Raskin, and Stone

AN ACT concerning

Child Support Guidelines – Revision

FOR the purpose of revising the schedule of basic child support obligations used to calculate the amount of a child support award under the child support guidelines; defining certain terms; making certain clarifying and conforming changes; and generally relating to child support.

BY adding to

Article – Family Law

Section 12–201(j) and (k)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 12–201(j) and (k) and 12–204(e), (g), (l), and (m)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 523 – Senators Pugh, Conway, Exum, Harrington, Jones, McFadden, Peters, and Raskin

AN ACT concerning

Credit Card Blacklisting Prevention Act

FOR the purpose of prohibiting a person from including or enforcing certain provisions in certain consumer credit contracts; providing that a provision included in a consumer credit contract in violation of certain provisions of this Act is void and unenforceable; permitting certain information to be used to detect or prevent certain fraudulent activity; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to consumer credit contracts.

BY adding to

Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 598 – Senator Rosapepe

AN ACT concerning

**Public Utility Companies – University of Maryland, College Park Bus Service
– Motor Carrier Permit Exemption – Removal of Sunset and Service
Expansion**

FOR the purpose of removing the sunset applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; altering certain provisions of law relating to the geographic area in which the University of Maryland, College Park may provide certain bus service and the persons eligible to use the bus service; and generally relating to bus service provided by the University of Maryland, College Park to its students and to the residents of ~~a certain municipal corporation~~ certain municipal corporations.

BY repealing and reenacting, ~~without~~ with amendments,

Article – Public Utility Companies
Section 9–201
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Chapter 346 of the Acts of the General Assembly of 2008
Section 2

BY repealing and reenacting, with amendments,

Chapter 346 of the Acts of the General Assembly of 2008
Section 3

BY repealing and reenacting, without amendments,
Chapter 347 of the Acts of the General Assembly of 2008
Section 2

BY repealing and reenacting, with amendments,
Chapter 347 of the Acts of the General Assembly of 2008
Section 3

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 787 – Senator Pugh

AN ACT concerning

Financial Institutions – Mortgage Lenders – Net Worth Requirements

FOR the purpose of establishing that for purposes of satisfying certain minimum net worth requirements, in addition to computing the net worth of ~~an~~ a certain applicant for a new mortgage broker's license or for the renewal of a license according to generally accepted accounting principles, net worth may be computed according to any other recognized comprehensive basis of accounting approved by the Commissioner of Financial Regulation; and generally relating to net worth requirements for mortgage brokers.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11–501(a) and (f)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 11–508.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #7

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

House Bill 202 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Uniform Commercial Code – Financing Statements – Termination by Government Employees

HB0202/583396/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 202

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Termination by Government Employees” and substitute “False Filings - Prohibited”; strike beginning with “authorizing” in line 4 down through “employees” in line 23 and substitute “providing that a person who files a financing statement or an amendment to a financing statement that the person knows contains false information is subject to a certain penalty; prohibiting a person from filing a financing statement or an amendment to a financing statement that the person knows contains false information; providing a penalty for a violation of certain provisions of this Act; and generally relating to financing statements”; in line 26, strike “9-513 and 9-515(d)” and substitute “9-509”; and after line 28, insert:

“BY adding to

Article - Criminal Law

Section 9-508

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“9-509.

(a) A person may file an initial financing statement, amendment that adds collateral covered by a financing statement, or amendment that adds a debtor to a financing statement only if:

(1) The debtor authorizes the filing in an authenticated record or pursuant to subsection (b) or (c); or

(2) The person holds an agricultural lien that has become effective at the time of filing and the financing statement covers only collateral in which the person holds an agricultural lien.

(b) By authenticating or becoming bound as a debtor by a security agreement, a debtor or new debtor authorizes the filing of an initial financing statement, and an amendment, covering:

(1) The collateral described in the security agreement; and

(2) Property that becomes collateral under § 9–315(a)(2), whether or not the security agreement expressly covers proceeds.

(c) By acquiring collateral in which a security interest or agricultural lien continues under § 9–315(a)(1), a debtor authorizes the filing of an initial financing statement, and an amendment, covering the collateral and property that becomes collateral under § 9–315(a)(2).

(d) A person may file an amendment other than an amendment that adds collateral covered by a financing statement or an amendment that adds a debtor to a financing statement only if:

(1) The secured party of record authorizes the filing; or

(2) The amendment is a termination statement for a financing statement as to which the secured party of record has failed to file or send a termination statement as required by § 9–513, the debtor authorizes the filing, and the termination statement indicates that the debtor authorized it to be filed.

(e) If there is more than one secured party of record for a financing statement, each secured party of record may authorize the filing of an amendment under subsection (d).

(F) A PERSON WHO FILES A FINANCING STATEMENT OR AN AMENDMENT TO A FINANCING STATEMENT THAT THE PERSON KNOWS CONTAINS FALSE

INFORMATION IS SUBJECT TO THE PENALTY PROVIDED IN § 9-508 OF THE CRIMINAL LAW ARTICLE.

Article – Criminal Law

9-508.

(A) IN THIS SECTION, “FINANCING STATEMENT” HAS THE MEANING STATED IN § 9-102 OF THE COMMERCIAL LAW ARTICLE.

(B) A PERSON MAY NOT FILE A FINANCING STATEMENT OR AN AMENDMENT TO A FINANCING STATEMENT THAT THE PERSON KNOWS CONTAINS FALSE INFORMATION.

(C) (1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.

(2) EACH ACT OF FILING A FINANCING STATEMENT OR AN AMENDMENT TO A FINANCING STATEMENT IS A SEPARATE VIOLATION.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 4 on page 2 through line 8 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 224 – Delegates Morhaim, Cardin, McIntosh, and Stein

AN ACT concerning

Plumbing – Greywater Recycling

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 407 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

State Board of Public Accountancy – Disciplinary Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 408 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors
– Administrative Sanctions – Civil Penalty**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 412 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 642 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Real Property – Home Builders – Community Amenities

PG 407–10

HB0642/213196/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 642

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “penalty;” in line 9 and substitute “requiring a contract of sale for certain property in Prince George’s County that includes a certain agreement to include a certain disclosure statement; requiring the disclosure statement to be dated and signed by the purchaser and the home builder and included in or attached to the contract of sale; providing that a certain purchaser has an unconditional right to rescind a certain contract of sale at a certain time and under certain circumstances; requiring certain advertising for a certain community development to include disclosure of certain requirements; providing that a certain home builder may be liable for breach of contract under certain circumstances;”; and in line 10, after the second “and” insert “disclosure of”.

AMENDMENT NO. 2

On page 2, strike beginning with “A” in line 7 down through “AVAILABLE” in line 10 and substitute “IN PRINCE GEORGE’S COUNTY, A CONTRACT OF SALE FOR RESIDENTIAL REAL PROPERTY THAT INCLUDES AN AGREEMENT BY THE HOME BUILDER TO PROVIDE A COMMUNITY AMENITY SHALL INCLUDE A DISCLOSURE STATEMENT THAT:

(I) IDENTIFIES THE COMMUNITY AMENITY PROVIDED IN THE CONTRACT OF SALE; AND

(II) SPECIFIES WHEN THE COMMUNITY AMENITY WILL BE COMPLETED IN ACCORDANCE WITH A RECREATIONAL FACILITIES AGREEMENT RECORDED WITH THE PRINCE GEORGE’S COUNTY PLANNING DEPARTMENT”;

strike beginning with “A” in line 11 down through “SALE” in line 13 and substitute “THE DISCLOSURE STATEMENT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(I) DATED AND SIGNED BY THE PURCHASER AND THE HOME BUILDER; AND

(II) INCLUDED IN OR ATTACHED TO THE CONTRACT OF SALE”;

after line 13, insert:

“(3) A PURCHASER WHO DOES NOT RECEIVE THE DISCLOSURE STATEMENT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON OR BEFORE ENTERING INTO THE CONTRACT OF SALE HAS AN UNCONDITIONAL RIGHT, ON WRITTEN NOTICE TO THE HOME BUILDER, TO RESCIND THE CONTRACT OF SALE AT ANY TIME:

(I) BEFORE THE RECEIPT OF THE DISCLOSURE STATEMENT; OR

(II) WITHIN 5 DAYS AFTER RECEIPT OF THE DISCLOSURE STATEMENT.

(C) ANY ADVERTISING FOR A COMMUNITY DEVELOPMENT IN PRINCE GEORGE’S COUNTY THAT WILL INCLUDE A COMMUNITY AMENITY SHALL INCLUDE DISCLOSURE OF THE REQUIREMENTS UNDER THIS SECTION.”;

in line 14, strike “(C)” and substitute “(D)”; in the same line, strike “A” and substitute “IN PRINCE GEORGE’S COUNTY, A”; and strike beginning with “VIOLATES” in line 14 down through “HOME” in line 17 and substitute “DOES NOT MAKE THE COMMUNITY AMENITY AVAILABLE AS PROVIDED IN THE CONTRACT OF SALE MAY BE LIABLE FOR BREACH OF CONTRACT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 752 – Delegates Kirk, Barkley, Haddaway, Harrison, Haynes, Impallaria, Jameson, King, Krysiak, Love, Manno, Miller, Stukes, and Vaughn

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers – Exempted Transactions and Record Keeping Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 821 – Delegates Barkley, King, McHale, Taylor, and Vaughn

AN ACT concerning

Net Energy Metering – Fuel Cell

HB0821/723096/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 821

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, and Walkup”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 822 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Arts and Entertainment District

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 834 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Treasurer – Permissible Investments – Linked Deposit Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 956 – Delegate Myers

AN ACT concerning

Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of Licenses and License Numbers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #5**

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

House Bill 132 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners in Optometry – Sunset Extension and Program Evaluation

HB0132/766382/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 132

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “law)” insert “by extending”.

AMENDMENT NO. 2

On page 2, in line 25, after “issued” insert “and the trends in the renewal of previously issued licenses”; in line 26, strike “decline” and substitute “Board’s findings”; strike beginning with “Track” in line 27 down through “(3)” in line 30; and in line 32, strike “(4)” and substitute “(3)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 278 – Delegate Hubbard

AN ACT concerning

Maryland Medical Assistance Program – Medical Eligibility for Nursing Facility Level of Care

HB0278/906986/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 278

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Care” insert “- Report”; strike beginning with “determine” in line 5 down through “circumstances” in line 7 and substitute “provide a certain report to certain committees of the General Assembly and the Medicaid Advisory Committee within a certain time period prior to making any change to medical eligibility for certain Medical Assistance Program long-term care services; requiring the Department to discuss certain reports submitted to the Medicaid Advisory Committee at a meeting of the Committee”; in line 7, after “defining” insert “a”; and in the same line, strike “terms” and substitute “term”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 22 on page 3, inclusive, and substitute:

“(A) IN THIS SECTION, “HOME- AND COMMUNITY-BASED WAIVER SERVICES” INCLUDE SERVICES PROVIDED UNDER THE LIVING AT HOME WAIVER, THE OLDER ADULTS WAIVER, AND THE MEDICAL DAY CARE WAIVER.

(B) AT LEAST 90 DAYS PRIOR TO MAKING ANY CHANGE TO MEDICAL ELIGIBILITY FOR PROGRAM LONG-TERM CARE SERVICES, INCLUDING NURSING FACILITY SERVICES, HOME- AND COMMUNITY-BASED WAIVER SERVICES, AND OTHER SERVICES THAT REQUIRE A NURSING FACILITY LEVEL OF CARE, THE DEPARTMENT SHALL PROVIDE A REPORT TO:

(1) THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE; AND

(2) THE MEDICAID ADVISORY COMMITTEE.

(C) THE REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:

(1) THE DETAILS OF THE INTENDED CHANGE IN MEDICAL ELIGIBILITY;

(2) A DESCRIPTION OF HOW THE INTENDED CHANGE WILL AFFECT CURRENT MEDICAL ELIGIBILITY;

(3) THE INTENDED EFFECTIVE DATE OF THE CHANGE; AND

(4) WHETHER THE CHANGE WILL BE PURSUED THROUGH DEPARTMENTAL POLICY, BY REGULATION, OR BY STATUTE.

(D) THE DEPARTMENT SHALL DISCUSS ANY REPORT SUBMITTED TO THE MEDICAID ADVISORY COMMITTEE UNDER SUBSECTION (B) OF THIS SECTION AT A MEETING OF THE MEDICAID ADVISORY COMMITTEE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 423 – Delegate Sossi

AN ACT concerning

Life and Health Insurance Guaranty Corporation – Maximum Liability

HB0423/736089/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 423

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “certain” in line 3 down through “and” in line 4.

AMENDMENT NO. 2

On page 2, in lines 11 and 14, in each instance, strike the bracket; and in lines 11 and 14, in each instance, strike “\$500,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 600 – Delegate Kullen

AN ACT concerning

Health Occupations – Therapy Management Contracts – Repeal of Sunset

HB0600/226686/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 600

(First Reading File Bill)

In the sponsor line, strike “Delegate Kullen” and substitute “Delegates Kullen, Benson, Donoghue, Elliott, Hubbard, Montgomery, Nathan-Pulliam, Pena-Melnyk, Pendergrass, and V. Turner”; and in line 12, strike “**246**” and substitute “**249**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 814 – Delegates Kach and Olszewski

AN ACT concerning

Health Insurance – Individual Health Benefit Plans – Frequency of Premium Increases

HB0814/146387/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 814

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Olszewski” and substitute “, Olszewski, Benson, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner”; in line 4, after “carriers” insert “, with a certain exception.”; in line 5, after “premium” insert “of an individual”; and in line 6, after “time,” insert “providing that an increase in an individual’s premium includes an increase due to the individual moving into a higher age band.”.

AMENDMENT NO. 2

On page 2, strike lines 2 and 3 in their entirety and substitute:

“(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A CARRIER MAY NOT INCREASE AN INDIVIDUAL’S PREMIUM ON AN INDIVIDUAL HEALTH BENEFIT PLAN MORE FREQUENTLY THAN ONCE EVERY 12 MONTHS.

(B) AN INCREASE IN AN INDIVIDUAL’S PREMIUM DESCRIBED IN SUBSECTION (A) OF THIS SECTION INCLUDES AN INCREASE DUE TO THE INDIVIDUAL MOVING INTO A HIGHER AGE BAND.

(C) A CARRIER MAY INCREASE AN INDIVIDUAL’S PREMIUM ON AN INDIVIDUAL HEALTH BENEFIT PLAN MORE FREQUENTLY THAN ONCE EVERY 12 MONTHS IF THE PREMIUM INCREASE IS DUE SOLELY TO THE ENROLLMENT OF A NEW FAMILY MEMBER TO THE INDIVIDUAL HEALTH BENEFIT PLAN OF THE INDIVIDUAL.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 863 – Delegate Hubbard

AN ACT concerning

Maryland Professional Counselors and Therapists Act – Corrections**HB0863/816087/1**

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 863
(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Benson, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 193 – Delegate Rosenberg

AN ACT concerning

**Civil Proceedings – Foreign Defamation Judgments – Enforceability and
Bases of Personal Jurisdiction**

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

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #3

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

House Bill 1511 – Delegates Minnick and Weir

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore County –
Community Post**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1519 – Delegates Busch, V. Clagett, Costa, and George

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern and Broadneck
High Schools Field Lights**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1522 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – Little Sisters of the Poor

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1526 – Delegates Proctor and Vallario

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Henson Valley
Montessori School**

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1529 – Delegate Bohanan

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s County Fairgrounds

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1530 – Delegates Bronrott, Frick, and Lee

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2008 and 2009 – Montgomery County – Imagination Stage

The Bill was re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

Delegate Serafini moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 315)

In compliance with the rules, the Bill was introduced.

House Bill 1543 – Delegate Serafini

AN ACT concerning

State Retirement and Health Benefits Reporting Transparency Act

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to prepare certain reports that include certain information concerning the investments and funded status of the several systems of the State Retirement and Pension System; requiring the Board of Trustees to prepare certain reports that include certain information concerning the actuarial liability associated with State retiree health benefits; requiring the Board of Trustees to send certain reports in a certain manner to certain individuals and media outlets; limiting the amount the Board of Trustees may

spend to prepare certain reports; and generally relating to the Board of Trustees reporting information about the several systems of the State Retirement and Pension System and the actuarial liability associated with State retiree health benefits.

BY adding to

Article – State Personnel and Pensions
Section 21–125.2 and 34–102
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Delegate McConkey moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 316)

In compliance with the rules, the Bill was introduced.

House Bill 1544 – Delegate McConkey

AN ACT concerning

Court Costs – Criminal Injuries Compensation Fund

FOR the purpose of altering a certain cost the court imposes on an individual convicted of certain crimes of which a certain part is deposited in the Criminal Injuries Compensation Fund; altering the distribution of certain court costs collected from certain individuals to the Fund; and generally relating to court costs and the Criminal Injuries Compensation Fund.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 7–409(d) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure
Section 11–819
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Delegate Stifler moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 136 Negative – 2 (See Roll Call No. 317)

In compliance with the rules, the Bill was introduced.

House Bill 1545 – Delegate Stifler

AN ACT concerning

Vehicle Laws – Driving Instructors – Licensing Qualifications

FOR the purpose of establishing that a person may not be licensed as a driving instructor and the Motor Vehicle Administration shall refuse to grant a driving instructor license to a person or shall suspend, revoke, or refuse to renew a person's license if the person has been convicted of, or has charges pending for, an offense that would constitute a crime for which certain registration is required; establishing that a certain fine may be imposed on a licensee in addition to a certain suspension, revocation, or refusal to renew a license; and generally relating to a license to act as a driving instructor.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–802
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–803 and 15–807
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 318)

ADJOURNMENT

At 10:44 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 11, 2010.

Annapolis, Maryland
Thursday, March 11, 2010

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James E. Proctor, Jr. of Calvert and Prince George's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 319)

The Journal of March 10, 2010 was read and approved.

EXCUSES:

Del. Beidle – son's wedding

Del. Howard – personal

Del. Hucker – business

Del. McDonough – personal

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 161 – Senators Simonaire and Reilly

AN ACT concerning

**Anne Arundel County Public Schools – Office Discipline Referrals –
Accountability Policy**

FOR the purpose of requiring the Anne Arundel County Board of Education to develop a certain policy for accounting for certain office discipline referrals submitted in certain schools on or before a certain date; requiring a certain policy to include certain information; requiring the county board to implement a certain policy in certain public schools in a certain school year; requiring the county board to submit a certain report to the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to an accountability policy by the Anne Arundel County Board of Education for office discipline referrals.

BY adding to

Article – Education

Section 7–311

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 390 – Senator McFadden

AN ACT concerning

Baltimore City – Marriage License Fee – Increase – The Carole Alexander Act

FOR the purpose of ~~providing for the maximum amount of the additional fee for a marriage license that the Baltimore City Mayor and the Baltimore City Council are authorized to set by ordinance; requiring the clerk of the court to pay the proceeds from the additional fee to the House of Ruth; requiring the Mayor to prepare and make available a certain annual report on or before a certain date each year~~ requiring the Mayor and City Council of Baltimore City to set by resolution an additional marriage license fee of up to a certain amount; and generally relating to marriage license fees in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–404(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 453 – Senators Pinsky, Frosh, Harrington, and Lenett

EMERGENCY BILL

AN ACT concerning

Education – Teachers – National Board Certified Teacher Pilot Program

FOR the purpose of requiring certain teachers to have certain certification under certain circumstances; altering certain reporting dates; requiring the State to include ~~the~~ the funding for an expansion of a certain pilot program as part of the State's application to the United States Department of Education for the Race to the Top Fund; repealing, as of a certain date, provisions establishing a certain pilot program; providing for a delayed effective date for certain provisions of this Act; making this Act an emergency measure; and generally relating to the National Board Certified Teacher Pilot Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–118
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Education
Section 6–118
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 501 – Senator Raskin

AN ACT concerning

Real Estate Investment Trusts – Miscellaneous Provisions

FOR the purpose of clarifying that a real estate investment trust may provide by its declaration of trust that holders of one or more classes or series of shares have exclusive voting rights on an amendment that would alter only the contract rights of those shareholders; providing that, without action by the shareholders, the majority of the entire board of trustees may amend the declaration of trust in any respect in which the charter of a corporation may be amended, unless prohibited in the declaration of trust in a certain manner; authorizing the board of trustees of certain real estate investment trusts to amend the declaration of trust, without shareholder action, to effect a certain reverse share split, unless prohibited in the declaration of trust in a certain manner; requiring a certain real estate investment trust to give certain notice of a certain reverse share split to certain shareholders within a certain time after the effective date of the reverse share split; authorizing a real estate investment trust to file a certain certificate of notice for record with the State Department of Assessments and Taxation; providing that a trustee of a real estate investment trust is not required to authorize or direct the filing of a certificate of notice; providing that a real estate investment trust is not required to file a certificate of notice; providing that a certificate of notice shall be executed in a certain manner; defining certain terms and altering a certain definition; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 8–101, 8–203(a) and (c), and 8–501
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Corporations and Associations

Section 8–503

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON APPROPRIATIONS REPORT #5

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

House Bill 189 – Delegate DeBoy (Chair, Joint Audit Committee) and Delegates Aumann, Barkley, Bronrott, G. Clagett, Haynes, Hixson, Howard, Kach, and Oaks

AN ACT concerning

Office of Legislative Audits – Auditing Local School Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 260 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Classification of Positions in the State Personnel Management System

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 275 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Employees – Employee Performance Appraisals – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 516 – Delegate Malone

AN ACT concerning

Hazardous Material Response Team Employees – Death Benefits and Funeral Expenses – Local Government Agencies

HB0516/594269/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 516
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “certain” insert “benefits may only be paid if”; in the same line, strike “may place” and substitute “maintain”; strike beginning with “each” in line 7 down through “year” in line 8; and in line 9, strike “under certain circumstances” and substitute “; requiring a local government agency, if a certain determination is made to pay a certain benefit, to pay to the Department of Public Safety and Correctional Services funds required to pay the benefit”.

AMENDMENT NO. 2

On page 5, in line 20, strike “PLACES” and substitute “MAINTAINS”; in the same line, strike “EACH FISCAL YEAR”; and in line 33, strike “SECTION” and substitute “SUBSECTION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 774 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Reemployment Earnings Limitation – Exemptions

HB0774/234367/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 774

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “(3) and” and substitute “(3)”; in the same line, after “23–407(c)(1) and (3)” insert “, and 25–403(a)”; in line 16, strike “and” and substitute a comma; and in the same line, after “23–407(c)(4)(i)” insert “, and 25–403(b)(3)”.

AMENDMENT NO. 2

On page 2, in line 23, after “a” insert “PERMANENT,”; and in the same line, after “temporary” insert a comma.

On page 3, in line 11, after “a” insert “PERMANENT,”; and in the same line, after “temporary” insert a comma.

AMENDMENT NO. 3

On page 3, after line 11, insert:

“25–403.

(a) Except as provided in subsection (h) of this section, an individual who is receiving a service retirement allowance or vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, if the individual immediately notifies the Board of Trustees:

(1) of the individual's intention to accept the employment; and

(2) of the compensation that the individual will receive.

(b) (3) The reduction under this subsection does not apply to:

(i) an individual who has been retired for 9 years, beginning on January 1, after the date the individual retires;

(ii) an individual whose average final compensation was less than ~~[\$10,000]~~ **\$25,000** and who is reemployed on a **PERMANENT**, temporary, or contractual basis;

(iii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit; or

(iv) a retiree of the Correctional Officers' Retirement System who is reemployed on a contractual basis for not more than 4 years by the Division of Corrections, the Division of Pretrial Detention and Services, or the Patuxent Institution in the Department of Public Safety and Correctional Services as a correctional officer in a correctional facility defined in § 1-101 of the Correctional Services Article."

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:

House Bill 755 – Delegates Mizeur, Barkley, Bobo, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Glenn, Healey, Hecht, Hixson, Ivey, Kaiser, Lafferty, Manno, McIntosh, Montgomery, Murphy, Pena-Melnyk, Reznik, Rice, Robinson, Rosenberg, and Ross

AN ACT concerning

Earned Income Credit Information Act

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

FLOOR AMENDMENT

HB0755/703327/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 755

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "an employer" and substitute "certain employers".

AMENDMENT NO. 2

On page 3, in line 1, strike "ON" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, ON"; and after line 19, insert:

"(3) AN EMPLOYER IS NOT REQUIRED TO PROVIDE NOTICE UNDER PARAGRAPH (1) OF THIS SUBSECTION IF THE EMPLOYER HAS 50 OR FEWER EMPLOYEES IN THE STATE."

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

Affirmative – 45 Negative – 90 (See Roll Call No. 320)

FLOOR AMENDMENT

HB0755/373922/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 755

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "an employee" and substitute "certain employees".

AMENDMENT NO. 2

On page 3, in line 1, strike “ON” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, ON”; strike beginning with “WHO” in line 3 down through “TITLE” in line 4; and after line 19, insert:

“(3) AN EMPLOYER SHALL PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO AN EMPLOYEE IF:

(I) THE EMPLOYER IS REQUIRED TO PROVIDE THE EMPLOYEE WITH NOTICE OF THE FEDERAL EARNED INCOME CREDIT UNDER § 32 OF THE INTERNAL REVENUE CODE; AND

(II) THE EMPLOYEE MAY BE ELIGIBLE FOR THE EARNED INCOME TAX CREDIT UNDER § 10-704 OF THIS TITLE.”.

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

Affirmative – 45 Negative – 91 (See Roll Call No. 321)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 322)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #13

House Bill 623 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – Memorial Hilltop Centre

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

Affirmative – 133 Negative – 0 (See Roll Call No. 323)

The Bill was then sent to the Senate.

House Bill 676 – Delegates Malone and Kramer

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

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

Affirmative – 137 Negative – 0 (See Roll Call No. 324)

The Bill was then sent to the Senate.

House Bill 733 – Delegate Beitzel

AN ACT concerning

**Garrett County – Volunteer Fire Departments and Rescue Squads –
Emergency Services Board**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 325)

The Bill was then sent to the Senate.

**House Bill 777 – The Speaker (By Request – Department of Legislative
Services)**

AN ACT concerning

Local Government – Applicability of Laws to Counties and Baltimore City

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

Affirmative – 137 Negative – 0 (See Roll Call No. 326)

The Bill was then sent to the Senate.

**House Bill 1010 – Delegates Conaway, Vallario, Anderson, Dumais, Glenn,
Kelly, Ramirez, ~~and Robinson~~ Robinson, and Carter**

AN ACT concerning

Juvenile Law – Transfer of Case at Sentencing – Expungement of Criminal Charge

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 91 Negative – 45 (See Roll Call No. 327)

The Bill was then sent to the Senate.

House Bill 1023 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Criminal Procedure – Expiration Date of Sentences – Repeal

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

Affirmative – 136 Negative – 0 (See Roll Call No. 328)

The Bill was then sent to the Senate.

House Bill 1112 – Carroll County Delegation

AN ACT concerning

Carroll County – Green Building Tax Credit

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

Affirmative – 134 Negative – 0 (See Roll Call No. 329)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #14

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – ~~Specialty Fertilizers~~ Lawn Fertilizer – Low Phosphorous Fertilizer

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

Affirmative – 118 Negative – 19 (See Roll Call No. 330)

The Bill was then sent to the Senate.

**House Bill 72 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Department of the Environment – Oil and Gas Production Permits – Fees

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

Affirmative – 137 Negative – 0 (See Roll Call No. 331)

The Bill was then sent to the Senate.

House Bill 111 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

~~Charter~~ Counties – Local Laws – ~~Digital~~ Copies for Legislative Delegations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 332)

The Bill was then sent to the Senate.

**House Bill 121 – Delegates Anderson, Barnes, Cardin, Glenn, Olszewski,
Ramirez, Ross, Schuler, Smigiel, Stukes, Tarrant, Vallario, and
Waldstreicher**

AN ACT concerning

**Office of the Public Defender – Eligibility for Services – ~~Authorization to
Access Agency Records~~ Requests for Employment Status and Income
Information**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 333)

The Bill was then sent to the Senate.

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – ProhibitionRead the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 2 (See Roll Call No. 334)

The Bill was then sent to the Senate.

House Bill 223 – ~~Montgomery County Delegation~~ Delegates Hixson, Howard, Feldman, Ali, Barkley, Barve, Bronrott, Carr, Dumais, Frick, Gilchrist, Gutierrez, Heller, Hucker, Kaiser, Kramer, Lee, Manno, Mizeur, Montgomery, Reznik, Rice, Simmons, Taylor, Waldstreicher, Benson, Boteler, Cane, G. Clagett, Davis, DeBoy, Doory, Frush, Gaines, Glenn, Healey, Hecht, Holmes, Ivey, King, Love, Minnick, Niemann, Pendergrass, Pena-Melnyk, Proctor, Ramirez, Ross, Shewell, Sophocleus, Sossi, Stocksdale, Valderrama, Vaughn, Walker, and Wood

~~EMERGENCY BILL~~

AN ACT concerning

~~Montgomery County – Maintenance of Effort Waiver – Penalty~~~~MC 14-10~~Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 5 (See Roll Call No. 335)

The Bill was then sent to the Senate.**House Bill 233 – Howard County Delegation**

AN ACT concerning

Howard County Public Schools – Funding Accountability and Transparency Act**Ho. Co. 12-10**Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 336)

The Bill was then sent to the Senate.

House Bill 242 – Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Doory, Kaiser, Murphy, Rice, Stukes, and F. Turner

AN ACT concerning

Real Property – Mobile Home Park – Rental Agreement – Term of Payment

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

Affirmative – 125 Negative – 10 (See Roll Call No. 337)

The Bill was then sent to the Senate.

House Bill 356 – Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

AN ACT concerning

Forest Product Operators – Standards, Procedures, and Enforcement

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

Affirmative – 137 Negative – 0 (See Roll Call No. 338)

The Bill was then sent to the Senate.

House Bill 806 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

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

Affirmative – 137 Negative – 0 (See Roll Call No. 339)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #15

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

SECOND PRINTING

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

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

Affirmative – 135 Negative – 1 (See Roll Call No. 340)

The Bill was then sent to the Senate.

House Bill 320 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Mineral Interests Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 341)

The Bill was then sent to the Senate.

House Bill 395 – Delegate Barve

AN ACT concerning

Maryland Business Tax Reform Commission – Reporting Requirements

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

Affirmative – 136 Negative – 1 (See Roll Call No. 342)

The Bill was then sent to the Senate.

House Bill 413 – Delegates Hixson, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Frank, Frush, George, Gilchrist, Glenn, Gutierrez, Hammen, Hecht, Heller, Hucker, Ivey, Kaiser, Kirk, Krysiak, Kullen, Lafferty, Lee, Levi, Love, Mathias, McHale, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, O’Donnell, Olszewski, Proctor, Reznik, Robinson, Rosenberg, Schuler, Shewell, Simmons, Sophocleus, Sossi, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, ~~and Weir~~ Weir, Doory, Cardin, Elmore, Frick, Howard, Murphy, Myers, Rice, Ross, Shank, Stukes, Walker, and Kramer

AN ACT concerning

Education – Instruction of Blind and Visually Impaired Students – Use of Braille

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

Affirmative – 136 Negative – 0 (See Roll Call No. 343)

The Bill was then sent to the Senate.

House Bill 426 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Juvenile Law – Confidentiality of Records – Access by Division of Pretrial Detention and Services

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

Affirmative – 137 Negative – 0 (See Roll Call No. 344)

The Bill was then sent to the Senate.

House Bill 506 – Delegates Dumais, Feldman, ~~and Rice~~ Rice, Hixson, Bartlett, Barve, Cardin, Frick, Gilchrist, Howard, Ivey, Kaiser, Murphy, Myers, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Higher Education – Delegate Scholarships – Summer School

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

Affirmative – 137 Negative – 0 (See Roll Call No. 345)

The Bill was then sent to the Senate.

House Bill 547 – Wicomico County Delegation, Worcester County Delegation, and Somerset County Delegation

AN ACT concerning

Wicomico County, Worcester County, and Somerset County – ~~Board~~ Boards of Elections – Membership

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

Affirmative – 137 Negative – 0 (See Roll Call No. 346)

The Bill was then sent to the Senate.

House Bill 592 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Property Tax Credit – Foster Parent

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

Affirmative – 136 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the Senate.

House Bill 595 – Delegates Olszewski, Minnick, and Weir

AN ACT concerning

Baltimore County – Property Tax Credit – Rosewald Beach Civic League

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

Affirmative – 136 Negative – 0 (See Roll Call No. 348)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Anderson moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 349)

In compliance with the rules, the Bill was introduced.

House Bill 1546 – Delegates Anderson and Glenn

AN ACT concerning

Courts – Jury Selection – Clerk of Circuit Court

FOR the purpose of requiring the jury plan of each circuit court to designate a jury commissioner that is either the clerk of the circuit court or another individual designated by the clerk of the circuit court; requiring the clerk of the circuit court to maintain the source pool list; requiring the Administrative Office of the Courts to provide certain assistance to the clerk of the circuit court; and generally relating to procedures for jury selection.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 8–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–205 and 8–206
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 8–218
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

Delegate Dumais moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 350)

In compliance with the rules, the Bill was introduced.

House Bill 1547 – Delegates Dumais, Feldman, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Miracle League Baseball Field

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

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

Delegate Rudolph moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 351)

In compliance with the rules, the Bill was introduced.

House Bill 1548 – Delegates Rudolph, James, and Riley

AN ACT concerning

Creation of a State Debt – Cecil County – Lower Susquehanna Heritage Greenway

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Lower Susquehanna Heritage Greenway, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Delegate Niemann moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 352)

In compliance with the rules, the Bill was introduced.

House Bill 1549 – Delegates Niemann and Carr

AN ACT concerning

Local Government – Street Lighting Equipment

FOR the purpose of requiring a local government to pay a certain electric company the fair market value of certain street lighting equipment as agreed on by the local government and the electric company or as awarded by a jury in a condemnation proceeding under certain circumstances; authorizing a local government to include all street lighting equipment that the local government seeks to acquire in its jurisdiction that is owned by one electric company in a single petition of condemnation under certain circumstances; requiring a jury in a certain condemnation proceeding to consider certain factors as part of an award under certain circumstances; and generally relating to the acquisition of street lighting equipment by a local government from an electric company.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 5–101
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 353)

ADJOURNMENT

At 11:41 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 12, 2010.

**Annapolis, Maryland
Friday, March 12, 2010**

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnik of Anne Arundel and Prince George’s counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 354)

The Journal of March 11, 2010 was read and approved.

EXCUSES:

Del. Beidle – son’s wedding
Del. Branch – personal – emergency
Del. Howard – personal
Del. Oaks – business
Del. V. Turner – funeral

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 28 – Senators Lenett and Raskin

AN ACT concerning

~~**Election Law – Voter Qualifications – Honorable Lorraine M. Sheehan Act to**~~
Protect Voting Rights for Individuals Under Guardianship for Mental
Disability

FOR the purpose of repealing the disqualification of individuals under guardianship for mental disability from voting; and generally relating to voter qualifications.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 67 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Issuance of Temporary Registration Plates by Dealers –
Transmission of Information and Record Keeping**

FOR the purpose of requiring a dealer who issues a temporary registration plate for a vehicle to electronically transmit certain information to the Motor Vehicle Administration in the format required by the Administration; reducing the period of time during which a dealer is required to keep certain temporary registration plate records; and generally relating to the temporary registration of motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–602 and 13–606
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

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

AN ACT concerning

Vehicle Laws – Electronic Transmission of Title Information by Dealers

FOR the purpose of providing that, within a certain time period, a licensed dealer transferring a vehicle may send or electronically transmit certain required taxes, fees, and other titling documents or data to the Motor Vehicle Administration; and generally relating to the electronic transmission of title information to the Motor Vehicle Administration.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–104.1 and 13–108.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–113(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Medication for Chronic or Acute Medical Condition –
Waiver of Liability**

FOR the purpose of authorizing the Department of Public Safety and Correctional Services and local correctional facilities to issue medication and prescriptions under certain circumstances to inmates of a correctional facility as a component of the inmate release process; prohibiting the Department, local correctional facilities, and certain persons from being held liable for issuing medication or a prescription to an inmate on the inmate's release under certain circumstances; and generally relating to providing medication and prescriptions to inmates of correctional facilities on their release.

BY adding to

Article – Correctional Services
Section 9–614
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 163 – Senator Conway

AN ACT concerning

**State Board of Pharmacy – ~~Wholesale Distributors – Accreditation and
Reciprocity~~ Wholesale Distributor Permitting and Prescription Drug
Integrity Act – Revisions**

FOR the purpose of authorizing the State Department of Health and Mental Hygiene to purchase and distribute certain drugs and devices for certain purposes; requiring the Department to adopt certain regulations, in consultation with the State Board of Pharmacy, for certain purposes; altering certain circumstances when the ~~State Board of Pharmacy~~ Board may grant “deemed status” to wholesale distributors; requiring wholesale distributors that receive a permit by reciprocity to comply with certain requirements; requiring wholesale

distributors that are not eligible for reciprocity to be accredited; requiring the Board to grant “deemed status” to certain wholesale distributors under certain circumstances; altering ~~the definition of “deemed status” and certain definitions~~ and defining certain other terms; and generally relating to the accreditation of and granting of reciprocity to wholesale distributors of prescription drugs.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–6C–01(a), (h), (n), (v), and (w)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6C–01(u) and 12–6C–04
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 12–6C–03.1
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 166 – Senator Conway

AN ACT concerning

State Government – State Designations – Review, Evaluation, and Recommendation by the State Archivist

FOR the purpose of authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; requiring the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; and generally relating to recommendations and advice regarding State designations.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1007
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 189 – Senators Simonaire, Haines, Jacobs, Kittleman, Reilly, Stoltzfus, and Stone

AN ACT concerning

Vehicle Laws – Reckless and Negligent Driving – Penalties for Death or Serious Bodily Injury

FOR the purpose of establishing that if a person violates a certain provision of law relating to reckless and negligent driving and the violation contributes to an accident that results in the death or the serious bodily injury of another, the person is subject to a certain fine and the Motor Vehicle Administration is authorized to suspend the person's license for a certain period of time; providing that a licensee may request a hearing on a license suspension imposed under this Act; and generally relating to penalties for reckless and negligent driving that contributes to an accident that results in death or serious bodily injury.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–901.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–114
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Senate Bill 194 – Senator Colburn

AN ACT concerning

**~~Dorchester and Wicomico Counties~~ County – Alcoholic Beverages –
Pub–Brewery and Micro–Brewery Licenses**

FOR the purpose of authorizing the State Comptroller to issue a certain number of Class 6 pub–brewery licenses and Class 7 micro–brewery licenses to certain ~~persons~~ applicants for locations in an enterprise zone in Dorchester County; ~~expanding the location for Class 7 micro–brewery licenses in Wicomico County to include any enterprise zone in Wicomico County; repealing a certain restriction concerning micro–brewery licenses~~ specifying that certain provisions

of this Act do not limit the number of certain licenses that may be issued in Dorchester County; making a certain technical ~~corrections~~ correction; and generally relating to pub-brewery and micro-brewery licenses in Dorchester County and Wicomico County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12-104(e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 12-104(e)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 196 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Act of 2010

FOR the purpose of prohibiting a person in Wicomico County who is under the legal drinking age for the consumption of alcohol from being on a certain premises; authorizing the Board of License Commissioners to issue a beer tasting license and a beer/wine tasting license; providing for the fees, application forms, renewal, and issuance procedures for the licenses; limiting the amount of wine and beer that may be served at events for which a license is issued; ~~restricting in a certain manner the length of certain events;~~ altering the number of days during which certain events may be held; requiring a license holder to provide certain notice to the Board of an event; placing certain restrictions on the length of events; providing for the use and disposal of opened bottles and containers; authorizing the Board to adopt certain regulations; altering the location for which a pub-brewery license or a micro-brewery license may be issued; allowing an individual of a certain age to be employed under certain conditions at a licensed premises for certain purposes; clarifying that the Comptroller is the issuer of a certain license; defining a certain term; making certain stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6-101(x), 6-401(x)(6), 8-412, and 12-104(e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–401(a)(1) and (x)(1) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 12–302(b)(13)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 261 – Senators Forehand, Raskin, and ~~Gladden~~ Gladden, Brochin, Haines, Jacobs, Simonaire, and Stone

AN ACT concerning

**Criminal Law – Sexual Solicitation of a Minor and Human Trafficking –
Prohibitions and Proof**

FOR the purpose of prohibiting a person from knowingly engaging in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance the other or a third person would suffer physical restraint or serious physical harm; prohibiting a person from knowingly destroying, concealing, removing, confiscating, or possessing certain documents of another person while violating certain prohibitions; providing that the State need only prove that a reasonable person, based on certain criteria, should have known that a certain minor had not attained a certain age under certain circumstances; making it a felony to knowingly take or detain another with the intent to use force, threat, coercion, or fraud to compel the other to marry the person or a third person or perform a sexual act, sexual contact, or vaginal intercourse; providing that a person who knowingly benefits from participation in a violation of this Act is subject to the same penalties that would apply if the person had violated this Act; providing that a person who knowingly aids, abets, or conspires with one or more other persons to violate this Act shall be subject to the same penalties that apply for a violation of this Act; defining a certain term; and generally relating to sexual solicitation of a minor and human trafficking.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–324, 11–301, and 11–303
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

Senate Bill 327 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Barbers and State Board of Cosmetologists – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Barbers and the State Board of Cosmetologists (boards) in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the boards; ~~altering the membership composition of the boards;~~ requiring the boards to adopt certain regulations regarding certain curriculum standards; altering the requirements for the renewal of certain licenses issued by the boards; repealing a requirement that certain complaints be signed by a complainant; requiring certain complaints to contain certain information; altering the procedures for the inspection of certain barbershops, beauty salons, and cosmetology schools; providing that an individual may renew a certain apprentice registration one time; repealing the requirement that certain apprentice barbers take a certain examination at a certain time and authorizing the renewal of a certain apprentice registration based on the failure of a certain examination; requiring the State Board of Cosmetologists to reimburse certain inspectors for certain expenses under the Standard State Travel Regulations; authorizing the State Board of Cosmetologists to set certain licensing fees; ~~requiring the boards to pay certain fees to the State Comptroller; requiring the Comptroller to distribute certain fees into a certain fund; requiring the boards to pay certain fines into the General Fund of the State; establishing a State Barbers and Cosmetologists Boards' Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; requiring the Fund be used for certain purposes; providing for the administration of, auditing of, and distribution of money from the Fund;~~ requiring the boards to submit certain reports to certain committees of the General Assembly on or before certain dates; defining certain terms; making certain stylistic and technical changes; ~~providing for a delayed effective date for certain provisions of this Act;~~ and generally relating to the authority of the State Board of Barbers and the State Board of Cosmetologists.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section ~~4-202(a)~~, 4-206, ~~4-207~~, 4-310, 4-314(d), 4-405, 4-511(a) and (e), 4-512, 4-702, ~~5-202(a)~~, 5-205, ~~5-208~~, 5-311, 5-314(c), 5-405, 5-509(d), 5-520, and 5-702

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 4–314(c) and 5–509(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(9) and (14)
Annotated Code of Maryland
(2009 Replacement Volume)

~~BY adding to
Article – Business Regulation
Section 2–106.7 and 2–106.8
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)~~

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 355 – Senators Pinsky, Della, Frosh, Harrington, Pipkin, Raskin,
~~and Rosapepe~~ Rosapepe, Middleton, Garagiola, Exum, and Mooney**

AN ACT concerning

**Energy Companies – Net Energy Metering – Payment for Accrued Generation
Credit**

FOR the purpose of ~~requiring that a certain net metering contract or tariff credit
electricity generated by certain eligible customer generators at certain rates
under certain circumstances;~~ repealing a limitation on the period of time that a
certain eligible customer-generator may accrue certain generation credit;
repealing a limitation on the time that a certain electric company is required to
carry forward a generation credit or a negative kilowatt-hour reading; requiring
a certain electric company to carry forward a certain generation credit until
certain events occur; repealing a provision relating to the reversion of a certain
generation credit to a certain electric company; ~~requiring the amount of
generation credit that a certain electric company credits to a certain eligible
customer generator to be at certain rates under certain circumstances;~~

requiring certain generation credit to appear on an eligible customer-generator's bill in a dollar amount; requiring a certain electric company to reimburse a certain generation credit under certain circumstances; clarifying the manner in which net energy produced or consumed is measured; making technical changes; altering a certain definition; defining a certain term; requiring the Public Service Commission to adopt certain regulations, after taking certain items into consideration, by a certain date; providing for the effective dates of this Act; and generally relating to net energy metering and the payment for accrued generation credit.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 368 – Senator Della

AN ACT concerning

Department of Transportation – Repeal of Secretary's Authority to Abolish Employee Positions

FOR the purpose of repealing the authority of the Secretary of Transportation to abolish certain employee positions; and generally relating to the authority of the Secretary of Transportation to abolish employee positions.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–103.4(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 387 – Senator Edwards

AN ACT concerning

Garrett County – Noncertificated Public School Employees – Service Fees

FOR the purpose of authorizing the Garrett County Board of Education to negotiate with certain employee organizations a reasonable service fee to be charged to nonmember noncertificated employees for representing the employees in certain matters; prohibiting certain nonmember noncertificated employees from being charged a service fee under certain circumstances; and generally relating to service fees for nonmembers of certain employee organizations in Garrett County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–504
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 402 – Senators Klausmeier, Conway, Currie, Mooney, and Stone

AN ACT concerning

Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements

FOR the purpose of requiring physicians licensed to practice medicine in the State to notify patients in writing and on ~~each visit~~ certain visits of certain information relating to professional liability insurance coverage; requiring a certain notification to be provided to a patient at a certain time, signed by a patient at a certain time, and retained by a physician as part of the physician's patient records; requiring certain physicians to post certain information in their place of practice; requiring the Board of Physicians to devise certain language for certain notice requirements; and generally relating to physicians and professional liability insurance.

BY adding to
Article – Health Occupations
Section 14–508
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 429 – Senators Kelley and Conway

AN ACT concerning

**Maryland Medical Assistance Program – Medical Eligibility for Nursing
Facility Level of Care – Report**

FOR the purpose of requiring the Department of Health and Mental Hygiene to ~~determine that certain individuals are medically eligible for certain services under certain circumstances; requiring the Department to allow individuals to submit certain information under certain circumstances~~ provide a certain report to certain committees of the General Assembly and the Medicaid Advisory Committee within a certain time period prior to making any change to medical eligibility for certain Medical Assistance Program long-term care services; requiring the Department to discuss certain reports submitted to the Medicaid Advisory Committee at a meeting of the Committee; defining a certain ~~terms~~ term; and generally relating to medical eligibility for nursing facility level of care under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a) and (c) and 15–101(a) and (h)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 15–146
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 449 – Senators Brinkley and Mooney

AN ACT concerning

Frederick County – Alcoholic Beverages – Sales Hours

FOR the purpose of altering the hours of sale on the days of the week for certain holders of off-sale alcoholic beverages licenses in Frederick County; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–303(a)(1) and 11–511(a) and (e)(2)(i), (3)(i), and (4)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–301(a)(1) and (2), 11–302(a)(1) and (2), 11–303(a)(2)(iii), and
11–511(e)(2)(ii), (3)(ii), and (4)(ii)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 463 – Senators Forehand, Raskin, Colburn, Frosh, Garagiola,
Gladden, King, Klausmeier, Madaleno, and Pugh**

AN ACT concerning

**Criminal Procedure – Seizure and Forfeiture – Property Used in Human
Trafficking**

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of the law prohibiting human trafficking; including in the prohibition against human trafficking a prohibition against subjecting a person to involuntary servitude, peonage, debt bondage, or slavery under certain circumstances; creating an Anti–Human Trafficking Fund to be administered by the Executive Director of the Governor’s Office of Crime Control and Prevention; specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; specifying certain property subject to forfeiture; specifying certain conditions to exclude property from forfeiture; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; ~~requiring the court to direct the defendant to forfeit seized property under certain circumstances; requiring that a forfeiture hearing be held within a certain time; requiring a hearing notice be served to certain owners at a certain time; requiring notice be served in a certain manner under certain circumstances; requiring the seizing authority to return property to a certain person under certain circumstances; specifying that a certain forfeiture is subject to the interest of a certain secured party;~~ specifying certain standards and exceptions regarding the seizure of motor vehicles; requiring a certain law enforcement officer to recommend that a motor vehicle be forfeited under certain circumstances; requiring that a forfeiting authority surrender a motor vehicle on request to the owner under certain circumstances; specifying conditions under which an owner may obtain possession of seized property; specifying the time when seizure of real property occurs; authorizing an owner or owner’s tenant to remain in possession of seized real property under certain circumstances; prohibiting an owner of real property from taking certain actions; specifying certain procedures for the conduct of forfeiture proceedings, including the filing of complaints and answers, posting and publishing of notice, and conducting hearings for real property and other

property; specifying certain restrictions on forfeiture proceedings on property used as the principal family residence; specifying certain powers of a court in a certain forfeiture proceeding; requiring a court to issue a certain order after a full hearing under certain circumstances; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; requiring that certain proceeds of the sale of forfeited property be distributed to the Fund for a certain purpose; specifying the terms of sale of forfeited property; specifying the law governing the sale of certain collateral; requiring certain proceeds from the sale of certain property to be distributed in a certain manner; requiring lienholders to take certain actions before exercising the right to sell certain property and after the redemption of certain property; specifying the effect of this Act; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the human trafficking law.

BY repealing and reenacting, with amendments,
 Article – Criminal Law
 Section 11–303
 Annotated Code of Maryland
 (2002 Volume and 2009 Supplement)

BY adding to
 Article – Criminal Procedure
 Section 11–910(d) and 11–920; and 13–501 through ~~13–509~~ 13–535 to be under
 the new subtitle “Subtitle 5. Violations of the Human Trafficking Law”
 Annotated Code of Maryland
 (2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 475 – Senator Stone

AN ACT concerning

Operating a Vessel While Under the Influence of or Impaired by Alcohol or Drugs – ~~Compulsory~~ Testing

FOR the purpose of providing that a person who operates or attempts to operate a vessel on the waters of the State is deemed to have consented, subject to certain provisions of law, to take a certain test to determine alcohol concentration or drug or controlled dangerous substance content if the person is detained under certain circumstances; providing that a person may not be compelled to take a certain test, subject to a certain exception; requiring a detaining officer to advise a person detained under certain circumstances that, if the person refuses to take a certain test, or takes the test and the results indicate a certain alcohol concentration, on conviction of a certain violation the court may prohibit the

person from operating or attempting to operate a vessel for a certain period; requiring a person to submit to certain tests of the person's breath or blood to determine alcohol concentration or drug or controlled dangerous substance content if the person is involved in an accident while operating or attempting to operate a vessel that results in the death of, or life-threatening injury to, another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been operating the vessel while under the influence of alcohol or impaired by alcohol, drugs, a combination of alcohol and drugs, or a controlled dangerous substance; providing that medical personnel who perform certain tests are not liable for civil damages under certain circumstances; providing for the admissibility of evidence of certain tests or analyses under certain circumstances; making certain conforming and stylistic changes; and generally relating to operating a vessel while under the influence of or impaired by alcohol or drugs.

BY renumbering

Article – Natural Resources
Section 8–738.1
to be Section 8–738.2
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–309(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–738
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources
Section 8–738.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

Senate Bill 477 – Senators Frosh, Forehand, Garagiola, King, Kramer, Madaleno, Middleton, and Raskin

AN ACT concerning

State Highways – Mobile Produce Vendors – Required State Lease

FOR the purpose of expanding the application of a provision of law that prohibits certain food vendors from operating on a State highway right-of-way without a certain State lease to include mobile produce vendors; authorizing the State to require a mobile seafood or produce vendor to submit an application and pay a certain fee; prohibiting the State from entering into a lease with a mobile produce vendor unless the applicable county licenses mobile produce vendors; authorizing the State Highway Administration to adopt certain regulations; prohibiting a mobile produce vendor lessee from operating at certain locations; providing that this Act does not diminish the authority of a county to license and regulate mobile produce vendors; establishing certain criminal penalties for a violation of this Act; providing for the enforcement of this Act; defining a certain term; making certain stylistic changes; and generally relating to the operations of mobile seafood and produce vendors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–301 through 24–303
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 483 – Senator Dyson

AN ACT concerning

St. Mary’s County Board of Education – Inclusion of Employees in Bargaining Unit

FOR the purpose of including certain employees of the St. Mary’s County Board of Education who do not hold a teaching certificate in a certain bargaining unit; and generally relating to the inclusion of certain employees of the St. Mary’s County Board of Education in a certain bargaining unit.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–404
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 493 – ~~Senator Astle~~ Senators Astle, Haines, and Jacobs

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

FOR the purpose of authorizing an operator of a motorcycle to use certain auxiliary lighting on the motorcycle; and generally relating to motorcycle lighting.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–221(l)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 527 – Senators Frosh, Conway, Currie, Dyson, Gladden, Jones, Klausmeier, Madaleno, Middleton, Pugh, and Raskin

AN ACT concerning

Health and Human Services Referral Board – 2–1–1 Maryland – Modifications

FOR the purpose of requiring a certain agency or organization to be approved by 2–1–1 Maryland in order to provide 2–1–1 services in the State; providing that 2–1–1 Maryland may approve no more than a certain number of call centers to provide 2–1–1 services; requiring 2–1–1 Maryland to consider certain criteria when approving a 2–1–1 service provider; requiring certain units of the State to consult with 2–1–1 Maryland under certain circumstances; altering the membership of the Health and Human Services Referral Board; providing for the appointment of members of the Board when a vacancy occurs; providing that a member of the Board may not serve more than two consecutive full terms; authorizing the Board to make a certain determination regarding Board meetings and to adopt certain rules; providing that a majority of Board members constitutes a quorum for a certain purpose; authorizing the Board to elect certain officers; providing that members of the Board serve without compensation but are entitled to a certain reimbursement; requiring the composition of the Board as to the race and gender of its members to reflect the composition of the population of the State; altering the duties of the Board; defining certain terms; repealing a certain definition; requiring a certain call center to align with 2–1–1 Maryland on or before a certain date under certain circumstances; and generally relating to the Health and Human Services Referral Board.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–1201 through 24–1205
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 24–1203
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 609 – Senator Kittleman

AN ACT concerning

Workers’ Compensation – Temporary Total Disability Benefits – Credit

FOR the purpose of providing a credit for an employer or insurer for certain payments to a covered employee for temporary total disability benefits under certain circumstances and during a certain period; providing for the application of this Act; and generally relating to payment of temporary total benefits.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–618
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–621
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 626 – Senator Dyson

AN ACT concerning

St. Mary’s County – Noncertificated Public School Employees – Service Fee

FOR the purpose of authorizing the St. Mary's County Board of Education to negotiate with certain employee organizations for employees a reasonable service fee to be charged nonmember noncertificated employees for representing the employees in certain matters; making this Act applicable only to certain employees hired on or after a certain date; and generally relating to service fees for certain nonmember noncertificated public school employees in St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–504
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 715 – Senators Dyson, Astle, Brinkley, Colburn, Conway, DeGrange, Forehand, Garagiola, Gladden, Glassman, Haines, Harris, Jacobs, Jones, King, Kittleman, Klausmeier, Kramer, Lenett, Middleton, Munson, Pipkin, Raskin, Rosapepe, Stoltzfus, Stone, ~~and Zirkin~~ Zirkin, and Harrington

AN ACT concerning

State Government – Commemorative Days – Fire, Rescue, and Emergency Services Workers

FOR the purpose of requiring the Governor to proclaim a certain day in June each year as the day to honor certain fire, rescue, and emergency services workers in the State; requiring the Governor to order the State flag to be flown at half-staff on a certain day in June each year; requiring certain memorial plaques to be placed by a certain organization on a certain memorial in a certain city on a certain day in June each year; and generally relating to the commemoration of fire, rescue, and emergency services workers.

BY adding to
Article – State Government
Section 13–409
Annotated Code of Maryland
(2009 Replacement Volume)

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

Senate Bill 762 – Senators Della ~~and Stone~~, Stone, Middleton, and Exum

AN ACT concerning

Commercial Law – Consumer Protection – Refund Anticipation Loans and Checks

FOR the purpose of prohibiting certain persons from soliciting the execution of, processing, receiving, or accepting an application or agreement for a refund anticipation loan or refund anticipation check or facilitating the making of a refund anticipation loan or refund anticipation check under certain circumstances; requiring a facilitator of a refund anticipation loan or refund anticipation check to display a certain schedule of fees in a certain manner; requiring the schedule to contain certain information and disclosures; prohibiting a facilitator from charging certain fees; requiring a facilitator to make certain written and oral disclosures to certain consumers at a certain time and in a certain manner; requiring the annual percentage rate for a refund anticipation loan to be calculated using certain guidelines; prohibiting a facilitator from taking certain actions relating to a refund anticipation loan or refund anticipation check; providing that, under certain circumstances, a certain provision of this Act does not prohibit a charge or fee from being imposed by a facilitator; 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; establishing certain additional penalties for a willful failure to comply with this Act; defining certain terms; and generally relating to refund anticipation loans and refund anticipation checks.

BY adding to

Article – Commercial Law

Section 14–3801 through 14–3807 to be under the new subtitle “Subtitle 38.

Refund Anticipation Loans and Checks”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 355)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #16

House Bill 600 – ~~Delegate Kullen~~ Delegates Kullen, Benson, Donoghue, Elliott, Hubbard, Montgomery, Nathan-Pulliam, Pena-Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Health Occupations – Therapy Management Contracts – Repeal of Sunset

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

Affirmative – 127 Negative – 0 (See Roll Call No. 356)

The Bill was then sent to the Senate.

House Bill 642 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Real Property – Home Builders – Community Amenities

PG 407–10

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

Affirmative – 128 Negative – 0 (See Roll Call No. 357)

The Bill was then sent to the Senate.

House Bill 752 – Delegates Kirk, Barkley, Haddaway, Harrison, Haynes, Impallaria, Jameson, King, Krysiak, Love, Manno, Miller, Stukes, and Vaughn

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers – Exempted Transactions and Record Keeping Requirements

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

Affirmative – 122 Negative – 0 (See Roll Call No. 358)

The Bill was then sent to the Senate.

House Bill 814 – Delegates ~~Kach and Olszewski~~, Olszewski, Benson, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Individual Health Benefit Plans – Frequency of Premium Increases

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

Affirmative – 130 Negative – 0 (See Roll Call No. 359)

The Bill was then sent to the Senate.

House Bill 821 – Delegates Barkley, King, McHale, Taylor, ~~and Vaughn~~ Vaughn, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, Kirk, Krysiak, Love, Manno, Mathias, Miller, Minnick, Rudolph, Stifler, and Walkup

AN ACT concerning

Net Energy Metering – Fuel Cell

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

Affirmative – 134 Negative – 0 (See Roll Call No. 360)

The Bill was then sent to the Senate.

House Bill 822 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Arts and Entertainment District

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

Affirmative – 132 Negative – 0 (See Roll Call No. 361)

The Bill was then sent to the Senate.

House Bill 834 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Treasurer – Permissible Investments – Linked Deposit Program

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

Affirmative – 133 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the Senate.

House Bill 863 – ~~Delegate Hubbard~~ Delegates Hubbard, Benson, and V. Turner

AN ACT concerning

Maryland Professional Counselors and Therapists Act – Corrections

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

Affirmative – 134 Negative – 0 (See Roll Call No. 363)

The Bill was then sent to the Senate.

House Bill 956 – Delegate Myers

AN ACT concerning

Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of Licenses and License Numbers

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

Affirmative – 135 Negative – 0 (See Roll Call No. 364)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #17**House Bill 132 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

State Board of Examiners in Optometry – Sunset Extension and Program Evaluation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 365)

The Bill was then sent to the Senate.

House Bill 193 – Delegate Rosenberg

AN ACT concerning

**Civil Proceedings – Foreign Defamation Judgments – ~~Enforceability~~
Recognition, Enforceability, and Bases of Personal Jurisdiction**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 366)

The Bill was then sent to the Senate.

House Bill 202 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

**Uniform Commercial Code – Financing Statements – ~~Termination by~~
Government Employees False Filings – Prohibited**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 367)

The Bill was then sent to the Senate.

House Bill 224 – Delegates Morhaim, Cardin, McIntosh, and Stein

AN ACT concerning

Plumbing – Greywater Recycling

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

Affirmative – 135 Negative – 0 (See Roll Call No. 368)

The Bill was then sent to the Senate.

House Bill 278 – Delegate Hubbard

AN ACT concerning

**Maryland Medical Assistance Program – Medical Eligibility for Nursing
Facility Level of Care – Report**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 369)

The Bill was then sent to the Senate.

**House Bill 407 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

State Board of Public Accountancy – Disciplinary Authority

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

Affirmative – 135 Negative – 0 (See Roll Call No. 370)

The Bill was then sent to the Senate.

**House Bill 408 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors
– Administrative Sanctions – Civil Penalty**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 371)

The Bill was then sent to the Senate.

House Bill 412 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Miscellaneous Provisions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 372)

The Bill was then sent to the Senate.

House Bill 423 – Delegate Sossi

AN ACT concerning

Life and Health Insurance Guaranty Corporation – Maximum Liability

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

Affirmative – 135 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #4

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

House Bill 1547 – Delegates Dumais, Feldman, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Miracle League Baseball Field

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1548 – Delegates Rudolph, James, and Riley

AN ACT concerning

Creation of a State Debt – Cecil County – Lower Susquehanna Heritage Greenway

The Bill was re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

Delegate Braveboy moved the Bill be introduced.

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

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 374)

In compliance with the rules, the Bill was introduced.

House Bill 1550 – Delegates Braveboy, Anderson, Benson, Burns, Cane, Carter, Conaway, Glenn, Harrison, Haynes, Holmes, Ivey, Kirk, Levi, McIntosh, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Robinson, Stukes, Tarrant, V. Turner, Vaughn, and Walker

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Programs

FOR the purpose of requiring the Maryland Higher Education Commission to make certain determinations concerning certain programs approved or implemented after a certain date under certain circumstances; requiring the Commission to include certain findings as part of certain determinations; authorizing the Commission to take certain actions as a result of certain determinations; providing that certain decisions of the Commission concerning certain duplication of academic programs are subject to judicial review in the circuit court in accordance with certain rules and certain provisions of the Administrative Procedure Act; providing that this Act shall be construed to require the Commission to review certain determinations regarding certain duplication of academic programs; and generally relating to the review of duplicative academic programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–206 and 11–206.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 375)

ADJOURNMENT

At 11:33 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, March 15, 2010.

Annapolis, Maryland
Monday, March 15, 2010

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 381)

The Journal of March 12, 2010 was read and approved.

EXCUSES:

Del. Glenn – illness
Del. Kramer – mother's death
Del. McIntosh – personal
Del. Mizeur – business
Del. Walkup – medical – knee

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 235 – Senators Robey, Currie, Forehand, Frosh, Gladden, Harrington, Jones, Kasemeyer, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pugh, Raskin, Rosapepe, Stone, and Zirkin

AN ACT concerning

Real Property – Mobile Home Parks – Plans for Dislocated Residents

FOR the purpose of requiring a copy of a certain notice of termination to be sent to a certain local governing body if the use of land of a mobile home park is to be changed; applying statewide a certain provision that prohibits an application for a land use change of a mobile home park from being approved until certain conditions are met; applying statewide a certain requirement for the contents of a relocation plan for mobile home park residents; requiring the plan to include the payment of certain relocation assistance to each park household under certain circumstances; providing that the plan include certain information;

providing that a mobile home park owner shall not incur liability and may not be estopped from obtaining possession of certain premises under certain circumstances; prohibiting a relocation plan from including certain conditions under certain circumstances; requiring relocation assistance to be paid to residents who will be dislocated when a mobile home park is closed; establishing the method of calculating relocation assistance; establishing conditions under which a mobile home park owner is not required to pay relocation assistance; establishing a time table for paying relocation assistance; providing that, under certain circumstances, a resident may forfeit receiving relocation assistance; establishing that a certain local governing body may provide additional relocation assistance to dislocated residents and that the payments are not the responsibility of the mobile home park owner; and generally relating to plans for dislocated residents in mobile home parks.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–202(c)(3) and 8A–1201
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 318 – Senators Kramer, Astle, Brinkley, Brochin, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Glassman, Haines, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Income Tax Checkoff for Developmental Disabilities

FOR the purpose of establishing a certain income tax checkoff system for voluntary contributions to the Waiting List Equity Fund to provide certain services for individuals with developmental disabilities; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff system for contributions to provide certain services for individuals with developmental disabilities.

BY adding to

Article – Tax – General
Section 2–113 and 10–804(i)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 7–205(a), (b), and (c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 7–205(d)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**Senate Bill 336 – Senators King, Currie, Harrington, Lenett, McFadden,
Pinsky, and Raskin**

AN ACT concerning

Maryland Business Tax Reform Commission – Reporting Requirements

FOR the purpose of repealing a requirement that the Maryland Business Tax Reform Commission submit an interim report of its findings and recommendations to the Governor and General Assembly by a certain date; altering the due date for the Commission to submit a final report; and generally relating to the Maryland Business Tax Reform Commission.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–110
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 495 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Police Retirement System – Deferred Vested Members – Survivor
Benefits**

FOR the purpose of clarifying that a certain death benefit is payable on behalf of certain former members of the State Police Retirement System; and generally relating to death benefits payable on behalf of former members receiving a deferred vested retirement allowance from the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–403
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Senate Bill 496 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

Law Enforcement Officers’ Pension System – Deferred Retirement Option Program – Participation

FOR the purpose of clarifying that “creditable service” does not include certain unused sick leave with regard to determining eligibility to participate in the Deferred Retirement Option Program (DROP) by certain members of the Law Enforcement Officers’ Pension System; clarifying that “creditable service” does not include certain unused sick leave with regard to determining the length of time certain members of the Law Enforcement Officers’ Pension System may participate in the DROP; and generally relating to participation in the Deferred Retirement Option Program in the Law Enforcement Officers’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–401.1(c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

Senate Bill 550 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Eligible Governmental Units

FOR the purpose of providing that the effective date of certain eligible governmental units to join the State Retirement and Pension System shall be postponed to a

certain date if the Board of Trustees for the State Retirement and Pension System does not receive certain documents on or before a certain date from the eligible governmental unit; making certain technical and clarifying changes to the State Personnel and Pensions Article; deleting certain obsolete provisions in the State Personnel and Pensions Article; defining certain terms; and generally relating to eligible governmental units participating in the State Retirement and Pension System.

BY repealing

Article – State Personnel and Pensions

Section 31–201 through 31–205 and the subtitle “Subtitle 2. Participation in the Local Fire and Police System”

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 31–101(a), 31–2A–01(a), and 31–2B–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 31–101(e) and (h), 31–109.1, 31–2A–01(f), 31–2A–03, 31–2A–03.1, 31–2A–05, 31–2B–01(e), 31–2B–03, 31–2B–05, 31–301, 31–302, 31–304, 31–305, and 31–306

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 31–2A–01(g), 31–2B–01(f), and 31–2B–03.1

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

Senate Bill 552 – Senator Edwards

AN ACT concerning

Allegany County – Property Tax Credit – Memorial Hilltop Centre

FOR the purpose of authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property located in a certain area; providing for a certain limitation on the tax

credit; authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to provide, by law, for ~~certain provisions relating to the property tax~~ the amount of the credit, eligibility criteria for the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to property tax credits for certain property in Allegany County.

BY adding to

Article – Tax – Property
Section 9–302(l)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 662 – ~~Senator Klausmeier~~ Senators Klausmeier and Della, Della, and Jacobs

EMERGENCY BILL

AN ACT concerning

~~Prescription Drugs – Controlled Dangerous Substances – Certification of Information on Delivery~~
Pharmacies – Delivery of Controlled Dangerous Substances

FOR the purpose of ~~requiring deliverers of certain prescription drugs and the recipients of those drugs to endorse a certain form; requiring the form to certify certain information; requiring the submission of the form to the State Board of Pharmacy; requiring the Board to adopt certain regulations; and generally relating to the delivery of prescriptions drugs that are controlled dangerous substances to patients~~ requiring certain pharmacies to require an adult to sign for the delivery of certain controlled dangerous substances to a residence; requiring the State Board of Pharmacy to waive certain requirements for certain pharmacies under certain circumstances; making this Act an emergency measure; and generally relating to pharmacies and the delivery of controlled dangerous substances.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 12–403 (b)(17) and (c)(3)
Annotated Code of Maryland
(2009 Replacement Volume)

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

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #5**CONSENT CALENDAR #5**

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

House Bill 1410 – Delegates Morhaim, Costa, Donoghue, and Nathan–Pulliam

AN ACT concerning

**Health Services Cost Review Commission – Podiatric Medical Examiners
Residency Program**

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

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

House Bill 1415 – Delegate Morhaim

AN ACT concerning

Tobacco Products – Manufacturer Certification – Filing Fee

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

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

**House Bill 1446 – Delegate Heller (Chair, Joint Committee on the
Management of Public Funds) and Delegates Elmore, Howard, and
Levy**

AN ACT concerning

Bonds Supported by the American Recovery and Reinvestment Act

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1488 – Delegate Haynes

AN ACT concerning

State Board of Dental Examiners – Written Notification of Risk of Trigeminal Neuralgia

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

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

House Bill 1489 – Delegates Haynes and Kirk

AN ACT concerning

Bail Bonds – Surety Bondsmen – Licensure, Regulation, and Financing of Bail Bonds

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

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

House Bill 1490 – Cecil County Delegation

AN ACT concerning

Cecil County – Emergency Medical Services – Collective Bargaining

The Bill was re-referred to the Committee on Appropriations.

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

House Bill 1491 – Delegate Conaway

AN ACT concerning

Criminal Law – Prohibited Sexual Acts – Exclusion for Private Consensual Noncommercial Adult Sexual Activity

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1493 – Delegates Olszewski, Bromwell, Cardin, Costa, Elmore, George, Impallaria, Kach, Kipke, McDonough, Minnick, Ross, Smigiel, Walker, and Weir

AN ACT concerning

Election Law – Voting by Registered Offenders at Polling Places – Prohibition

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

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

House Bill 1494 – Delegates Norman, Anderson, Bartlett, Bates, Boteler, Conaway, Eckardt, Elliott, Frank, Haddaway, Impallaria, James, Kach, McComas, Niemann, Riley, Shank, Sossi, Stocksdale, and Stull

AN ACT concerning

Department of Health and Mental Hygiene – Forms – Social Security Number

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

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

House Bill 1496 – Delegate Aumann

AN ACT concerning

Baltimore County – Alcoholic Beverages – Tasting Licenses – Fees

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

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

House Bill 1500 – Delegates Jones, Anderson, Barkley, Carr, Carter, Dumais, Kramer, Lee, Montgomery, Ramirez, Robinson, Rosenberg, Rudolph, Vallario, and Waldstreicher

AN ACT concerning

Child in Need of Supervision Pilot Program – Expansion and Extension

The Bill was re-referred to the Committee on Judiciary.

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

House Bill 1501 – Delegate Rice

AN ACT concerning

**State Government – Human Relations – Closed-Captioning Activation
Required**

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

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

**House Bill 1502 – Delegates Braveboy, Ali, Barkley, Feldman, Hucker,
Krysiak, Love, Manno, Minnick, Taylor, and Vaughn**

AN ACT concerning

**Commercial Law – Gasohol and Gasoline Products – Provision to
Noncontrolled Outlets**

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

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

House Bill 1503 – Delegate Hubbard

AN ACT concerning

Children’s Environmental Health Protection Act

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

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

House Bill 1506 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Septic System and Well Easements – Rural Zones

MC 11-10

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

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

House Bill 1508 – Delegate Rudolph

AN ACT concerning

Environment – Coal Combustion By-Products – Disposal Sites

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

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

House Bill 1510 – Delegates Bartlett and Haddaway

AN ACT concerning

Renewable Energy – Funding

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

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

House Bill 1513 – Delegate Valderrama

AN ACT concerning

**Drunk and Drugged Driving with Child in the Vehicle – Retention of Child by
Child Care Providers**

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1514 – Delegates Beidle and Stein

AN ACT concerning

Real Property – Condominiums – Cancellation of Insurance

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1516 – Delegates Stukes, Anderson, Boteler, Conaway, George, Glenn, Harrison, Howard, Jones, Oaks, Tarrant, F. Turner, and Walker

AN ACT concerning

Vehicle Laws – Accidents Involving Self-Insured Vehicles – Required Information

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1517 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Standardbred Recovery Act of 2010

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1518 – Delegates Holmes and O’Donnell

AN ACT concerning

Natural Resources – Deer Hunting – Sundays

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1520 – Delegates Myers, Aumann, Bartlett, Bates, Beitzel, Boteler, Elliott, Elmore, Frick, George, Kelly, Krebs, Miller, O’Donnell, Olszewski, Rice, Serafini, Shank, and Stull

AN ACT concerning

Tax Credit for New or Expanded Business Facilities

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1521 – Delegate Shank

AN ACT concerning

Criminal Law – Mistreated Animals – Seizure Requirements and Procedures

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1523 – Delegate Minnick

AN ACT concerning

Elevator Safety – Elevator Units in Churches – Exemption from Third-Party Inspections

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1524 – Delegates Kelly, Beitzel, DeBoy, Donoghue, Frank, Minnick, Myers, and Serafini

AN ACT concerning

Health Insurance – Ambulance Service Providers – Direct Reimbursement

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1525 – Delegates Hucker, Bobo, Frush, and Niemann

AN ACT concerning

Natural Resources – Oysters – Fishery Management Plan and Sanctuaries

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1528 – Delegates Rudolph and Stocksdale

AN ACT concerning

**Motor Vehicle Administration – Online Motor Vehicle Liability Insurance
Verification System – Required Study**

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1531 – Delegates Busch, V. Clagett, and George

EMERGENCY BILL

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Renewal of Licenses

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1532 – The Minority Leader**EMERGENCY BILL**

AN ACT concerning

Recognition of Out-of-State Same-Sex Marriages – Changes in Governmental Policies – Moratorium

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1533 – The Minority Leader

AN ACT concerning

Deficit Reduction Financing Act of 2010

The Bill was re-referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1534 – Delegate Hecht

AN ACT concerning

Electric Companies – Renewable Energy Portfolio Standard for Solar Energy

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1535 – Delegate Hecht

AN ACT concerning

Electric Companies – Overhead Transmission Lines – Requirements

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1536 – Delegates McHale, Anderson, Hammen, Krysiak, Minnick, and Morhaim**EMERGENCY BILL**

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records and Reporting

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1537 – Delegate Hecht

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems

The Bill was re-referred to the Committee on Economic Matters.

INTRODUCTION OF BILLS

Delegate Manno moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 129 Negative – 0 (See Roll Call No. 382)

In compliance with the rules, the Bill was introduced.

House Bill 1551 – Delegate Manno

AN ACT concerning

**Maryland Organic Transition Investment Pilot Program – Extension of
Sunset**

FOR the purpose of extending the termination date of the Maryland Organic Transition Investment Pilot Program; and generally relating to the Maryland Organic Transition Investment Pilot Program.

BY repealing and reenacting, with amendments,
Chapter 554 of the Acts of the General Assembly of 2009
Section 3

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate James moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 128 Negative – 0 (See Roll Call No. 383)

In compliance with the rules, the Bill was introduced.

House Bill 1552 – Delegates James and Bohanan

EMERGENCY BILL

AN ACT concerning

**Construction and Development Projects – Expedited Approval of State
Permits**

FOR the purpose of requiring the Department of the Environment and the State Highway Administration to develop and implement processes to expedite the approval of State permits for construction and development projects that have received “fast track” or similar status from a county in the State or that will create a significant number of jobs and have a positive economic impact on the State; requiring the Department and the Administration to report to the General Assembly on or before a certain date; making this Act an emergency measure; and generally relating to State permits for construction and development projects in the State.

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Stull moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 130 Negative – 0 (See Roll Call No. 384)

In compliance with the rules, the Bill was introduced.

House Bill 1553 – Delegate Stull

AN ACT concerning

Agriculture – Honey – Standards

FOR the purpose of requiring the Department of Agriculture to adopt regulations to establish certain standards for products sold as honey; requiring the State standards for products sold as honey to be consistent with a certain standard for honey under the Codex Alimentarius of the Food and Agriculture Organization of the United Nations and the World Health Organization; defining a certain term; and generally relating to standards for products sold as honey.

BY adding to

Article – Agriculture

Section 10–1701 and 10–1702 to be under the new subtitle “Subtitle 17.
Products Sold as Honey”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Stull moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 128 Negative – 0 (See Roll Call No. 385)

In compliance with the rules, the Bill was introduced.

House Bill 1554 – Frederick County Delegation

AN ACT concerning

Frederick County – Religious Corporations – Retention of Assets by Local Churches

FOR the purpose of providing that, as to any local church in Frederick County that is or formerly was affiliated with the Sunnyside United Methodist Church and that withdraws from the United Methodist Conference, certain provisions of law do not prevent the local church from retaining title to any assets controlled by the local church.

BY adding to

Article – Corporations and Associations

Section 5–328.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Conway moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 130 Negative – 0 (See Roll Call No. 386)

In compliance with the rules, the Bill was introduced.

House Bill 1555 – Delegate Conway

EMERGENCY BILL

AN ACT concerning

Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies Outside the State

FOR the purpose of altering the entities to which money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund may be distributed to include fire, rescue, and ambulance companies located outside the State under certain circumstances; altering the volunteer fire, rescue, and ambulance companies to which grants or loans may be awarded under the Volunteer Company Assistance Fund to include companies located outside the State under certain circumstances; making this Act an emergency measure; and generally relating to the distribution of money under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund and the Volunteer Company Assistance Fund.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 8–102(a) and (b), 8–201(a), (b), and (d), 8–202(a), and 8–203(a) and (b)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–103(b)(1) and 8–201(e)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Hubbard moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 387)

In compliance with the rules, the Bill was introduced.

House Bill 1556 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Courts – Veterans’ Treatment Court Pilot Program – Establishment

FOR the purpose of authorizing the establishment of a Veterans’ Treatment Court Pilot Program in certain counties under certain circumstances; authorizing the Chief Judge of the Court of Appeals to accept a gift or grant for certain purposes under certain circumstances; providing that a defendant charged with a certain nonviolent crime who is a veteran and who exhibits substance abuse or mental health problems is eligible for diversion to a certain veterans’ treatment court; providing for certain procedures; requiring the Administrative Office of the Courts to incorporate the Veterans’ Treatment Court Pilot Program under the Office of Problem–Solving Courts, make certain best practice recommendations, and establish performance evaluations for the courts; providing for the period for which a veterans’ treatment court retains jurisdiction; authorizing the use of funds from a certain special fund for providing certain substance abuse services through a veterans’ treatment court; establishing the applicability of the subtitle; defining certain terms; requiring the circuit administrative judges for certain circuits to submit jointly a certain report on the pilot program; making this Act subject to a certain contingency; providing for the termination of this

Act; and generally relating to the establishment of a Veterans' Treatment Court Pilot Program.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–220(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–2A–01 through 6–2A–09 to be under the new subtitle “Subtitle 2A.
Veterans' Treatment Court Pilot Program”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 8–6A–01(b)(1) and (3)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–6A–01(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Bromwell moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 388)

In compliance with the rules, the Bill was introduced.

House Bill 1557 – Delegate Bromwell

AN ACT concerning

Health Insurance – Coverage for Treatment of Spinal Muscular Atrophy

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain recommended hours of private duty nursing services for the treatment of spinal muscular atrophy; providing that certain coverage may not be required to exceed a certain number of hours per day; authorizing coverage for additional hours of private duty nursing services; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance coverage for treatment of spinal muscular atrophy.

BY adding to

Article – Insurance

Section 15–845

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General

Section 19–706(cccc)

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 389)

ADJOURNMENT

At 8:30 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, March 16, 2010.

Annapolis, Maryland
Tuesday, March 16, 2010

The House met at 10:15 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Roger Manno of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 390)

The Journal of March 15, 2010 was read and approved.

EXCUSES:

Del. Hucker – business

Del. Kramer – mother's death

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 247 – Senators Glassman, Klausmeier, and Munson

AN ACT concerning

Hazardous Material Response Team Employees – Death Benefits and Funeral Expenses – Local Government Agencies

FOR the purpose of providing that certain individuals employed as hazardous material response team employees for certain local government agencies are eligible for certain death benefits and funeral expenses under certain circumstances; providing that certain benefits may only be paid if local government agencies ~~may place~~ maintain in reserve ~~each fiscal year~~ a certain amount to pay a certain death benefit and funeral benefit ~~under certain circumstances~~; requiring a local government agency, if a certain determination is made to pay a certain benefit, to pay to the Department of Public Safety and Correctional Services funds required to pay the benefit; and generally relating to benefits for hazardous material response team employees employed by local government agencies.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 1–202(a), (b), and (d)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–202(a–1), (g), and (h)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 1–202(j)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 314 – Senators Garagiola, Kelley, Astle, DeGrange, Exum, Forehand, Frosh, Gladden, Jones, Kasemeyer, King, Kramer, McFadden, Miller, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

**Health Insurance – Assignment of Benefits and Reimbursement of
Nonpreferred Providers**

FOR the purpose of providing that the difference between certain coinsurance percentages may not be greater than a certain amount under certain circumstances; prohibiting certain provisions in a preferred provider insurance policy from applying to certain on–call physicians; prohibiting a certain allowed amount in certain insurance policies from being less than a certain amount; providing that an insured of certain health ~~insurance carriers~~ insurers may not be liable to certain on–call physicians for certain services under certain circumstances; prohibiting certain on–call physicians from taking certain actions against an insured under certain circumstances; authorizing the on–call physicians to collect certain payments from an insured under certain circumstances; requiring certain ~~carriers~~ insurers or their agents to pay certain on–call physicians for certain health care services delivered to an insured at a certain rate under certain circumstances; requiring certain ~~carriers~~ insurers to disclose certain information under certain circumstances; authorizing certain ~~carriers~~ insurers to seek reimbursement from an insured for a claim or portion of a claim submitted by certain on–call physicians under certain circumstances; authorizing certain ~~carriers~~ insurers to require certain on–call physicians to provide certain information under certain circumstances; authorizing the enforcement of certain provisions of this Act in a certain manner under certain

circumstances; ~~requiring the Maryland Health Care Commission to review annually payments to certain on-call physicians and report its findings to the Maryland Insurance Administration;~~ authorizing the Maryland Insurance Administration to take a certain action to investigate and enforce a violation of certain provisions of this Act; authorizing the Maryland Insurance Commissioner to impose a certain penalty for each violation of certain provisions of this Act; requiring the Administration, in consultation with the Maryland Health Care Commission, to adopt certain regulations; providing that certain ~~carriers~~ insurers may not prohibit the assignment of benefits to ~~a provider~~ certain providers by an insured, ~~subscriber, or enrollee;~~ prohibiting certain ~~carriers~~ insurers from refusing to directly reimburse ~~a provider~~ certain providers under an assignment of benefits; requiring certain ~~carriers~~ insurers to include certain information with a payment to an insured, ~~subscriber, or enrollee~~ under certain circumstances; requiring certain physicians to provide certain information to ~~a patient~~ an insured under certain circumstances; requiring certain physicians to submit a certain disclosure form to an insurer under certain circumstances; requiring the Maryland Insurance Commissioner to develop certain disclosure forms; authorizing an insurer to refuse to directly reimburse a certain provider under certain circumstances; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration and the Office of the Attorney General, to conduct a certain study and submit certain reports; requiring the Administration to conduct a certain study and submit a certain report to the Governor and the General Assembly on or before a certain date; prohibiting the Administration from imposing certain penalties for a violation of certain provisions of this Act until a certain date; defining certain terms; making a certain conforming change; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the assignment of benefits and reimbursement of nonpreferred providers.

~~BY adding to~~

~~Article – Health – General
Section 19-706(eeee)
Annotated Code of Maryland
(2009 Replacement Volume)~~

BY repealing and reenacting, with amendments,

Article – Insurance
Section 14-201, 14-205, and 15-304
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance
Section 14-205.2 and ~~15-134~~ 14-205.3
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 319 – Senators Miller, Currie, McFadden, Astle, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Peters, Pinsky, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

African American Heritage Preservation Program

FOR the purpose of establishing the African American Heritage Preservation Program in the Maryland Historical Trust to identify and preserve certain buildings, communities, and sites of historical and cultural importance to the African American experience; requiring the Trust to develop and administer the Program in ~~consultation~~ partnership with the Commission on African American History and Culture; authorizing certain entities to submit, on or before a certain date, an application to receive a grant for an African American heritage preservation capital project; requiring that grants to certain grantees under the Program require a certain matching fund; requiring the Trust and Commission to review grant applications ~~before a certain date and make certain recommendations to the Commission~~ and consider certain factors; requiring the Trust and Commission ~~to approve~~, on or before a certain date, to recommend capital projects for funding in the State capital budget and forward the recommendations to the Department of Budget and Management; requiring the Governor to include certain funding in the annual capital budget submission; requiring the Trust and Commission to report to the Governor and General Assembly on or before a certain date; requiring a grantee under the Program to enter into a certain agreement, unless the requirement is waived by the Secretary of Planning; requiring the ~~Trust~~ Secretary, in consultation with the Commission, to adopt certain regulations to implement the Program; providing that certain regulations may not be adopted unless approved by the Board of Public Works; requiring the Trust and Commission, to the extent required by certain regulations, to submit grants recommended under the Program to the Board of Public Works for approval; defining certain terms; stating the intent of the General Assembly; providing for the termination of this Act; and generally relating to a State capital grant program for African American heritage preservation.

BY adding to

Article – State Finance and Procurement
Section 5A–330
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 372 – Senator Della

AN ACT concerning

Property Tax – Tax Sales – Notice to Foreclose Right of Redemption

FOR the purpose of altering certain notice provisions by requiring a holder of a certificate of sale to send certain notices by certified mail before the holder of a certificate of sale may file a complaint to foreclose the right of redemption; and generally relating to notices to foreclose the right of redemption.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–833(a–1)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–833(a–1)(6) and (8)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 373 – Senator Della

EMERGENCY BILL

AN ACT concerning

Property Tax – Tax Sales – Complaint to Foreclose Right of Redemption

FOR the purpose of authorizing the holder of certain certificates of sale in Baltimore City for which there is no private purchaser to file a complaint at any time after the date of sale to foreclose all rights of redemption in certain abandoned property; altering a certain notice requirement to conform to certain provisions of law establishing the types of expenses for which a holder of a certificate of sale may be reimbursed under certain circumstances; making this Act an emergency measure; and generally relating to tax sales.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–833(a) and (a–1)(2) and (3)(v)

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – Property
Section 14–833(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 444 – Senator Kasemeyer

AN ACT concerning

**Blue Ribbon Commission to Study Retiree Health Care Funding Options –
Extension of Reporting and Termination Dates**

FOR the purpose of requiring the Blue Ribbon Commission to Study Retiree Health Care Funding Options to issue a certain report by a certain date; altering the date by which the Blue Ribbon Commission to Study Retiree Health Care Funding Options is required to submit a certain report; extending the termination date of the Commission until a certain date; and generally relating to the reporting and termination dates of the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34–201(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 433 of the Acts of the General Assembly of 2006, as amended by
Chapter 229 of the Acts of the General Assembly of 2008
Section 3

Read the first time and referred to the Committee on Appropriations.

Senate Bill 480 – Senator Robey

AN ACT concerning

**State Contributory Law Enforcement Officers' Pension System – Transfer of
Service Credit**

FOR the purpose of providing that certain members of the State Contributory Law Enforcement Officers' Pension System may transfer certain service credit from the Employees' Pension System in a certain manner; requiring that certain members of the State Contributory Law Enforcement Officers' Pension System who transfer certain service credit from the Employees' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of certain provisions of this Act; and generally relating to the transfer of service credit for members of the State Contributory Law Enforcement Officers' Pension System.

Read the first time and referred to the Committee on Appropriations.

Senate Bill 567 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Noncontributory Former Vested Members – Vested Retirement Allowance

FOR the purpose of repealing certain provisions of the State Personnel and Pensions Article that permit certain former members of the State Retirement and Pension System to withdraw certain member contributions plus interest and receive a vested retirement allowance based only on certain employer contributions; and generally relating to vested retirement allowances for noncontributory former members of the State Retirement and Pension System.

BY repealing

Article – State Personnel and Pensions

Section 29–303(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations.

THE COMMITTEE ON APPROPRIATIONS REPORT #6

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 619 – Delegate James

AN ACT concerning

State Contributory Law Enforcement Officers' Pension System – Transfer of Service Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 844 – Delegates Conway, Mathias, and Rudolph

AN ACT concerning

Local Government Funds – Redeposit into Insured Accounts

HB0844/254564/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 844

(First Reading File Bill)

On page 3, in line 11, after the first “THE” insert “STATE”; in line 18, strike “SERVES” and substitute “ACTS”; in line 21, after “HELD” insert “BY THAT STATE FINANCIAL INSTITUTION”; in line 22, after the first “OF” insert “A”; and in the same line, after “BUSINESS” insert “DAY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 1134 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Bates, Branch, Eckardt, Gutierrez, Haynes, James, Jones, and Schuh

AN ACT concerning

State Retirement and Pension System – Eligible Governmental Units

HB1134/384969/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1134

(First Reading File Bill)

On page 4, in line 19, after the first “system” insert “OR STATE SYSTEM”.

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 ECONOMIC MATTERS REPORT #8**CONSENT CALENDAR #4**

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 110	FAV	Del Eckardt, et al	Dorchester County – Alcoholic Beverages – Clubs – Membership
HB 112	FAV	Del Eckardt, et al	Dorchester County – Alcoholic Beverages License Holders – Fines
HB 400	FAV	Del Beitzel	Garrett County – Wine Festival License – Qualifications – Hearing and Notice
HB 535	FAV	Cecil County Delegation	Cecil County – Alcoholic Beverages – Entertainment Facility License
HB 551	FAV	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed Establishments
HB 573	FAV	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Class A/Class 4 Light Wine Licenses PG 312–10
HB 668	FAV	Harford County Delegation	Harford County – Liquor Control Board Membership – Nomination Process

Favorable report adopted on all of the preceding Bills.

Read the second time and ordered prepared for Third Reading on all of the preceding Bills.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #9

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 279 – Delegates Robinson and Tarrant

AN ACT concerning

**Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages –
Store Opening Hours**

HB0279/613299/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 279

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Tarrant” and substitute “, Tarrant, Carter, Rosenberg, and Oaks”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 391 – Delegates Lafferty, Frank, and Aumann

AN ACT concerning

**Baltimore County – Towson Commercial Revitalization District – Alcoholic
Beverages Licenses – Restaurants**

HB0391/813796/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 391

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “lowering” and substitute “altering”; in line 5, strike “minimum”; strike beginning with “reducing” in line 8 down through “circumstances;” in line 9; in line 14, strike “and (b)(1)” and substitute “, (b)(1), and (f)”; and in line 19, strike “and (f)”.

AMENDMENT NO. 2

On page 3, in line 7, strike “MINIMUM”; in line 8, strike “\$50,000” and substitute “NOT LESS THAN \$50,000 OR MORE THAN \$400,000”; in line 9, strike “SHALL”; in line 13, strike “SHALL HAVE A” and substitute “HAVE:

1. A;

strike beginning with “BUT” in line 13 down through “REQUIREMENT” in line 14 and substitute “, WITH THE SEATING CAPACITY IN THE BAR AREA NOT EXCEEDING 15% OF THE TOTAL SEATING CAPACITY OF THE RESTAURANT; AND

2. A MINIMUM SEATING CAPACITY OF 40 PERSONS”;

in line 17, in each instance, strike the brackets; and in the same line, strike “1 YEAR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 567 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – License Fees

PG 305–10

HB0567/393996/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 567

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "License Fees" insert "and Salaries of Inspectors"; in line 8, after "County;" insert "requiring that alcoholic beverages inspectors in Prince George's County shall receive a certain annual salary;"; in line 16, strike the second "and"; in line 17, after "8-1001(e)" insert ", and 15-109(r)(6)"; in line 25, strike the third "and"; and in the same line, after the second "(c)" insert ", and 15-109(r)(1)".

AMENDMENT NO. 2

On page 8, after line 14, insert:

"15-109.

(r) (1) This subsection applies only in Prince George's County.

(6) (i) The County Council shall pay for all expenses of the Board of License Commissioners upon the submission of an annual budget.

(ii) In that budget, the salary of the members of the Board, the salary of the attorney for the Board, and any additional compensation for legal fees for the attorney for the Board, shall be approved as hereinbefore set forth.

(iii) [All] EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, ALL other expenses, including, but not restricted to, [the compensation of the inspectors.] the salary of the administrator as limited herein, compensation of other personnel, who shall be qualified and employed under the county merit system, printing, supplies, and office space, shall be at the discretion of the County Council.

(IV) EACH INSPECTOR SHALL RECEIVE AN ANNUAL SALARY OF \$10,900."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 571 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Waterfront
Entertainment Retail Complex**

PG 316–10

HB0571/763393/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 571

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “regulations;” insert “setting certain license fees;”.

AMENDMENT NO. 2

On page 2, after line 11, insert:

“(6) THE ANNUAL LICENSE FEE IS \$660.”;

and in line 14, strike “item (ii)” and substitute “**ITEMS (II) AND (IV)**”.

On page 3, in line 3, strike “AND”; and in line 5, after “SUBPARAGRAPH” insert “**; AND**”

6. THE LICENSE FEE IS \$100 PER DAY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 582 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George’s County – Issuance of Alcoholic Beverages Licenses and Park Permits – Notification

PG/MC 112–10

HB0582/193397/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 582

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 9, in each instance, after “officials” insert “and, if applicable, a certain municipal corporation.”.

AMENDMENT NO. 2

On page 2, in line 20, strike “AND”; and in line 21, after “RESOURCES” insert “AND, IF APPLICABLE, THE MUNICIPAL CORPORATION IN WHICH THE EVENT IS TO BE HELD,”.

On page 3, in line 25, strike “AND”; and in line 27, after “RESOURCES” insert “AND”.

(V) IF APPLICABLE, THE MUNICIPAL CORPORATION IN WHICH THE ENTERTAINMENT IS TO BE HELD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 921 – Delegates Love, Bates, Beidle, Bromwell, Cane, Cardin, V. Clagett, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Jameson, Kipke, Krebs, Mathias, McHale, Miller, Myers, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, and Wood

AN ACT concerning

Maryland Winery Modernization Act

HB0921/563598/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 921

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wood” and substitute “Wood, Feldman, Hecht, Impallaria, Manno, Minnick, Stifler, and Walkup”; in line 5, after “purposes;” insert “requiring the licensee to notify the local licensing board of the issuance of a farmer’s market permit;”; and in line 20, after “licensees;” insert “providing for the construction of a portion of this Act;”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(4) THE HOLDER OF A PERMIT SHALL NOTIFY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMER’S MARKET WILL BE HELD THAT THE PERMIT HAS BEEN ISSUED.”;

in lines 20 and 27, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 21, after “1.” insert “AT A FARMER’S MARKET THAT IS LISTED IN THE FARMER’S MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE;

2.”;

and in line 23, strike “2.” and substitute “3.”.

On page 3, in lines 1 and 8, in each instance, strike “(6)” and substitute “(7)”.

AMENDMENT NO. 3

On page 6, in line 10, strike “**HARD**” and substitute “**HARD**”; in line 19, strike “**AND**”; in line 20, after “**SOUP**” insert “**; AND**”

13. CONDIMENTS;

in line 21, before “**A**” insert “**(I)**”; in the same line, strike “**LICENSED UNDER THIS ARTICLE**”; and after line 23, insert:

“(II) A LICENSEE OR ENTITY IN WHICH THE LICENSEE HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.”

AMENDMENT NO. 4

On page 7, in line 1, strike “**EXCEPT AS PROVIDED IN**” and substitute “**SUBJECT TO**”; and strike in their entirety lines 14 through 30, inclusive.

AMENDMENT NO. 5

On page 8, in line 1, strike “**(9)**” and substitute “**(8)**”; in the same line, strike “**A**” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**”; in the same line, strike “**PERMITS**” and substitute “**ALLOWS**”; after line 2, insert:

“(II) IN GARRETT COUNTY, A LICENSEE MAY OPEN ON SUNDAYS TO ENGAGE IN THE ACTIVITIES LISTED IN PARAGRAPH (5) OF THIS SUBSECTION ONLY IN AN ELECTION DISTRICT WHERE THE VOTERS, IN A REFERENDUM AUTHORIZED BY LAW, HAVE APPROVED SUNDAY SALES AT A WINERY.”;

in lines 3 and 7, strike “**(10)**” and “**(11)**”, respectively, and substitute “**(9)**” and “**(10)**”, respectively; and after line 10, insert:

“(11) NOTHING IN THIS SUBSECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSEE.”

The preceding 5 amendments were read only.

Delegate Davis moved to make the Bill and Amendments a Special Order for March 17, 2010.

The motion was adopted.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #6

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 230 – Howard County Delegation

AN ACT concerning

Howard County Ethics Law – Clarifications and Enhancements

Ho. Co. 1–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 485 – Delegate Malone

AN ACT concerning

Motor Vehicle Equipment – Spare Tire Requirement – Application

HB0485/620018/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 485

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “all” and substitute “certain additional”; in line 7, after “installed” insert “temporary”; and in the same line, after “system;” insert “making a stylistic change;”.

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; in the same line, strike “passenger” and substitute “(PASSENGER) OR CLASS M (MULTIPURPOSE)”; and in line 21, after “FACTORY–INSTALLED” insert “TEMPORARY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 499 – Delegate Malone

AN ACT concerning

Motor Vehicles – Approaching Emergency Vehicles and Personnel

HB0499/760111/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 499

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Malone” and substitute “Delegates Malone, Bates, Conaway, Anderson, and Norman”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 631 – Delegates Niemann, Beidle, and Holmes

AN ACT concerning

Natural Resources – Park Advisory Commission – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 633 – Delegates Niemann, Beidle, Holmes, and McConkey

AN ACT concerning

Real Property – Mortgages and Deeds of Trust – Authority to Exercise a Power of Sale

HB0633/180516/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 633

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “providing that failure to name any trustee in a deed of trust does not have any effect on an instrument under certain circumstances;”; in line 6, after “sale” insert “or assent to decree”; in line 8, after “individual;” insert “providing that the individual selling the property under a power of sale need not be named in the mortgage or deed of trust;”; in line 9, after the second “the” insert “trustee or”; in line 10, after the first “the” insert “instrument or the”; in the same line, after the second “the” insert “mortgagee or beneficiary of the deed of trust to appoint an”; strike beginning with “in” in line 11 down through “substitution” in line 12 and substitute “appointments or substitutions”; in line 12, strike “the” and substitute “a trustee or an”; in line 13, after “term;” insert “providing for the application of this Act;”; and in line 18, after “Section” insert “4–109 and”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

“4–109.

(a) If an instrument was recorded before January 1, 1973, any failure of the instrument to comply with the formal requisites listed in this section has no effect, unless the defect was challenged in a judicial proceeding commenced by July 1, 1973.

(b) If an instrument is recorded on or after January 1, 1973, whether or not the instrument is executed on or after that date, any failure to comply with the formal requisites listed in this section has no effect unless it is challenged in a judicial proceeding commenced within six months after it is recorded.

(c) For the purposes of this section, the failures in the formal requisites of an instrument are:

(1) A defective acknowledgment;

(2) A failure to attach any clerk's certificate;

(3) An omission of a notary seal or other seal;

(4) A lack of or improper acknowledgment or affidavit of consideration, agency, or disbursement; [or]

(5) An omission of an attestation; OR

(6) A FAILURE TO NAME ANY TRUSTEE IN A DEED OF TRUST."

On page 2, in line 7, after "SALE" insert "OR ASSENT TO DECREE"; after line 8, insert:

"(3) THE INDIVIDUAL SELLING THE PROPERTY UNDER A POWER OF SALE NEED NOT BE NAMED IN THE MORTGAGE OR DEED OF TRUST."

in lines 9 and 13, strike "**(3)**" and "**(4)**", respectively, and substitute "**(4)**" and "**(5)**", respectively; in line 10, after the second "THE" insert "TRUSTEE OR THE"; in line 11, after "INVALIDATE" insert "THE INSTRUMENT OR"; in the same line, after the second "THE" insert "MORTGAGEE OR BENEFICIARY OF THE DEED OF TRUST TO APPOINT AN"; in line 13, after "THE" insert "APPOINTMENT OR"; in line 14, strike "THE" and substitute "A TRUSTEE OR AN"; and strike beginning with "A" in line 15 down through "PROCEEDING" in line 16 and substitute "THE APPOINTMENTS OR SUBSTITUTIONS FROM TIME TO TIME".

AMENDMENT NO. 3

On page 2, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any mortgage or deed of trust on record or recorded on or after June 1, 2010.”;

in line 24, strike “2.” and substitute “3.”; and in line 25, strike “October” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 667 – Delegates Elmore, Cane, Conway, Mathias, and Rudolph

AN ACT concerning

Somerset, Wicomico, and Worcester Counties – Vehicle Laws – Exceptional Hauling Permits

HB0667/150811/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 667

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Somerset, Wicomico, and Worcester Counties –”; in line 3, after “Permits” insert “– Validity in Select Eastern Shore Counties”; in line 4, after “including” insert “Dorchester County,”; and in the same line, after the first “County,” insert “Talbot County,”.

AMENDMENT NO. 2

On page 1, in line 21, after “in” insert “:

(1)”;

in line 22, strike the brackets; in the same line, strike “, GARRETT COUNTY,” and substitute “; AND”

(2) DORCHESTER COUNTY,;

and in the same line, after “SOMERSET” insert “COUNTY, TALBOT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 685 – Delegates Stein, Cardin, Carr, Hucker, and Morhaim

AN ACT concerning

**Environment – Fluorescent and Compact Fluorescent Light Recycling –
County Plans**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 689 – Delegates Myers, Beitzel, Kelly, Miller, Serafini, Shank, and Stull

AN ACT concerning

**Natural Resources – POWs and Disabled Veterans – Exception to Trout
Stamp Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 695 – Delegate Hecht

AN ACT concerning

Real Property – Homeowners Association – Annual Budget**HB0695/260416/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 695

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Real Property –”; in the same line, after “Budget” insert “– Notice, Information, and Adoption”; in line 3, after “requiring” insert “the board of directors or other governing body of”; in line 5, after “adoption;” insert “authorizing the annual proposed budget and notice of the meeting at which the proposed budget will be considered to be sent to lot owners by electronic transmission, by posting on the homeowners association’s home page, or by including the annual proposed budget or notice in the homeowners association’s newsletter;”; and in line 15, after “purposes;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 1, after “(A)” insert “THIS SECTION APPLIES ONLY TO A HOMEOWNERS ASSOCIATION THAT HAS RESPONSIBILITY UNDER ITS DECLARATION FOR MAINTAINING AND REPAIRING COMMON AREAS.”

(B) (1)”;

in the same line, after “THE” insert “BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF A”; after line 3, insert:

“(2) THE ANNUAL PROPOSED BUDGET MAY BE SENT TO EACH LOT OWNER BY ELECTRONIC TRANSMISSION, BY POSTING ON THE HOMEOWNERS ASSOCIATION’S HOME PAGE, OR BY INCLUDING THE ANNUAL PROPOSED BUDGET IN THE HOMEOWNERS ASSOCIATION’S NEWSLETTER.”;

in lines 4, 17, and 27, strike “(B)”, “(D)”, and “(E)”, respectively, and substitute “(C)”, “(E)”, and “(F)”, respectively; in line 13, strike “(C)” and substitute “(D) (1)”; and after line 16, insert:

“(2) (I) NOTICE OF THE MEETING AT WHICH THE PROPOSED BUDGET WILL BE CONSIDERED SHALL BE SENT TO EACH LOT OWNER.

“(II) NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SENT BY ELECTRONIC TRANSMISSION, BY POSTING ON THE HOMEOWNERS ASSOCIATION’S HOME PAGE, OR BY INCLUDING THE NOTICE IN THE HOMEOWNERS ASSOCIATION’S NEWSLETTER.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 786 – Delegates Healey, Beidle, Bobo, Carr, Frush, Gaines, Glenn, Ivey, Lafferty, Niemann, Ross, and Sossi

AN ACT concerning

State Highway Administration – Sidewalk Construction in Priority Funding Areas

HB0786/830614/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 786

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Sossi” and substitute “Sossi, McIntosh, Cane, V. Clagett, Holmes, Hucker, Malone, O’Donnell, Serafini, Shewell, Stein, Stull, and Weir”; in line 2, after “Sidewalk” insert “or Bicycle Pathway”; in lines 5 and 7, in each instance, after “sidewalk” insert “or bicycle pathway”; in line 6, strike “along urban highways”; and in line 7, after “circumstances;” insert “authorizing the”

State to fund the entire cost of certain sidewalk or bicycle pathway construction projects; altering a certain funding formula that applies to sidewalk or bicycle pathway construction projects in priority funding areas under certain circumstances;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 30, inclusive.

AMENDMENT NO. 3

On page 3, strike beginning with “that” in line 19 down through “and” in line 20; and after line 27, insert:

“(III) IF SIDEWALKS OR BICYCLE PATHWAYS WITHIN AN AREA DESIGNATED AS A PRIORITY FUNDING AREA UNDER § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE ARE CONSTRUCTED OR RECONSTRUCTED BASED ON A DETERMINATION BY THE ADMINISTRATION THAT A SUBSTANTIAL PUBLIC SAFETY RISK OR SIGNIFICANT IMPEDIMENT TO PEDESTRIAN ACCESS EXISTS AND THE ADJACENT ROADWAY IS NOT BEING CONCURRENTLY CONSTRUCTED OR RECONSTRUCTED, THEN:

1. THE ADMINISTRATION SHALL CATEGORIZE THE SIDEWALK OR BICYCLE PATHWAY CONSTRUCTION PROJECT AS “SYSTEM PRESERVATION” AND GIVE CORRESPONDING FUNDING PRIORITY TO THE PROJECT; AND

2. THE COST TO CONSTRUCT OR RECONSTRUCT THE SIDEWALK OR BICYCLE PATHWAY MAY BE FUNDED ENTIRELY BY THE STATE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Bohanan moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – Property Owners

HB0812/240714/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 812

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Property Owners” and substitute “Billing”; in line 4, strike the first “each” and substitute “the property, the”; and in the same line, after “owner” insert “, or the property owner’s designee”.

AMENDMENT NO. 2

On page 1, in line 21, strike “EACH” and substitute “THE PROPERTY, THE”; and in the same line, after “OWNER” insert “, OR THE PROPERTY OWNER’S DESIGNEE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 974 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Nutrient Trading – Voluntary Agricultural Nutrient Credit Certification Program

HB0974/470519/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 974

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “Act;” insert “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 3, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the authority of the State Department of Agriculture to establish requirements for the voluntary certification and registration of nutrient credits on agricultural land, as provided by this Act, be retained by the State Department of Agriculture.”;

and in line 13, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Beitzel moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #6

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 106 – Delegates Dumais, Rosenberg, Anderson, Barnes, Carter, Conaway, Frush, Gutierrez, Ivey, Jones, Lafferty, Lee, Levi, Oaks, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges

HB0106/242117/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 106
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Surcharges”; in line 4, after “Court;” insert “requiring the executive director of the Maryland Legal Services Corporation to prepare a budget for the Corporation; requiring a certain informational budget to be submitted to the General Assembly in conjunction with the budget of the Judicial Branch of the State Government; providing for the termination of this Act;”; and in line 5, strike beginning with “certain” through “into”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“BY adding to

Article – Human Services

Section 11–208

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)”.

AMENDMENT NO. 3

On page 2, in lines 5, 16, and 17, strike “**\$70**”, “**\$10**”, and “**\$20**”, respectively, and substitute “**\$50**”, “**\$7**”, and “**\$15**”, respectively.

AMENDMENT NO. 4

On page 2, after line 21, insert:

“Article – Human Services

11–208.

(A) THE EXECUTIVE DIRECTOR SHALL PREPARE AN ANNUAL BUDGET FOR THE CORPORATION.

(B) (1) FOR INFORMATIONAL PURPOSES ONLY, THE CORPORATION SHALL SUBMIT ITS BUDGET TO THE GENERAL ASSEMBLY IN CONJUNCTION WITH THE BUDGET REQUEST OF THE JUDICIAL BRANCH OF THE STATE GOVERNMENT ON NOVEMBER 1 OF EACH YEAR.

(2) THE INFORMATIONAL BUDGET REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE 3 YEARS OF DATA, INCLUDING THE MOST RECENTLY COMPLETED FISCAL YEAR, AN ESTIMATE FOR THE CURRENT FISCAL YEAR, AND AN ESTIMATE FOR THE NEXT FISCAL YEAR, INCLUDING:

(I) A SUMMARY OF TOTAL EXPENDITURES AND THE SOURCES OF REVENUE THAT SUPPORT THAT SPENDING;

(II) LINE ITEM EXPENDITURE DETAIL FOR PERSONNEL, OPERATING EXPENSES, AND GRANTS, INCLUDING INDIVIDUAL GRANTEES;

(III) NARRATIVE EXPLANATION OF ALL REVENUE AND SPENDING CHANGES BETWEEN THE CURRENT FISCAL YEAR AND THE NEXT FISCAL YEAR;

(IV) PERFORMANCE MEASUREMENT DATA THAT DETAILS THE USE OF FUNDS; AND

(V) DETAIL ON THE CORPORATION'S RESERVE FUND, INCLUDING ACTUAL AND ESTIMATED END OF FISCAL YEAR BALANCES, TRANSFERS TO AND FROM THE RESERVE FUND, AND THE POLICIES GOVERNING THE RESERVE FUND."

AMENDMENT NO. 5

On page 2, strike in their entirety lines 22 and 23 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010. It shall remain effective for a period of 3 years and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 120 – Delegates Kelly, Vallario, Dumais, Elmore, Frank, Jennings, Kramer, Schuler, Shank, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Law Enforcement Officers – Unsubstantiated Complaints – Admissibility

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 226 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate McHale

AN ACT concerning

Baltimore City Police Department Death Relief Fund – Procedures and Benefit Amount

HB0226/512910/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “office;” in line 10; and in line 24, strike “and (d)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 33 through 38, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Correctional Services – Child Sexual Offenders – Diminution Credits and Parole

HB0289/342019/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 289

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walkup” and substitute “Walkup, McDonough, Ali, Anderson, Barnes, Bartlett, Beidle, Bohanan, Burns, Cane, G. Clagett, Conway, Donoghue, Elliott, Feldman, Frush, Harrison, Healey, Impallaria, Ivey, Jameson, Jenkins, Kaiser, King, Kipke, Krysiak, Kullen, Levi, Levy, Love, Malone, Manno, McConkey, Montgomery, Murphy, Myers, Nathan–Pulliam, Niemann, O’Donnell, Oaks, Pena–Melnik, Ramirez, Reznik, Robinson, Rudolph, Stein, Stifler, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Wood”.

AMENDMENT NO. 2

On page 1, strike beginning with “and” in line 2 down through “Parole” in line 3; in line 6, strike “minor” and substitute “victim who is a child under a certain age”; strike beginning with “providing” in line 7 down through “sentence” in line 9 and substitute “providing for the construction of a certain provision of this Act”; in line 11, strike “and parole eligibility”; and strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 3

On page 2, in lines 9 and 24, in each instance, strike “MINOR”; in the same lines, in each instance, after “VICTIM” insert “WHO IS A CHILD UNDER THE AGE OF”

16 YEARS”; strike in their entirety lines 11 through 16, inclusive; in line 22, after “(B)” insert “(1)”; and after line 27, insert:

“(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE AN INMATE TO SERVE A LONGER SENTENCE OF CONFINEMENT THAN IS AUTHORIZED BY THE STATUTE UNDER WHICH THE INMATE WAS CONVICTED.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate O’Donnell moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 327 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates – Disqualification – Conviction for Unlawfully Obtaining Property of Vulnerable Adult or Elderly Individual

HB0327/592411/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 327

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “victim;” insert “providing that a certain person be treated as if the person predeceased a certain victim under certain circumstances; requiring a certain person to make full restitution for a certain erroneously made distribution to another certain person;”; and in line 19, strike “9–113” and substitute “11–110”.

AMENDMENT NO. 2

On page 3, in line 24, strike “**9–113**” and substitute “11–110”; in line 25, before “A” insert “(A)”; and after line 30, insert:

“(B) A PERSON DISQUALIFIED FROM INHERITING, TAKING, ENJOYING, RECEIVING, OR OTHERWISE BENEFITTING FROM THE ESTATE, INSURANCE PROCEEDS, OR PROPERTY OF THE VICTIM IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION SHALL BE TREATED AS IF THE PERSON PREDECEASED THE VICTIM.

“(C) IN THE EVENT A DISTRIBUTION IS ERRONEOUSLY MADE TO A PERSON DISQUALIFIED FROM INHERITING, TAKING, ENJOYING, RECEIVING, OR OTHERWISE BENEFITTING FROM THE ESTATE, INSURANCE PROCEEDS, OR PROPERTY OF THE VICTIM IN VIOLATION OF SUBSECTION (A) OF THIS SECTION, THE DISQUALIFIED PERSON SHALL MAKE FULL RESTITUTION TO THE HEIR, LEGATEE, OR BENEFICIARY WHO SHOULD HAVE RECEIVED THE DISTRIBUTION IN ACCORDANCE WITH SUBSECTION (B) 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 365 – Delegates Anderson, G. Clagett, Conaway, DeBoy, Frank, Glenn, Ivey, Kelly, Levi, O’Donnell, Ramirez, Schuler, Shank, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Criminal Law – Assault – Law Enforcement Officers and Parole and Probation Agents

HB0365/762211/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 365

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “increasing” in line 7 down through “duties;” in line 10.

AMENDMENT NO. 2

On page 3, in line 7, in each instance, strike the bracket; in the same line, strike “15”; and in the same line, strike “\$10,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 473 – The Speaker (By Request – Administration) and Delegates Busch, Vallario, Rosenberg, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Branch, Bromwell, Cardin, Carr, Conway, Davis, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Hixson, Holmes, Howard, Hubbard, Ivey, Jennings, Jones, Kaiser, Kelly, King, Kirk, Kramer, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, McHale, McIntosh, Miller, Montgomery, Morhaim, Murphy, Niemann, O’Donnell, Oaks, Olszewski, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Rudolph, Shewell, Smigiel, Stein, Stifler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

HB0473/462217/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 473

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, and Conaway”; in line 15, after “circumstances;” insert “clarifying that the imposition or adjustment of special conditions of lifetime sexual offender supervision is a subsequent”

proceeding under a certain provision of law;”; strike beginning with “requiring” in line 18 down through “petitions;” in line 19; in line 19, strike “authorizing” and substitute “prohibiting”; in the same line, strike “to deny” and substitute “from denying”; and on page 2, in line 1, after “circumstances;” insert “clarifying that certain proceedings are a subsequent proceeding under a certain provision of law;”.

AMENDMENT NO. 2

On page 8, in line 9, strike “AND” and substitute:

“(5) A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS ARTICLE; AND”;

in line 10, strike “(5)” and substitute “(6)”; strike beginning with “AS” in line 11 down through “OFFENDER” in line 12 and substitute “THAT REQUIRES REGISTRATION AS A SEX OFFENDER UNDER THIS SUBTITLE”.

AMENDMENT NO. 3

On page 9, after line 19, insert:

“(5) THE IMPOSITION OR ADJUSTMENT OF SPECIAL CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION IS A SUBSEQUENT PROCEEDING UNDER § 11-503(A) OF THIS ARTICLE.”

On page 11, strike beginning with the first “ON” in line 9 down through “(2)” in line 17; in line 18, strike “HEARING OR”; in line 19, strike “THE” and substitute “A”; in the same line, after “CHARGE” insert “OF VIOLATION OF A CONDITION OF LIFETIME SEXUAL OFFENDER SUPERVISION”; in line 20, strike “(3)” and substitute “(2)”; in the same line, strike “AT THE HEARING”; in line 21, strike “VIOLATED” and substitute “COMMITTED A VIOLATION OF”; strike in their entirety lines 23 through 28; in line 29, strike “(G)” and substitute “(F)”; and in line 33, strike “3” and substitute “5”.

On page 12, in line 9, after “MAY” insert “NOT”; strike beginning with “no” in line 13 down through “safety” in line 14 and substitute “IS NO LONGER A DANGER TO SELF OR OTHERS”; and after line 19, insert:

“(G) PROCEEDINGS UNDER THIS SECTION ARE A SUBSEQUENT PROCEEDING UNDER § 11-503(A) OF THIS ARTICLE.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0473/532215/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 473, AS AMENDED

On page 1 of the House Judiciary Committee Amendments (HB0473/462217/2), in line 3 of Amendment No. 2, strike “ARTICLE” and substitute “SUBTITLE”.

The preceding amendment was read and adopted.

Delegate Sossi moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James, Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdales, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

HB0599/782019/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 599

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “for” and substitute “in a State or local correctional facility for committing”; in line 5, strike “minor” and substitute “victim who is a child under a certain age”; in line 6, strike “minor” and substitute “victim who is a child under a certain age; providing for the construction of a certain provision of this Act; providing for the application of this Act; and generally relating to diminution credits”; and in line 9, after “3-702” insert “and 11-502”.

AMENDMENT NO. 2

On page 1, strike beginning with “TITLE” in line 21 down through “MINOR” in line 22 and substitute “§ 3-307 OF THE CRIMINAL LAW ARTICLE INVOLVING A VICTIM WHO IS A CHILD UNDER THE AGE OF 16 YEARS”.

On page 2, strike beginning with “TITLE” in line 2 down through “MINOR.” in line 3 and substitute “§ 3-307 OF THE CRIMINAL LAW ARTICLE INVOLVING A VICTIM WHO IS A CHILD UNDER THE AGE OF 16 YEARS.”

11-502.

(A) [An] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN inmate who has been sentenced to a term of imprisonment shall be allowed deductions from the inmate’s term of confinement as provided under this subtitle for any period of presentence or postsentence confinement in a local correctional facility.

(B) **(1)** AN INMATE WHO IS SERVING A SENTENCE FOR A VIOLATION OF § 3-307 OF THE CRIMINAL LAW ARTICLE INVOLVING A VICTIM WHO IS A CHILD UNDER THE AGE OF 16 YEARS, WHO HAS PREVIOUSLY BEEN CONVICTED OF VIOLATING § 3-307 OF THE CRIMINAL LAW ARTICLE INVOLVING A VICTIM WHO IS A CHILD UNDER THE AGE OF 16 YEARS, MAY NOT BE ALLOWED DEDUCTIONS FROM THE INMATE’S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SUBTITLE FOR ANY PERIOD OF PRESENTENCE OR POSTSENTENCE CONFINEMENT IN A LOCAL CORRECTIONAL FACILITY.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE AN INMATE TO SERVE A LONGER SENTENCE OF CONFINEMENT THAN IS AUTHORIZED BY THE STATUTE UNDER WHICH THE INMATE WAS CONVICTED.

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 offense committed before the effective date of this Act.”;

and in line 4, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Vallario moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 625 – Delegates Simmons, Anderson, Eckardt, Lee, Smigiel, and Valderrama

AN ACT concerning

Domestic Violence – Domestic Violence Central Repository

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 818 – Delegates Dumais, Simmons, and Sophocleus

AN ACT concerning

Criminal Law – Trespass on Posted Property and Wanton Trespass on Private Property – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 931 – The Speaker (By Request – Administration) and Delegates Busch, Carter, G. Clagett, Conway, Ivey, Kelly, Schuler, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Public Safety – Sexual Offender Advisory Board

HB0931/982114/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 931

(First Reading File Bill)

On page 4, strike beginning with the second “AND” in line 2 down through “JUDICIARY” in line 3.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate Vallario moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 936 – The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, and Vaughn

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

HB0936/692212/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 936

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Frank, Aumann, George, Jennings, McComas, Olszewski, Shank, Smigiel, Stifler, McConkey, Barnes, Conaway, Dumais, Kramer, Rosenberg, Anderson, Dwyer, Levi,”

Ramirez, Hecht, Bobo, Carr, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, and Rudolph".

AMENDMENT NO. 2

On page 1, in line 14, after "circumstances;" insert "requiring a certain person to be included in a certain listing of juvenile sex offenders; specifying that a certain listing of juvenile sex offenders shall be accessible only by law enforcement personnel for law enforcement purposes; requiring a certain person to be removed from a certain listing of juvenile sex offenders at a certain time;"; in line 18, strike "a"; and in the same line, strike "unit" and substitute "units".

On page 2, in line 15, strike "certain terms" and substitute "a certain term"; in line 22, strike the first "the" and substitute "each"; in line 24, strike "the" and substitute "each"; in line 31, after "information;" insert "altering a certain provision to require the Department to post certain information about a registrant on the Internet; requiring the Department to post on the Internet, in plain language that can be understood without special knowledge of the criminal laws of the State, a description of the crime of a sex offender registrant, excluding details that would identify the victim;"; and in line 34, after "person;" insert "requiring the Department, in consultation with the Department of State Police, to adopt certain regulations on or before a certain date;".

AMENDMENT NO. 3

On page 4, in line 19, after "(F)" insert "(1)"; and after line 21, insert:

"(2) "HABITUALLY LIVES" INCLUDES ANY PLACE WHERE A PERSON VISITS FOR LONGER THAN 5 HOURS PER VISIT MORE THAN 5 TIMES WITHIN A 30-DAY PERIOD, FOR THE PURPOSE OF LIVING OR SLEEPING."

On page 9, in line 3, strike "OR THE COMMON LAW OFFENSE OF INDECENT EXPOSURE"; after line 4, insert:

"(3) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING THE COMMON LAW OFFENSE OF INDECENT EXPOSURE, IF THE VICTIM IS A MINOR AND THE COURT MAKES A SPECIFIC FINDING ON THE RECORD THAT THE DEFENDANT'S UNDERLYING INTENT WAS SEXUAL IN NATURE;"

in lines 5, 9, 24, 27, and 28, strike “(3)”, “(4)”, “(5)”, “(4)”, and “(6)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(5)”, and “(7)”, respectively; and in line 7, strike “(1) OR (2)” and substitute “(1), (2), OR (3)”.

AMENDMENT NO. 4

On page 10, in line 3, strike “(5)” and substitute “(6)”; in line 8, strike “§ 3-308(B) OR (C),”; in line 15, strike “§ 3-308(B)(1) OR (C)” and substitute “§ 3-308”; after line 17, insert:

“(4) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS A TIER I SEX OFFENDER AFTER THE PERSON WAS ALREADY REGISTERED AS A TIER I SEX OFFENDER;”;

in lines 18, 20, 22, and 29, strike “(4)”, “(3)”, “(5)”, and “(3)”, respectively, and substitute “(5)”, “(4)”, “(6)”, and “(4)”, respectively; and in line 34, strike “§ 2-201(4)(VIII)” and substitute “§ 2-201(A)(4)(VIII)”.

On page 11, in line 2, strike “§ 3-322,”; strike beginning with the comma in line 3 down through “SODOMY” in line 4; in line 6, after “3-314,” insert “§ 3-321, § 3-322,”; in line 16, after “INCIDENT” insert “, **AND THE COURT MAKES A SPECIFIC FINDING ON THE RECORD THAT THE DEFENDANT’S UNDERLYING INTENT WAS SEXUAL IN NATURE**”; after line 16, insert:

“(5) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT OR COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS A TIER I OR TIER II SEX OFFENDER AFTER THE PERSON WAS ALREADY REGISTERED AS A TIER II SEX OFFENDER;”;

and in lines 17, 19, 21, and 28, strike “(5)”, “(4)”, “(6)”, and “(4)”, respectively, and substitute “(6)”, “(5)”, “(7)”, and “(5)”, respectively.

On page 12, in lines 11 and 17, strike “1993” and “1984”, respectively, and substitute “1995” and “1985”, respectively.

AMENDMENT NO. 5

On page 14, in line 19, strike the bracket; strike beginning with “described” in line 19 down through “subtitle” in line 20 and substitute “WHO HAS BEEN ADJUDICATED DELINQUENT FOR AN ACT THAT, IF COMMITTED BY AN ADULT, WOULD CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THE CRIMINAL LAW ARTICLE, OR § 3-307(A)(1) OR (2) OR § 3-308(B)(1) OF THE CRIMINAL LAW ARTICLE INVOLVING CONDUCT DESCRIBED IN § 3-301(F)(2) OF THE CRIMINAL LAW ARTICLE”; and in line 30, strike “child sexual” and substitute “TIER II OR TIER III SEX”.

On page 15, in line 16, strike the bracket; and strike in their entirety lines 18 through 31 and substitute:

“(A) A PERSON SHALL BE INCLUDED IN A LISTING OF JUVENILE SEX OFFENDERS THAT IS MAINTAINED BY THE DEPARTMENT SEPARATELY FROM THE SEX OFFENDER REGISTRY IF:

(1) THE PERSON HAS BEEN ADJUDICATED DELINQUENT FOR AN ACT THAT, IF COMMITTED BY AN ADULT, WOULD CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THE CRIMINAL LAW ARTICLE, OR § 3-307(A)(1) OR (2) OR § 3-308(B)(1) OF THE CRIMINAL LAW ARTICLE INVOLVING CONDUCT DESCRIBED IN § 3-301(F)(2) OF THE CRIMINAL LAW ARTICLE; AND

(2) THE PERSON WAS A MINOR WHO WAS AT LEAST 13 YEARS OLD AT THE TIME THE DELINQUENT ACT WAS COMMITTED.

(B) THE LISTING OF JUVENILE SEX OFFENDERS SHALL BE ACCESSIBLE ONLY BY LAW ENFORCEMENT PERSONNEL FOR LAW ENFORCEMENT PURPOSES.

(C) WHEN THE JUVENILE COURT’S JURISDICTION OVER A PERSON WHO IS INCLUDED IN THE LISTING OF JUVENILE SEX OFFENDERS TERMINATES UNDER § 3-8A-07 OF THE COURTS ARTICLE, THE PERSON SHALL BE REMOVED FROM THE LISTING.”.

AMENDMENT NO. 6

On page 16, in line 18, strike “AN”; in the same line, strike “THAT” and substitute “WHERE”; in line 22, strike “OR”; and in lines 23 and 27, in each instance, strike the bracket.

On page 17, in lines 7 and 9, in each instance, strike the bracket; in line 8, strike “7” and substitute “3”; and in line 22, strike the first “the” and substitute “EACH”.

On page 18, in line 1, strike “after”; and in line 13, strike the second “THE” and substitute “EACH”.

On page 19, in line 32, strike “7” and substitute “5”.

On page 20, strike beginning with “address” in line 19 down through “PLACE” in line 20 and substitute “ALL ADDRESSES AND PLACES”; in line 23, after the first “OF” insert “EACH OF”; in the same line, strike “EMPLOYER” and substitute “EMPLOYERS”; and in the same line, strike the second “THE” and substitute “EACH”.

On page 21, in line 13, strike “OR”; in line 16, strike “ANY” and substitute “ALL”; in line 21, strike “number OR REGISTRATION NUMBER” and substitute “NUMBER, REGISTRATION NUMBER,”; in line 24, strike “ADDRESS” and substitute “ADDRESSES”; in line 26, after “(14)” insert “ALL LANDLINE AND CELLULAR”; and strike beginning with the comma in line 28 down through “NUMBERS” in line 29.

On page 22, in line 1, strike the colon; in line 2, strike “DATE” and substitute “DATES”; and in line 3, strike “REGISTRATION STATUS,”.

On page 23, in line 4, strike “OR”; in line 15, strike the period and substitute “; OR”; in lines 16, 19, 26, and 30, in each instance, strike the bracket; in line 16, strike “(iii)” and substitute “(IV)”; in line 17, strike “11–701(c)(5)(i) of this subtitle or a person described under § 11–701(j)(3)(i)” and substitute “11–704(C)(1)”; and in line 25, strike “OR”.

On page 24, in line 1, strike “(1)”; in lines 4, 6, 7, and 9, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; and strike lines 11 through 22 in their entirety.

On page 25, in line 33, strike the third “the” and substitute “EACH”.

On page 26, in line 25, strike “A”.

On page 28, in line 17, strike “HOME OR CELL” and substitute “LANDLINE OR CELLULAR”; and in line 31, strike “LOCATION” and substitute “LOCATIONS”.

On page 29, in line 2, strike “HOME OR CELL” and substitute “LANDLINE OR CELLULAR”.

On page 30, in lines 1, 14, and 22, in each instance, strike the first “the” and substitute “EACH”; and in line 33, after “registrants” insert “AND A LISTING OF JUVENILE SEX OFFENDERS”.

On page 31, in line 22, after “a” insert “FACTUAL”; in line 29, strike “may” and substitute “SHALL”; in the same line, after “Internet” insert “:

(1);

in line 30, after “information” insert “;AND

(2) IN PLAIN LANGUAGE THAT CAN BE UNDERSTOOD WITHOUT SPECIAL KNOWLEDGE OF THE CRIMINAL LAWS OF THE STATE, A FACTUAL DESCRIPTION OF THE CRIME OF THE OFFENDER THAT IS THE BASIS FOR THE REGISTRATION, EXCLUDING DETAILS THAT WOULD IDENTIFY THE VICTIM”.

On page 32, strike beginning with “OR” in line 8 down through “ARTICLE” in line 9; in line 10, strike the second “the” and substitute “A”; in line 11, strike the first “the” and substitute “A”; in the same line, strike “LIVES” and substitute “LIVE”; and in line 13, strike “a” and substitute “THE”.

On page 33, after line 5 insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, the Department of Public Safety and Correctional Services, in consultation with the Department of State Police, shall adopt regulations to implement the listing

of juvenile sex offenders in accordance with this Act, including a definition of “law enforcement personnel” who are authorized to access the listing.”;

and in lines 6 and 12, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Vallario moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway, DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones, Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough, Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh, Shewell, Simmons, Smigiel, Sossi, Stocksdales, Valderrama, Vallario, and Wood

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial Release and Inclusion on RAP Sheet

HB1046/252211/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1046

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 10 and 15, in each instance, strike “extended” and substitute “lifetime”; and in lines 11 and 15, in each instance, strike “parole”.

AMENDMENT NO. 2

On page 3, in lines 3 and 14, in each instance, strike “EXTENDED” and substitute “LIFETIME”; and in lines 3 and 15, in each instance, strike “PAROLE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Vallario moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a Certain Manner

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #4

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 92 – The Speaker (By Request – Administration) and Delegates Busch, Hixson, Doory, Barkley, Barnes, Bobo, Bohanan, Branch, Carr, Davis, Dumais, Eckardt, Feldman, Gilchrist, Glenn, Gutierrez, Haynes, Hecht, Heller, Howard, Hucker, Ivey, Kelly, King, Kipke, Kullen, Lafferty, Levi, Malone, Manno, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Pena–Melnik, Ramirez, Reznik, Rice, Rosenberg, Ross, Rudolph, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

HB0092/355869/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 92

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “allowing” in line 10 down through “circumstances;” in line 11; and in line 17, strike “program”.

On page 3, in line 15, strike “11-1103” and substitute “11-1102”.

On page 4, in line 7, after “JOB” insert “IN THE STATE”.

On page 7, in line 2, after “(A)” insert “(1)”; in line 3, strike “(1)” and substitute “(I)”; in line 6, strike “(2) (I)” and substitute “(II)”; in line 9, strike “(II) 1.” and substitute “(2)”; and in line 13, strike “2.” and substitute “(3)”.

AMENDMENT NO. 2

On page 3, in line 20, after “EMPLOYEE” insert “FOR AN INDEFINITE DURATION AND”.

AMENDMENT NO. 3

On page 4, in line 18, strike “JANUARY 1, 2010,” and substitute “THE EFFECTIVE DATE OF CHAPTER (H.B. 92) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010”.

On page 5, in line 13, strike “DURING THE 2010 CALENDAR YEAR” and substitute “BETWEEN THE EFFECTIVE DATE OF CHAPTER (H.B. 92) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010 AND DECEMBER 31, 2010”.

On page 7, in line 5, strike “JANUARY 1, 2010,” and substitute “THE EFFECTIVE DATE OF CHAPTER (H.B. 92) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010”.

On page 9, in line 4, strike “January 1, 2010,” and substitute “the effective date of this Act”.

AMENDMENT NO. 4

On page 5, in line 11, strike “\$3,000” and substitute “\$5,000”.

On page 7, in line 20, strike “\$250” and substitute “\$416.67”.

AMENDMENT NO. 5

On page 5, in line 7, after “SECTION,” insert “WITHIN 60 DAYS OF RECEIVING THE APPLICATION,”.

AMENDMENT NO. 6

On page 6, in line 25, after the second comma insert “THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT,”; in line 31, strike the second “AND” and substitute a comma; in line 32, strike “JOBS” and substitute “QUALIFIED POSITIONS”; and in the same line, after “CERTIFIED” insert “, THE TOTAL AMOUNT OF CREDITS CERTIFIED FOR EACH QUALIFIED EMPLOYER, AND THE TOTAL AMOUNT OF CREDITS CERTIFIED”.

AMENDMENT NO. 7

On page 7, in line 32, strike “EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, IF” and substitute “IF”.

On page 8, in line 14, strike “REFUND” and substitute “CREDIT”; and in line 15, strike “SECTION” and substitute “SUBTITLE”.

AMENDMENT NO. 8

On page 8, strike beginning with the colon in line 23 down through “(1)” in line 24.

On pages 8 and 9, strike beginning with “; OR” in line 26 on page 8 down through “TITLE” in line 2 on page 9.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McDonough moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 176 – Delegates Hixson, Hucker, Manno, Olszewski, Reznik, and Robinson

AN ACT concerning

Public Schools – Student Information – Availability to Military Recruiters

HB0176/985461/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 176
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robinson” and substitute “Robinson, Kaiser, Bronrott, Carr, George, Healey, Ivey, Love, Kramer, Montgomery, Niemann, Ramirez, Sophocleus, Waldstreicher, Murphy, and Myers”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 199 – Delegates Pendergrass, Carr, Conaway, Costa, DeBoy, Guzzone, McDonough, Mizeur, Montgomery, Robinson, Smigiel, Sophocleus, Sossi, F. Turner, and Walkup

AN ACT concerning

Homestead Property Tax Credit – Eligibility of Employees of the Federal Government Stationed Outside the State

HB0199/635666/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 199
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “for a certain taxable year”.

AMENDMENT NO. 2

On page 3, in line 2, strike “TEMPORARILY”; and in the same line, after “STATE” insert “FOR A PERIOD NOT EXCEEDING 6 CONSECUTIVE YEARS”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 13 through 23, inclusive; and in line 24, strike “3.” and substitute “2.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 203 – Delegates Cardin, Bromwell, Hecht, Lafferty, Love, Morhaim, Olszewski, Rosenberg, Schuler, and Stein

AN ACT concerning

Sales and Use Tax – Exemptions – Veterans’ Organizations

HB0203/895164/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 203

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Bartlett, Barve, Boteler, Doory, Elmore, Frick, George, Gilchrist, Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Rice, Ross, Shank, Stukes, F. Turner, and Walker”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 334 – Delegates Walker and Ivey

AN ACT concerning

Public Schools – Physical Education Facilities

HB0334/275969/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 334

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ivey” and substitute “. Ivey, Hixson, Bartlett, Cardin, Elmore, Frick, Gilchrist, Kaiser, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and Turner”; in line 4, strike “certain public schools” and substitute “a public school that is newly constructed or completely renovated and”; in the same line, after “occupied” insert “on or”; in line 5, strike “support spaces” and substitute “adequate support space”; in the same line, strike the second “and” and substitute “; requiring certain regulations to include a certain process to request a waiver from a certain requirement for certain reasons; requiring the Department”; in line 6, after “programs;” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 1, in line 21, after “(b)” insert “**(1)**”; in the same line, strike “employ” and substitute “**;**”

(I) EMPLOY”;

and in line 21, after “education” insert “**;**”

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ADOPT REGULATIONS THAT REQUIRE A PUBLIC SCHOOL BUILDING THAT IS NEWLY CONSTRUCTED OR COMPLETELY RENOVATED AND OCCUPIED ON OR

AFTER JANUARY 1, 2013. TO INCLUDE A GYMNASIUM AND ADEQUATE SUPPORT SPACE FOR PHYSICAL EDUCATION INSTRUCTION; AND

(III) ADOPT GUIDELINES FOR FACILITIES FOR PHYSICAL EDUCATION PROGRAMS.

(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL INCLUDE A PROCESS BY WHICH A LOCAL SCHOOL SYSTEM THAT IS CONDUCTING A COMPLETE RENOVATION OF A PUBLIC SCHOOL BUILDING MAY REQUEST A WAIVER, BASED ON LAND OR ZONING CONSTRAINTS, FROM THE REQUIREMENT TO INCLUDE A GYMNASIUM.”.

On page 5, strike in their entirety lines 3 through 9, inclusive.

AMENDMENT NO. 3

On page 5, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall apply to newly constructed or completely renovated public schools that have not initiated a Request for Proposal for the selection of an architectural and engineering consultant on or before the effective date of this Act.”;

in line 10, strike “2.” and substitute “3.”; and in line 11, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Walkup moved to make the Bill a Special Order for March 17, 2010.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 418 – Delegate Beitzel

AN ACT concerning

Garrett County – Noncertificated Public School Employees – Service Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 444 – Delegate Cardin

AN ACT concerning

Election Law – Citizens Who Have Not Lived in the United States – Right to Vote

HB0444/545566/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 444

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after the second “vote” insert “only in elections for federal office”.

AMENDMENT NO. 2

On page 2, in line 22, after the second “VOTE” insert “ONLY IN ELECTIONS FOR FEDERAL OFFICE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 724 – Delegates Love, Barnes, Beidle, V. Clagett, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Property Tax Credit – Habitat for Humanity of the Chesapeake ReStore

HB0724/335867/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 724

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike beginning with “Delegates” down through “Sophocleus” and substitute “Anne Arundel County Delegation”; in lines 2 and 3, 7, and 12 and 13, in each instance, strike “Habitat for Humanity of the Chesapeake ReStore” and substitute “Arundel Habitat for Humanity, Inc.”; in line 6, after “on” insert “certain”; and in line 13, strike the period.

AMENDMENT NO. 2

On page 2, in line 23, strike “**HABITAT FOR HUMANITY OF THE CHESAPEAKE RESTORE**” and substitute “**ARUNDEL HABITAT FOR HUMANITY, INC., AND IS LOCATED AT 8101 FORT SMALLWOOD ROAD, BALTIMORE, MARYLAND OR 8104 PARKWAY DRIVE, BALTIMORE, MARYLAND**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 948 – Delegates Olszewski, Aumann, Cardin, DeBoy, Lafferty, Malone, Minnick, and Schuler

AN ACT concerning

Baltimore County – Bargaining Unit for Public School Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1160 – Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, and Rice

AN ACT concerning

Safe Schools Act of 2010

HB1160/125164/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1160

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rice” and substitute “Rice, Frick, Shank, Murphy, Elmore, F. Turner, Barve, Bartlett, Ross, Walker, Stukes, and George”; in line 5, after “circumstances;” insert “requiring a court to notify certain school officials if a child found to be delinquent, in need of assistance, or in need of supervision is no longer committed to the custody of certain agencies; requiring that certain information transmitted by the juvenile court to certain school officials relating to a child found to be delinquent, in need of assistance, or in need of supervision is confidential and may not be made part of the student’s permanent educational record; authorizing a local superintendent of schools to transmit certain information as a confidential file to certain persons under certain circumstances;”; in line 12, after “offense;” insert “requiring the State Board of Education to adopt certain regulations;”; and in line 18, strike “each public middle and high school” and substitute “certain public schools”.

AMENDMENT NO. 2

On page 2, in line 30, after “child” insert “ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL”; after line 34, insert:

“(2) IF THE COURT RESCINDS THE COMMITMENT ORDER FOR A CHILD ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL, THE COURT SHALL NOTIFY THE COUNTY SUPERINTENDENT, THE SUPERVISOR OF PUPIL PERSONNEL, OR ANY OTHER OFFICIAL DESIGNATED BY THE COUNTY

SUPERINTENDENT OF THE FACT THAT THE CHILD IS NO LONGER COMMITTED TO THE CUSTODY OF A LOCAL DEPARTMENT OF SOCIAL SERVICES.”;

in line 35, strike “(2)” and substitute “**(3)**”; in the same line, after “notice” insert “REQUIRED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION”; and after line 36, insert:

“(4) EXCEPT BY ORDER OF A JUVENILE COURT OR OTHER COURT ON GOOD CAUSE SHOWN, THE INFORMATION OBTAINED BY AN INDIVIDUAL UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION:

(I) IS CONFIDENTIAL AND MAY NOT BE REDISCLOSED BY SUBPOENA OR OTHERWISE EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION; AND

(II) MAY NOT BE MADE PART OF THE STUDENT’S PERMANENT EDUCATIONAL RECORD.

(5) A LOCAL SUPERINTENDENT MAY TRANSMIT THE INFORMATION OBTAINED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION AS A CONFIDENTIAL FILE TO THE LOCAL SUPERINTENDENT OF ANOTHER PUBLIC SCHOOL SYSTEM IN THE STATE OR A NONPUBLIC SCHOOL IN THE STATE IN WHICH THE STUDENT HAS ENROLLED OR BEEN TRANSFERRED IF THE STUDENT IS STILL COMMITTED TO THE CUSTODY OF A LOCAL DEPARTMENT.

(6) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT PARAGRAPHS (4) AND (5) OF THIS SUBSECTION.”.

On page 3, in line 1, after “child” insert “ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL”; in line 5, after “be” insert “DELINQUENT OR”; after line 7, insert:

“(II) IF THE COURT RESCINDS THE COMMITMENT ORDER FOR A CHILD ENROLLED IN A PUBLIC ELEMENTARY OR SECONDARY SCHOOL, THE COURT SHALL NOTIFY THE COUNTY SUPERINTENDENT, THE SUPERVISOR OF PUPIL PERSONNEL, OR ANY OTHER OFFICIAL DESIGNATED BY THE COUNTY

SUPERINTENDENT OF THE FACT THAT THE CHILD IS NO LONGER COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF JUVENILE SERVICES.”;

in line 8, strike “(ii)” and substitute “(III)”; in the same line, after “notice” insert “REQUIRED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH”; in line 9, after “the” insert “DELINQUENCY OR”; and after line 9, insert:

“(IV) EXCEPT BY ORDER OF A JUVENILE COURT OR OTHER COURT ON GOOD CAUSE SHOWN, THE INFORMATION OBTAINED BY AN INDIVIDUAL UNDER SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:

1. IS CONFIDENTIAL AND MAY NOT BE REDISCLOSED BY SUBPOENA OR OTHERWISE EXCEPT AS PROVIDED IN SUBPARAGRAPH (V) OF THIS SUBSECTION; AND

2. MAY NOT BE MADE PART OF THE STUDENT’S PERMANENT EDUCATIONAL RECORD.

(V) A LOCAL SUPERINTENDENT MAY TRANSMIT THE INFORMATION OBTAINED UNDER SUBPARAGRAPHS (I) AND (II) OF THIS SUBSECTION AS A CONFIDENTIAL FILE TO THE LOCAL SUPERINTENDENT OF ANOTHER PUBLIC SCHOOL SYSTEM IN THE STATE OR A NONPUBLIC SCHOOL IN THE STATE IN WHICH THE STUDENT HAS ENROLLED OR BEEN TRANSFERRED IF THE STUDENT IS STILL COMMITTED TO THE CUSTODY OF A LOCAL DEPARTMENT.

(VI) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH.”.

AMENDMENT NO. 3

On page 5, in line 10, strike “OR”; and in line 12, after “ARTICLE” insert “;

(X) A VIOLATION OF § 9-302, § 9-303, OR § 9-305 OF THE CRIMINAL LAW ARTICLE; OR

(XI) A VIOLATION OF § 7-105 OF THE CRIMINAL LAW ARTICLE”.

On page 6, in line 31, strike the second “and”; and in line 35, after “subsection” insert “; AND”

(3) DESTROYED WHEN THE STUDENT GRADUATES OR TURNS 22 YEARS OLD, WHICHEVER OCCURS FIRST.

AMENDMENT NO. 4

On page 5, in line 16, after “(8)” insert “(I)”; and strike beginning with “MEANS” in line 16 down through “SCHOOL” in line 18 and substitute “INCLUDES A SCHOOL PRINCIPAL, ANOTHER SCHOOL ADMINISTRATOR, A LAW ENFORCEMENT OFFICER, OR OTHER INDIVIDUAL EMPLOYED BY A LOCAL SCHOOL SYSTEM OR A LOCAL GOVERNMENT WHO IS DESIGNATED BY THE COUNTY SUPERINTENDENT OR A SCHOOL PRINCIPAL TO HELP MAINTAIN THE SECURITY AND SAFETY OF A SCHOOL.”

(II) “SCHOOL SECURITY OFFICER” DOES NOT INCLUDE A TEACHER.

On page 7, in line 19, after “(A)” insert “(1)”; and strike beginning with “MEANS” in line 19 down through “SCHOOL” in line 21 and substitute “INCLUDES A SCHOOL PRINCIPAL, ANOTHER SCHOOL ADMINISTRATOR, A LAW ENFORCEMENT OFFICER, OR OTHER INDIVIDUAL EMPLOYED BY A LOCAL SCHOOL SYSTEM OR A LOCAL GOVERNMENT WHO IS DESIGNATED BY THE COUNTY SUPERINTENDENT OR A SCHOOL PRINCIPAL TO HELP MAINTAIN THE SECURITY AND SAFETY OF A SCHOOL.”

(2) “SCHOOL SECURITY OFFICER” DOES NOT INCLUDE A TEACHER.

AMENDMENT NO. 5

On page 7, in line 16, strike “MIDDLE SCHOOL AND HIGH SCHOOL” and substitute “SCHOOL THAT ENROLLS STUDENTS IN GRADES SIX THROUGH TWELVE”; and in line 24, after “POLICE,” insert “THE DEPARTMENT OF HUMAN RESOURCES,”.

On page 8, after line 26, insert:

“(VI) GANG PREVENTION AND INTERVENTION PROGRAMS;

(VII) THE OFFICE OF THE PUBLIC DEFENDER;;

and in lines 27 and 29, strike “(VI)” and “(VII)”, respectively, and substitute “(VIII)” and “(IX)”, respectively.

On page 10, after line 2, insert:

“(VI) REPRESENTATIVES FROM THE OFFICE OF THE PUBLIC DEFENDER;”;

and in lines 3 and 5, strike “(VI)” and “(VII)”, respectively, and substitute “(VII)” and “(VIII)”, respectively.

AMENDMENT NO. 6

On page 7, in line 22, strike “JANUARY 1, 2011” and substitute “**MARCH 31, 2011**”.

On page 10, in line 27, strike “October 1, 2010” and substitute “July 1, 2010”.

The preceding 6 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 138 Members present.

(See Roll Call No. 391)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #18

House Bill 189 – Delegate DeBoy (Chair, Joint Audit Committee) and Delegates Aumann, Barkley, Bronrott, G. Clagett, Haynes, Hixson, Howard, Kach, and Oaks

AN ACT concerning

Office of Legislative Audits – Auditing Local School Systems

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 392)

The Bill was then sent to the Senate.

**House Bill 260 – Chair, Appropriations Committee (By Request –
Departmental – Budget and Management)**

AN ACT concerning

**State Personnel – Classification of Positions in the State Personnel
Management System**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 393)

The Bill was then sent to the Senate.

**House Bill 275 – Chair, Appropriations Committee (By Request –
Departmental – Budget and Management)**

AN ACT concerning

State Employees – Employee Performance Appraisals – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 394)

The Bill was then sent to the Senate.

House Bill 516 – Delegate Malone

AN ACT concerning

**Hazardous Material Response Team Employees – Death Benefits and Funeral
Expenses – Local Government Agencies**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 395)

The Bill was then sent to the Senate.

House Bill 755 – Delegates Mizeur, Barkley, Bobo, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Glenn, Healey, Hecht, Hixson, Ivey, Kaiser, Lafferty, Manno, McIntosh, Montgomery, Murphy, Pena–Melnik, Reznik, Rice, Robinson, Rosenberg, and Ross

AN ACT concerning

Earned Income Credit Information Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 87 Negative – 51 (See Roll Call No. 396)

The Bill was then sent to the Senate.

House Bill 774 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

**State Retirement and Pension System – Reemployment Earnings
Limitation – Exemptions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 397)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Benson moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 398)

In compliance with the rules, the Bill was introduced.

House Bill 1558 – Delegate Benson

AN ACT concerning

Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and Penalties

FOR the purpose of prohibiting certain persons from purchasing, selling, reselling, distributing, dispensing, or giving away to any person in this State certain unpackaged cigarettes; prohibiting a person from making available for use by another person a tobacco product rolling machine to produce an unpackaged cigarette; providing that a person who possesses, sells, or attempts to sell certain cigarettes is in violation of a certain provision of law; establishing certain penalties for a violation of certain provisions of this Act; defining certain terms; and generally relating to the regulation of unpackaged cigarettes.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11–5A–01 and 11–5A–02 to be under the amended subtitle “Subtitle 5A. Sales of Unpackaged Cigarettes”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 11–5A–03

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 399)

ADJOURNMENT

At 12:08 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, March 17, 2010.

Annapolis, Maryland
Wednesday, March 17, 2010

The House met at 10:32 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate B. Daniel Riley of Cecil and Harford counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 400)

The Journal of March 16, 2010 was read and approved.

EXCUSES:

Del. Beidle – illness

Del. Guzzone – late – doctor’s appointment

Del. Heller – left early – illness

Del. Impallaria – left early – doctor’s appointment

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 383 – Senator Mooney

AN ACT concerning

Public Health – Frederick County – Dogs in Outdoor Dining Areas

FOR the purpose of authorizing the County Commissioners for Frederick County to enact certain laws, ordinances, rules, or regulations to allow a restaurant to allow dogs in outdoor dining areas of restaurants; requiring the legislation to contain a certain prohibition; requiring the legislation to contain a provision to ensure certain rights are not impeded; and generally relating to the presence of animals in outdoor dining areas in Frederick County.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–304

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 633 – Senators Middleton, Astle, Kasemeyer, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Raskin, ~~and Robey~~ Robey, Exum, Garagiola, Glassman, Pugh, Currie, Jones, McFadden, and Peters

AN ACT concerning

Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments

FOR the purpose of requiring the Community Services Reimbursement Rate Commission to develop a certain update formula for determining rates paid to developmental disabilities service providers and community mental health services providers; requiring the Commission to include in a certain existing annual report an analysis of the impact of a certain update formula on the financial condition of certain providers; requiring the Department of Health and Mental Hygiene to make a certain adjustment for inflation of the fees paid to certain providers using a certain update formula beginning in a certain fiscal year; establishing the formula for the annual inflation rate adjustment for certain providers; requiring the Department to conduct a certain study in consultation with certain stakeholders and to report its findings and recommendations to the General Assembly on or before a certain date; and generally relating to the Community Services Reimbursement Rate Commission and provider rate adjustments.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–806, 13–809, and 16–201.2
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #10

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 5 – Delegate Braveboy

AN ACT concerning

Corporations and Associations – Low-Profit Limited Liability Companies

HB0005/233590/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 5
(First Reading File Bill)

On page 3, in line 24, strike “MEETS” and substitute “:

(1) MEETS”;

and in line 25, after “TITLE” insert “;AND

(2) COMPLIES WITH § 1-502(F) OF THIS ARTICLE AND § 4A-204(A)(4) OF THIS TITLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 79 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Commercial Law – Credit Services Businesses – Limitation on Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 214 – Delegates Pena–Melnyk, Barnes, and Frush

AN ACT concerning

Labor and Employment – Wage Payment and Collection Law – Definition of Wage

Favorable report adopted.

Delegate McDonough moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 404 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment – Wage Payment and Collection – Order to Pay Wages

HB0404/323299/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 404
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “Commisioner” and substitute “Commissioner”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**\$5,000**” and substitute “**\$3,000**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 670 – Delegate Feldman

AN ACT concerning

**Joint Committee on Workers' Compensation Benefit and Insurance
Oversight – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 795 – Delegates Lee, Barkley, G. Clagett, Doory, Dumais, Frick,
Gutierrez, Heller, Kaiser, McDonough, Montgomery, Nathan–Pulliam,
Rice, Robinson, Tarrant, and Taylor**

AN ACT concerning

Task Force to Study Nanotechnology and Nanobiotechnology

HB0795/953097/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Kaiser,” insert “Mathias.”

AMENDMENT NO. 2

On page 1, in lines 2, 3, 13, and 24, in each instance, strike “Nanotechnology and”; in lines 15 and 19, in each instance, strike “nanotechnology and”; and in line 18, strike “building materials,”.

On page 2, in line 14, strike “nanotechnology or”.

On page 3, in lines 14 and 26, in each instance, strike “nanotechnology and”; and in line 20, strike “building materials,”.

On page 4, in line 7, strike “nanotechnology and”.

AMENDMENT NO. 3

On page 2, in line 12, strike “ten”; strike beginning with “individuals” in line 16 down through “association;” in line 17 and substitute “representatives from regional or local business organizations that advocate on behalf of the life sciences; and”; and strike beginning with “two” in line 18 down through “4.” in line 20.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 825 – Delegates Barkley, Barnes, Davis, Feldman, Harrison, Hecht, Impallaria, King, Kirk, Krysiak, Love, Manno, McHale, Minnick, Schuler, Stifler, Taylor, and Vaughn

AN ACT concerning

Vehicle Laws – Required Security – Minimum Amounts

Favorable report adopted.

Delegate Shank moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 971 – Delegate Feldman

AN ACT concerning

Maryland Statutory Trust Act

HB0971/113694/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 971
(First Reading File Bill)

On page 2, in line 38, after “Section” insert “12-101.1”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 972 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Miscellaneous Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1032 – Delegates Kirk, Harrison, Haynes, King, Love, McHale, Minnick, Stukes, and Vaughn

AN ACT concerning

Motor Fuel Refiner or Supplier – Games of Chance – Repeal of Prohibition

HB1032/373492/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1032

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Refiner or Supplier” and substitute “Suppliers”; in the same line, strike “– Repeal of Prohibition”; strike beginning with “repealing” in line 3 down through “costs” in line 10 and substitute “authorizing certain suppliers of motor fuel to engage in, sponsor, promote, advertise, or otherwise perform or participate in certain games of chance at certain retail service stations under certain circumstances; providing that certain suppliers authorized to participate in a game of chance may not require a retail service station to participate in the game of chance;”

providing for the termination of this Act”; in line 11, strike “refiners or”; and in line 12, after “repealing” insert “and reenacting, with amendments.”.

AMENDMENT NO. 2

On page 1, in line 20, strike the bracket.

On page 2, in line 1, strike “operate” and substitute “SUPPLY”; in line 2, after “stations,” insert “SPONSOR, PROMOTE, ADVERTISE, OR OTHERWISE PERFORM OR”; strike beginning with “promoted” in line 2 down through “fuel” in line 3 and substitute “IF THE RETAIL SERVICE STATION DEALER AGREES TO PARTICIPATE IN THE GAME OF CHANCE”; strike beginning with “pay” in line 5 down through “to” in line 6 and substitute “PARTICIPATE IN”; and in line 6, strike the bracket.

AMENDMENT NO. 3

On page 2, in line 8, after “2010.” insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2013, 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.

Delegate Anderson moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1100 – Delegates Braveboy, Ali, Anderson, Barkley, Barnes, Benson, Bobo, Burns, Carr, Davis, Feldman, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kirk, Krysiak, Kullen, Lee, Levi, Malone, Manno, McHale, Mizeur, Montgomery, Niemann, Olszewski, Pena–Melnyk, Ramirez, Reznik, Rice, Ross, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Prevailing Wage Rates – Public Works Contracts – Suits by Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #6**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 181 – Delegates Hubbard, Ali, Benson, Bobo, Bromwell, Bronrott, Costa, Frush, Griffith, Healey, Holmes, Hucker, Ivey, Kipke, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

**Department of Health and Mental Hygiene – Biomonitoring Program –
Report**

HB0181/236885/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 181
(First Reading File Bill)

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Donoghue, and Jenkins”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 215 – Delegates Nathan–Pulliam and Eckardt

AN ACT concerning

**State Board of Nursing – Changes to the Electrology Practice Committee and
Licensing Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 302 – Delegates Nathan–Pulliam, Eckardt, Elmore, and V. Turner

AN ACT concerning

State Board of Nursing – Membership – Nominations for Vacancies

HB0302/606584/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Nursing” insert “and Certified Nursing Assistant Advisory Committee”; in line 7, after “rotate” insert “with each vacancy”; in the same line, after “specialties;” insert “replacing a certain registered nurse clinician member of the Board with a currently practicing nurse who has practiced as a delegating nurse in a certain setting for at least a certain number of years; requiring that at least one licensed practical nurse member of the Board practice in a long–term care nursing facility;”; in line 16, after “begun;” insert “adding an adult medical day care nursing assistant to the Certified Nursing Assistant Advisory Committee; providing for the appointment of certain members of the Board and the Committee;”; in line 17, after “Nursing” insert “and the Certified Nursing Assistant Advisory Committee”; and in line 20, after “(i)” insert “and 8–6A–13”.

AMENDMENT NO. 2

On page 2, in line 8, after “specialty” insert “**THAT ROTATES WITH EACH VACANCY AMONG THE FOLLOWING SPECIALTIES:**

- 1. NURSE ANESTHETIST;**
- 2. NURSE PRACTITIONER;**

3. NURSE MIDWIFE; AND

4. NURSE PSYCHOTHERAPIST;

in line 18, strike “2” and substitute “1”; in the same line, strike “nurse clinicians, one of whom shall have,” and substitute “A NURSE CLINICIAN WITH”; in the same line, strike the third comma; in line 19, strike “AND”; in line 22, after “NURSING” insert “;
AND

(VIII) 1 SHALL BE A CURRENTLY PRACTICING NURSE WHO HAS PRACTICED AS A DELEGATING NURSE IN A SUPERVISED GROUP LIVING SETTING, AS DEFINED IN COMAR 10.27.11.02(20), FOR AT LEAST 5 YEARS;

and strike in their entirety lines 23 through 28, inclusive.

On page 3, strike line 1 in its entirety and substitute:

“(4) OF THE 3 LICENSED PRACTICAL NURSE MEMBERS, AT LEAST 1 SHALL PRACTICE IN A LONG-TERM CARE NURSING FACILITY.”;

and in line 6, strike “SUBSECTION (A)(4)” and substitute “SUBSECTION (A)(3)(I)”.

AMENDMENT NO. 3

On page 5, after line 25, insert:

“8-6A-13.

(a) The Board shall appoint an advisory committee consisting of at least [13] 14 members appointed by the Board.

(b) Of the [13] 14 committee members:

(1) [Five] SIX shall be nursing assistants:

(i) One shall be an acute care nursing assistant;

(ii) One shall be a home care nursing assistant;

(iii) One shall be a long-term care nursing assistant;

(IV) ONE SHALL BE AN ADULT MEDICAL DAY CARE NURSING ASSISTANT;

[(iv)](V) At least one of the nursing assistant members shall be a member of a union; and

[(v)](VI) One shall be an independent contractor;

(2) Three shall be registered nurses:

(i) One shall be an acute care registered nurse;

(ii) One shall be a home care registered nurse; and

(iii) One shall be a long-term care registered nurse;

(3) One shall be an administrator from a licensed health care facility;

(4) One shall be a licensed practical nurse;

(5) One shall be an individual who teaches a nursing assistant course;

(6) One shall be a consumer member who has received care, or has a family member who has received care from a nursing assistant; and

(7) One shall be a representative of the Department.

(c) The Board shall appoint an alternate for each of the three nursing assistant members in the event that the nursing assistant member is unable to discharge the duties of the committee.

(d) An advisory committee member shall serve a term of 4 years.

(e) The advisory committee shall:

- (1) Evaluate training programs and make recommendations for approval by the Board;
- (2) Develop and recommend regulations to enforce the provisions of this subtitle;
- (3) Evaluate candidates as required and recommend action to the Board;
- (4) Review investigations of complaints against nursing assistants or medication technicians and make recommendations to the Board for disciplinary action;
- (5) Keep a record of its proceedings; and
- (6) Submit an annual report to the Board.

SECTION 2. AND BE IT FURTHER ENACTED, That:

- (1) the delegating nurse member added to the Board of Nursing under § 8–202(a)(3)(viii) of the Health Occupations Article, as enacted by Section 1 of this Act, shall be appointed to fill the first nurse clinician member vacancy on the Board that occurs on or after the effective date of this Act;
- (2) the licensed practical nurse member of the Board of Nursing who is required to be practicing in a long–term care nursing facility under § 8–202(a)(4) of the Health Occupations Article, as enacted by Section 1 of this Act, shall be appointed to fill the first licensed practical nurse member vacancy on the Board that occurs on or after the effective date of this Act; and
- (3) the acute care nurse member added to the Board of Nursing under § 8–202(a)(3)(vii) of the Health Occupations Article, as enacted by Section 1 of this Act, and the adult medical day care nursing assistant member added to the Certified Nursing Assistant Advisory Committee under § 8–6A–13(b)(iv) of the Health Occupations Article, as enacted by Section 1 of this Act, shall be appointed as soon as practicable after the effective date of this Act.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 346 – Delegate Hucker

AN ACT concerning

**Advisory Committee on the Naming of State Facilities, Roads, and Bridges –
Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 411 – Delegate Kach

AN ACT concerning

**Statewide Advisory Commission on Immunizations – Membership, Sunset
Extension, and Study of HPV Vaccine**

HB0411/236482/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 411

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Kach” and substitute “Delegates Kach, Hubbard, Montgomery, Oaks, Pena–Melnyk, V. Turner, Benson, and Donoghue”; strike beginning with “Sunset” in line 2 down through “Vaccine” in line 3 and substitute “Duties, and Sunset Repeal”; in line 4, after “member” insert “and a pharmacist”; in line 5, strike “extending” and substitute “repealing”; strike beginning with “requiring” in line 6 down through “study;” in line 10 and substitute “requiring”

the Secretary of Health and Mental Hygiene, in consultation with MedChi, The Maryland State Medical Society, to appoint the chair of the Commission; establishing the terms of the appointed members of the Commission; specifying when the terms of certain members of the Commission expire; requiring the Commission to review certain factors and make recommendations on how to increase immunizations among certain individuals; repealing a provision that requires the Commission to study and make recommendations about immunizations required by children entering schools in times of vaccine shortage; requiring the Commission to study and make recommendations about a public campaign in the event of a public health emergency involving immunizations; requiring the Commission to study and make recommendations about the availability and affordability of adolescent vaccines; authorizing the Commission to recommend to the Department of Health and Mental Hygiene that certain information be communicated to health care providers; making certain technical corrections and stylistic changes;” and in line 19, strike “, as amended by” and substitute “and”.

AMENDMENT NO. 2

On page 2, in line 5, strike “at least”; strike beginning with “the” in line 6 down through “Council” in line 7 and substitute “MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY”; in line 8, strike “chairperson” and substitute “CHAIR”; in line 20, strike “of” and substitute “FROM”; in line 25, strike “AND”; in line 26, after “CONSUMER” insert “;AND”

(15) ONE PHARMACIST”;

and in line 27, strike “of the Department of Health and Mental Hygiene”.

AMENDMENT NO. 3

On page 3, in line 1, after “(e)” insert “(1)”; strike beginning with “physician” in line 1 down through “Council” in line 2 and substitute “SECRETARY, IN CONSULTATION WITH MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY,”; strike beginning with the colon in line 2 down through “Chair” in line 3 and substitute “APPOINT THE CHAIR OF”; in line 3, strike the semicolon and substitute a period; in line 4, after “(2)” insert “THE CHAIR OF THE COMMISSION SHALL:”

(1)”;

in line 6, strike “(3)” and substitute “(II)”; after line 7, insert:

“(F) (1) THE TERM OF AN APPOINTED MEMBER IS 3 YEARS.

(2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER MAY BE APPOINTED FOR MORE THAN ONE TERM.

(5) THE TERMS OF THE MEMBERS OF THE COMMISSION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR THE MEMBERS OF THE COMMISSION ON JUNE 1, 2010.”;

in lines 8, 11, and 13, strike “(f)”, “(g)”, and “(h)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively; and in line 11, strike “of Health and Mental Hygiene”.

AMENDMENT NO. 4

On page 3, in line 17, after “vaccines;” insert:

“(3) REVIEW:

(I) POTENTIAL PROVIDER REIMBURSEMENT BARRIERS TO INCREASING IMMUNIZATIONS;

(II) THE RELATIVE EFFECTIVENESS OF OUTREACH PROGRAMS THAT EDUCATE THE PUBLIC ABOUT THE BENEFITS OF IMMUNIZATIONS;

(III) POTENTIAL COST-SHIFTING OF IMMUNIZATION EXPENSES FOR PRIVATELY INSURED PATIENTS WHO RECEIVE IMMUNIZATIONS AT LOCAL HEALTH DEPARTMENTS; AND

(IV) POTENTIAL ADMINISTRATIVE BURDENS ASSOCIATED WITH STATE PURCHASING OF VACCINES;

(4) BASED ON THE REVIEW REQUIRED UNDER ITEM (3) OF THIS SUBSECTION, MAKE RECOMMENDATIONS ON HOW TO INCREASE IMMUNIZATIONS, INCLUDING CATCH-UP IMMUNIZATIONS, AMONG ADULTS, ADOLESCENTS, AND CHILDREN WHO ARE RECOMMENDED TO RECEIVE IMMUNIZATIONS;”;

in line 18, strike “(3)” and substitute “(5)”; in line 19, strike “but not limited to”; strike beginning with “in” in line 20 down through “shortage” in line 21; in line 30, strike the semicolon and substitute “OR PUBLIC HEALTH EMERGENCY INVOLVING IMMUNIZATIONS; AND”; in line 31, after “adult” insert “, ADOLESCENT,”; and in line 32, strike “; and” and substitute a period.

AMENDMENT NO. 5

On page 4, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(J) THE COMMISSION MAY RECOMMEND TO THE DEPARTMENT THAT INFORMATION ON VACCINE SAFETY BE COMMUNICATED TO HEALTH CARE PROVIDERS.”;

in line 4, strike “(i)” and substitute “(K)”; in line 10, strike “, as amended by” and substitute “and”; and strike beginning with “It” in line 12 down through the period in line 14.

AMENDMENT NO. 6

On pages 4 and 5, strike in their entirety the lines beginning with line 15 on page 4 through line 14 on page 5, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the appointed members of the Statewide Advisory Commission serving on June 1, 2010, shall expire as follows:

- (1) three members in 2011;
- (2) four members in 2012; and
- (3) four members in 2013.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 462 – Delegates Kaiser, McIntosh, and Mizeur

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

HB0462/106888/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 462

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Mizeur” and substitute “Mizeur, Pendergrass, Benson, Costa, Kullen, Montgomery, Nathan–Pulliam, Pena–Melnik, Tarrant, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate McConkey moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 497 – Delegates G. Clagett, Barkley, DeBoy, Hecht, Heller, Howard, Kullen, Robinson, Sophocleus, Stocksdale, and Wood

AN ACT concerning

Public Safety – Emergency Medical Services Board – Membership

HB0497/616686/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 497

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Emergency Medical Services Board” and substitute “Statewide Emergency Medical Services Advisory Council”; in lines 3 and 4 and 7, in each instance, strike “State Emergency Medical Services Board” and substitute “statewide Emergency Medical Services Advisory Council”; in line 4, strike “public at large” and substitute “general public”; strike beginning with “employed” in line 5 down through “Division” in line 6; in line 6, after the semicolon insert “making corrections to the names of certain organizations;”; after line 7 insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 13–511(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”;

and in line 10, strike “13–505” and substitute “13–511(b)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 16 on page 1 through line 15 on page 3, inclusive, and substitute:

“13–511.

(a) There is a statewide Emergency Medical Services Advisory Council to advise and assist the EMS Board in performing its functions.

(b) (1) The Advisory Council consists of [29] 31 members. The members shall be appointed by the Board from a list of three qualified nominees submitted to the Board by their respective organizations or associations represented on the Council. The appointments by the Board shall be subject to the approval of the Governor.

(2) Of the [29] 31 members:

(i) One shall be a representative of the Maryland Chapter of the American College of Emergency Physicians;

(ii) One shall be a representative of [the Medical and Chirurgical Faculty of Maryland] **MEDCHI, THE MARYLAND STATE MEDICAL SOCIETY;**

(iii) One shall be a representative of the Maryland Hospital Association;

(iv) One shall be a representative of the Maryland State Council of the Emergency Nurses Association;

(v) One shall be a representative of the Maryland Fire and Rescue Institute;

(vi) One shall be a representative of the Maryland State Firemen's Association;

(vii) One shall be a representative of the Aviation Division of the Department of State Police;

(viii) One shall be a representative of the [Highway Safety Division] **OFFICE OF TRAFFIC AND SAFETY** of the Maryland Department of Transportation;

(ix) One shall be a representative from each of the five regional emergency medical services advisory councils;

(x) One shall be a representative of the Maryland trauma net;

(xi) One shall be a representative of a Maryland commercial ambulance service;

(xii) One shall be a representative of the Board of Physicians;

(xiii) One shall be a representative of the Maryland Chapter, American College of Surgeons;

(xiv) One shall be a regional medical director;

(xv) One shall be a representative of the Maryland Chapter (Chesapeake Bay), American Association of Critical Care Nurses;

(xvi) One shall be a representative of the [Maryland/District of Columbia International Association of Firefighters] **PROFESSIONAL FIRE FIGHTERS OF MARYLAND;**

(xvii) One shall be a representative of the volunteer field providers;

(xviii) One shall be a representative of the Maryland Metropolitan Fire Chiefs;

(xix) One shall be a representative of the [State Emergency Numbers Board (911)] **EMERGENCY NUMBER SYSTEMS BOARD;**

(xx) One shall be the Director of the R Adams Cowley Shock Trauma Center;

(xxi) One shall be the Director of the National Study Center;

(xxii) [Two] **THREE** shall be members of the general public, one of whom shall reside in a county with a population of less than 175,000;

(xxiii) One shall be a representative of the Committee on Pediatric Emergency Medicine of the American Academy of Pediatrics, Maryland Chapter; [and]

(xxiv) One shall be a representative of the [Maryland–District of Columbia] **MARYLAND Society of Anesthesiologists; AND**

(XXV) ONE SHALL BE A HELICOPTER PILOT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 536 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Department of Aging – Long-Term Care Ombudsman Program

HB0536/666483/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 536

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Aging)” insert “and Delegates Hubbard, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Kach, Kipke, Krebs, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner”; in line 9, strike “appointment” and substitute “selection”; in line 14, after “regulations;” insert “requiring the Secretary to adopt certain regulations in consultation with area agencies on aging;”; and in line 16, after “persons;” insert “requiring the State Long-Term Care Ombudsman to submit a certain annual report to the Governor and the General Assembly; requiring the Department of Aging to reconvene a certain workgroup; requiring the workgroup to meet on a certain basis; providing for the duties of the Department and the State Long-Term Care Ombudsman in conducting the workgroup; defining certain terms;”.

AMENDMENT NO. 2

On page 2, in line 12, strike “**THE SECRETARY AND**”.

AMENDMENT NO. 3

On page 3, in line 2, strike “**APPOINTED**” and substitute “**SELECTED**”; in line 11, after “(C)” insert “**(1)**”; after line 12, insert:

“(2) THE REGULATIONS ADOPTED UNDER SUBSECTION (C) OF THIS SECTION SHALL ESTABLISH:

(I) THE REQUIREMENTS FOR AN ANNUAL REVIEW BY THE DEPARTMENT OF ALL OMBUDSMAN ACTIVITIES; AND

(II) THE PROCESS FOR ASSISTING INDIVIDUALS WITH ORGANIZING AND OPERATING A RESIDENT COUNCIL AND A FAMILY COUNCIL IN A LONG-TERM CARE FACILITY.”;

in line 17, strike “APPOINT” and substitute “SELECT”; in line 21, strike “APPOINT” and substitute “SELECT”; and in lines 26 and 27, strike beginning with the first comma in line 26 down through “AGING” in line 27.

AMENDMENT NO. 4

On page 4, in line 5, strike “SOLVE” and substitute “RESOLVE”; in the same line, after “COMPLAINTS” insert “FROM ANY SOURCE”; in line 7, after “DECISION” insert “””; strike beginning with “BY” in line 7 down through “AGENCY” in line 8; and in line 9, after “RESIDENT” insert “INCLUDING THE WELFARE AND RIGHTS OF RESIDENTS WITH RESPECT TO THE APPOINTMENT AND ACTIVITIES OF GUARDIANS AND REPRESENTATIVE PAYEES, OF:

(I) A PROVIDER, OR A REPRESENTATIVE OF A PROVIDER, OF LONG-TERM CARE SERVICES;

(II) A PUBLIC AGENCY; OR

(III) A HEALTH OR SOCIAL SERVICE AGENCY”.

On page 5, strike beginning with “PROVIDE” in line 3 down through “RESIDENTS” in line 5 and substitute “PROVIDE SERVICES TO ASSIST RESIDENTS IN PROTECTING THE HEALTH, SAFETY, WELFARE, AND RIGHTS OF RESIDENTS”; in line 14, strike “AGENCIES” and substitute “ENTITIES”; and in line 18, after “SECRETARY” insert “, IN CONSULTATION WITH AREA AGENCIES ON AGING,”.

On page 6, in lines 21 and 29, in each instance, after “SECRETARY” insert “, IN CONSULTATION WITH AREA AGENCIES ON AGING,”; in line 27, after “OR” insert

“IMMEDIATE”; and strike in its entirety line 30 and substitute “THE CONFIDENTIALITY OF INFORMATION AND DOCUMENTS, INCLUDING RESIDENT RECORDS, FACILITY RECORDS, AND COMPLAINANT IDENTIFICATION.”.

AMENDMENT NO. 5

On page 7, in line 11, after “SYSTEM” insert “FOR THE PROGRAM”; and in line 16, after “REPORT” insert “TO THE GOVERNOR AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”.

AMENDMENT NO. 6

On page 8, after line 2, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) On or before July 31, 2010, the Department of Aging shall reconvene, and the State Long-Term Care Ombudsman shall attend meetings with the stakeholder groups involved in the Department’s “A Plan for Excellence for the Maryland Long-Term Care Ombudsman Program” including the AARP Maryland, Maryland Disabilities Law Center, Legal Aid Bureau, United Seniors of Maryland, and Voices for Quality Care.

(b) (1) The State Long-Term Care Ombudsman shall expand the stakeholder group to include at least one nursing home resident or representative of a nursing home resident and one assisted living facility resident or representative of an assisted living facility resident.

(2) The nursing home resident or assisted living facility resident included in the stakeholder group, or the nursing home resident or assisted living facility resident who has a representative who is included in the stakeholder group shall be a current resident of a facility and may not be represented by any other member of the stakeholder group.

(c) (1) The stakeholder group shall meet at least quarterly until January 2013, unless the stakeholder group determines that the meetings can be held less frequently.

(2) At the meetings, the Department shall provide updates, solicit input, and identify barriers to the progress to refine and implement the strategic action plan to improve the Ombudsman Program.

(3) Before the first meeting of the stakeholder group, the State Long-Term Care Ombudsman shall gather up-to-date names, addresses, and electronic mail addresses of the individuals who will represent the stakeholder groups to set dates for the meetings and ensure the timely dispersal of information required under this section.

(4) Between meetings, the Department shall provide information to the stakeholder group of any significant proposed actions regarding the Ombudsman Program.”.

AMENDMENT NO. 7

On page 8, in line 3, strike “3.” and substitute “4.”; and in line 4, strike “October” and substitute “June”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 849 – Delegate Hubbard

AN ACT concerning

Department of Health and Mental Hygiene – Home- and Community-Based Services Waiver – Denial of Access Prohibited

HB0849/486281/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 849

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Kipke, Benson, Krebs, Kullen, McDonough, Montgomery, Nathan-Pulliam, Pena-Melnyk, Pendergrass, and V. Turner”; and strike beginning

with “the” in line 6 down through “services” in line 7 and substitute “a certain number of days of the individual’s nursing facility stay are eligible to be”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(2) AT LEAST 30 CONSECUTIVE DAYS OF THE INDIVIDUAL’S NURSING FACILITY STAY ARE ELIGIBLE TO BE PAID FOR BY THE PROGRAM;”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ali moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 868 – Delegates Montgomery, Carr, Frick, George, Heller, Howard, and Manno

AN ACT concerning

State Board of Pharmacy – Wholesale Distributors – Accreditation and Reciprocity

HB0868/276087/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 868

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Wholesale” in line 2 down through “Reciprocity” in line 3 and substitute “Wholesale Distributor Permitting and Prescription Drug Integrity Act – Revisions”; in line 4, after the first “of” insert “authorizing the Department of Health and Mental Hygiene to purchase and distribute certain drugs and devices for certain purposes;”; in the same line, strike “certain circumstances when” and substitute “the circumstances under which”; strike beginning with “the” in line 9 down through “terms” in line 10 and substitute “certain”.

definitions”; strike beginning with “accreditation” in line 11 down through “drugs” in line 12 and substitute “Wholesale Distributor Permitting and Prescription Drug Integrity Act”; in line 20, after “Section” insert “12-6C-01(u) and”; and after line 22, insert:

“BY adding to

Article – Health Occupations
Section 12-6C-03.1
Annotated Code of Maryland
(2009 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“(u) (1) “Wholesale distribution” means the distribution of prescription drugs or prescription devices to persons other than a consumer or patient.

(2) “Wholesale distribution” does not include:

(i) Intracompany sales;

(ii) The sale, purchase, distribution, trade, or transfer of a prescription drug or an offer to sell, purchase, distribute, trade, or transfer a prescription drug for emergency medical reasons;

(III) THE SALE, PURCHASE, DISTRIBUTION, TRADE, OR TRANSFER OF A PRESCRIPTION DRUG OR PRESCRIPTION DEVICE BY THE DEPARTMENT FOR PUBLIC HEALTH PURPOSES;

~~[(iii)]~~ **(IV) The distribution of samples of a prescription drug by a manufacturer’s representative;**

~~[(iv)]~~ **(V) Prescription drug returns conducted by a hospital, health care entity, or charitable institution in accordance with 21 C.F.R. § 203.23;**

~~[(v)]~~ **(VI) The sale of minimal quantities of prescription drugs by retail pharmacies to licensed health care practitioners for office use;**

[(vi)] (VII) The sale, purchase, or trade of a prescription drug, an offer to sell, purchase, or trade a prescription drug, or the dispensing of a prescription drug in accordance with a prescription;

[(vii)] (VIII) The sale, transfer, merger, or consolidation of all or part of the business of a pharmacy to or with another pharmacy, whether accomplished as a purchase and sale of stock or business assets;

[(viii)] (IX) The sale, purchase, distribution, trade, or transfer of a prescription drug from one authorized distributor of record to one additional authorized distributor of record if:

1. The manufacturer has stated in writing to the receiving authorized distributor of record that the manufacturer is unable to supply the prescription drug; and

2. The supplying authorized distributor of record states in writing that the prescription drug being supplied had until that time been exclusively in the normal distribution channel;

[(ix)] (X) The delivery of, or offer to deliver, a prescription drug by a common carrier solely in the common carrier's usual course of business of transporting prescription drugs, if the common carrier does not store, warehouse, or take legal ownership of the prescription drug; or

[(x)] (XI) The sale or transfer from a retail pharmacy or pharmacy warehouse of expired, damaged, returned, or recalled prescription drugs to the original manufacturer or to a third party returns processor.”.

AMENDMENT NO. 3

On page 3, after line 3, insert:

“12-6C-03.1.

THE DEPARTMENT MAY PURCHASE AND DISTRIBUTE PRESCRIPTION DRUGS AND PRESCRIPTION DEVICES FOR PUBLIC HEALTH PURPOSES.”;

strike in their entirety lines 13 through 17, inclusive; in line 29, strike “**THAT ARE**” and substitute “**THAT:**

(I) ARE”;

and in line 30, after “**STATE**” insert “;**AND**

(II) INCLUDE PEDIGREES, ROUTINE INSPECTIONS OF WHOLESALE DISTRIBUTORS, OPERATION OF WHOLESALE DISTRIBUTORS IN A COMMERCIAL NONRESIDENTIAL FACILITY, AND SECURITY MEASURES”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 882 – Delegates Kramer, Barkley, Barnes, Conaway, Frick, Heller, Ivey, Manno, McConkey, Ramirez, Reznik, and Simmons

AN ACT concerning

Life and Health Insurance – Senior Investment Protection

HB0882/876980/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 882

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Simmons” and substitute “Simmons, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Pendergrass, Riley, Tarrant, and V. Turner”; strike line 2 in its entirety and substitute “Insurance Producers – Use of Senior or Retiree Credential or Designation”; in line 3, strike “a person” and substitute “an insurance producer”; strike beginning with “senior–specific” in line 3 down through “professional” in line 4

and substitute “senior or retiree credential or”; in line 4, after “that” insert “is or”; strike beginning with “mislead” in line 4 down through “annuities” in line 17 and substitute “be misleading in connection with the offer, sale, or purchase of insurance; requiring the Maryland Insurance Commissioner, in consultation with the Securities Commissioner of the Division of Securities in the Office of the Attorney General, to adopt certain regulations; providing that the regulations may contain certain exemptions under certain circumstances; providing that a violation of this Act constitutes a lack of trustworthiness for the purposes of certain provisions of law; providing for the construction of this Act; and generally relating to the offer, sale, and purchase of insurance”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 9 on page 2 through line 18 on page 5, inclusive, and substitute:

“(A) IT IS UNLAWFUL FOR ANY INSURANCE PRODUCER TO USE A SENIOR OR RETIREE CREDENTIAL OR DESIGNATION IN A WAY THAT IS OR WOULD BE MISLEADING IN CONNECTION WITH THE OFFER, SALE, OR PURCHASE OF INSURANCE.

(B) (1) THE COMMISSIONER, IN CONSULTATION WITH THE SECURITIES COMMISSIONER OF THE DIVISION OF SECURITIES IN THE OFFICE OF THE ATTORNEY GENERAL, SHALL ADOPT REGULATIONS TO DEFINE WHAT CONSTITUTES A MISLEADING USE OF A SENIOR OR RETIREE CREDENTIAL OR DESIGNATION FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION.

(2) THE REGULATIONS ADOPTED BY THE COMMISSIONER MAY PROVIDE EXEMPTIONS FROM SUBSECTION (A) OF THIS SECTION, IF THE EXEMPTIONS ARE CONSISTENT WITH THE PUBLIC INTEREST AND WITHIN THE PURPOSES INTENDED BY THE POLICY AND PROVISIONS OF THIS TITLE.

(C) A VIOLATION OF SUBSECTION (A) OF THIS SECTION CONSTITUTES A LACK OF TRUSTWORTHINESS FOR THE PURPOSES OF § 10-126(A)(13) OF THIS ARTICLE.

(D) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT ANY POWERS OF THE COMMISSIONER GRANTED UNDER THIS TITLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 899 – Delegate Hubbard

AN ACT concerning

Nursing Facility Residents – Home–Based and Community Services – Access Assistance

HB0899/876383/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 899

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Benson, Kach, Kullen, McDonough, Montgomery, Pena–Melnyk, and V. Turner”; strike beginning with “requiring” in line 7 down through “frames;” in line 10; and strike beginning with “prohibiting” in line 15 down through “procedures;” in line 17.

AMENDMENT NO. 2

On page 3, strike beginning with the comma in line 20 down through “**INQUIRY**” in line 21; strike beginning with the second comma in line 23 down through “**INQUIRY**” in line 24; and strike beginning with “**WITHIN**” in line 26 down through “**PROMPTNESS**” in line 27.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 10 through 18; in line 19, strike the brackets; and in the same line, strike “**(H)**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 933 – Delegate Montgomery

AN ACT concerning

Hospitals – Financial Assistance and Debt Collection

HB0933/256288/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 933

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Montgomery” and substitute “Delegates Montgomery, Benson, Hubbard, Kullen, Nathan–Pulliam, Pena–Melnyk, Tarrant, and V. Turner”; and in line 9, strike “any family member” and substitute “certain family members”.

On page 2, in line 2, strike “promptly”; in line 3, after “obligation” insert “within a certain period of time”; and in line 36, after “State” insert “UNDER THE JURISDICTION OF THE COMMISSION”.

AMENDMENT NO. 2

On page 3, in line 3, in each instance, strike the bracket; strike beginning with the semicolon in line 6 down through “**HARDSHIP**” in line 9; after line 18, insert:

“(4) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE FINANCIAL ASSISTANCE POLICY REQUIRED UNDER THIS SUBSECTION SHALL PROVIDE REDUCED–COST MEDICALLY NECESSARY CARE TO PATIENTS WITH FAMILY INCOME BELOW 500% OF THE FEDERAL POVERTY LEVEL WHO HAVE A FINANCIAL HARDSHIP.”

(II) A HOSPITAL MAY SEEK AND THE COMMISSION MAY APPROVE A FAMILY INCOME THRESHOLD THAT IS DIFFERENT THAN THE FAMILY INCOME THRESHOLD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III) IN ESTABLISHING A FAMILY INCOME THRESHOLD THAT IS DIFFERENT THAN THE FAMILY INCOME THRESHOLD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL TAKE INTO ACCOUNT:

1. THE MEDIAN FAMILY INCOME IN THE HOSPITAL'S SERVICE AREA;
2. THE PATIENT MIX OF THE HOSPITAL;
3. THE FINANCIAL CONDITION OF THE HOSPITAL;
4. THE LEVEL OF BAD DEBT EXPERIENCED BY THE HOSPITAL;
5. THE AMOUNT OF CHARITY CARE PROVIDED BY THE HOSPITAL; AND
6. OTHER RELEVANT FACTORS.”;

in lines 19 and 23, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 20, strike “PARAGRAPH” and substitute “PARAGRAPHS”; in the same line, strike “(III)” and substitute “(4)”; in line 24, after “ANY” insert “IMMEDIATE”; and in line 25, after “PATIENT” insert “LIVING IN THE SAME HOUSEHOLD”.

AMENDMENT NO. 3

On page 6, in line 16, after “OF” insert “THE”; and in the same line, after “SERVICE” insert “FOR WHICH THE JUDGMENT WAS AWARDED OR THE ADVERSE INFORMATION WAS REPORTED”.

On page 7, in line 15, strike “PROMPTLY”; and in line 16, after “OBLIGATION” insert “WITHIN 60 DAYS AFTER THE OBLIGATION IS FULFILLED”.

On page 8, in line 10, strike “3” and substitute “2”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1015 – Delegate Rudolph

AN ACT concerning

Health Insurance – Purchasing Out of State – Feasibility Study

HB1015/406086/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1015

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Rudolph” and substitute “Delegates Rudolph, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 92 – The Speaker (By Request – Administration) and Delegates Busch, Hixson, Doory, Barkley, Barnes, Bobo, Bohanan, Branch, Carr, Davis, Dumais, Eckardt, Feldman, Gilchrist, Glenn, Gutierrez, Haynes,

Hecht, Heller, Howard, Hucker, Ivey, Kelly, King, Kipke, Kullen, Lafferty, Levi, Malone, Manno, McIntosh, Mizeur, Montgomery, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Ramirez, Reznik, Rice, Rosenberg, Ross, Rudolph, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0092/803729/2

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 92

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “eligible;” insert “requiring the Department to verify the work authorization of an employee under a certain federal program before certifying the amount of the tax credit;”.

AMENDMENT NO. 2

On page 5, in line 7, strike “**SUBSECTION (E)**” and substitute “SUBSECTIONS (E) AND (F)”; in line 20, after “**(F)**” insert:

“(1) BEFORE THE DEPARTMENT CERTIFIES THE AMOUNT OF TAX CREDITS UNDER SUBSECTION (D) OF THIS SECTION, THE SECRETARY OR THE SECRETARY’S DESIGNEE SHALL VERIFY THE WORK AUTHORIZATION OF THE QUALIFIED EMPLOYEE UNDER THE FEDERAL E-VERIFY PROGRAM.

“(2) A QUALIFIED EMPLOYER MAY NOT BE CERTIFIED FOR A TAX CREDIT FOR A QUALIFIED EMPLOYEE THAT DOES NOT HAVE WORK AUTHORIZATION UNDER THE FEDERAL E-VERIFY PROGRAM.

(G)”;

and in line 25, strike “(G)” and substitute “(H)”.

The preceding 2 amendments were read only.

Delegate Cane moved the previous question.

The motion was adopted.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 89 (See Roll Call No. 401)

FLOOR AMENDMENT

HB0092/413923/2

BY: Delegate Shank

AMENDMENTS TO HOUSE BILL 92, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike the Committee on Ways and Means Amendments (HB0092/355869/1) in their entirety.

On page 1 of the bill, strike line 2 in its entirety and substitute:

“Corporate Income Tax – Rate Reduction”;

strike in their entirety lines 3 through 17, inclusive, and substitute:

“FOR the purpose of altering the corporate income tax rate; providing for the application of this Act; and generally relating to the State income tax on corporations.”;

and strike in their entirety lines 18 through 23, inclusive.

On page 2 of the bill, in line 1, strike “adding to” and substitute “repealing and reenacting, with amendments,”; in line 3, strike “10–728” and substitute “10–105(b)”; and strike in their entirety lines 6 through 24, inclusive.

AMENDMENT NO. 2

On pages 2 through 9 of the bill, strike in their entirety the lines beginning with line 27 on page 2 through line 16 on page 9, inclusive, and substitute:

“Article – Tax – General

10–105.

(b) The State income tax rate for a corporation is [8.25%] 7.75% of Maryland taxable income.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010, and shall be applicable to all taxable years beginning after December 31, 2009.”

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 40 Negative – 97 (See Roll Call No. 402)

FLOOR AMENDMENT

HB0092/723123/2

BY: Delegate Barkley

AMENDMENTS TO HOUSE BILL 92

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “regulations;” insert “authorizing the Secretary of Business and Economic Development under certain circumstances to issue certain initial tax credit certificates for a certain fiscal year under a certain tax credit for certain investments in qualified Maryland biotechnology companies; requiring the Governor to include in the budget for a certain fiscal year a certain appropriation to a certain reserve fund under certain circumstances;”.

AMENDMENT NO. 2

On page 9, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding the limitation under § 10-725(e)(3)(iii) of the Tax – General Article, for fiscal year 2011 only, if the total amount of credits approved under this Act by the Department of Labor, Licensing, and Regulation is less than \$20,000,000, the Secretary of Business and Economic Development may issue initial tax credit certificates for the biotechnology investment tax credit under § 10-725 of the Tax – General Article in an aggregate amount exceeding the amount appropriated in the fiscal year 2011 State budget to the Maryland Biotechnology Investment Tax Credit Reserve Fund by up to the lesser of:

(1) \$6,000,000; or

(2) the amount by which \$20,000,000 exceeds the total amount of credits approved under this Act by the Department of Labor, Licensing, and Regulation.

(b) In addition to any amount appropriated in the fiscal year 2012 State budget to the Reserve Fund for biotechnology investment tax credit initial credit certificates to be issued in fiscal year 2012, the Governor shall include in the fiscal year 2012 State budget an appropriation to the Reserve Fund for any initial tax credit certificates issued under this section.”;

in lines 3, 6, and 12, strike “2.”, “3.”, and “4.”, respectively, and substitute “3.”, “4.”, and “5.”, respectively; and in line 3, after “That” insert “Section 1 of”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0092/643221/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 92
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “approve;” insert “requiring that at least a certain amount of the available tax credits be reserved for employers having not more than a certain number of employees in the State;”.

AMENDMENT NO. 2

On page 5, in line 18, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE**”; and after line 19, insert:

“(5) AT LEAST \$10,000,000 OF THE TOTAL AMOUNT OF CREDITS AVAILABLE UNDER THIS SUBTITLE SHALL BE RESERVED FOR QUALIFIED EMPLOYERS HAVING NOT MORE THAN 50 EMPLOYEES IN THE STATE, EXCLUDING ANY QUALIFIED EMPLOYEE HIRED TO FILL A QUALIFIED POSITION.”

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 91 (See Roll Call No. 403)

Read the second time and ordered prepared for Third Reading.

House Bill 334 – Delegates Walker and Ivey

AN ACT concerning

Public Schools – Physical Education Facilities

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 786 – Delegates Healey, Beidle, Bobo, Carr, Frush, Gaines, Glenn, Ivey, Lafferty, Niemann, Ross, and Sossi

AN ACT concerning

State Highway Administration – Sidewalk Construction in Priority Funding Areas

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Healey moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

House Bill 921 – Delegates Love, Bates, Beidle, Bromwell, Cane, Cardin, V. Clagett, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Jameson, Kipke, Krebs, Mathias, McHale, Miller, Myers, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, and Wood

AN ACT concerning

Maryland Winery Modernization Act

STATUS OF BILL: BILL ON 2ND READING. COMMITTEE AMENDMENTS NOT ADOPTED. FAVORABLE REPORT NOT ADOPTED.

HB0921/563598/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 921

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wood” and substitute “Wood, Feldman, Hecht, Impallaria, Manno, Minnick, Stifler, and Walkup”; in line 5, after “purposes;” insert “requiring the licensee to notify the local licensing board of the issuance of a farmer’s market permit;”; and in line 20, after “licensees;” insert “providing for the construction of a portion of this Act;”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(4) THE HOLDER OF A PERMIT SHALL NOTIFY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMER’S MARKET WILL BE HELD THAT THE PERMIT HAS BEEN ISSUED.”;

in lines 20 and 27, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 21, after “1.” insert “**AT A FARMER’S MARKET THAT IS LISTED IN THE FARMER’S MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE;**

2.”;

and in line 23, strike “2.” and substitute “**3.**”.

On page 3, in lines 1 and 8, in each instance, strike “(6)” and substitute “(7)”.

AMENDMENT NO. 3

On page 6, in line 10, strike “HARD” and substitute “HARD”; in line 19, strike “AND”; in line 20, after “SOUP” insert “; AND”

13. CONDIMENTS;

in line 21, before “A” insert “(I)”; in the same line, strike “LICENSED UNDER THIS ARTICLE”; and after line 23, insert:

“(II) A LICENSEE OR ENTITY IN WHICH THE LICENSEE HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.”

AMENDMENT NO. 4

On page 7, in line 1, strike “EXCEPT AS PROVIDED IN” and substitute “SUBJECT TO”; and strike in their entirety lines 14 through 30, inclusive.

AMENDMENT NO. 5

On page 8, in line 1, strike “(9)” and substitute “(8)”; in the same line, strike “A” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; in the same line, strike “PERMITS” and substitute “ALLOWS”; after line 2, insert:

“(II) IN GARRETT COUNTY, A LICENSEE MAY OPEN ON SUNDAYS TO ENGAGE IN THE ACTIVITIES LISTED IN PARAGRAPH (5) OF THIS SUBSECTION ONLY IN AN ELECTION DISTRICT WHERE THE VOTERS, IN A REFERENDUM AUTHORIZED BY LAW, HAVE APPROVED SUNDAY SALES AT A WINERY.”;

in lines 3 and 7, strike “(10)” and “(11)”, respectively, and substitute “(9)” and “(10)”, respectively; and after line 10, insert:

“(11) NOTHING IN THIS SUBSECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSEE.”

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Ali moved to make the Bill a Special Order for March 18, 2010.

The motion was adopted.

House Bill 974 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Nutrient Trading – Voluntary Agricultural Nutrient Credit Certification Program

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Correctional Services – Child Sexual Offenders – Diminution Credits and Parole

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 473 – The Speaker (By Request – Administration) and Delegates Busch, Vallario, Rosenberg, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Branch, Bromwell, Cardin, Carr, Conway, Davis, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Hixson, Holmes, Howard, Hubbard, Ivey, Jennings, Jones, Kaiser, Kelly, King, Kirk, Kramer, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, McHale, McIntosh, Miller, Montgomery, Morhaim, Murphy, Niemann, O'Donnell, Oaks, Olszewski, Pena-Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Rudolph, Shewell, Smigiel, Stein, Stifler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR AMENDMENT BY JUDICIARY COMMITTEE ADOPTED.

FLOOR AMENDMENT

HB0473/473225/1

BY: Delegate Sossi

AMENDMENT TO HOUSE BILL 473

(First Reading File Bill)

On page 8, in line 27, strike “MAY” and substitute “SHALL”; in line 30, strike “WHERE APPROPRIATE AND FEASIBLE,”; and in line 31, strike “IN PROXIMITY TO” and substitute “CLOSER THAN 1,000 FEET FROM”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 52 Negative – 86 (See Roll Call No. 404)

FLOOR AMENDMENT

HB0473/343424/1

BY: Delegate Shank

AMENDMENTS TO HOUSE BILL 473, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike in their entirety lines 19 and 20.

On page 2 of the bill, strike in its entirety line 1 and substitute “repealing certain provisions relating to petitions for discharge from lifetime sexual offender supervision;”.

On page 1 of the House Judiciary Committee Amendments (HB0473/462217/2), in line 6 of Amendment No. 1, strike "prohibiting"; and in the same line, strike "from denying".

AMENDMENT NO. 2

On page 11 of the bill, strike beginning with the second comma in line 5 down through "**SECTION**" in line 6.

On pages 11 and 12 of the bill, strike in their entirety the lines beginning with line 29 on page 11 through line 19 on page 12, inclusive.

On page 2 of the House Judiciary Committee Amendments, in line 7 of Amendment No. 3, strike "**(F)**"; in line 8, strike "**5**"; in line 9, strike "**NOT**"; strike beginning with "**IS**" in line 10 down through "**OTHERS**" in line 11; and in line 12, strike "**(G)**" and substitute "**(F)**".

The preceding 2 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 52 Negative – 85 (See Roll Call No. 405)

FLOOR AMENDMENT

HB0473/843820/1

BY: Delegate Haddaway

AMENDMENT TO HOUSE BILL 473

(First Reading File Bill)

On page 1, in line 2, strike "Lifetime" and substitute "Postparole".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 95 (See Roll Call No. 406)

Read the second time and ordered prepared for Third Reading.

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James, Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdale, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0599/143023/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 599, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, strike “Repeat”; and strike beginning with “after” in line 5 down through “a” in line 6.

On page 1 of the House Judiciary Committee Amendments (HB0599/782019/2), in Amendment No. 1, strike beginning with “victim” in line 3 down through “age” in line 4.

AMENDMENT NO. 2

On page 2 of the bill, strike beginning with the comma in line 1 down through the second “OF” in line 2.

On page 1 of the House Judiciary Committee Amendments, in Amendment No. 2, strike beginning with “§ 3–307” in line 2 down through “YEARS” in line 3; and in line 14, strike “, WHO HAS PREVIOUSLY BEEN CONVICTED”.

On page 2 of the House Judiciary Committee Amendments, in Amendment No. 2, strike beginning with the first “OF” in line 1 down through “YEARS,” in line 2.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 50 Negative – 87 (See Roll Call No. 407)

Read the second time and ordered prepared for Third Reading.

**House Bill 931 – The Speaker (By Request – Administration) and Delegates
Busch, Carter, G. Clagett, Conway, Ivey, Kelly, Schuler, Simmons,
Valderrama, and Waldstreicher**

AN ACT concerning

Public Safety – Sexual Offender Advisory Board

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Read the second time and ordered prepared for Third Reading.

**House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates,
Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway,
DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith,
Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones,
Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough,
Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh,
Shewell, Simmons, Smigiel, Sossi, Stocksdale, Valderrama, Vallario,
and Wood**

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial
Release and Inclusion on RAP Sheet**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Read the second time and ordered prepared for Third Reading.

**House Bill 936 – The Speaker (By Request – Administration) and Delegates
Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick,
Schuler, Simmons, Valderrama, and Vaughn**

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED
ADOPTED.

Delegate Vallario moved to make the Bill a Special Order for March 19, 2010.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 408)

ADJOURNMENT

At 12:40 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, March 18, 2010.

Annapolis, Maryland
Thursday, March 18, 2010

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 409)

The Journal of March 17, 2010 was read and approved.

EXCUSES:

Del. Gutierrez – business

Del. Kipke – late – stuck in traffic

Del. Malone – late – daughter being inducted into National Honor Society

Del. Proctor – funeral

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 239 – Senators Pugh, King, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Glassman, Harrington, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

Education – Age of Compulsory Attendance – Exemptions

FOR the purpose of altering the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; altering the age of certain children for which certain persons are responsible for the child's attendance at school or receipt of certain instruction; making certain stylistic changes; providing for delayed effective dates; making this Act subject to certain contingencies; and generally relating to the age of compulsory school attendance.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(a), (a–1)(1), (c), and (e)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 311 – Senators Miller, Klausmeier, Astle, Brochin, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Middleton, Peters, Pinsky, Pugh, Raskin, and Robey

AN ACT concerning

Chesapeake Conservation Corps Program

FOR the purpose of establishing the Chesapeake Conservation Corps Program ~~as a body politic and corporate~~; providing for the purposes of the Corps Program; establishing a Corps Board of Directors of the Corps, with specified membership, officers, duties, staff, and terms; providing for the purpose of the Corps Board; requiring the Chesapeake Bay Trust to make certain grants to certain qualified organizations for the creation or expansion of certain programs; requiring the Trust to develop certain guidelines for evaluating applications from certain qualifying organizations; requiring certain grant agreements to meet certain requirements; requiring the Trust to provide certain technical assistance to qualifying organizations under certain circumstances; ~~providing for an Executive Director of the Corps, with certain duties and powers~~; ~~providing that the Attorney General is the legal advisor of the Corps~~; ~~authorizing the Corps to retain certain staff~~; ~~providing for the application of certain laws to the Corps and its personnel~~; ~~establishing the powers of the Corps~~; requiring the Corps Program to undertake certain projects for certain purposes; requiring the Corps to develop and implement establishing certain requirements for certain volunteer service programs, including stipend volunteers; authorizing certain educational institutions to assist the Corps Program in certain manners; ~~encouraging and~~ requiring the Corps Board to seek assistance from certain sources in developing certain programs; ~~providing that the Corps is exempt from State and local taxes~~; ~~providing that the books and records of the Corps are subject to audit~~; requiring the Corps Board to report each year to certain persons on certain matters; requiring the Trust, in

consultation with the Corps Board, to develop a certain plan plans and provide a draft certain drafts of certain plans to certain committees for a certain purpose; providing for certain funding for the Corps Program in certain fiscal years from the Environmental Trust Fund; defining certain terms; making stylistic changes; providing for the initial terms of the members of the Corps Board; and generally relating to the Chesapeake Conservation Corps Program.

BY renumbering

Article – Natural Resources
Section 8–1901 through 8–1909, respectively
to be Section 8–1902 through 8–1910, respectively
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 3–302(a), (c), and (e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section ~~3–302(e)(1)(v)~~ 3–302(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources
Section ~~3–302(f)~~ 8–1901 to be under the amended subtitle “Subtitle 19. Chesapeake Bay Trust and ~~Related Units Programs~~” and the new part “Part I. General Provisions”; and 8–1913 through ~~8–1931~~ 8–1924 to be under the new part “Part II. Chesapeake Conservation Corps Program”
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–1905
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 385 – Senators DeGrange, Brinkley, Dyson, Klausmeier, McFadden, Peters, Reilly, and Stoltzfus

AN ACT concerning

**Building Opportunities for All Students and Teachers (BOAST) in Maryland
Tax Credit**

FOR the purpose of allowing a credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization; requiring the State Department of Education to administer the tax credit; requiring an entity to submit an application to be an eligible educational scholarship organization by a certain date each year; requiring an entity to submit an application by a certain date each year or qualify as a certain State–aided educational institution to be an eligible innovative educational organization; requiring an eligible educational scholarship organization or an eligible innovative educational organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an eligible educational scholarship organization or an eligible innovative educational organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; establishing the Building Opportunities for All Students and Teachers Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund under certain circumstances; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a) and 10–306(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–205(k), 10–306(g), and 10–728
Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #11

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 451 – Delegate Elmore

AN ACT concerning

**Somerset County – Alcoholic Beverages – Sales to Underage Drinkers – Local
Caterer’s License Created**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 559 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Winery Special Event Permits – Farmers’ Markets

PG 304–10

HB0559/393293/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 559

(First Reading File Bill)

On page 2, in line 17, after “**PERMIT**” insert “**IS ISSUED**”; and in line 18, strike “**SECTION IS ISSUED**” 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 570 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Extinguishment of Licenses

PG 306–10

HB0570/653191/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 570

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “circumstances;” in line 6 and substitute “authorizing a person to obtain a certain license in Prince George’s County for the purpose of having the Board of License Commissioners declare the license to be extinguished; requiring the Board to declare the license to be extinguished at a certain time; requiring a person that obtains a certain license for certain purposes to take certain actions and prohibiting the person from taking certain actions; authorizing the Board to impose a certain penalty for certain violations;”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 14 through 20, inclusive, and substitute:

“(B-1)(1) A PERSON MAY OBTAIN A CLASS A LICENSE OF ANY KIND FOR THE PURPOSE OF HAVING THE BOARD OF LICENSE COMMISSIONERS DECLARE THE LICENSE TO BE EXTINGUISHED.

(2) (1) THE PERSON SHALL INFORM THE BOARD OF LICENSE COMMISSIONERS OF THE PURPOSE FOR OBTAINING THE LICENSE.

(II) THE BOARD OF LICENSE COMMISSIONERS SHALL DECLARE THE LICENSE TO BE EXTINGUISHED WHEN THE PERSON COMES INTO POSSESSION OF THE LICENSE.

(3) WITHIN 10 DAYS AFTER HAVING COME INTO POSSESSION OF THE LICENSE, THE PERSON SHALL:

(I) SURRENDER THE LICENSE TO THE BOARD OF LICENSE COMMISSIONERS; AND

(II) PROVIDE EVIDENCE TO SATISFY THE BOARD THAT ALL TAXES OR OBLIGATIONS TO WHOLESALERS OR OTHER PERSONS HAVE BEEN PAID.

(4) A PERSON THAT OBTAINS A LICENSE UNDER THIS SUBSECTION MAY NOT EXERCISE THE PRIVILEGES OF, SELL, ASSIGN, OR APPLY FOR TRANSFER OF THE LICENSE.

(5) THE BOARD OF LICENSE COMMISSIONERS MAY IMPOSE ON A PERSON WHO VIOLATES THIS SUBSECTION A PENALTY NOT EXCEEDING \$1,000.”;

and in line 21, strike “(2)” and substitute “(6)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 574 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – National Harbor – Alcoholic Beverages –
Restriction on License Holder**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 717 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Class A Licenses – Findings

Ho. Co. 7–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 730 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Act of 2010

Ho. Co. 3–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers’ Markets

MC 9–10

HB0823/633890/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 823
(First Reading File Bill)

On page 2, in line 17, after “PERMIT” insert “IS ISSUED”; and in line 18, strike “SECTION IS ISSUED” 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 945 – Delegates Robinson, Carter, and Tarrant

AN ACT concerning

Baltimore City – Alcoholic Beverages – 1-Day Licenses – Applications and Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1056 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Restaurant Seating Capacity

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1114 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – Sale of Wine for Off-Premises Consumption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1151 – Chair, Economic Matters Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Commercial Motor Vehicles – Minimum Security
Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1205 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages License Fees – Repeal of Sunset

MC 24-10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 214 – Delegates Pena–Melnyk, Barnes, and Frush

AN ACT concerning

**Labor and Employment – Wage Payment and Collection Law – Definition of
Wage**

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 462 – Delegates Kaiser, McIntosh, and Mizeur

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 786 – Delegates Healey, Beidle, Bobo, Carr, Frush, Gaines, Glenn, Ivey, Lafferty, Niemann, Ross, and Sossi

AN ACT concerning

State Highway Administration – Sidewalk Construction in Priority Funding Areas

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 825 – Delegates Barkley, Barnes, Davis, Feldman, Harrison, Hecht, Impallaria, King, Kirk, Krysiak, Love, Manno, McHale, Minnick, Schuler, Stifler, Taylor, and Vaughn

AN ACT concerning

Vehicle Laws – Required Security – Minimum Amounts

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0825/643329/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 825

(First Reading File Bill)

On page 2, in line 15, strike “October” and substitute “June”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 36 Negative – 97 (See Roll Call No. 410)

FLOOR AMENDMENT

HB0825/853499/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 825

(First Reading File Bill)

On page 1, in line 5, after “accident;” insert “providing for the application of this Act; providing for a delayed effective date;”.

On page 2, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all vehicle liability insurance policies issued, delivered, or renewed in the State on or after January 1, 2011.”;

in line 14, strike “2.” and substitute “3.”; in line 15, strike “October” and substitute “January”; and in the same line, strike “2010” and substitute “2011”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 849 – Delegate Hubbard

AN ACT concerning

Department of Health and Mental Hygiene – Home- and Community-Based Services Waiver – Denial of Access Prohibited

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 921 – Delegates Love, Bates, Beidle, Bromwell, Cane, Cardin, V. Clagett, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Jameson, Kipke, Krebs, Mathias, McHale, Miller, Myers, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, and Wood

AN ACT concerning

Maryland Winery Modernization Act

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered prepared for Third Reading.

House Bill 1032 – Delegates Kirk, Harrison, Haynes, King, Love, McHale, Minnick, Stukes, and Vaughn

AN ACT concerning

Motor Fuel Refiner or Supplier – Games of Chance – Repeal of Prohibition

STATUS OF BILL: BILL ON 2ND READING. 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 137 Members present.

(See Roll Call No. 411)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #19

House Bill 112 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages License Holders – Fines

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 412)

The Bill was then sent to the Senate.

House Bill 120 – Delegates Kelly, Vallario, Dumais, Elmore, Frank, Jennings, Kramer, Schuler, Shank, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Law Enforcement Officers – Unsubstantiated Complaints – Admissibility

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 413)

The Bill was then sent to the Senate.

House Bill 203 – Delegates Cardin, Bromwell, Hecht, Lafferty, Love, Morhaim, Olszewski, Rosenberg, Schuler, ~~and Stein~~ Stein, Bartlett, Barve, Boteler, Doory, Elmore, Frick, George, Gilchrist, Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Rice, Ross, Shank, Stukes, F. Turner, and Walker

AN ACT concerning

Sales and Use Tax – Exemptions – Veterans’ Organizations

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 414)

The Bill was then sent to the Senate.

House Bill 279 – Delegates Robinson ~~and Tarrant~~, Tarrant, Carter, Rosenberg, and Oaks

AN ACT concerning

Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages – Store Opening Hours

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 415)

The Bill was then sent to the Senate.

House Bill 365 – Delegates Anderson, G. Clagett, Conaway, DeBoy, Frank, Glenn, Ivey, Kelly, Levi, O'Donnell, Ramirez, Schuler, Shank, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Criminal Law – Assault – Law Enforcement Officers and Parole and Probation Agents

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 416)

The Bill was then sent to the Senate.

House Bill 391 – Delegates Lafferty, Frank, and Aumann

AN ACT concerning

Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages Licenses – Restaurants

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 417)

The Bill was then sent to the Senate.

House Bill 400 – Delegate Beitzel

AN ACT concerning

Garrett County – Wine Festival License – Qualifications – Hearing and Notice

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 418)

The Bill was then sent to the Senate.

House Bill 418 – Delegate Beitzel

AN ACT concerning

Garrett County – Noncertificated Public School Employees – Service Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 113 Negative – 24 (See Roll Call No. 419)

The Bill was then sent to the Senate.

House Bill 444 – Delegate Cardin

AN ACT concerning

Election Law – Citizens Who Have Not Lived in the United States – Right to Vote

Read the third time and passed by yeas and nays as follows:

Affirmative – 102 Negative – 35 (See Roll Call No. 420)

The Bill was then sent to the Senate.

House Bill 485 – Delegate Malone

AN ACT concerning

Motor Vehicle Equipment – Spare Tire Requirement – Application

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 421)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #20**House Bill 499 – ~~Delegate Malone~~ Delegates Malone, Bates, Conaway, Anderson, and Norman**

AN ACT concerning

Motor Vehicles – Approaching Emergency Vehicles and Personnel

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 422)

The Bill was then sent to the Senate.

House Bill 535 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Entertainment Facility License

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 423)

The Bill was then sent to the Senate.

House Bill 695 – Delegate Hecht

AN ACT concerning

~~Real Property~~ – Homeowners Association – Annual Budget – Notice, Information, and Adoption

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 424)

The Bill was then sent to the Senate.

~~House Bill 724 – Delegates Love, Barnes, Beidle, V. Claggett, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena-Melnyk, Schuh, and Sophocles~~ Anne Arundel County Delegation

AN ACT concerning

~~Anne Arundel County – Property Tax Credit – Habitat for Humanity of the Chesapeake~~ Restore Anne Arundel Habitat for Humanity, Inc.

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 425)

The Bill was then sent to the Senate.

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – ~~Property Owners~~ Billing

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 426)

The Bill was then sent to the Senate.

House Bill 818 – Delegates Dumais, Simmons, and Sophocleus

AN ACT concerning

**Criminal Law – Trespass on Posted Property and Wanton Trespass on
Private Property – Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 427)

The Bill was then sent to the Senate.

House Bill 844 – Delegates Conway, Mathias, and Rudolph

AN ACT concerning

Local Government Funds – Redeposit into Insured Accounts

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 428)

The Bill was then sent to the Senate.

**House Bill 948 – Delegates Olszewski, Aumann, Cardin, DeBoy, Lafferty,
Malone, Minnick, and Schuler**

AN ACT concerning

Baltimore County – Bargaining Unit for Public School Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 11 (See Roll Call No. 429)

The Bill was then sent to the Senate.

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a Certain Manner

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 430)

The Bill was then sent to the Senate.

House Bill 1134 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Bates, Branch, Eckardt, Gutierrez, Haynes, James, Jones, and Schuh

AN ACT concerning

State Retirement and Pension System – Eligible Governmental Units

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 431)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #21

House Bill 567 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – License Fees and Salaries of Inspectors

PG 305–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 432)

The Bill was then sent to the Senate.

House Bill 571 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages Licenses – Waterfront
Entertainment Retail Complex**

PG 316–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 433)

The Bill was then sent to the Senate.

House Bill 573 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Class A/Class 4 Light Wine
Licenses**

PG 312–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 434)

The Bill was then sent to the Senate.

**House Bill 582 – Prince George's County Delegation and Montgomery County
Delegation**

AN ACT concerning

**Prince George's County – Issuance of Alcoholic Beverages Licenses and Park
Permits – Notification**

PG/MC 112–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 435)

The Bill was then sent to the Senate.

House Bill 619 – Delegate James

AN ACT concerning

State Contributory Law Enforcement Officers' Pension System – Transfer of Service Credit

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 436)

The Bill was then sent to the Senate.

House Bill 625 – Delegates Simmons, Anderson, Eckardt, Lee, Smigiel, and Valderrama

AN ACT concerning

Domestic Violence – Domestic Violence Central Repository

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 437)

The Bill was then sent to the Senate.

House Bill 631 – Delegates Niemann, Beidle, and Holmes

AN ACT concerning

Natural Resources – Park Advisory Commission – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 438)

The Bill was then sent to the Senate.

House Bill 633 – Delegates Niemann, Beidle, Holmes, and McConkey

AN ACT concerning

Real Property – Mortgages and Deeds of Trust – Authority to Exercise a Power of Sale

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 439)

The Bill was then sent to the Senate.

House Bill 667 – Delegates Elmore, Cane, Conway, Mathias, and Rudolph

AN ACT concerning

~~**Somerset, Wicomico, and Worcester Counties –**~~ **Vehicle Laws – Exceptional
Hauling Permits – Validity in Select Eastern Shore Counties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 3 (See Roll Call No. 440)

The Bill was then sent to the Senate.

House Bill 685 – Delegates Stein, Cardin, Carr, Hucker, and Morhaim

AN ACT concerning

**Environment – Fluorescent and Compact Fluorescent Light Recycling –
County Plans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 2 (See Roll Call No. 441)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #22

**House Bill 106 – Delegates Dumais, Rosenberg, Anderson, Barnes, Carter,
Conaway, Frush, Gutierrez, Ivey, Jones, Lafferty, Lee, Levi, Oaks,
Simmons, Valderrama, and Waldstreicher**

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – ~~Surcharges~~

Delegate Minnick moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 93 Negative – 45 (See Roll Call No. 442)

The Bill was then sent to the Senate.

House Bill 110 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Clubs – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 443)

The Bill was then sent to the Senate.

House Bill 176 – Delegates Hixson, Hucker, Manno, Olszewski, Reznik, ~~and Robinson~~ Robinson, Kaiser, Bronrott, Carr, George, Healey, Ivey, Love, Kramer, Montgomery, Niemann, Ramirez, Sophocleus, Waldstreicher, Murphy, and Myers

AN ACT concerning

Public Schools – Student Information – Availability to Military Recruiters

Read the third time and passed by yeas and nays as follows:

Affirmative – 102 Negative – 37 (See Roll Call No. 444)

The Bill was then sent to the Senate.

House Bill 199 – Delegates Pendergrass, Carr, Conaway, Costa, DeBoy, Guzzone, McDonough, Mizeur, Montgomery, Robinson, Smigiel, Sophocleus, Sossi, F. Turner, and Walkup

AN ACT concerning

Homestead Property Tax Credit – Eligibility of Employees of the Federal Government Stationed Outside the State

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 445)

The Bill was then sent to the Senate.

House Bill 226 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate McHale

AN ACT concerning

**Baltimore City Police Department Death Relief Fund – Procedures and
Benefit Amount**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 446)

The Bill was then sent to the Senate.

House Bill 230 – Howard County Delegation

AN ACT concerning

Howard County Ethics Law – Clarifications and Enhancements

Ho. Co. 1-10

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 447)

The Bill was then sent to the Senate.

House Bill 327 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

**Estates – Disqualification – Conviction for Unlawfully Obtaining Property of
Vulnerable Adult or Elderly Individual**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 448)

The Bill was then sent to the Senate.

House Bill 551 – Wicomico County Delegation

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed
Establishments**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 449)

The Bill was then sent to the Senate.

House Bill 668 – Harford County Delegation

AN ACT concerning

Harford County – Liquor Control Board Membership – Nomination Process

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 1 (See Roll Call No. 450)

The Bill was then sent to the Senate.

House Bill 689 – Delegates Myers, Beitzel, Kelly, Miller, Serafini, Shank, and Stull

AN ACT concerning

Natural Resources – POWs and Disabled Veterans – Exception to Trout Stamp Requirement

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 451)

The Bill was then sent to the Senate.

House Bill 1160 – Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, ~~and Rice~~ Rice, Frick, Shank, Murphy, Elmore, F. Turner, Barve, Bartlett, Ross, Walker, Stukes, and George

AN ACT concerning

Safe Schools Act of 2010

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 453)

ADJOURNMENT

At 11:50 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, March 19, 2010.

**Annapolis, Maryland
Friday, March 19, 2010**

The House met at 11:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 454)

The Journal of March 18, 2010 was read and approved.

EXCUSES:

Del. Bromwell – surgery
Del. Hucker – late – business
Del. James – personal
Del. Malone – funeral
Del. Myers – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 234 – Senators Robey, Forehand, Frosh, Garagiola, Gladden, Harrington, Kelley, King, Lenett, Madaleno, Peters, Raskin, Rosapepe, and Zirkin

AN ACT concerning

High Performance Buildings Act – Applicable to Community College Capital Projects

FOR the purpose of making the High Performance Buildings Act applicable to community college capital projects that receive State funds; authorizing a community college to apply for a waiver from certain high performance building requirements under a certain waiver process established by the Department of Budget and Management and the Department of General Services; making this Act applicable to certain capital projects that have not initiated a certain Request for Proposal on or before a certain date; making a technical correction;

and generally relating to the construction of high performance buildings at community colleges.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

Senate Bill 259 – Senators Dyson, Colburn, and Middleton

AN ACT concerning

Calvert, Charles, and St. Mary’s Counties – Deer Hunting

FOR the purpose of requiring the Department of Natural Resources to establish a program in certain counties to train rifle shooters to hunt deer during daylight hours for the purpose of controlling the deer population; requiring the Department to give certain applicants priority to participate in the program; requiring the Department to adopt certain regulations; authorizing a person to hunt deer with a certain shotgun in certain counties during certain months; authorizing a person who holds a Deer Damage Permit in certain counties to hunt with a certain shotgun during deer season in certain locations, and to hunt deer on certain State lands under certain conditions; prohibiting the Department from requiring a person who holds a Deer Damage Permit in certain counties to renew the permit more frequently than at a certain interval; defining a certain term; and generally relating to the regulation by the Department of Natural Resources of deer hunting in Calvert, Charles, and St. Mary’s counties.

BY adding to
Article – Natural Resources
Section 10–408.2 and 10–415(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–415(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 266 – Senator Conway

AN ACT concerning

State Board of Nursing and Certified Nursing Assistant Advisory Committee
– Membership – Nominations for Vacancies

FOR the purpose of adding a currently practicing nurse who has practiced acute care nursing for at least a certain number of years to the State Board of Nursing; adding certain degrees that qualify an individual for the nurse administrator member of the Board; requiring the registered nurse member of the Board who is certified in advanced practice nursing to rotate with each vacancy among certain specialties; replacing a certain registered nurse clinician member of the Board with a currently practicing nurse who has practiced as a delegating nurse in a certain setting for at least a certain number of years; requiring that at least one licensed practical nurse member of the Board practice in a long-term care nursing facility; authorizing certain professional nursing organizations to submit certain lists from which the Governor can appoint certain Board members; authorizing certain licensed nurses to submit certain petitions from which the Governor can appoint certain Board members; requiring that certain petitions have a certain number of signatures; requiring the Board to notify certain licensed nurses and professional nursing organizations of certain vacancies on the Board; providing that members appointed to the Board reflect certain diversity of the State; clarifying the term limitations for a member of the Board who is appointed after a term has begun; adding an adult medical day care nursing assistant to the Certified Nursing Assistant Advisory Committee; providing for the appointment of certain members of the Board and the Committee; and generally relating to membership and nominations for the State Board of Nursing and the Certified Nursing Assistant Advisory Committee.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202(a), (b), and (i) and 8–6A–13
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 281 – The President (By Request – Administration) and Senators DeGrange, Robey, Kramer, King, Currie, Munson, Brochin, Forehand, Frosh, Garagiola, Klausmeier, and Lenett

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit for Electric Vehicles

FOR the purpose of repealing a certain obsolete credit against the motor vehicle excise tax for certain qualified hybrid vehicles and certain qualified electric vehicles; allowing a credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles for a certain period; transferring certain money from the Strategic Energy Investment Fund to the Transportation Trust Fund in a certain fiscal year; requiring the Governor to transfer money from the Strategic Energy Investment Fund to the Transportation Trust Fund in certain amounts in certain fiscal years; and generally relating to a motor vehicle excise tax credit for certain qualified plug-in electric drive vehicles.

BY repealing

Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 305 – Senator Munson

AN ACT concerning

Public Safety – Emergency Medical Services Provider Killed in Performance of Duty – Flag Benefit for Family

FOR the purpose of requiring the Secretary of State to issue a State flag to the family of a professional or volunteer emergency medical services provider who is killed in the performance of duty; requiring the flag to be presented to the family of the deceased by the State Senator of the legislative district in which the deceased resided or served; and generally relating to emergency medical services providers.

BY repealing and reenacting, without amendments,

Article – Education
Section 13–516(a)(6)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–202(a) and (e)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 307 – Senator Stoltzfus

AN ACT concerning

Worcester County – Real Property – Recording

FOR the purpose of altering certain procedures for recording certain deeds in Worcester County so as to require that certain deeds granting property within a certain sanitary district operated by the County Commissioners of Worcester County be marked by the county to indicate that certain assessments and charges due to the county have been paid before the deed may be accepted by the Clerk of the Circuit Court for recording; and generally relating to the recordation of property lying in the boundaries of a sanitary district operated by the County Commissioners of Worcester County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–104(f)(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 337 – Senator Frosh

EMERGENCY BILL

AN ACT concerning

Estates and Trusts – Construction of References in Will or Trust to Federal Estate Tax or Generation–Skipping Transfer Tax

FOR the purpose of establishing that certain provisions in a will or trust of a decedent who dies between certain dates shall be deemed to refer to the federal estate tax or generation–skipping transfer tax laws on a certain date; providing for the application and construction of certain provisions of this Act; authorizing a personal representative or any interested person to bring a certain proceeding to construe certain provisions in a will or other instrument; requiring that a certain proceeding be commenced within a certain time; making this Act an

emergency measure; and generally relating to the construction of certain provisions in wills and trusts.

BY adding to

Article – Estates and Trusts

Section 11–110

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 347 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines

AN ACT concerning

Political Subdivisions – Financial Reports

FOR the purpose of amending certain provisions relating to the timeframes for the submission of comprehensive annual reports on the financial condition of political subdivisions in the State to the Department of Legislative Services and the State Treasurer to conform those timeframes to those required for the submission to the Department of certain other reports of counties, municipal corporations, and special taxing districts in the State; making technical changes; and generally relating to financial reports of political subdivisions in the State.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 2–101(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 376 – ~~Senator Della~~ Senators Della and Jones

AN ACT concerning

Baltimore City – Consumption of Alcoholic Beverages – Unlicensed Restaurants

FOR the purpose of prohibiting, with a certain exception, an establishment in Baltimore City that is not licensed by the Board of License Commissioners from performing certain activities, including giving, serving, or dispensing alcoholic beverages on its premises; authorizing certain restaurants not licensed by the Board to allow a patron to consume alcoholic beverages during a certain time

under certain conditions; authorizing the Baltimore City Police Department to immediately close all operations of an establishment under certain circumstances; requiring the owner or operator to be given an opportunity for a prompt hearing on when the establishment may reopen; repealing provisions concerning the establishment and registration of bottle clubs; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (22)(i) and (ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 394 – Senators Exum, Conway, Currie, Harrington, Kelley, Peters, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Municipalities – Authority to Enter into Agreements with Other Municipalities

FOR the purpose of authorizing municipalities to enter into certain agreements with other municipalities for certain purposes; and generally relating to agreements among municipalities.

BY adding to
Article 23A – Corporations – Municipal
Section 2(b)(38)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 416 – Senators Lenett ~~and Kittleman~~, Kittleman, and Forehand

AN ACT concerning

Maryland Condominium Act and Maryland Homeowners Association Act – Proposed Budget – Notice, Information, and Adoption

FOR the purpose of requiring notice of a certain vote to be included in a certain notice of a council of condominium unit owners meeting; requiring notice of a certain vote to be included in a certain notice of a homeowners association meeting; requiring the board of directors or other governing body of a homeowners association to prepare and submit to all ~~members~~ lot owners of the homeowners association a proposed annual budget a certain period of time before its adoption; authorizing the proposed annual budget to be submitted in a certain manner; requiring the budget to include certain items; requiring the budget to be adopted at an open meeting of the homeowners association or other body to which the homeowners association has delegated responsibilities for preparing and adopting a budget; requiring that certain expenditures arising after the adoption of the budget that would result in an increase in assessments greater than a certain percentage of the budgeted amount, be approved by a budget amendment at a special meeting of the homeowners association; requiring written notice of the special meeting to be given to the lot owners by a certain time period before the meeting; providing that the adoption of a budget does not impair certain authority of the homeowners association for certain expenditures for certain purposes; and generally relating to providing notice of the proposed budget of a council of condominium unit owners or of a homeowners association and providing certain budget information to the lot owners of a homeowners association.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–109(c) and 11B–111
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–109.2(a) through (e)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 443 – Senator Raskin

AN ACT concerning

Real Property – Wrongful Detainer

FOR the purpose of transferring and clarifying the application of certain provisions of law regarding wrongful detainer of real property; ~~clarifying the application of certain other provisions of law relating to an action for possession;~~ providing that certain provisions of law relating to an action for possession do not apply to

an action for wrongful detainer; making certain technical and conforming changes; and generally relating to the applicability of certain provisions of law relating to wrongful possession of property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402.4 and 14–108.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 452 – Senators Pinsky, Frosh, Harrington, King, Madaleno, McFadden, Pugh, and Raskin

EMERGENCY BILL

AN ACT concerning

Education – Innovative School Scheduling Models – Low-Performing and At-Risk Public Schools

FOR the purpose of requiring the State Board of Education to explore the use of certain school scheduling models in certain schools; requiring the State Board to encourage certain county boards of education to use certain school scheduling models in certain schools; requiring the State of Maryland to include the funding of certain scheduling models in certain schools as part of the State’s application to the United States Department of Education for the Race to the Top Fund; making this Act an emergency measure; and generally relating to the use of innovative school scheduling models in low-performing and at-risk public schools.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–103(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 7–103.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 485 – Senator Munson

AN ACT concerning

State Board of Physical Therapy Examiners – Licensure and Regulation

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to send license renewal notices by electronic mail under certain circumstances; altering the maximum amount of a certain penalty; altering certain definitions; and generally relating to the licensure and regulation of physical therapists and physical therapist assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–101, 13–311, and 13–407
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 508 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Retirement and Pension Systems – Maryland School for the Deaf
Retirees – Overpayment of Benefits**

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to suspend the application of certain annual retirement allowance adjustments to certain retirees for a certain period of time until certain retirement allowances equal a certain amount; requiring the Board of Trustees to resume the application of certain annual retirement allowance adjustments to certain retirees under certain circumstances; requiring the Board of Trustees to calculate certain benefits for certain designated beneficiaries using a certain retirement allowance; providing that the Board of Trustees is not required to recover certain overpayments made prior to a certain date to certain retirees; and generally relating to the overpayment of retirement benefits to retirees of the Maryland School for the Deaf.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–113(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions

Section 29–402
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations.

Senate Bill 509 – Senator Stoltzfus

AN ACT concerning

**~~Somerset, Wicomico, and Worcester Counties~~ – Vehicle Laws – Exceptional
Hauling Permits – Validity in Select Eastern Shore Counties**

FOR the purpose of including Dorchester County, Somerset County, Talbot County, Wicomico County, and Worcester County as counties in which an exceptional hauling permit issued by the State Highway Administration is valid for a combination of vehicles that transports certain forestry products, subject to certain axle configuration requirements, increased maximum load limits, weight tolerances, inspection requirements, operation restrictions and requirements, penalties, record keeping and reporting requirements, and fees; codifying certain provisions of law concerning the authority of the State Highway Administrator with respect to issuing or renewing exceptional hauling permits; codifying a certain provision of law requiring the Administrator to report to the General Assembly in a certain manner regarding any decision to stop issuing or renewing exceptional hauling permits; and generally relating to vehicle laws and exceptional hauling permits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–113.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 512 – Senators Conway, Currie, DeGrange, Dyson, Exum,
Garagiola, Jones, Kasemeyer, Kelley, Klausmeier, McFadden,
Middleton, Muse, Peters, and Pinsky**

AN ACT concerning

Maryland Locksmiths Act – Revisions – Definitions and Records Inspection

FOR the purpose of altering the definition of “fixed business address” as it relates to the Maryland Locksmiths Act to include a business location outside Maryland where a licensed locksmith conducts a business and is available at certain times; altering the definition of “local law enforcement unit” as it relates to the

Maryland Locksmiths Act to include only in-State police departments and sheriffs that are designated by certain entities based on the address of a licensed locksmith for certain purposes; requiring licensed locksmiths to make certain records available for inspection by the Department of Labor, Licensing, and Regulation under certain circumstances; and generally relating to the revision of definitions and records requirements of the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12.5–101 and 12.5–302
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 540 – Senators Harrington, Conway, Kramer, Lenett, Madaleno, Peters, Rosapepe, and Zirkin

AN ACT concerning

Child with a Disability – Individualized Education Program

FOR the purpose of requiring appropriate school personnel to provide a copy of certain documents relating to the development of an individualized education program for a child with a disability to the parents of the child within a certain period before a certain meeting, subject to a certain exception; requiring certain school personnel to document certain failures and to include certain documentation in certain records under certain circumstances; requiring appropriate school personnel to provide a copy of a completed individualized education program to the parents of a child with a disability within a certain period after a certain meeting; requiring the parents to be provided with a draft copy of the individualized education program under certain circumstances; requiring the documents to be in an accessible format; providing that failure to comply with this Act does not constitute a certain violation of the requirement to provide certain students a free appropriate public education; and generally relating to individualized education programs for children with disabilities.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 555 – Senator Conway

AN ACT concerning

**Business Occupations and Professions – Individual Tax Preparers –
~~Registration~~ Examination Requirements**

FOR the purpose of ~~requiring a person applying for a registration to provide individual tax preparation services, if required by regulations adopted by the State Board of Individual Tax Preparers, to complete successfully a certain tax preparation program; requiring the Board to prepare, in consultation with the Department of Labor, Licensing, and Regulation and representatives of the tax preparation industry, a certain examination;~~ repealing certain requirements relating to the examination to be given by the ~~Board~~ State Board of Individual Tax Preparers to an applicant for registration to provide individual tax preparation services; and generally relating to ~~registration~~ examination requirements for individual tax preparers.

~~BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section ~~21-301~~ and ~~21-303~~
Annotated Code of Maryland
(~~2004 Replacement Volume and 2009 Supplement~~)~~

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section ~~21-302~~ and 21-304(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 562 – Senator Raskin

AN ACT concerning

**Real Property – Mortgages and Deeds of Trust – Authority to Exercise a
Power of Sale**

FOR the purpose of providing that failure to name any trustee in a deed of trust does not have any effect on an instrument under certain circumstances; clarifying that a mortgage or deed of trust may authorize the sale of property or declare a borrower's assent to the passing of a decree for the sale of the property under certain circumstances; clarifying that a power of sale or assent to decree authorized in a mortgage or deed of trust may be exercised only by an individual; providing that the individual selling the property under a power of sale need not be named in the mortgage or deed of trust; providing that an error or omission in a mortgage or deed of trust concerning the designation of the

trustee or individual authorized to exercise a power of sale does not invalidate the instrument or the ability of the mortgagee or beneficiary of the deed of trust to appoint an individual to exercise the power of sale; authorizing the holder of a mortgage or deed of trust to make in any foreclosure proceeding a substitution appointments or substitutions of the a trustee or an individual authorized to exercise a power of sale under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to the authority to exercise a power of sale in mortgages and deeds of trust.

BY repealing and reenacting, with amendments,
Article – Real Property
Section ~~4–109~~ and 7–105
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 597 – Senator Rosapepe

AN ACT concerning

Condominiums and Homeowners Associations – Common Elements and Common Areas – Implied Warranties

FOR the purpose of requiring the description of the common elements in a condominium declaration that is recorded on or after a certain date to include certain improvements; providing that certain provisions of this Act do not apply to a condominium that is occupied and used solely for nonresidential purposes; prohibiting under certain circumstances the amending of the description and designation of the common elements in a condominium declaration that is recorded after a certain date; altering the duration of a certain implied warranty on the common elements of a condominium; altering the duration of a certain implied warranty on the common areas of a homeowners association; making stylistic changes; providing for the application of this Act; and generally relating to implied warranties on common elements in condominiums and common areas in homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–103(a), 11–131(d), and 11B–110(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 629 – Senators Muse, Haines, Jacobs, and Stone

AN ACT concerning

Law Enforcement Officers – Unsubstantiated Complaints – Admissibility

FOR the purpose of providing that evidence of a certain complaint against a law enforcement officer is not admissible in a certain proceeding if the complaint resulted in a certain outcome; and generally relating to the admissibility of evidence relating to a law enforcement officer.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–110

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 652 – Senators DeGrange, Brochin, Conway, Edwards, Forehand, Garagiola, Kelley, Klausmeier, Munson, Peters, Raskin, Rosapepe, ~~Simonaire, and Stone~~ Stone, Brinkley, Currie, Jones, Kasemeyer, King, Kramer, Madaleno, McFadden, Robey, Stoltzfus, and Zirkin

AN ACT concerning

Property Tax Credit – Habitat for Humanity

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain real property owned by Habitat for Humanity; requiring Habitat for Humanity to submit an annual report to certain governing bodies under certain circumstances; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to set, by law, the amount, terms, scope, and duration of the tax credit and to provide for any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to authorization for a property tax credit for certain real property owned by Habitat for Humanity.

BY adding to

Article – Tax – Property

Section 9–252

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 657 – Senators DeGrange, Astle, Garagiola, Jones, Kasemeyer, Klausmeier, Kramer, Miller, Pipkin, Reilly, and Robey

EMERGENCY BILL

AN ACT concerning

**Recordation Taxes and State and County Transfer Tax – Debt Forgiven in
“Short Sale”**

FOR the purpose of clarifying that for the purposes of recordation taxes and the State and county transfer ~~tax~~ taxes, the consideration payable for an instrument of writing to which the tax applies ~~does not include the amount of any debt forgiven or assumed by a person other than the grantee~~ includes only the amount paid or delivered in return for the sale of the property and does not include the amount of any debt forgiven or no longer secured by a mortgage or deed of trust; making this Act an emergency measure; and generally relating to recordation taxes and State and county transfer ~~tax~~ taxes.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–103(a) and 13–203(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property

Section 13–412

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 658 – Senators DeGrange, Astle, and Rosapepe

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Habitat for Humanity of the
Chesapeake ReStore**

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county or municipal tax imposed on certain real property that is owned by Habitat for Humanity of the Chesapeake ReStore; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the amount, terms, scope, and duration of the credit and to provide for any other provision necessary to carry out the

tax credit; providing for the application of this Act; and generally relating to a property tax credit for certain real property owned by Habitat for Humanity of the Chesapeake ReStore.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–303(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 664 – Senators Klausmeier, Dyson, and Harris

AN ACT concerning

Environment – Dental Radiation Machines – Inspections

FOR the purpose of requiring a State inspector to provide a dental office or dental facility a certain written notice under certain circumstances; prohibiting the Department of the Environment from imposing a fine on a dental office or dental facility for a certain violation under certain circumstances; and generally relating to inspections of dental radiation machines.

BY repealing and reenacting, with amendments,
Article – Environment
Section 8–301(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 666 – Senators Muse, Forehand, Haines, ~~and Stone~~ Stone, Frosh, and Jacobs

EMERGENCY BILL

AN ACT concerning

Real Property – Transfer Fees – Prohibition

FOR the purpose of prohibiting a person who conveys a fee simple interest in real property from recording a covenant for the payment of a transfer fee under certain circumstances; establishing that a covenant that requires a certain payment of a transfer fee is void under certain circumstances; defining a certain term; providing for the application of this Act; making this Act an emergency

measure; and generally relating to the prohibition on transfer fees on real property.

BY adding to

Article – Real Property

Section 10–708

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 732 – Cecil County Senators

AN ACT concerning

Cecil County – Public Facilities Bond Bill

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$11,300,000 in order to finance the cost of the construction and improvement of certain public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds in like amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; and relating generally to the issuance and sale of the bonds by Cecil County.

Read the first time and referred to the Committee on Appropriations.

Senate Bill 733 – Cecil County Senators

AN ACT concerning

Cecil County – Budget and Taxes

FOR the purpose of repealing a requirement that a certain public notice contain a copy of the proposed budget of Cecil County; requiring that a certain public notice indicate that the proposed budget of Cecil County will be available on the county website and shall be reproduced and made available to the public on request; repealing a certain provision relating to when certain taxes are in

arrears and when certain interest shall be charged and collected; providing that certain taxes are due and payable in accordance with certain provisions of law; repealing a requirement that the Treasurer of Cecil County shall make a certain list alphabetical; altering the place where the Treasurer of Cecil County shall hold a certain tax sale under certain circumstances; repealing a certain provision relating to when the Treasurer of Cecil County shall accept certain tax payments; authorizing that certain delinquent taxes, interest, and certain costs or penalties may be payable by a credit card as honored by the county; and generally relating to the Cecil County budget and taxes.

BY repealing and reenacting, with amendments,
The Public Local Laws of Cecil County
Section 34-7 and 34-13
Article 8 – Public Local Laws of Maryland
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 752 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Property Tax Credit – Foster Parent

FOR the purpose of authorizing the governing body of Queen Anne’s County to grant, by law, a tax credit against the county property tax imposed on certain property owned by ~~certain individuals~~ a foster parent of a child; authorizing the governing body of Queen Anne’s County to provide, by law, for eligibility ~~and certification~~ criteria for the credit, the amount and duration of the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to a property tax credit in Queen Anne’s County for certain property owned by ~~certain individuals~~ a foster parent of a child.

BY adding to
Article – Tax – Property
Section 9-319(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 800 – Senator Klausmeier

AN ACT concerning

Common Ownership Communities – Fidelity Insurance – Exemption

FOR the purpose of limiting the applicability of a certain requirement that the governing bodies of certain common ownership communities purchase fidelity insurance; exempting the governing body of a cooperative housing corporation, a condominium, or a homeowners association with ~~fewer than~~ fewer a certain number or fewer of members, units, or lot owners and with less than a certain amount of common charges, assessments, or fees from the requirement of purchasing fidelity insurance; and generally relating to fidelity insurance and common ownership communities.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6B–18.6
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–114.1 and 11B–111.6
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 905 – Senator Edwards

AN ACT concerning

Alcoholic Beverages – Maximum Alcohol Content

FOR the purpose of prohibiting a person from selling at retail an alcoholic beverage with an alcohol content of a certain percentage or more; providing for a certain penalty; and generally relating to alcoholic beverages.

BY adding to
Article 2B – Alcoholic Beverages
Section 16–505.2
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 926 – Carroll County Senators

AN ACT concerning

**Carroll County – Alcoholic Beverages – Sale of Wine for Off-Premises
Consumption**

FOR the purpose of authorizing a holder of a Class B beer, wine and liquor license in Carroll County to sell wine under certain circumstances for off-premises consumption; limiting the number of bottles of wine a holder of the license may sell to an individual at one time; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and (h)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(h)(2)(iii)2.
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(h)(2)(iii)3.
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #12

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 465 – The Speaker (By Request – Administration) and Delegates
Hucker, Anderson, Barve, Benson, Carter, Frick, Frush, Gutierrez,
Guzzone, Hixson, Hubbard, Lafferty, Manno, McHale, McIntosh,
Mizeur, Montgomery, Murphy, Nathan–Pulliam, Olszewski, Ramirez,
Simmons, Tarrant, Taylor, V. Turner, Vaughn, and Waldstreicher**

AN ACT concerning

Collective Negotiations by Family Child Care Providers

HB0465/383496/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “include” insert “, under certain circumstances.”.

On page 2, in line 3, after “certification;” insert “requiring the Early Learning Programs Section of the Maryland State Department of Education to report to certain committees of the General Assembly on or before a certain date each year through a certain year;”.

AMENDMENT NO. 2

On page 5, in line 5, strike “**COLLECTIVE**” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, COLLECTIVE**”; and after line 7, insert:

“(II) THE REPRESENTATIVES OF THE STATE MAY NOT REACH AN AGREEMENT CONTAINING A SERVICE FEE PROVISION UNLESS THE REPRESENTATIVES OF THE STATE CONCLUDE THAT THE AGREEMENT AS A WHOLE WILL NOT ADVERSELY IMPACT NONMEMBER PROVIDERS.”.

AMENDMENT NO. 3

On page 6, after line 30, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 31 of each year through 2013, the Early Learning Programs Section of the Maryland State Department of Education shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1246 of the State Government Article, on the status of the Maryland Child Care Subsidy Program as it relates to family child care providers.

(b) The report shall include:

(1) the number of child care providers and children participating in the Maryland Child Care Subsidy Program;

(2) the number of family child care providers who join the collective bargaining unit established under this Act and the number of children served by each of the providers; and

(3) an analysis of any positive or negative trends resulting from the implementation of this Act.”;

and in line 31, strike “4.” and substitute “5.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Sossi moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

Senate Bill 107 – The President (By Request – Administration) and Senators Middleton, Della, Exum, Garagiola, and Kelley

EMERGENCY BILL

AN ACT concerning

~~**Labor and Employment – Unemployment Insurance – Tax Deferment, Trust Fund Solvency, and Cost-Neutral Modernization and Tax Relief Act**~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate O’Donnell moved to reconsider the vote by which **Senate Bill 107** was ordered prepared for Third Reading.

The motion was adopted.

Delegate O’Donnell moved to make the Bill a Special Order for Monday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 702 – Delegates Stein, Beidle, Glenn, and Lafferty

AN ACT concerning

Common Ownership Communities – Fidelity Insurance or Fidelity Bond

HB0702/160711/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 702

(First Reading File Bill)

On page 1, in line 2, strike “Insurance or” and substitute “Insurance -”; in line 3, strike “term” and substitute “type of insurance”; and in line 6, after “bond;” insert “requiring a copy of a certain fidelity insurance policy or fidelity bond to be included in the books and records kept and made available by or on behalf of certain common ownership communities.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 915 – Delegates Jones, Benson, Bohanan, Burns, Cane, Carr, Davis, Gaines, Glenn, Griffith, Harrison, Haynes, Howard, Ivey, Kirk, Levi, Nathan-Pulliam, Oaks, Proctor, Rice, Robinson, Stukes, Taylor, F. Turner, Vallario, and Walker

AN ACT concerning

African American Heritage Preservation Program

HB0915/800012/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 915

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “consultation” and substitute “partnership”; in line 10, after “grants” insert “to certain grantees”; in line 11, after “Trust” insert “and Commission”; strike beginning with “before” in line 11 down through “Commission” in line 12 and substitute “and consider certain factors”; in line 13, strike “to approve” and substitute “, on or before a certain date, to recommend”; in line 14, after “budget” insert “and forward the recommendations to the Department of Budget and Management”; in line 15, after “Trust” insert “and Commission”; in line 16, after “date;” insert “requiring a grantee under the Program to enter into a certain agreement, unless the requirement is waived by the Secretary of Planning;”; in the same line, strike “Trust” and substitute “Secretary, in consultation with the Commission;”; in line 17, after “Program;” insert “providing that certain regulations may not be adopted unless approved by the Board of Public Works; requiring the Trust and Commission, to the extent required by certain regulations, to submit grants recommended under the Program to the Board of Public Works for approval;”; and in the same line, after “terms;” insert “stating a certain intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“(6) “SECRETARY” MEANS THE SECRETARY OF PLANNING.”;

in line 25, strike “CONSULTATION” and substitute “PARTNERSHIP”; and in line 28, strike “TRUST” and substitute “JOINT PARTNERSHIP OF THE TRUST AND COMMISSION”.

AMENDMENT NO. 3

On page 3, in lines 6, 12, and 18, in each instance, after “TRUST” insert “AND COMMISSION”; in line 7, after “PROGRAM” insert “TO A BUSINESS ENTITY, INDIVIDUAL, OR POLITICAL SUBDIVISION”; in line 8, after “OF” insert “FEDERAL,”; strike beginning with the period in line 13 down through “REGARDING” in line 15 and substitute “AND SHALL MAKE RECOMMENDATIONS FOR”; in line 18, strike “ITS”; in the same line, after “RECOMMENDATIONS” insert “UNDER THIS SUBSECTION”; and in lines 18 and 28, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

AMENDMENT NO. 4

On page 4, in line 1, strike “APPROVE” and substitute “RECOMMEND”; in line 4, strike “APPROVED” and substitute “RECOMMENDED”; in the same line, after “PROJECTS” insert “AND GRANTEES”; in line 10, after “TRUST” insert “AND COMMISSION”; in line 15, strike “THE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE”; after line 19, insert:

“(3) THE SECRETARY MAY WAIVE THE EASEMENT REQUIREMENT IF THE SECRETARY DETERMINES THAT AN EASEMENT IS IMPRACTICABLE OR INFEASIBLE UNDER THE CIRCUMSTANCES.”;

in line 20, after “(J)” insert “(1)”; in the same line, strike “THE TRUST” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY, IN CONSULTATION WITH THE COMMISSION,”; and after line 21, insert:

“(2) A PROPOSED REGULATION THAT RELATES TO APPROVAL BY THE BOARD OF PUBLIC WORKS OF GRANTS TO BE FINANCED THROUGH THE SALE OF STATE GENERAL OBLIGATION BONDS MAY NOT BE ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION UNLESS THE REGULATION IS APPROVED BY THE BOARD OF PUBLIC WORKS.

“(K) TO THE EXTENT REQUIRED BY REGULATIONS ADOPTED UNDER SUBSECTION (J) OF THIS SECTION, THE TRUST AND THE COMMISSION SHALL SUBMIT TO THE BOARD OF PUBLIC WORKS FOR THE BOARD’S APPROVAL EACH RECOMMENDED AFRICAN AMERICAN HERITAGE PRESERVATION PROGRAM GRANT THAT IS TO BE FINANCED THROUGH THE SALE OF STATE GENERAL OBLIGATION BONDS.”.

AMENDMENT NO. 5

On page 4, before line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Historical Trust and the Commission on African American History and Culture administer the African American Heritage Preservation Program established under this Act using existing resources.”;

and in line 22, strike “2.” and substitute “3.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1244 – Delegates Sossi, Eckardt, Haddaway, James, Rudolph, and Smigiel

AN ACT concerning

Municipal Corporations – Planning Commissions – Meetings

HB1244/430618/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1244
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain”; and strike beginning with “at” in line 4 down through “commission;” in line 5 and substitute “quarterly or more often as the planning commission’s duties require; authorizing the chairman of a certain planning commission to cancel a certain quarterly meeting under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 4, strike “A” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**”; and strike beginning with the first “AT” in line 5 down through “COMMISSION” in line 6 and substitute “**QUARTERLY OR MORE OFTEN AS THE PLANNING COMMISSION’S DUTIES REQUIRE.**”

(II) IF THERE IS NO BUSINESS BEFORE THE PLANNING COMMISSION, THE CHAIRMAN MAY CANCEL THE QUARTERLY MEETING”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 1298 – Delegates Glenn, Ali, Beidle, Frush, Healey, Holmes, Ivey, Lafferty, Niemann, Serafini, Shewell, Stein, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Transfer Fees – Prohibition

Favorable report adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 1303 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Real Property – Recording

Favorable report adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1309 – Delegates Mathias and Conway

AN ACT concerning

Somerset and Worcester Counties – Liquor Control Boards – Ethics

HB1309/290112/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1309

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Conway” and substitute “, Conway, and Elmore”; strike beginning with “specifying” in line 6 down through “purposes;” in line 8; and in line 17, strike “and 15-103(b)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 19 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #8

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video Display Equipment

HB0190/800816/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 190

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Malone” and substitute “Delegates Malone and Kipke”.

AMENDMENT NO. 2

On page 2, in line 2, after “vehicle” insert “USED BY A PUBLIC SERVICE COMPANY OR”; in line 5, strike “or”; in line 7, after “with” insert “] THAT IS USED AS”; and strike beginning with “] THAT” in line 7 down through “MANUFACTURER” in line 9 and substitute “;OR”

(4) THE USE IN A VEHICLE OF VIDEO DISPLAY EQUIPMENT EXCLUSIVELY FOR SAFETY, WHEN THE EQUIPMENT IS DESIGNED, INSTALLED, AND USED IN CONFORMANCE WITH THE INTENDED PURPOSE OF THE EQUIPMENT OR VEHICLE MANUFACTURER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Impallaria moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 216 – Delegates Pena–Melnyk, Barnes, Frush, Hecht, Holmes, Kipke, Niemann, F. Turner, V. Turner, Valderrama, and Walker

AN ACT concerning

State Highway Administration – Unauthorized Signs on Highway Rights-of-Way

HB0216/560813/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 216

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Walker” and substitute “Walker, and Lafferty”; and in line 16, after “facts;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 5, in line 5, strike “October 1, 2010” and substitute “January 1, 2011”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 636 – Delegates Frush and Beitzel

AN ACT concerning

Natural Resources – Suspension of Hunting Licenses and Privileges

HB0636/930312/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 636

(First Reading File Bill)

On page 4, in line 21, after “TRAP,” insert “OR”; and in line 22, strike “, OR CHASE FOX OR OTHER FURBEARERS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 674 – Delegate Malone

AN ACT concerning

High Occupancy Vehicle (HOV) Lanes – Use by Plug-In Vehicles

HB0674/540612/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 674
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “vehicles” in line 6 and substitute “authorizing the use of a high occupancy vehicle (HOV) lane by certain plug-in vehicles under certain circumstances”; strike beginning with “authorizing” in line 8 down through “lane;” in line 10; in line 11, after “permit;” insert “authorizing the State Highway Administration to limit the number of permits issued under this Act for a certain purpose;”; in line 13, strike “by” and substitute “on or before”; in line 15, strike “the designation of HOV lanes by the State Highway Administration and”; and in line 19, strike “, 21-201(a), and 25-105” and substitute “and 21-201(a)(1)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 12 through 23, inclusive; and in line 27, strike “**HIGH OCCUPANCY VEHICLE**” and substitute “HIGH OCCUPANCY VEHICLE”; and in line 31, strike “**4-WHEELED**”.

AMENDMENT NO. 3

On page 3, in line 13, after “HOURS” insert “FOR 4-WHEELED MOTOR VEHICLES AND NOT LESS THAN 2.5 KILOWATT HOURS FOR 2-WHEELED OR 3-WHEELED MOTOR VEHICLES”; strike beginning with “PLACES” in line 16 down through “DESIGNATING” in line 17 and substitute “DESIGNATES”; in line 17, strike “THE” and substitute “A”; strike beginning with “THE” in line 18 down through “THAT” in line 19; in line 21, after “SECTION” insert “, REGARDLESS OF THE NUMBER OF PASSENGERS IN THE VEHICLE”; strike beginning with “A” in line 26 down through “(3)” in line 29; and after line 30, insert:

“(3) THE STATE HIGHWAY ADMINISTRATION MAY LIMIT THE NUMBER OF PERMITS ISSUED TO ENSURE HOV LANE OPERATIONS ARE NOT DEGRADED TO AN UNACCEPTABLE LEVEL.”

AMENDMENT NO. 4

On page 4, in line 1, strike “BY” and substitute “ON OR BEFORE”; in the same line, after “YEAR” insert a comma; strike beginning with “THAT” in line 4 down through the second “LANES” in line 5 and substitute “OF THE USE OF THE PLUG-IN VEHICLE PERMITS ISSUED UNDER THIS SECTION ON THE OPERATION OF HOV”.

LANES IN THE STATE"; in line 7, strike "2" and substitute "3"; and in line 8, strike "2012" and substitute "2013".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

HB0975/240213/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 975

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "altering" insert "and redesignating"; after line 10, insert:

"BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 7-302(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)";

in line 13, strike ", 21-1402, and 21-1403"; and in line 18, strike ", 21-1407, 21-1411, and 21-1413" and substitute "through 21-1411, 21-1413, and 21-1414(b)(1)".

AMENDMENT NO. 2

On page 1, after line 22, insert:

“Article – Courts and Judicial Proceedings7-302.

(b) If a parking or impounding fine, penalty, or forfeiture, or a fine, penalty, or forfeiture relating to violation of housing, building, fire, health, or sanitation codes, or a Mass Transit Fare Payment Statute, or a fine or penalty relating to failure to pay the prescribed toll at [a highway or vehicular crossing] AN AUTHORITY HIGHWAY, AS DEFINED IN § 21-1401 OF THE TRANSPORTATION ARTICLE, is collected by the District Court pursuant to a local ordinance, law, or regulation of a political subdivision or municipality, or pursuant to a regulation of an agency of State government authorized to regulate parking of motor vehicles, or pursuant to a statute pertaining to the payment of mass transit fares, or pursuant to a statute pertaining to the failure to pay tolls, it shall be remitted to the respective local government, or to the State agency.”.

AMENDMENT NO. 3

On page 2, in line 15, after “(c)” insert ““AUTHORITY HIGHWAY” MEANS:

(1) EACH HIGHWAY, TUNNEL, AND BRIDGE WITHIN THE JURISDICTION OF THE MARYLAND TRANSPORTATION AUTHORITY; AND

(2) EACH APPROACH TO THESE HIGHWAYS, TUNNELS, AND BRIDGES.

(D)”;

in line 17, strike “(d)” and substitute “(E)”; strike in their entirety lines 21 through 25, inclusive; and in line 29, strike “vehicular crossings” and substitute “AUTHORITY HIGHWAYS”.

AMENDMENT NO. 4

On page 3, in lines 1 and 2 and 3, in each instance, strike “vehicular crossings” and substitute “AUTHORITY HIGHWAYS”.

AMENDMENT NO. 5

On page 3 in lines 6, 10, 20, and 25 and on page 4 in lines 7, 14, and 16, in each instance, strike “vehicular crossing” and substitute “AUTHORITY HIGHWAY”.

AMENDMENT NO. 6

On page 3, after line 3, insert:

“21-1404.

(a) Traffic using any [vehicular crossing] **AUTHORITY HIGHWAY** shall obey any lawful sign.

(b) Traffic using any [vehicular crossing] **AUTHORITY HIGHWAY** shall obey any lawful order of any authorized employee of the [vehicular crossing] **AUTHORITY HIGHWAY**.

(c) Traffic using any [vehicular crossing] **AUTHORITY HIGHWAY** shall obey any lawful signal of any authorized employee of the [vehicular crossing] **AUTHORITY HIGHWAY**.

(d) Traffic using any [vehicular crossing] **AUTHORITY HIGHWAY** shall obey any lawful direction by voice, sign, or hand of any authorized employee of the [vehicular crossing] **AUTHORITY HIGHWAY**.

21-1405.

(a) Unless authorized by the Chairman of the Maryland Transportation Authority, pedestrians may not use any [vehicular crossing] **AUTHORITY HIGHWAY**.

(b) Unless authorized by the Chairman of the Maryland Transportation Authority, bicycles may not use any [vehicular crossing] **AUTHORITY HIGHWAY**.

21-1406.

A person may not hitchhike on any [vehicular crossing] **AUTHORITY HIGHWAY** and a motorist may not pick up or discharge any person on any [vehicular crossing] **AUTHORITY HIGHWAY**.”

AMENDMENT NO. 7

On page 3, after line 20, insert:

“21-1408.

(a) Except at the lawful direction of an authorized employee of the [vehicular crossing] AUTHORITY HIGHWAY, a vehicular turn may not be made in any area where turns are prohibited by signs.

(b) Except at the lawful direction of an authorized employee of the [vehicular crossing] AUTHORITY HIGHWAY, a vehicular turn may not be made at crossovers provided for emergency vehicles.

21-1409.

If a [vehicular crossing] AUTHORITY HIGHWAY has a posted minimum speed, that minimum speed shall be maintained.

21-1410.

A vehicle may not be driven on any [vehicular crossing] AUTHORITY HIGHWAY if the vehicle or its load exceeds the maximum weight, width, or height permitted by the regulations of the Maryland Transportation Authority for that [vehicular crossing] AUTHORITY HIGHWAY.”.

AMENDMENT NO. 8

On page 4, after line 16, insert:

“21-1414.

(b) (1) If the operator of a motor vehicle fails to pay the prescribed toll at any [highway or vehicular crossing] AUTHORITY HIGHWAY where tolls are collected by means of electronic toll collection, the registered owner of the motor vehicle shall be liable to the Maryland Transportation Authority for payment of the toll and a civil penalty as provided for in the regulations of the Maryland Transportation Authority.”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 1059 – Delegates Eckardt and Haddaway

AN ACT concerning

Dorchester County – Choptank River – Soft-Shell Clam Harvesting

Favorable report adopted.

Read the second time and ordered printed for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #7

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

HB0254/312716/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 254

(First Reading File Bill)

On page 2 in lines 11, 13, and 19, and on page 3 in lines 7, 9, and 15, in each instance, strike “**20**” and substitute “**15**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered printed for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 936 – The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, and Vaughn

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Read the second time and ordered printed for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 455)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #23

House Bill 5 – Delegate Braveboy

AN ACT concerning

Corporations and Associations – Low-Profit Limited Liability Companies

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 456)

The Bill was then sent to the Senate.

House Bill 79 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commercial Law – Credit Services Businesses – Limitation on Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 106 Negative – 29 (See Roll Call No. 457)

The Bill was then sent to the Senate.

House Bill 181 – Delegates Hubbard, Ali, Benson, Bobo, Bromwell, Bronrott, Costa, Frush, Griffith, Healey, Holmes, Hucker, Ivey, Kipke, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Reznik, Riley, Tarrant, ~~and V. Turner~~ V. Turner, Donoghue, and Jenkins

AN ACT concerning

**Department of Health and Mental Hygiene – Biomonitoring Program –
Report**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 458)

The Bill was then sent to the Senate.

House Bill 215 – Delegates Nathan–Pulliam and Eckardt

AN ACT concerning

**State Board of Nursing – Changes to the Electrology Practice Committee and
Licensing Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 459)

The Bill was then sent to the Senate.

House Bill 346 – Delegate Hucker

AN ACT concerning

**Advisory Committee on the Naming of State Facilities, Roads, and Bridges –
Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 460)

The Bill was then sent to the Senate.

**House Bill 404 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Labor and Employment – Wage Payment and Collection – Order to Pay
Wages**

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 4 (See Roll Call No. 461)

The Bill was then sent to the Senate.

House Bill 670 – Delegate Feldman

AN ACT concerning

**Joint Committee on Workers' Compensation Benefit and Insurance
Oversight – Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 462)

The Bill was then sent to the Senate.

House Bill 972 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Miscellaneous Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 463)

The Bill was then sent to the Senate.

House Bill 92 – The Speaker (By Request – Administration) and Delegates Busch, Hixson, Doory, Barkley, Barnes, Bobo, Bohanan, Branch, Carr, Davis, Dumais, Eckardt, Feldman, Gilchrist, Glenn, Gutierrez, Haynes, Hecht, Heller, Howard, Hucker, Ivey, Kelly, King, Kipke, Kullen, Lafferty, Levi, Malone, Manno, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Pena–Melynk, Ramirez, Reznik, Rice, Rosenberg, Ross, Rudolph, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 5 (See Roll Call No. 464)

The Bill was then sent to the Senate.

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stull, ~~and Walkup~~ Walkup, McDonough, Ali, Anderson, Barnes, Bartlett, Beidle, Bohanan, Burns, Cane, G. Clagett, Conway, Donoghue, Elliott, Feldman, Frush, Harrison, Healey, Impallaria, Ivey, Jameson, Jenkins, Kaiser, King, Kipke, Krysiak, Kullen, Levi, Levy, Love, Malone, Manno, McConkey, Montgomery, Murphy, Myers, Nathan–Pulliam, Niemann, O’Donnell, Oaks, Pena–Melynk, Ramirez, Reznik, Robinson, Rudolph, Stein, Stifler, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Wood

AN ACT concerning

**Correctional Services – Child Sexual Offenders – Diminution Credits ~~and~~
~~Parole~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 465)

The Bill was then sent to the Senate.

House Bill 302 – Delegates Nathan–Pulliam, Eckardt, Elmore, and V. Turner

AN ACT concerning

State Board of Nursing and Certified Nursing Assistant Advisory Committee
– Membership – Nominations for Vacancies

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 466)

The Bill was then sent to the Senate.

House Bill 334 – Delegates Walker and Ivey, Ivey, Hixson, Bartlett, Cardin, Elmore, Frick, Gilchrist, Kaiser, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Public Schools – Physical Education Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 467)

The Bill was then sent to the Senate.

House Bill 411 – ~~Delegate Kach~~ Delegates Kach, Hubbard, Montgomery, Oaks, Pena-Melnyk, V. Turner, Benson, and Donoghue

AN ACT concerning

Statewide Advisory Commission on Immunizations – Membership, ~~Sunset Extension, and Study of HPV Vaccine~~ Duties, and Sunset Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 468)

The Bill was then sent to the Senate.

House Bill 473 – The Speaker (By Request – Administration) and Delegates Busch, Vallario, Rosenberg, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Branch, Bromwell, Cardin, Carr, Conway, Davis, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Hixson, Holmes, Howard, Hubbard, Ivey, Jennings, Jones, Kaiser, Kelly, King, Kirk, Kramer, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough,

McHale, McIntosh, Miller, Montgomery, Morhaim, Murphy, Niemann, O'Donnell, Oaks, Olszewski, Pena-Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Rudolph, Shewell, Smigiel, Stein, Stifler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, ~~and Walker~~ Walker, and Conaway

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 469)

The Bill was then sent to the Senate.

House Bill 497 – Delegates G. Clagett, Barkley, DeBoy, Hecht, Heller, Howard, Kullen, Robinson, Sophocleus, Stocksdale, and Wood

AN ACT concerning

Public Safety – ~~Emergency Medical Services Board~~ Statewide Emergency Medical Services Advisory Council – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the Senate.

House Bill 974 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Nutrient Trading – Voluntary Agricultural Nutrient Credit Certification Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 471)

The Bill was then sent to the Senate.

House Bill 1015 – ~~Delegate Rudolph~~ Delegates Rudolph, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam,

Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Purchasing Out of State – Feasibility Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 472)

The Bill was then sent to the Senate.

House Bill 1100 – Delegates Braveboy, Ali, Anderson, Barkley, Barnes, Benson, Bobo, Burns, Carr, Davis, Feldman, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kirk, Krysiak, Kullen, Lee, Levi, Malone, Manno, McHale, Mizeur, Montgomery, Niemann, Olszewski, Pena–Melnyk, Ramirez, Reznik, Rice, Ross, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Prevailing Wage Rates – Public Works Contracts – Suits by Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 88 Negative – 46 (See Roll Call No. 473)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #25

House Bill 536 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging) and Delegates Hubbard, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Kach, Kipke, Krebs, Kullen, McDonough, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Department of Aging – Long–Term Care Ombudsman Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 474)

The Bill was then sent to the Senate.

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James, Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdales, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the Senate.

House Bill 795 – Delegates Lee, Barkley, G. Clagett, Doory, Dumais, Frick, Gutierrez, Heller, Kaiser, Mathias, McDonough, Montgomery, Nathan-Pulliam, Rice, Robinson, Tarrant, and Taylor

AN ACT concerning

Task Force to Study ~~Nanotechnology and~~ Nanobiotechnology

Read the third time and passed by yeas and nays as follows:

Affirmative – 125 Negative – 7 (See Roll Call No. 476)

The Bill was then sent to the Senate.

House Bill 868 – Delegates Montgomery, Carr, Frick, George, Heller, Howard, and Manno

AN ACT concerning

State Board of Pharmacy – ~~Wholesale Distributors – Accreditation and Reciprocity~~ Wholesale Distributor Permitting and Prescription Drug Integrity Act – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the Senate.

House Bill 882 – Delegates Kramer, Barkley, Barnes, Conaway, Frick, Heller, Ivey, Manno, McConkey, Ramirez, Reznik, ~~and Simmons~~ Simmons, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Riley, Tarrant, and V. Turner

AN ACT concerning

**~~Life and Health Insurance – Senior Investment Protection~~
Insurance Producers – Use of Senior or Retiree Credential or Designation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 127 Negative – 0 (See Roll Call No. 478)

The Bill was then sent to the Senate.

House Bill 899 – ~~Delegate Hubbard~~ Delegates Hubbard, Benson, Kach, Kullen, McDonough, Montgomery, Pena-Melnyk, and V. Turner

AN ACT concerning

Nursing Facility Residents – Home-Based and Community Services – Access Assistance

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 479)

The Bill was then sent to the Senate.

House Bill 931 – The Speaker (By Request – Administration) and Delegates Busch, Carter, G. Clagett, Conway, Ivey, Kelly, Schuler, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Public Safety – Sexual Offender Advisory Board

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 480)

The Bill was then sent to the Senate.

House Bill 933 – ~~Delegate Montgomery~~ Delegates Montgomery, Benson, Hubbard, Kullen, Nathan-Pulliam, Pena-Melnyk, Tarrant, and V. Turner

AN ACT concerning

Hospitals – Financial Assistance and Debt Collection

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the Senate.

House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway, DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones, Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough, Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh, Shewell, Simmons, Smigiel, Sossi, Stocksdales, Valderrama, Vallario, and Wood

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial Release and Inclusion on RAP Sheet

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 482)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #26

House Bill 971 – Delegate Feldman

AN ACT concerning

Maryland Statutory Trust Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 483)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Heller moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 484)

In compliance with the rules, the Bill was introduced.

House Bill 1559 – Delegate Heller

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County – Our House Youth Home

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the date by which the Board of Directors of Our House Youth Home, Inc. must present evidence that a certain matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008 and Chapter 707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Braveboy moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 485)

In compliance with the rules, the Bill was introduced.

House Bill 1560 – Delegates Braveboy, Harrison, Benson, Pena–Melnyk, and V. Turner

AN ACT concerning

**Public Health – Sales of Previously Sold Undergarments and Bathing Suits
– Prohibited**

FOR the purpose of prohibiting retail establishments from selling certain undergarments or bathing suits that have been previously sold and returned to the retail establishment; providing for the application of this Act; providing that a retail establishment that violates this Act is guilty of a misdemeanor and on conviction is subject to a certain penalty; defining certain terms; and generally relating to the prohibition on the sale of previously sold undergarments and bathing suits.

BY adding to

Article – Health – General
Section 18–405
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate McComas moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 486)

In compliance with the rules, the Bill was introduced.

House Bill 1561 – Delegate McComas

AN ACT concerning

Natural Resources – Crab Pots – Requirements

FOR the purpose of requiring, on or after a certain date, certain crab pots placed in the waters of the State for commercial purposes to meet certain requirements; and generally relating to the commercial crab harvest in the State.

BY adding to

Article – Natural Resources
Section 4–813
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 487)

ADJOURNMENT

At 12:30 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M., on Legislative Day March 20, 2010, Calendar Day Monday, March 22, 2010.

Annapolis, Maryland
Legislative Day: March 20, 2010
Calendar Day: Monday, March 22, 2010

The House met at 8:02 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Adelaide C. Eckardt of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 489)

The Journal of March 19, 2010 was read and approved.

EXCUSES:

Del. Bromwell – recovering from surgery

Del. Burns – personal

Del. Love – illness

Del. Walkup – illness

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 25 – Senators Forehand and Frosh

AN ACT concerning

Estates and Trusts – Property Held as Tenants by the Entireties – Transfer to Trust

FOR the purpose of ~~codifying certain common law rules relating to property held by a husband and wife as tenants by the entireties or joint tenants with rights of survivorship;~~ establishing that certain property of a husband and wife that is held as tenants by the entireties entirety and conveyed to certain trusts a trustee or trustees, and the proceeds of that property, shall retain its immunity from the claims of certain creditors under certain circumstances; providing that certain property continues to have certain immunity from the claims of certain creditors after the death of a certain individual; providing that a certain

immunity may be waived in a certain manner; providing that a certain immunity shall be waived under certain circumstances; providing a certain exception; providing that the trustee or trustees of a certain trust have a certain burden of proof in a certain dispute; providing that certain property shall no longer be held as tenants by the entirety after a certain conveyance; providing that certain items are exempt from execution on a judgment; providing for the construction of certain provisions of this Act; defining a certain term; and generally relating to property held as tenants by the ~~entireties or joint tenants with rights of survivorship~~ entirety.

BY adding to

Article – Estates and Trusts

Section 14–113

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 11–504(b)(8) and (9)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 177 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Expedited Partner Therapy Pilot Program – Extension

FOR the purpose of extending the termination date of the Expedited Partner Therapy Pilot Program; and generally relating to the Expedited Partner Therapy Pilot Program.

BY repealing and reenacting, with amendments,

Chapter 146 of the Acts of the General Assembly of 2007

Section 2

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 287 – The President (By Request – Administration) and Senators King, Madaleno, McFadden, Munson, Forehand, Garagiola, Harrington, Klausmeier, Lenett, and Pinsky

AN ACT concerning

Maryland Clean Energy Incentive Act of 2010

FOR the purpose of extending a certain credit against the State income tax for electricity produced by certain facilities from certain qualified energy resources until a certain date; extending the period in which the Maryland Energy Administration may issue certain qualifying certifications; prohibiting the Administration from issuing initial credits under a certain amount; and generally relating to a certain income tax credit for electricity produced from qualified energy resources.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–720
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Economic Matters.

Senate Bill 291 – Senator Conway

AN ACT concerning

Health Occupations Boards – Revisions

FOR the purpose of requiring certain health occupations boards to provide certain notification to certain licensees or certificate holders of board vacancies; requiring certain health occupations boards to collect certain racial and ethnic information; requiring that, to the extent practicable, certain members of certain health occupations boards reasonably reflect certain geographic, racial, ethnic, cultural, and gender diversity; requiring certain health occupations boards to develop collaboratively certain training and materials for certain board members; requiring the Secretary of Health and Mental Hygiene to confirm the appointment of certain directors; requiring that after certain consultation and to the extent permitted by certain resources, certain health occupations boards establish certain subcommittees to be responsible for certain investigations, determine whether certain charges should be brought, and participate in certain preadjudication case resolution conferences; prohibiting certain health occupations boards from bringing certain charges based solely on certain complaints the board receives after a certain period of time; requiring certain health occupations boards that are authorized to use peer review to provide certain licensees and certificate holders an opportunity to review and respond to certain reports; requiring certain health occupations boards to consider certain reports and responses before taking certain action; authorizing certain health occupations boards to establish certain programs to provide certain training, mentoring, or other remediation for certain licensees or

certificate holders who commit a certain number of standard of care violations; requiring certain health occupations boards to adopt certain sanctioning guidelines; requiring certain health occupations boards to post certain orders for disciplinary action on certain websites; requiring the Secretary to establish certain goals for the timeliness of complaint resolution; requiring the Secretary to monitor the timeliness of complaint resolution for certain health occupations boards; requiring the Secretary to establish certain goals on or before a certain date; requiring certain health occupations boards to collaborate with the Office of the Attorney General to make certain information available to the public concerning certain roles for assistant attorneys general; establishing that certain departure from sanctioning guidelines, failure to meet certain timeliness goals, and noncompliance with certain guidelines concerning certain roles for assistant attorneys general may not be grounds for certain hearings or appeals; requiring the Secretary, Department, and health occupations boards to make certain reports to certain committees of the General Assembly on or before certain dates; providing for the construction and the application of this Act; defining certain terms; and generally relating to revisions for the health occupations boards.

BY adding to

Article – Health Occupations

Section 1–214 through 1–218; and 1–601 through 1–609 to be under the new subtitle “Subtitle 6. General Clarification of the Disciplinary Process”

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 315 – Senators Raskin, Peters, Miller, Astle, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Glassman, Harrington, Jones, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Muse, Pinsky, Rosapepe, and Stone

AN ACT concerning

**Public Ethics Laws – Elected Local Officials and Board of Education
Members – Requirements**

FOR the purpose of requiring certain local ethics commissions or other appropriate entities to certify to the State Ethics Commission compliance with certain provisions of law relating to elected local officials on or before a certain date each year; requiring certain conflict of interest and financial disclosure provisions for elected local officials enacted by a county or municipal corporation to be equivalent to or exceed certain requirements under certain provisions of law; requiring that certain financial disclosure statements be filed by a certain date each year; requiring, instead of authorizing, local school boards to adopt

certain conflict of interest and financial disclosure provisions for members of the school board; requiring certain regulations enacted by a local school board to be equivalent to or exceed certain requirements under certain provisions of law; and generally relating to public ethics laws for elected local officials and members of boards of education.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–803, 15–804, 15–805, 15–812, and 15–813
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 338 – Senator Frosh

AN ACT concerning

Estates and Trusts – Elective Share – Extension of Time for Making Election

FOR the purpose of authorizing a surviving spouse, within the period provided for making an election to take an elective share of the deceased spouse's estate, to file with the court a petition for an extension of time, with a copy given to the personal representative; repealing the limitation that the court may only grant an extension before the expiration of the time in which to make the election; and generally relating to the election by a surviving spouse to take an elective share of the deceased spouse's estate.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–206
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 339 – Senator Frosh

AN ACT concerning

Estates and Trusts – Guardianship – Payment of Expenses After Death of Ward

FOR the purpose of requiring that, after the death of a minor or disabled person for whom a guardian of the property has been appointed, the guardian of the property of the minor or disabled person pay from the estate all commissions, fees, and expenses shown on the court-approved final guardianship account and

retain the balance of the estate for delivery to an appointed personal representative of the decedent or other person entitled to it; and generally relating to guardianship of the property of a minor or disabled person.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–214(c)(3)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 466 – Senator Forehand

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Off-Highway Recreational Vehicles – Titling

FOR the purpose of defining “off-highway recreational vehicle”; altering the definition of “vehicle” to include off-highway recreational vehicles; requiring the owner of an off-highway recreational vehicle not purchased before a certain date to apply for a certificate of title in certain circumstances; requiring an application for a certificate of title for an off-highway recreational vehicle to be made by a certain electronic transmission; altering certain requirements relating to the electronic transmission of vehicle data to authorize transmission by a service provider instead of a licensed dealer; providing that, for purposes of determining a certain excise tax, the fair market value of a used off-highway recreational vehicle is the greater of the total purchase price or a certain amount; imposing an excise tax for each original and each subsequent certificate of title issued for an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; providing for the construction of this Act; making this Act an emergency measure; and generally relating to off-highway recreational vehicles and titling.

BY adding to
Article – Transportation
Section 11–140.1 and 13–102(13)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–176, 13–102(11) and (12), 13–104(a), 13–108.1, 13–809, and 23–106
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–101.1 and 13–610
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 548 – Senators Astle, DeGrange, and Rosapepe

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Licenses – Fees

FOR the purpose of increasing certain 1–day alcoholic beverages license fees in Anne Arundel County; authorizing the Board of License Commissioners to charge a late fee for filing an application for license renewal after a certain date; authorizing the Board to charge a certain fee and publication costs under certain circumstances; and generally relating to alcoholic beverages license fees in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(1)(i) and 10–503(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(2)(i) and (d)(2), 10–301(u), and 10–503(c)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 559 – Senators Kelley, Colburn, Conway, Currie, Della, Exum, Forehand, Lenett, Madaleno, McFadden, Muse, Pinsky, ~~and Stone~~ Stone, Brochin, Jacobs, Raskin, and Simonaire

AN ACT concerning

Child Protection – ~~Mandatory~~ Reporting of Children Regularly in Contact with Persons Convicted of Child Abuse and Child Sexual Abuse Living with or in the Regular Presence of Registered Child Sexual Offenders

FOR the purpose of ~~requiring certain professionals~~ authorizing an individual to notify the local department of social services or the appropriate law enforcement agency if the ~~professionals have~~ individual has reason to believe that a parent, guardian, or caregiver allows a child to reside with or ~~regularly associate with~~ be in the regular presence of a certain individual; ~~providing certain exceptions~~ providing for the manner of reporting; describing the information that is to be included in a certain report; providing for the receipt and investigation of a certain report ~~that a child is at substantial risk of abuse~~; requiring the Secretary of Human Resources to adopt certain regulations; requiring the local department ~~or~~ and the appropriate law enforcement agency to take certain actions within a certain time period after receiving a certain report; requiring an investigation to be completed within a certain time period; ~~authorizing and~~ requiring the local department to take certain actions ~~after completion~~ as part of an investigation; ~~providing for expungement of certain reports~~; providing certain immunity for certain persons who make or participate in making certain reports; and generally relating to ~~mandatory~~ reporting of children ~~regularly in contact~~ living with or in the regular presence of certain persons.

BY adding to

Article – Family Law
 Section 5–704.1 and 5–706.2
 Annotated Code of Maryland
 (2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law
 Section ~~5–707(b)~~ and 5–708
 Annotated Code of Maryland
 (2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judiciary.

Senate Bill 605 – Senators King, Conway, Frosh, Garagiola, Harrington, Kramer, Lenett, Madaleno, ~~and Middleton~~ Middleton, Gladden, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone

AN ACT concerning

Angel’s Law – Foster Care and Child Care – ~~Cordless~~ Window Coverings

FOR the purpose of requiring new and replacement window coverings on or after a certain date to be cordless in foster homes, family day care homes, and child care centers; requiring certain existing window coverings to meet certain minimum standards in foster homes, family day care homes, and child care centers; authorizing the appropriate agency to require the replacement of certain window coverings under certain circumstances; requiring the Social

Services Administration to adopt certain regulations relating to ~~cordless~~ window coverings for foster homes; requiring the State Department of Education to adopt certain regulations relating to ~~cordless~~ window coverings for family day care homes; requiring the State Superintendent of Schools to adopt certain regulations relating to ~~cordless~~ window coverings for child care centers; defining certain terms; and generally relating to ~~cordless~~ window coverings for foster homes, family day care homes, and child care centers.

BY adding to

Article – Family Law
Section 5–505 and 5–573(b)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law
Section 5–525(j), 5–551(c)(1), and 5–573(b)(9) and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law
Section 5–551(a) and (b) and 5–573(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 615 – Senator Edwards

AN ACT concerning

Garrett County – Volunteer Fire Departments and Rescue Squads – Emergency Services Board

FOR the purpose of altering certain taxes on certain real property and personal property in Garrett County that are to be paid to certain volunteer fire departments; requiring the Board of County Commissioners of Garrett County to make certain payments to certain volunteer fire departments and rescue squads at certain times; providing that the amounts paid to volunteer fire departments in Garrett County shall be equivalent; requiring that certain funds received by certain volunteer fire departments and rescue squads in Garrett County be used for certain expenditures; requiring volunteer fire departments and rescue squads in Garrett County to file certain reports annually; authorizing the Board of County Commissioners of Garrett County to reserve the right to withhold certain funds from a fire department or rescue squad that

fails to meet certain standards and policies under certain circumstances; providing that the Garrett County Emergency Services Board shall be the final step in the establishment of primary and secondary service areas for fire, rescue, and ambulance services in Garrett County and is responsible for final resolution of certain disputes; providing that the Emergency Services Board has certain jurisdiction regardless of whether a certain provider of fire, rescue, or ambulance service is a member of the Garrett County Volunteer Fire and Rescue Association, Inc.; establishing a Garrett County Emergency Services Board; providing for the membership and the chair of the Emergency Services Board; providing for the appointment of members and the terms of the members of the Emergency Services Board; stating the mission of the Emergency Services Board; requiring the Emergency Services Board to develop and recommend to the Board of County Commissioners certain policies and standard operating procedures; requiring certain policies and standard operating procedures to comply with certain State and federal agency established standards, policies, practices, and protocols; requiring the Emergency Services Board to consult with certain persons before adopting certain proposed policies and standard operating procedures; establishing certain duties of the Emergency Services Board; altering a certain definition; altering the amount of a certain tax on certain real property in Garrett County paid to rescue squads in Garrett County; and generally relating to fire and rescue services in Garrett County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 32.01(A)
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)
(As enacted by Chapter 45 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 32.01(B) and (C), 32.04, and 35.05
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)

BY adding to
The Public Local Laws of Garrett County
Section 32.90
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 683 – Senators Peters, Harrington, Currie, Exum, Miller, Muse, Pinsky, and Rosapepe

AN ACT concerning

Property Taxes – ~~Homestead Property Tax Credit~~ Bicounty Commissions

FOR the purpose of providing that the homestead property tax credit applies to any State, county, or municipal corporation property tax, ~~including and~~ certain taxes imposed ~~by a county for a bicounty commission and certain taxes imposed for special taxing districts;~~ for certain bicounty commissions; specifying the applicable homestead credit percentage for certain taxes imposed for certain bicounty commissions; defining a certain term; providing for the application and construction of certain laws relating to certain taxes imposed for certain bicounty commissions; providing for the application of this Act; and generally relating to the homestead property tax credit and property taxes imposed for certain bicounty commissions.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–105(a)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property

Section 9–105(a)(9)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section ~~9–105(b)~~ 9–105(b), (e)(2), and (g)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 728 – Cecil County Senators

AN ACT concerning

Cecil County – Board of Electrical Examiners and Licensing of Electricians

FOR the purpose of repealing certain provisions of the Cecil County Code of Public Local Laws relating to the appointment of the Board of Electrical Examiners, the adoption of rules and bylaws for the Board, the compensation of Board members, the meetings of the Board, the licensing and supervision of electricians by the Board, the reports and fees of the Board, penalties, and the electrical standards; and generally relating to the Cecil County Board of Electrical Examiners and the licensing of electricians in Cecil County.

BY repealing

The Public Local Laws of Cecil County
Section 99–1 through 99–22
Article 8 – Public Local Laws of Maryland
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 729 – Cecil County Senators

AN ACT concerning

Cecil County – Regulation of Domestic Animals

FOR the purpose of authorizing the County Commissioners of Cecil County, by ordinance, to provide for certain regulation of certain domestic animals and certain hybrids of domestic and wild animals; and generally relating to the regulation of domestic animals in Cecil County.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–511
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 748 – ~~Senator Colburn~~ Senators Colburn and Stoltzfus

AN ACT concerning

**Somerset County, Wicomico County, and Worcester County – ~~Board~~ Boards
of Elections – Membership**

FOR the purpose of altering the Somerset County Board of Elections, number of regular members of the Wicomico County Board of Elections, and the Worcester 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; making a conforming change; providing for a delayed effective date; and generally relating to the membership of the Somerset County Board of Elections, Wicomico County Board of Elections, and the Worcester County Board of Elections.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 2–201

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section ~~2–204(a)(23)~~ 2–204(a)(20), (23), and (24) and (b)(1) and (2)(i)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 2–204(b)(2)(ii)7.
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 774 – Senators Kramer, Conway, Currie, Della, Forehand, Jacobs, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stoltzfus, ~~and Stone~~ Stone, Astle, Exum, Garagiola, and Glassman

AN ACT concerning

Life and Health Insurance – Senior Investment Protection
Insurance Producers – Use of Senior or Retiree Credential or Designation

FOR the purpose of prohibiting ~~a person~~ an insurance producer from using a ~~senior specific certification or professional~~ senior or retiree credential or designation in a way that ~~is or would mislead a purchaser of life insurance, health insurance, or an annuity about certain matters; stating the intent of this Act; requiring the Maryland Insurance Commissioner to specify certain misleading uses of certain certifications and designations by regulation or order; providing that certain uses shall be specified as being misleading under this Act; requiring the Commissioner to consult with the Securities Commissioner of the Securities Division on certain matters; establishing a rebuttable presumption concerning certain organizations that issue certain certifications and designations; establishing certain factors to consider in interpreting certain certifications and designations; establishing a penalty for violating this Act, including imprisonment and a fine; providing for the application of this Act; providing for the construction of this Act, including certain conflict of laws; defining certain terms; and generally relating to the sale and purchase of life insurance, health insurance, and annuities~~ be misleading in connection with the offer, sale, or purchase of insurance; requiring the Maryland Insurance Commissioner, in consultation with the Securities Commissioner of the Division of Securities in the Office of the Attorney General, to adopt certain regulations; providing that the regulations may contain certain exemptions under certain

circumstances; providing that a violation of this Act constitutes a lack of trustworthiness for the purposes of certain provisions of law; providing for the construction of this Act; and generally relating to the offer, sale, and purchase of insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–201
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 27–223
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 885 – Senators Klausmeier and Astle

AN ACT concerning

Health – Administrative Service Provider Contracts – Contracting Provider Definition

FOR the purpose of excluding a medical laboratory, as defined by a certain provision of law, from the definition of “contracting provider” as it concerns provisions of law relating to health maintenance organizations and certain administrative service provider contracts; and generally relating to administrative service provider contracts.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–713.2(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 898 – ~~Senator Glassman~~ Senators Glassman, Middleton, and Klausmeier

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien
– Balloon Payments**

FOR the purpose of authorizing a credit grantor that makes a certain installment loan secured by a lien on a motor vehicle to a consumer borrower to require the consumer borrower to pay a balloon payment at maturity of the installment loan; and generally relating to installment loans secured by a lien on a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–1003
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 943 – Senators Pugh ~~and Garagiola~~, Garagiola, and Exum

AN ACT concerning

Credit Regulation – Mortgage Brokers – Charges

FOR the purpose of authorizing mortgage brokers to charge borrowers for the actual cost of certain ~~services or goods~~ documents obtained by a mortgage broker at the written request of a borrower; authorizing mortgage brokers to charge borrowers for the actual cost of certain other goods or services that are required to complete a loan application process and that, at the written request of a borrower, are paid by a mortgage broker to a certain third-party provider; defining a certain term; and generally relating to fees that may be charged by mortgage brokers.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section ~~12–801~~ and 12–804
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #6

CONSENT CALENDAR #6

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1451 – Delegates Barve and Dumais

AN ACT concerning

Maryland Revised Anatomical Gift Act

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1455 – Delegates Boteler, Kach, Minnick, and Weir

AN ACT concerning

Baltimore City – Public School Employees – Representation by Employee Organization

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1509 – Delegate Anderson

AN ACT concerning

Judgments – Appeals – Supersedeas Bond

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1538 – Delegates Olszewski and Weir

AN ACT concerning

Firehouses – New Construction or Major Renovation – Fire Sprinkler Systems and Fire Suppression Systems

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1539 – Delegate Conaway

AN ACT concerning

Baltimore City – Property Taxes – Limitation

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1540 – Delegates James and Riley

EMERGENCY BILL

AN ACT concerning

Early Voting – Number of Early Voting Centers – Determination

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1541 – Delegates James and Riley

EMERGENCY BILL

AN ACT concerning

Real Property – Prohibition Against Entering

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1542 – Baltimore County Delegation

AN ACT concerning

Baltimore County – Use of Public School Facilities – Games of Chance

The Bill was re-referred to the Committee on Ways and Means.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1543 – Delegate Serafini

AN ACT concerning

State Retirement and Health Benefits Reporting Transparency Act

The Bill was re-referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1544 – Delegate McConkey

AN ACT concerning

Court Costs – Criminal Injuries Compensation Fund

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1546 – Delegates Anderson and Glenn

AN ACT concerning

Courts – Jury Selection – Clerk of Circuit Court

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1550 – Delegates Braveboy, Anderson, Benson, Burns, Cane, Carter, Conaway, Glenn, Harrison, Haynes, Holmes, Ivey, Kirk, Levi, McIntosh, Nathan-Pulliam, Oaks, Pena-Melnyk, Proctor, Robinson, Stukes, Tarrant, V. Turner, Vaughn, and Walker

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Programs

The Bill was re-referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1551 – Delegate Manno

AN ACT concerning

Maryland Organic Transition Investment Pilot Program – Extension of Sunset

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1552 – Delegates James and Bohanan

EMERGENCY BILL

AN ACT concerning

Construction and Development Projects – Expedited Approval of State Permits

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1553 – Delegate Stull

AN ACT concerning

Agriculture – Honey – Standards

The Bill was re-referred to the Committee on Environmental Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1554 – Frederick County Delegation

AN ACT concerning

Frederick County – Religious Corporations – Retention of Assets by Local Churches

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1555 – Delegate Conway**EMERGENCY BILL**

AN ACT concerning

Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies Outside the State

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1556 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Courts – Veterans’ Treatment Court Pilot Program – Establishment

The Bill was re-referred to the Committee on Judiciary.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1557 – Delegate Bromwell

AN ACT concerning

Health Insurance – Coverage for Treatment of Spinal Muscular Atrophy

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1558 – Delegate Benson

AN ACT concerning

Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and Penalties

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1559 – Delegate Heller

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County – Our House Youth Home

The Bill was re-referred to the Committee on Appropriations.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1560 – Delegates Braveboy, Harrison, Benson, Pena-Melnyk, and V. Turner

AN ACT concerning

Public Health – Sales of Previously Sold Undergarments and Bathing Suits – Prohibited

The Bill was re-referred to the Committee on Economic Matters.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environmental Matters:

House Bill 1561 – Delegate McComas

AN ACT concerning

Natural Resources – Crab Pots – Requirements

The Bill was re-referred to the Committee on Environmental Matters.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 107 – The President (By Request – Administration) and Senators
Middleton, Della, Exum, Garagiola, and Kelley**

EMERGENCY BILL

AN ACT concerning

~~Labor and Employment – Unemployment Insurance – Tax Deferment, Trust
Fund Solvency, and Cost-Neutral Modernization and Tax Relief Act~~

STATUS OF BILL: BILL ON 2ND READING. (RECONSIDERED)

FLOOR AMENDMENT

SB0107/663224/1

BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 107

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “altering” and substitute “repealing”.

AMENDMENT NO. 2

On page 2, in line 22, strike “and (v)”; and after line 25, insert:

“BY repealing

Article – Labor and Employment

Section 8–101(v) and 8–801(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”.

On page 3, after line 2, insert:

“BY repealing and reenacting, with amendments,

Article – Labor and EmploymentSection 8–903(b)Annotated Code of Maryland(2008 Replacement Volume and 2009 Supplement)(As enacted by Chapters 5 and 6 of the Acts of the General Assembly of 2009)BY renumberingArticle – Labor and EmploymentSection 8–101(w), (x), (y), (z), and (aa), respectivelyto be Section 8–101(v), (w), (x), (y), and (z), respectivelyAnnotated Code of Maryland(2008 Replacement Volume and 2009 Supplement)”.AMENDMENT NO. 3

On page 4, strike beginning with “(v)” in line 25 down through the period in line 29.

AMENDMENT NO. 4

On page 6, after line 17, insert:

“8–801.

[(c) Notwithstanding subsection (b)(2) of this section, a part–time worker is not considered to be unemployed if the part–time worker is working all hours for which the part–time worker is available.]”.

AMENDMENT NO. 5

On page 7, strike beginning with “(3)” in line 6 down through the period in line 26 and substitute:

“(b) The Secretary may not use the disability of a qualified individual with a disability as a factor in finding that an individual is not able to work, available for work, or actively seeking work under subsection (a)(1) [or (3)] of this section.”.

AMENDMENT NO. 6

On page 24, after line 12, insert:

“SECTION 8. AND BE IT FURTHER ENACTED, That Section(s) 8–101(w), (x), (y), (z), and (aa), respectively, of Article – Labor and Employment of the Annotated

Code of Maryland be renumbered to be Section(s) 8–101(v), (w), (x), (y), and (z), respectively.”;

and in lines 13, 19, 24, and 30, strike “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “9.”, “10.”, “11.”, and “12.”, respectively.

AMENDMENT NO. 7

On page 25, in line 15, strike “12.” and substitute “13.”; in line 18, strike “13.” and substitute “14.”; in line 21, strike “14.” and substitute “15.”; in the same line, strike the second comma; in line 22, strike “2.”; in line 24, strike “15.” and substitute “16.”; in line 27, strike “16.” and substitute “17.”; and in line 31, strike “12, 13, 14, and 15” and substitute “13, 14, 15, and 16”.

The preceding 7 amendments were read only.

Delegate Minnick moved the previous question.

The motion was adopted.

The preceding 7 amendments were read and rejected by a roll call vote as follows:

Affirmative – 38 Negative – 98 (See Roll Call No. 490)

FLOOR AMENDMENT

SB0107/413522/1

BY: Delegate O’Donnell

AMENDMENTS TO SENATE BILL 107

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “benefits:” insert “reducing the maximum amount of the weekly unemployment insurance benefit;”.

AMENDMENT NO. 2

On page 18, in line 40, after “\$9,096.01” insert “AND OVER”; and in the same line, strike “to \$9,120.00”.

AMENDMENT NO. 3

On pages 18 through 20, strike in their entirety the lines beginning with line 41 on page 18 through line 4 on page 20, inclusive.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 39 Negative – 97 (See Roll Call No. 491)

FLOOR AMENDMENT

SB0107/753222/1

BY: Delegate George

AMENDMENTS TO SENATE BILL 107

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after “date;” insert “requiring that a certain Table of Rates be used for a certain year to compute the contribution rate of certain employing units;”; and on page 2, in line 13, before “making” insert “providing for the termination of certain sections of this Act;”.

AMENDMENT NO. 2

On page 25, after line 14, insert:

“SECTION 12. AND BE IT FURTHER ENACTED, That notwithstanding any other provision of law, for the calendar year beginning on January 1, 2011, the Table of Rates in § 8–612(d)(5) of the Labor and Employment Article shall apply to an employing unit with less than 50 employees.”;

after line 26, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That Section 12 of this Act shall take effect January 1, 2011. It shall remain effective for a period of 1 year and, at the end of December 31, 2011, with no further action required by the General Assembly, this Section shall be abrogated and of no further force and effect.”;

and in lines 15, 18, 21, 24, 27, and 31, strike “12.”, “13.”, “14.”, “15.”, “16.”, and “12, 13, 14, and 15”, respectively, and substitute “13.”, “14.”, “15.”, “16.”, “18.”, and “13, 14, 15, 16, and 17”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 45 Negative – 91 (See Roll Call No. 492)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 493)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #27

House Bill 451 – Delegate Elmore

AN ACT concerning

Somerset County – Alcoholic Beverages – Sales to Underage Drinkers – Local Caterer’s License Created

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 494)

The Bill was then sent to the Senate.

House Bill 559 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Winery Special Event Permits – Farmers’ Markets

PG 304–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 495)

The Bill was then sent to the Senate.

House Bill 570 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Extinguishment of Licenses

PG 306–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 496)

The Bill was then sent to the Senate.

House Bill 574 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – National Harbor – Alcoholic Beverages –
Restriction on License Holder**

PG 308–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 497)

The Bill was then sent to the Senate.

House Bill 717 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Class A Licenses – Findings

Ho. Co. 7–10

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 498)

The Bill was then sent to the Senate.

House Bill 730 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Act of 2010**Ho. Co. 3–10**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 499)

The Bill was then sent to the Senate.

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers’ Markets**MC 9–10**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 500)

The Bill was then sent to the Senate.

House Bill 921 – Delegates Love, Bates, Beidle, Bromwell, Cane, Cardin, V. Clagett, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Jameson, Kipke, Krebs, Mathias, McHale, Miller, Myers, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, ~~and Wood~~ Wood, Feldman, Hecht, Impallaria, Manno, Minnick, Stifler, and Walkup

AN ACT concerning

Maryland Winery Modernization Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 501)

The Bill was then sent to the Senate.

House Bill 945 – Delegates Robinson, Carter, and Tarrant

AN ACT concerning

Baltimore City – Alcoholic Beverages – 1–Day Licenses – Applications and Notice

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 502)

The Bill was then sent to the Senate.

House Bill 1056 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Restaurant Seating Capacity

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 503)

The Bill was then sent to the Senate.

House Bill 1114 – Carroll County Delegation

AN ACT concerning

**Carroll County – Alcoholic Beverages – Sale of Wine for Off-Premises
Consumption**

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 504)

The Bill was then sent to the Senate.

House Bill 1205 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages License Fees – Repeal of Sunset

MC 24-10

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 505)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

**Senate Bill 93 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

Agriculture – Pest Control – Fees and Registration

FOR the purpose of clarifying the authority of the Department of Agriculture to charge a fee for the retaking of certain examinations; requiring the operator of a pest control business annually to register certain employees with the Department; establishing certain registration and renewal fees; requiring the payment of certain late fees for certain applicants for a certain license, certificate, or registration renewal; and generally relating to requirements for the application of pesticide.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 5–207(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Agriculture
Section 5–207(j) and (k)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 542 – Senators Harrington and Colburn

AN ACT concerning

**Health Business Regulation – Lodging Establishments – National Human
Trafficking Resource Center Hotline – Posting of Information**

FOR the purpose of ~~requiring the Department of Health and Mental Hygiene to adopt certain regulations related to the posting of a certain notice regarding the National Human Trafficking Resource Center hotline; requiring the Department of Labor, Licensing, and Regulation to design a sign that contains certain information regarding the National Human Trafficking Resource Center Hotline; requiring the sign to meet certain requirements and be placed on the Department's website; requiring a lodging establishment to post a certain sign~~

in certain places for a certain period of time if certain conditions are met; providing a certain penalty for the violation of a certain provision of this Act; and generally relating to ~~the posting of lodging establishments and~~ information regarding the National Human Trafficking Resource Center ~~hotline~~ Hotline.

~~BY adding to~~

~~Article – Health – General
Section 24–213
Annotated Code of Maryland
(2009 Replacement Volume)~~

BY adding to

Article – Business Regulation
Section 15–207
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 700 – Senator Exum

AN ACT concerning

Health Insurance – Child Wellness Benefits

FOR the purpose of requiring certain individual, group, or blanket health insurance policies and nonprofit health service plans to cover, in the minimum package of child wellness services required to be provided under the policies' or plans' family member coverage, certain visits for obesity evaluation and ~~treatment~~ management and certain visits for and costs of developmental ~~testing~~ screening as recommended by a certain organization; expanding the list of visits at which certain examinations, assessments, and guidance services must be covered; expanding the list of services that may result in coverage for certain laboratory tests; providing for the application of this Act; and generally relating to the expansion of child wellness benefits under health insurance policies and nonprofit health service plans.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 15–817(a), (b), and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–817(c)
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

INTRODUCTION OF BILLS

Delegate Serafini moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 132 Negative – 2 (See Roll Call No. 506)

In compliance with the rules, the Bill was introduced.

House Bill 1562 – Delegate Serafini

CONSTITUTIONAL AMENDMENT

AN ACT concerning

General Assembly Compensation Commission – Legislative Pension Plan

FOR the purpose of requiring the General Assembly Compensation Commission to establish a Legislative Pension Plan for members of the General Assembly that provides certain benefits that are equal to certain benefits received by certain State employees; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 15

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 507)

ADJOURNMENT

At 9:30 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 21, 2010, Calendar Day Tuesday, March 23, 2010.

Annapolis, Maryland
Legislative Day: March 21, 2010
Calendar Day: Tuesday, March 23, 2010

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melony G. Griffith of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 508)

The Journal of March 20, 2010 was read and approved.

EXCUSES:

Del. Bromwell – recovering from surgery
Del. Elmore – left early – doctor's appointment
Del. Jennings – left early – business meeting
Del. Mizeur – President Obama's bill signing
Del. Pendergrass – illness

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 509)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #29

**House Bill 216 – Delegates Pena–Melnyk, Barnes, Frush, Hecht, Holmes,
Kipke, Niemann, F. Turner, V. Turner, Valderrama, ~~and Walker~~ Walker,
and Lafferty**

AN ACT concerning

**State Highway Administration – Unauthorized Signs on Highway
Rights-of-Way**

Read the third time and passed by yeas and nays as follows:

Affirmative – 122 Negative – 11 (See Roll Call No. 510)

The Bill was then sent to the Senate.

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 511)

The Bill was then sent to the Senate.

House Bill 636 – Delegates Frush and Beitzel

AN ACT concerning

Natural Resources – Suspension of Hunting Licenses and Privileges

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 512)

The Bill was then sent to the Senate.

House Bill 674 – Delegate Malone

AN ACT concerning

High Occupancy Vehicle (HOV) Lanes – Use by Plug-In Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 513)

The Bill was then sent to the Senate.

House Bill 702 – Delegates Stein, Beidle, Glenn, and Lafferty

AN ACT concerning

**Common Ownership Communities – Fidelity ~~Insurance~~ or Insurance –
Fidelity Bond**

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 514)

The Bill was then sent to the Senate.

House Bill 915 – Delegates Jones, Benson, Bohanan, Burns, Cane, Carr, Davis, Gaines, Glenn, Griffith, Harrison, Haynes, Howard, Ivey, Kirk, Levi, Nathan–Pulliam, Oaks, Proctor, Rice, Robinson, Stukes, Taylor, F. Turner, Vallario, and Walker

AN ACT concerning

African American Heritage Preservation Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 107 Negative – 31 (See Roll Call No. 515)

The Bill was then sent to the Senate.

House Bill 936 – The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, ~~and Vaughn Vaughn~~, Frank, Aumann, George, Jennings, McComas, Olszewski, Shank, Smigiel, Stifler, McConkey, Barnes, Conaway, Dumais, Kramer, Rosenberg, Anderson, Dwyer, Levi, Ramirez, Hecht, Bobo, Carr, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, and Rudolph

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 516)

The Bill was then sent to the Senate.

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 517)

The Bill was then sent to the Senate.

House Bill 1059 – Delegates Eckardt and Haddaway

AN ACT concerning

Dorchester County – Choptank River – Soft-Shell Clam Harvesting

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 518)

The Bill was then sent to the Senate.

House Bill 1244 – Delegates Sossi, Eckardt, Haddaway, James, Rudolph, and Smigiel

AN ACT concerning

Municipal Corporations – Planning Commissions – Meetings

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 519)

The Bill was then sent to the Senate.

House Bill 1298 – Delegates Glenn, Ali, Beidle, Frush, Healey, Holmes, Ivey, Lafferty, Niemann, Serafini, Shewell, Stein, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Transfer Fees – Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 520)

The Bill was then sent to the Senate.

House Bill 1303 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Real Property – Recording

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 521)

The Bill was then sent to the Senate.

House Bill 1309 – Delegates Mathias ~~and Conway~~, Conway, and Elmore

AN ACT concerning

Somerset and Worcester Counties – Liquor Control Boards – Ethics

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 522)

The Bill was then sent to the Senate.

THE COMMITTEE ON APPROPRIATIONS REPORT #7

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 348 – Delegates Pena–Melnyk, Barnes, Frush, Healey, and Ross

AN ACT concerning

**Public Institutions of Higher Education – New Design and Substantial
Exterior Modification – Notice and Consultation**

HB0348/184569/2

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 348

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Public Institutions of Higher Education” and substitute “Public Senior Higher Education Institutions”; in line 3, strike “and Consultation”; in line 5, strike “and consult with certain communities” and substitute “certain persons and local governing bodies”; strike beginning with the second “and” in line 6 down through “structure” in line 8 and substitute “regarding the new design or substantial exterior modification of structures at institutions of higher education”.

AMENDMENT NO. 2

On page 1, in line 18, before “NOTWITHSTANDING” insert “**(A) THIS SECTION APPLIES ONLY TO THE FOLLOWING PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS:**

- (1) SALISBURY UNIVERSITY;**
- (2) ST. MARY’S COLLEGE OF MARYLAND;**
- (3) TOWSON UNIVERSITY; AND**
- (4) UNIVERSITY OF MARYLAND, COLLEGE PARK.**

(B)”;

in line 21, strike “, WHOLLY OR PARTLY,”; in line 22, strike “INSTITUTION OF HIGHER EDUCATION,” and substitute “**SENIOR HIGHER EDUCATION INSTITUTION LISTED IN SUBSECTION (A) OF THIS SECTION, IF THE NEW STRUCTURE OR MODIFICATION OF THE STRUCTURE IS ADJACENT TO OR ABUTTING LAND THAT IS PRIVATELY OWNED,**”; in line 23, after “TO” insert “**PROVIDE NOTICE OF THE PROPOSED NEW STRUCTURE OR MODIFICATION OF THE STRUCTURE ELECTRONICALLY OR BY FIRST-CLASS MAIL TO**”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 1 through 13, inclusive; and after line 13, insert:

“(1) ALL ADJOINING PROPERTY OWNERS, INCLUDING OWNERS WHOSE PROPERTIES LIE DIRECTLY ACROSS A STREET, ALLEY, OR STREAM; AND

(2) EVERY LOCAL GOVERNING BODY LOCATED WITHIN 1 MILE OF THE PROJECT SITE.

(B) A LOCAL GOVERNING BODY THAT RECEIVES NOTICE UNDER SUBSECTION (A)(2) OF THIS SECTION SHALL POST THE NOTICE ON THE WEBSITE OF THE LOCAL GOVERNING BODY.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0348/164861/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 348, AS AMENDED

On page 2 of the Appropriations Committee Amendments (HB0348/184569/2), in line 7 of Amendment No. 3, strike “**(B)**” and substitute “**(C)**”; and in line 8, strike “**(A)(2)**” and substitute “**(B)(2)**”.

The preceding amendment was read and adopted.

Delegate O'Donnell moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 530 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Correctional Officers' Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 734 – Washington County Delegation

AN ACT concerning

Washington County – Advisory School Design Review Committee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 1094 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 1294 – Delegates Krysiak and Jones

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –
Baltimore Metropolitan Council – Eligibility**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

**House Bill 1505 – Chair, Appropriations Committee (By Request –
Departmental – Budget and Management)**

AN ACT concerning

Central Collection Unit – Collection of Debts Owed to the State

HB1505/684668/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1505

(First Reading File Bill)

On page 4, in lines 8 and 9, strike “ELECTRONICALLY OR BY CHECK” and substitute “DIRECTLY”; and in line 10, strike “SEND A NOTICE TO” and substitute “NOTIFY”.

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 ECONOMIC MATTERS REPORT #13

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 379 – Delegates Rosenberg, Feldman, and Frick

AN ACT concerning

Consumer Protection – Transparency in Consumer Arbitrations Act**HB0379/733999/1**

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 379

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “, may” in line 12 down through “circumstances,” in line 14; in line 16, strike “or the Attorney General”; and in line 19, after “circumstances;” insert “providing that a violation of a certain provision 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;”.

AMENDMENT NO. 2

On page 2, in line 17, after “(E)” insert “(1)”; and after line 18, insert:

“(2) “CONSUMER ARBITRATION” DOES NOT INCLUDE A BINDING ARBITRATION CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF A POLICY OF PROPERTY INSURANCE, CASUALTY INSURANCE, OR SURETY INSURANCE, AS THOSE TERMS ARE DEFINED IN § 1-101 OF THE INSURANCE ARTICLE.”

AMENDMENT NO. 3

On page 5, in line 11, after “ARBITRATION;” insert “AND”; strike in their entirety lines 12 through 14, inclusive; in line 15, strike “(3)” and substitute “(2)”; in line 18, strike “OR THE ATTORNEY GENERAL”; and after line 27, insert:

“(D) IN ADDITION TO THE REMEDY PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, A VIOLATION OF § 14-3803 OF THIS SUBTITLE IS:

(1) AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 801 – Delegates McHale, Bartlett, Hammen, Hecht, and Krysiak

AN ACT concerning

Electricity – Net Energy Metering – Credits

HB0801/193595/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 801

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “McHale,” insert “Hecht.”; in the same line, strike “Hecht, and Krysiak” and substitute “Krysiak, Barkley, Beidle, Bobo, Bronrott, Carr, G. Clagett, Doory, Feldman, Frick, George, Glenn, Holmes, Lee, Love, Manno, Mathias, Mizeur, Montgomery, Niemann, Pena–Melnyk, Riley, Stull, Burns, Braveboy, Davis, Haddaway, Harrison, Impallaria, Jameson, King, Minnick, Rudolph, Taylor, Vaughn, and Walkup”; strike beginning with “requiring” in line 3 down through “circumstances;” in line 5; in line 14, strike “at certain rates under certain circumstances” and substitute “in a certain manner; requiring a certain generation credit to appear on an eligible customer–generator’s bill in a dollar amount”; in line 16, after “circumstances;” insert “clarifying the manner in which net energy produced or consumed is measured; making technical changes; altering a certain definition;”; and in the same line, after “term;” insert “requiring the Public Service Commission to adopt certain regulations, after taking certain items into consideration, by a certain date; requiring the Commission to report to certain persons and certain legislative committees on certain matters by a certain date; providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(4) “GENERATION CREDIT” MEANS A CREDIT ASSOCIATED WITH THE GENERATION OF ELECTRICITY PRODUCED IN EXCESS OF THE ELECTRICITY CONSUMED BY AN ELIGIBLE CUSTOMER–GENERATOR IN ONE BILLING PERIOD.”;

in lines 13 and 16, strike “(4)” and “(5)”, respectively, and substitute “**(5)**” and “**(6)**”, respectively; in line 18, strike “company” and substitute “**GRID**”; and strike in their entirety lines 20 through 30, inclusive.

On page 3, strike in their entirety lines 16 through 34, inclusive; in line 35, strike the brackets; and in the same line, strike “**(3)**”.

On page 4, in line 8, strike “monthly” and substitute “**REGULAR**”; and strike beginning with “required” in line 14 down through “pay” in line 15 and substitute “**BILLED**”; strike beginning with “**THE**” in line 19 down through “**(III)**” in line 22; in

line 30, strike “(IV)” and substitute “(III)”; strike beginning with “1.” in line 30 down through the first “THE” in line 31 and substitute “THE”; and strike beginning with “SOS” in line 32 down through “CUSTOMER–GENERATOR” in line 33 and substitute “PREVAILING MARKET PRICE OF ENERGY APPLICABLE TO THE ELECTRIC COMPANY IN THE PJM INTERCONNECTION ENERGY MARKET, AS THAT MARKET MAY CHANGE FROM TIME TO TIME.”

(IV) THE GENERATION CREDIT SHALL APPEAR ON THE ELIGIBLE CUSTOMER–GENERATOR’S BILL IN A DOLLAR AMOUNT”.

On page 5, strike in their entirety lines 1 through 4, inclusive; in line 6, strike “CHOOSE TO”; strike beginning with the colon in line 8 down through “YEAR” in line 10 and substitute “A 12–MONTH PERIOD”; in line 13, strike “THE REQUESTED TIME PERIOD” and substitute “A 12–MONTH PERIOD”; in line 16, strike “REQUESTED TIME” and substitute “12–MONTH”; in line 18, after “THE” insert “ELIGIBLE”; and in line 25, strike “ELIGIBLE CUSTOMER–GENERATOR’S”.

AMENDMENT NO. 3

On page 7, in line 1, after “2.” insert “AND BE IT FURTHER ENACTED, That:”

(a) On or before January 1, 2011, the Public Service Commission shall adopt regulations to implement the provisions of this Act, taking into consideration:

- (1) the technology available at each electric company; and
- (2) the appropriate value of generation credits.

(b) In developing the regulations, the Commission shall convene a technical working group to address the metering and associated pricing mechanisms appropriate to net energy metering for various customer classes in the various service territories, including the advisability of and means to address credits associated with generation at different hours and seasons with appropriate metering equipment and appropriate mechanisms to aggregate generation and consumption of electricity across separate accounts in common ownership, whether on a kilowatt–hour or dollar basis.

(c) On or before January 1, 2011, the Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee on the

recommendations of the technical advisory group and the regulations adopted under this section.

SECTION 3.”;

in line 1, after “That” insert “Section 1 of”; in line 2, strike “July” and substitute “October”; and after line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2010.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 854 – Delegates Stein, Barkley, Cardin, Manno, and Minnick

AN ACT concerning

Homeowner’s, Farmowner’s, and Dwelling Insurance Policies – Claims for Additional Payments

HB0854/243297/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 854

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “at least” and substitute “not less than”; in line 8, after “time;” insert “authorizing a certain insurer to require a certain insured to notify the insurer of the intent to repair or replace certain property within a certain period of time;”; and in the same line, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 1, in line 19, before “EACH” insert “(A)”; in line 21, after the second “PROPERTY” insert “ON A REPLACEMENT COST BASIS”; strike beginning with “ADDITIONAL” in line 23 down through “PROPERTY” in line 24 and substitute “THE DIFFERENCE BETWEEN THE ACTUAL CASH VALUE AND THE REPLACEMENT COST FOR THE COMPLETED REPAIRS OR REPLACEMENT”; in line 24, strike “AT LEAST” and substitute “NOT LESS THAN”; in line 25, strike “PAYMENT OF ACTUAL CASH VALUE” and substitute “THE DATE OF LOSS”; and after line 25, insert:

“(B) AN INSURER MAY REQUIRE AN INSURED SEEKING ADDITIONAL PAYMENTS ON A REPLACEMENT COST BASIS TO NOTIFY THE INSURER, WITHIN 180 DAYS AFTER THE DATE OF LOSS, OF THE INSURED’S INTENT TO REPAIR OR REPLACE THE DWELLING OR PERSONAL PROPERTY.”

On page 2, in lines 3 and 5, in each instance, strike “June 1, 2010” and substitute “January 1, 2011”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 891 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Department of Economic Development – Investment
Authority**

MC 18–10

HB0891/113891/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 891

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Department of Economic Development”; strike beginning with the second “the” in line 5 down through “Development” in line 9 and substitute “Montgomery County to make an equity investment through a certain fund in a company that is located in the county or that agrees to relocate their business to the county; providing that the proceeds of an equity investment made under this Act may be used for certain purposes; providing that the county may not acquire an ownership interest exceeding a certain percentage of any enterprise; requiring the terms of an equity investment approved by the county to be set forth in a funding agreement; requiring a funding agreement made in accordance with this Act to prohibit the county from taking certain actions; providing that a funding agreement made in accordance with this Act may consist of certain agreements or other documents; requiring that notice of each equity investment made by Montgomery County under a certain provision of this Act be posted in a readily accessible and clearly identified location on the Montgomery County government website within a certain number of days after the date on which the county initiates the investment transaction; and generally relating to equity investments by Montgomery County in certain businesses in the county”; and strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY adding to

Article – Economic Development

Section 12-401 to be under the new subtitle “Subtitle 4. Montgomery County Equity Investments in Companies Located in the County”

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 4 on page 2, inclusive, and substitute:

“Article – Economic Development

**SUBTITLE 4. MONTGOMERY COUNTY EQUITY INVESTMENTS IN COMPANIES
LOCATED IN THE COUNTY.**

12-401.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MONTGOMERY COUNTY MAY MAKE AN EQUITY INVESTMENT THROUGH THE COUNTY'S ECONOMIC DEVELOPMENT FUND IN A COMPANY THAT IS LOCATED IN MONTGOMERY COUNTY OR THAT AGREES TO RELOCATE ITS BUSINESS TO MONTGOMERY COUNTY.

(B) THE PROCEEDS OF AN EQUITY INVESTMENT MADE UNDER SUBSECTION (A) OF THIS SECTION MAY BE USED FOR:

- (1) WORKING CAPITAL;
- (2) SALARIES;
- (3) MARKETING MATERIALS;
- (4) ACQUISITION OF INVENTORY, EQUIPMENT, OR REAL PROPERTY;
- (5) CONSTRUCTION;
- (6) RENOVATION;
- (7) LEASEHOLD IMPROVEMENTS; OR
- (8) RESEARCH AND DEVELOPMENT.

(C) THE COUNTY MAY NOT ACQUIRE AN OWNERSHIP INTEREST EXCEEDING 25% OF ANY ENTERPRISE.

(D) (1) THE TERMS OF AN EQUITY INVESTMENT APPROVED BY THE COUNTY SHALL BE SET FORTH IN A FUNDING AGREEMENT.

(2) A FUNDING AGREEMENT MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL PROHIBIT THE COUNTY FROM:

(I) PARTICIPATING IN THE SELECTION OF THE MANAGEMENT OF THE COMPANY;

(II) ENGAGING IN OVERSIGHT OF THE OPERATION OF THE COMPANY; OR

(III) ASSUMING ANY PRESENT OR FUTURE LIABILITY OF THE COMPANY.

(3) AT THE COUNTY'S DISCRETION, A FUNDING AGREEMENT MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY CONSIST OF:

(I) AN INVESTMENT AGREEMENT;

(II) A LIMITED PARTNERSHIP AGREEMENT;

(III) A PREFERRED STOCK PURCHASE AGREEMENT; OR

(IV) OTHER DOCUMENTS THAT THE COUNTY MAY REQUIRE.

(E) NOTICE OF EACH EQUITY INVESTMENT MADE BY MONTGOMERY COUNTY UNDER SUBSECTION (A) OF THIS SECTION SHALL BE POSTED IN A READILY ACCESSIBLE AND CLEARLY IDENTIFIED LOCATION ON THE MONTGOMERY COUNTY GOVERNMENT WEBSITE WITHIN 5 DAYS AFTER THE DATE ON WHICH THE COUNTY INITIATES THE EQUITY INVESTMENT TRANSACTION.”

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 ENVIRONMENTAL MATTERS REPORT #9

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 103 – Delegates Lafferty and Malone

AN ACT concerning

Real Property – Mobile Home Parks – Plans for Dislocated Residents

HB0103/600913/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 103

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “the payment of” and substitute “a budget reflecting the amount of”; in the same line, after “assistance” insert “allocated by the mobile home park owner to be given”; and in line 14, after “requiring” insert “certain”.

AMENDMENT NO. 2

On page 3, in line 11, strike “**(C)(1)**” and substitute “**(C)(2)**”.

On page 4, in line 10, strike “PAID FOR” and substitute “**THAT:**”

(I) FOR A MOBILE HOME PARK WITH MORE THAN 75 SITES, WAS PAID FOR”;

and in line 12, after “PREMISES” insert “**;** OR

(II) FOR A MOBILE HOME PARK WITH 75 OR FEWER SITES, WAS PAID FOR THE 5 MONTHS IMMEDIATELY PRECEDING THE DATE THE RESIDENT VACATES THE PREMISES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 605 – Delegate Dumais

AN ACT concerning

Real Property – Wrongful Detainer**HB0605/680710/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 605

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “clarifying” in line 4 down through “possession;” in line 5 and substitute “providing that certain provisions of law relating to an action for possession do not apply to an action for wrongful detainer;”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 13 on page 2, inclusive, and substitute:

“(a) This section does not apply to:

(1) A grantee action under § 14–109 of this subtitle;

(2) A landlord–tenant action that is within the exclusive original jurisdiction of the District Court; [or]

(3) An action for nonpayment of ground rent under a ground lease on residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units; OR

(4) AN ACTION FOR WRONGFUL DETAINER UNDER § 14–130 OF THIS ARTICLE.”.

On page 2, in line 15, strike “UNDER A GROUND LEASE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 711 – Delegates Healey and Lafferty

EMERGENCY BILL

AN ACT concerning

Real Property – Tenants in Foreclosure – Conforming to Federal Law

HB0711/900413/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 711

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; strike beginning with “requiring” in line 12 down through “terminated;” in line 13; and in line 14, strike “making this Act an emergency measure” and substitute “providing for the application of this Act”.

AMENDMENT NO. 2

On page 2, in line 22, after “ON” insert “ANY”; in line 23, strike “AS DEFINED IN § 7–105.1 OF THIS SUBTITLE,”; and in line 28, after “NOTICE;” insert “AND”.

AMENDMENT NO. 3

On page 3, in line 2, after “LEASE;” insert “OR”.

AMENDMENT NO. 4

On page 4, strike beginning with “IF” in line 24 down through “SALE.” in line 26; and strike beginning with “You” in line 28 down through “THIS” in line 36 and substitute “MOST RENTERS HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY AFTER IT IS SOLD AT FORECLOSURE. THE FORECLOSURE SALE PURCHASER BECOMES THE NEW LANDLORD.”

MOST RENTERS WITH A LEASE FOR A SPECIFIC PERIOD OF TIME HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY UNTIL THE END OF THE LEASE TERM. MOST MONTH-TO-MONTH RENTERS HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY FOR 90 DAYS AFTER RECEIVING A WRITTEN NOTICE TO VACATE FROM THE NEW OWNER.

YOU SHOULD GET LEGAL ADVICE TO DETERMINE IF YOU HAVE THESE RIGHTS.”.

On page 5, strike in their entirety lines 1 through 11, inclusive.

On page 6, strike beginning with “IF” in line 12 down through “SALE.” in line 14.

On pages 6 and 7, strike in their entirety the lines beginning with line 21 on page 6 through line 4 on page 7, inclusive, and substitute:

“MOST RENTERS HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY AFTER IT IS SOLD AT FORECLOSURE. THE FORECLOSURE SALE PURCHASER BECOMES THE NEW LANDLORD.

MOST RENTERS WITH A LEASE FOR A SPECIFIC PERIOD OF TIME HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY UNTIL THE END OF THE LEASE TERM. MOST MONTH-TO-MONTH RENTERS HAVE THE RIGHT TO CONTINUE RENTING THE PROPERTY FOR 90 DAYS AFTER RECEIVING A WRITTEN NOTICE TO VACATE FROM THE NEW OWNER.

YOU SHOULD GET LEGAL ADVICE TO DETERMINE IF YOU HAVE THESE RIGHTS.”.

AMENDMENT NO. 5

On page 7, in line 10, in each instance, strike the bracket; in line 11, strike “CONSUMER PROTECTION DIVISION, OFFICE OF THE ATTORNEY GENERAL”; in line 12, in each instance, strike the bracket; and in the same line, strike “DIVISION’S”.

AMENDMENT NO. 6

On page 9, strike in their entirety lines 7 through 11, inclusive; strike in their entirety lines 12 through 16, inclusive; and after line 16, 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 foreclosures docketed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2010.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McConkey moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 869 – Delegates V. Clagett, Niemann, Ali, Anderson, Beidle, Bobo, Carr, Frush, Gilchrist, Healey, Huckler, Lafferty, and Sossi

AN ACT concerning

Real Property – Affordable Housing Land Trusts

HB0869/230415/2

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 869

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “exempting a certain affordable housing land trust agreement from the application of the common law rule against perpetuities;”; in line 15, after “agreement;” insert “providing that the affordable housing land trust agreement and a certain affidavit shall be recorded and indexed in the county land records in a certain manner and accepted for recordation by the clerk without the payment of certain taxes; establishing that a certain recordation

terminates a certain right of rescission and provides certain proof that a contract of sale was not rescinded;"; in line 17, after "circumstances;" insert "requiring a certain seller to execute a certain affidavit concerning certain notification to the affordable housing land trust and the trust's failure to exercise a certain right to repurchase; requiring the recordation of the affidavit; establishing that the recordation of the affidavit provides certain proof that the affordable housing land trust failed to exercise a certain right of repurchase;"; in line 19, after "manner" insert "and to include a certain notation"; and after line 23, insert:

"BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(11) and (12)

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 11–102(b)(13)

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 2

On page 2, after line 8, insert:

"Article – Estates and Trusts

11–102.

(b) Subject to §§ 4–409 of this article and 11–103 of this subtitle, the common-law rule against perpetuities as now recognized in the State is preserved, but the rule does not apply to the following:

(11) A nondonative property interest as described in § 11–102.1 of this subtitle; [or]

(12) A trust created under § 14–112 of this article to provide for the care of an animal alive during the lifetime of the settlor; OR

(13) AN AFFORDABLE HOUSING LAND TRUST AGREEMENT EXECUTED UNDER TITLE 14, SUBTITLE 5 OF THE REAL PROPERTY ARTICLE.

On page 4, in line 17, after “THAT” insert a colon; in line 18, strike “PROVIDES” and substitute “**(1) PROVIDES**”; in line 19, strike “AND THAT IS” and substitute “**THROUGH AN AFFORDABLE HOUSING LAND TRUST AGREEMENT; AND**

(2) IS”;

and in lines 20 and 23, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively.

On page 5, after line 18, insert:

(G) “NONPROFIT STATUS” MEANS THE RECOGNITION BY THE INTERNAL REVENUE SERVICE THAT AN AFFORDABLE HOUSING LAND TRUST IS EXEMPT FROM TAXATION UNDER § 501(C)(2), (3), OR (4) OF THE INTERNAL REVENUE CODE.

On page 7, in line 14, strike “**10-205 OF THIS ARTICLE**” and substitute “**14-506 OF THIS SUBTITLE**”; and in line 18, strike “**10-205 OF THIS ARTICLE**” and substitute “**14-507 OF THIS SUBTITLE**”.

AMENDMENT NO. 3

On page 8, in line 14, strike “INVALID” and substitute “**VOIDABLE BY THE PURCHASER**”; in line 18, after “PROPERTY” insert “**BY THE PURCHASER**”; in line 22, strike “RECORDED” and substitute “**;**

(1) RECORDED”;

in line 23, after “LOCATED” insert “**;**

(2) INDEXED IN THE GRANTOR AND GRANTEE INDICES WITH THE SELLER AS GRANTOR AND THE PURCHASER AS GRANTEE; AND

(3) NOTWITHSTANDING THE FACT THAT A COPY OF THE AFFORDABLE HOUSING LAND TRUST AGREEMENT, RATHER THAN THE

ORIGINAL, IS OFFERED FOR RECORD WITH THE AFFIDAVIT, ACCEPTED FOR RECORDING BY THE CLERK WITHOUT PAYMENT OF RECORDATION AND TRANSFER TAXES”;

and in line 24, after “(G)” insert “RECORDATION OF A COPY OF THE AFFORDABLE HOUSING LAND TRUST AGREEMENT AND THE AFFIDAVIT:

(1) TERMINATES THE RIGHT OF RESCISSION; AND

(2) PROVIDES A CONCLUSIVE PRESUMPTION THAT A CONTRACT OF SALE WAS NOT RESCINDED.

(H)”.

AMENDMENT NO. 4

On page 9, strike beginning with “ANY” in line 10 down through “TRANSFER” in line 11 and substitute “THE RIGHT TO SHARE IN THE PROCEEDS OF THE FIRST SALE TO A PURCHASER FOLLOWING THE FAILURE OF THE LAND TRUST TO EXERCISE ITS RIGHT TO REPURCHASE”; strike beginning with “RESTRICTIONS” in line 21 down through “AGREEMENT” in line 22 and substitute “RIGHTS ESTABLISHED IN THE AFFORDABLE HOUSING LAND TRUST AGREEMENT THAT WOULD OTHERWISE HAVE BEEN ENFORCEABLE BY THE AFFORDABLE HOUSING LAND TRUST”; after line 22, insert:

“(3) (I) A SELLER WHO SELLS THE SPECIFIED INTEREST IN THE PROPERTY TO A PURCHASER IN AN ARMS-LENGTH THIRD-PARTY TRANSACTION FOR A FAIR MARKET PRICE AFTER THE AFFORDABLE HOUSING LAND TRUST HAS FAILED TO EXERCISE ITS RIGHT TO REPURCHASE SHALL EXECUTE A SIGNED, NOTARIZED AFFIDAVIT ATTESTING TO THE FACT OF THE SELLER’S NOTIFICATION TO THE AFFORDABLE HOUSING LAND TRUST AND THE AFFORDABLE HOUSING LAND TRUST’S FAILURE TO EXERCISE ITS RIGHT TO REPURCHASE.

(II) THE AFFIDAVIT SHALL BE RECORDED WITH THE DEED TRANSFERRING THE SPECIFIED INTEREST IN THE PROPERTY TO THE PURCHASER IN ACCORDANCE WITH § 14-505(F) OF THIS SUBTITLE.

(III) RECORDATION OF THE AFFIDAVIT UNDER THIS PARAGRAPH PROVIDES A CONCLUSIVE PRESUMPTION OF THE FACT THAT THE AFFORDABLE HOUSING LAND TRUST FAILED TO EXERCISE ITS RIGHT TO REPURCHASE.”;

and strike beginning with “TO” in line 30 down through “OBTAINED” in line 31 and substitute “UNDER TITLE 14, CHAPTER 300 OF THE MARYLAND RULES”.

On page 10, in line 23, before “IN” insert “(A)”; and after line 26, insert:

“(B) THE ASSESSMENT SHALL NOTE THAT THE SALE WAS NOT AN ARMS-LENGTH TRANSFER ON THE PROPERTY TAX RECORD.”.

AMENDMENT NO. 5

On page 9, in line 4, strike “60” and substitute “120”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #10

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 73 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Quality Revolving Loan Fund – Use of Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

**House Bill 98 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Tidal Fish Licenses – Transfer and
Suspension**

HB0098/160819/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 98
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “suspension” insert “or revocation”.

AMENDMENT NO. 2

On page 3, in line 22, after “A” insert “SERIOUS”; and in line 23, strike “ANY” and substitute “A”.

On page 4, in line 10, after “A” insert “SERIOUS”; and in the same line, strike “ANY” and substitute “A”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

**House Bill 606 – Delegates Love, Beidle, Costa, George, King, Kipke,
McConkey, Schuh, and Sophocleus**

AN ACT concerning

Natural Resources – Local Forest Conservation Funds – Use of Money

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 686 – Delegates Wood, Bohanan, and O’Donnell

AN ACT concerning

St. Mary’s County – Wild Waterfowl Hunting

HB0686/870310/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 686

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, in each instance, strike the bracket; and strike beginning with “**EXCEPT**” in line 16 down through “**A**” in line 17.

On page 2, strike in their entirety lines 7 through 10, inclusive.

AMENDMENT NO. 2

On page 2, in line 12, in each instance, strike the bracket; strike beginning with “**EXCEPT**” in line 12 down through “**A**” in line 13; and strike in their entirety lines 27 through 30, inclusive.

AMENDMENT NO. 3

On page 2, in line 32, in each instance, strike the bracket; and strike beginning with “**EXCEPT**” in line 32 down through “**A**” in line 33.

On page 3, strike in their entirety lines 13 through 16, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 943 – Delegates McIntosh, Beidle, Bobo, Bronrott, Cane, Carr, DeBoy, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kaiser, Kullen, Lafferty, McHale, Montgomery, Morhaim, Niemann, Olszewski, Ramirez, Reznik, Riley, and Weir

AN ACT concerning

Chesapeake Conservation Corps

HB0943/900518/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 943

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 4, 13, 18, and 21, in each instance, after “Corps” insert “Program”; strike beginning with “as” in line 3 down through “corporate” in line 4; in line 4, after “a” insert “Corps”; strike beginning with the second “of” in line 4 down through “Corps” in line 5; in line 5, after “duties,” insert “staff”; in the same line, after “terms;” insert “providing for the purpose of the Corps Board; requiring the Chesapeake Bay Trust to make certain grants to certain qualified organizations for the creation or expansion of certain programs; requiring the Trust to develop certain guidelines for evaluating applications from certain qualifying organizations; requiring certain grant agreements to meet certain requirements; requiring the Trust to provide certain technical assistance to qualifying organizations under certain circumstances;”; strike beginning with “providing” in line 6 down through “Corps;” in line 10; in line 10, after “Corps” insert “Program”; in line 11, strike “requiring the Corps to develop and implement” and substitute “establishing certain requirements for”; in line 13, strike “encouraging and”; in lines 14 and 17, in each instance, after “Corps” insert “Board”; in line 17, after “matters;” insert “requiring the Trust, in consultation with the Corps Board, to develop certain plans and provide certain drafts of certain plans to certain committees for a certain purpose;”; in line 20, after the second “the” insert “Corps”; and strike beginning with “providing” in line 15 down through “audit;” in line 16.

On page 2, in line 3, after “3–302(a)” insert “, (c), and (e)”; in line 8, strike “3–302(c)(1)(v)” and substitute “3–302(d)”; in line 13, strike “3–302(f);”; in line 14, strike “Related Units” and substitute “Programs”; in line 15, strike “8–1931” and substitute “8–1924”; and in line 16, after “Corps” insert “Program”.

AMENDMENT NO. 2

On page 3, in line 8, after “(1)” insert “(i) The Secretary shall administer the Fund.”

(ii) The Fund is subject to the provisions for financial management and budgeting established by the Department of Budget and Management.

(iii) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(iv) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.”;

strike beginning with the colon in line 9 down through the first bracket in line 10; in line 10, strike “] CARRY”; strike beginning with the semicolon in line 11 down through “ARTICLE” in line 14; after line 14, insert:

“(vi) For the purposes of this subtitle, the Secretary, in consultation with the Director of the Maryland Energy Administration, may execute appropriate contracts with any State or federal agency, research organization, industry, or academic institution to conduct the necessary research, construct or acquire, or both, real property including physical predictive models, laboratories, buildings, land, and appurtenances, or support the technological development of extraordinary systems related to power plants designed to minimize environmental impact.”

(vii) The Secretary may utilize available expertise in any other State unit in the development, execution, and management of contracts and agreements on projects relating to their areas of prime responsibility.

(2) Moneys in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.

(d) (1) The Maryland Energy Administration shall receive administrative and fiscal support from the Fund for studies relating to the conservation or production of electric energy.

(2) Fiscal support to the Maryland Energy Administration from the Fund may not exceed \$250,000 in any fiscal year.

(3) IN EACH OF FISCAL YEARS 2011 THROUGH 2015, THE CHESAPEAKE BAY TRUST SHALL RECEIVE \$250,000 FROM THE FUND FOR THE PURPOSE OF FUNDING ENERGY CONSERVATION PROJECTS THROUGH THE CHESAPEAKE CONSERVATION CORPS PROGRAM, AS PROVIDED UNDER §§ 8-1913 THROUGH 8-1924 OF THIS ARTICLE.

(e) The Legislative Auditor shall conduct post audits of a fiscal and compliance nature of the Fund and of the appropriations and expenditures made for the purposes of this subtitle. The cost of the fiscal portion of the post audit examinations shall be an operating cost of the Fund.”;

and strike in their entirety lines 15 through 20, inclusive.

AMENDMENT NO. 3

On page 3, in line 21, strike “**RELATED UNITS**” and substitute “**PROGRAMS**”.

On page 4, in line 13, after “**CORPS**” insert “**PROGRAM**”; in line 17, before the first “**BOARD**” insert “**CORPS**”; in the same line, after the first “**THE**” insert “**ADVISORY**”; in the same line, strike “**OF DIRECTORS**”; in lines 17 and 18, in each instance, after “**CORPS**” insert “**PROGRAM**”; in line 19, strike “**SUBTITLE**” and substitute “**PART**”; and strike beginning with “**EXECUTIVE**” in line 20 down through “**CORPS**” in line 21 and substitute “**ENERGY CONSERVATION PROJECT**” **MEANS A PROJECT TO PROMOTE ENERGY CONSERVATION OR EFFICIENCY, INCLUDING A PROJECT TO:**

(1) IMPROVE ENERGY EFFICIENCY OF HOUSEHOLDS AND PUBLIC STRUCTURES THROUGH ENERGY AUDITS, WEATHERIZATION, AND OTHER ON-SITE ENERGY CONSERVATION MEASURES;

(2) IMPLEMENT CLEAN ENERGY PROJECTS IN COMMUNITIES TO ENHANCE THE USE OF RENEWABLE ENERGY, REDUCE CARBON EMISSIONS, AND MITIGATE CLIMATE CHANGE;

(3) IMPLEMENT COMMUNITY GREENING AND URBAN TREE CANOPY PROJECTS THAT CREATE ENERGY SAVINGS; AND

(4) ASSIST SCHOOLS IN BECOMING “GREEN SCHOOLS” AND REDUCING ENERGY COSTS.

(E) “ENVIRONMENTAL PROJECT” MEANS A PROJECT THAT RESULTS IN LONG-TERM PRESERVATION, PROTECTION, AND CONSERVATION OF THE ENVIRONMENT, IN AREAS INCLUDING ENVIRONMENTAL RESTORATION, AGRICULTURAL AND FORESTRY, INFRASTRUCTURE, ENERGY CONSERVATION, AND EDUCATIONAL IMPROVEMENTS.

(F) “QUALIFIED ORGANIZATION” MEANS:

(1) A NONPROFIT ORGANIZATION;

(2) A SCHOOL;

(3) A COMMUNITY ASSOCIATION;

(4) A SERVICE, YOUTH, OR CIVIC GROUP;

(5) AN INSTITUTION OF HIGHER EDUCATION;

(6) A COUNTY OR MUNICIPALITY; OR

(7) A UNIT OF STATE GOVERNMENT.

(G) “TRUST” MEANS THE CHESAPEAKE BAY TRUST”.

AMENDMENT NO. 4

On page 4, in line 23, after “CORPS” insert “**PROGRAM ADMINISTERED BY THE TRUST, IN CONSULTATION WITH THE CORPS BOARD**”.

On pages 4 and 5, strike beginning with “(1)” in line 24 on page 4 down through “(D)” in line 3 on page 5.

On page 5, in line 3, strike “PURPOSES” and substitute “PURPOSE”; in the same line, after “CORPS” insert “PROGRAM”; in the same line, strike “ARE” and substitute “IS”; strike beginning with “A” in line 28 down through “(B)” in line 30; in line 30, after “(1)” insert “THE PURPOSE OF THE CORPS BOARD IS TO ADVISE THE TRUST IN THE DEVELOPMENT AND IMPLEMENTATION OF THE CORPS PROGRAM.”

(2);

in line 30, after “THE” insert “CORPS”; and in line 31, strike “TWO MEMBERS” and substitute “ONE MEMBER”.

On page 6, in line 1, strike “TWO MEMBERS” and substitute “ONE MEMBER”; in line 5, after the first “THE” insert “CORPS”; in line 6, strike the second “AND”; after line 6, insert:

“(IV) THREE MEMBERS OF THE BOARD OF TRUSTEES OF THE CHESAPEAKE BAY TRUST, APPOINTED BY THE CHAIR OF THE BOARD; AND”;

in line 7, strike “(IV) SIX” and substitute “(V) FIVE”; in line 10, after “SERVICE” insert “AND ONE WITH A BACKGROUND IN WORKFORCE DEVELOPMENT”; in line 11, strike “(2)” and substitute “(3)”; in line 12, after the first “THE” insert “CORPS”; in lines 16, 17, 21, and 27, respectively, strike “(C)”, “(D)”, “(E)”, and “(F)” and substitute “(B)”, “(C)”, “(D)”, and “(E)”, respectively; in lines 16 and 17, in each instance, after the first “THE” insert “CORPS”; and in lines 21 and 22, in each instance, after “THE” insert “CORPS”.

On page 7, in lines 6 and 9, strike “(G)” and “(H)”, respectively, and substitute “(F)” and “(G)”, respectively; in lines 9 and 11, in each instance, after “THE” insert “CORPS”; in line 14, before “FROM” insert “(A)”; in the same line, after “THE” insert “CORPS”; in the same line, strike the second comma and substitute “AND”; in line 15, strike “, AND A TREASURER”; and after line 15, insert:

“(B) THE TRUST SHALL PROVIDE STAFF SUPPORT FOR THE CORPS BOARD.”

On pages 7 through 10, strike in their entirety the lines beginning with line 16 on page 7 through line 27 on page 10, inclusive.

AMENDMENT NO. 5

On page 10, in line 28, strike “~~8-1923.~~” and substitute “8-1917.”.

On pages 10 and 11, strike in their entirety the lines beginning with line 29 on page 10 through line 13 on page 11, inclusive, and substitute:

“(A) (1) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL MAKE GRANTS TO QUALIFIED ORGANIZATIONS FOR THE CREATION OR EXPANSION OF FULL- AND PART-TIME CHESAPEAKE CONSERVATION CORPS PROGRAMS, THAT INVOLVE CITIZENS OF ALL AGES THROUGHOUT THE STATE, TO CARRY OUT THIS PART.

(2) CORPS PROGRAMS SHALL ENGAGE AND DEVELOP VOLUNTEERS AND STIPEND VOLUNTEERS IN ENVIRONMENTAL AND ENERGY CONSERVATION PROJECTS.

(3) ELIGIBLE CORPS PROGRAM EXPENSES INCLUDE PERSONNEL COSTS, STIPENDS, SUPPLIES, AND OTHER MATERIALS FOR PROJECTS UNDERTAKEN BY CORPS PROGRAM VOLUNTEERS.

(B) THE TRUST, IN CONSULTATION WITH THE CORPS BOARD, SHALL DEVELOP GUIDELINES FOR EVALUATING APPLICATIONS FROM QUALIFIED ORGANIZATIONS.

(C) THE GUIDELINES DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL:

(1) CONSIDER THE CAPABILITY OF THE QUALIFIED ORGANIZATION TO CARRY OUT CORPS PROGRAMS OR PROJECTS;

(2) ENCOURAGE AND CONSIDER MULTIYEAR, MULTIPARTNER PROPOSALS, LOCAL MATCH, COST-SHARING AGREEMENTS, AND IN-KIND MATCH AS FACTORS IN EVALUATING CORPS PROGRAM GRANT APPLICATIONS; AND

(3) REQUIRE GRANT APPLICATIONS TO DESCRIBE HOW THE QUALIFYING ORGANIZATION INTENDS TO:

(I) ASSESS THE SKILLS OF CORPS PROGRAM VOLUNTEERS;

(II) PROVIDE LIFE SKILLS AND WORK SKILLS TRAINING;

(III) PROVIDE TRAINING AND EDUCATION, IN ADDITION TO THE TRAINING PROVIDED AS A PART OF THE MAIN CORPS PROGRAM;

(IV) DEVELOP, WHERE RELEVANT, AGREEMENTS FOR ACADEMIC STUDY WITH:

1. LOCAL EDUCATION AGENCIES;

2. COMMUNITY COLLEGES;

3. 4-YEAR COLLEGES;

4. AREA CHARTER HIGH SCHOOLS AND VOCATIONAL-TECHNICAL SCHOOLS; AND

5. COMMUNITY-BASED ORGANIZATIONS;

(V) PROVIDE CAREER AND EDUCATIONAL GUIDANCE;

(VI) RECRUIT PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS; AND

(VII) RECRUIT RETIRED AND SEMI-RETIRED SENIORS AND OTHER QUALIFIED INDIVIDUALS WITH RELEVANT EXPERIENCE TO TRAIN CORPS PROGRAM VOLUNTEERS AND PARTICIPATE IN CORPS PROJECTS BY VOLUNTEERING THEIR EXPERIENCE AND SKILLS.

(D) A GRANT AGREEMENT REGARDING FUNDS FROM THE TRUST SHALL:

(1) SPECIFY THE ALLOWED USE OF THE FUNDS PROVIDED UNDER THE GRANT, INCLUDING ACCOUNTABILITY MEASURES AND PERFORMANCE REQUIREMENTS;

(2) TAKE INTO ACCOUNT THE NEED FOR EFFICIENT MULTIYEAR FUNDING AND ADMINISTRATION OF THE FUNDS; AND

(3) INCLUDE PROVISIONS FOR VERIFICATION THAT CORPS PROGRAMS AND PROJECTS ARE BEING IMPLEMENTED AS PLANNED.

AMENDMENT NO. 6

On page 11, in line 14, strike “**8-1924.**” and substitute “**8-1918.**”; strike in their entirety lines 15 through 19, inclusive, and substitute:

“(A) (1) FOR STIPEND VOLUNTEER PROGRAMS, THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS FOR A MINIMUM 6-MONTH COMMITMENT WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 18 YEARS OF AGE AND NOT MORE THAN 25 YEARS OF AGE.

(2) FOR SUMMER VOLUNTEER PROGRAMS, INCLUDING SUMMER STIPEND PROGRAMS, THE TRUST AND QUALIFIED ORGANIZATIONS SHALL PRINCIPALLY RECRUIT INDIVIDUALS WHO, AT THE TIME OF ENROLLMENT, ARE AT LEAST 15 YEARS OF AGE AND NOT MORE THAN 18 YEARS OF AGE.

(B) QUALIFIED ORGANIZATIONS MAY NOT UNDERTAKE A PROJECT IF THE PROJECT WOULD REPLACE REGULAR WORKERS OR DUPLICATE OR REPLACE AN EXISTING SERVICE IN THE SAME LOCALITY.”;

in line 20, strike “**(2)**” and substitute “**(C)**”; in lines 21 and 23, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; in line 23, strike “**SHALL**” and substitute “**MAY**”; in line 24, strike “**EXECUTIVE DIRECTOR**” and substitute “**TRUST**”; in line 26, strike “**(C)**” and substitute “**(D)**”; and in the same line, strike “**MEMBER OF THE CORPS**” and substitute “**STIPEND VOLUNTEER**”.

On page 12, strike in their entirety lines 1 through 21, inclusive, and substitute:

“(3) A VOLUNTEER OR STIPEND VOLUNTEER MAY NOT PARTICIPATE IN ANY REGULATORY OR STATUTORY ENFORCEMENT ACTIVITIES WHILE ENGAGED IN THE PERFORMANCE OF DUTIES AS A MEMBER OF THE CORPS PROGRAM.”

8-1919.

(A) THE TRUST SHALL PROVIDE TECHNICAL ASSISTANCE TO QUALIFIED ORGANIZATIONS THAT REQUEST ASSISTANCE.

(B) THE TRUST SHALL CONVENE CHESAPEAKE CONSERVATION CORPS PROGRAM PARTICIPANTS ON A REGULAR BASIS IN ORDER TO:

(1) PROMOTE TEAM BUILDING AMONG THE PARTICIPANTS;

(2) DEVELOP AN UNDERSTANDING OF THE OVERALL CORPS PROGRAM PURPOSE;

(3) SHARE INFORMATION ABOUT BEST PRACTICES;

(4) RECOGNIZE EXCELLENCE; AND

(5) PROVIDE TRAINING AND OTHER LEARNING OPPORTUNITIES.

(C) IN PROVIDING TRAINING AND TECHNICAL ASSISTANCE, THE TRUST MAY CONTRACT WITH AN ORGANIZATION WITH A PROVEN TRACK RECORD OF DEVELOPING AND SUSTAINING CORPS PROGRAMS, WORKING WITH THE CONSERVATION CORPS MODEL, AND ENGAGING YOUNG PEOPLE FROM DISADVANTAGED BACKGROUNDS.”

AMENDMENT NO. 7

On page 12, in line 22, strike “8-1925.” and substitute “8-1920.”; in line 23, strike “SHALL UNDERTAKE” and substitute “PROGRAM’S”; in the same line, strike “THAT” and substitute “SHALL”; in line 26, after “ENVIRONMENTAL” insert “RESTORATION”; and in line 29, after “ENVIRONMENTAL” insert “RESTORATION”.

On page 13, in line 2, after “CORPS” insert “PROGRAM”; strike beginning with “AND” in line 9 down through “FUELS” in line 10; in line 13, after “HABITATS” insert “AND WATERSHED RESTORATION, STREAM RESTORATION, RAIN GARDENS, AND OTHER LOW-IMPACT DEVELOPMENT PROJECTS”; after line 24, insert:

“(F) ENERGY CONSERVATION PROJECTS MAY INCLUDE THE PROJECTS DEFINED IN § 8-1913(D) OF THIS PART.”;

in line 25, strike “8-1926.” and substitute “8-1921.”; and strike in their entirety lines 26 through 31, inclusive, and substitute:

“(A) FOR FISCAL YEARS 2011 THROUGH 2015, THE CORPS PROGRAM SHALL BE FUNDED WITH:

(1) THE AMOUNT SPECIFIED IN § 3-302(D) OF THIS ARTICLE; AND

(2) UP TO \$250,000 IN ADDITIONAL FUNDS THAT MAY BE ALLOCATED BY THE TRUST THROUGH ITS ANNUAL BUDGET PROCESS.

(B) THE TRUST AND THE CORPS BOARD SHALL SEEK FEDERAL FUNDS AND GRANTS AND DONATIONS FROM PRIVATE SOURCES TO BE MADE TO THE TRUST FOR THE PURPOSE OF LONG-TERM FUNDING OF THE CORPS PROGRAM.”.

On page 14, in line 1, strike “8-1927.” and substitute “8-1922.”; in line 3, after “THE” insert “TRUST TO CARRY OUT”; in the same line, after “CORPS” insert “PROGRAM WORK”; in line 4, strike “CORPS” and substitute “TRUST”; in the same line, after “ITS” insert “CORPS PROGRAM WORK,”; in line 5, after “DEVELOPMENT” insert a comma; in line 6, strike “CORPS” and substitute “TRUST FOR THE PURPOSE OF CARRYING OUT OR ASSISTING WITH CORPS PROGRAMS”; in line 7, strike “8-1928.” and substitute “8-1923.”; in line 8, after “PROGRAMS” insert “AND SEEKING FEDERAL AND STATE GRANTS”; in the same line, after “THE” insert “TRUST AND THE”; strike beginning with “IS” in line 8 down through “SOURCES” in line 10 and substitute “BOARD SHALL:

(1) COORDINATE ALL EFFORTS WITH THE MARYLAND CONSERVATION CORPS ESTABLISHED IN TITLE 5, SUBTITLE 2 OF THIS ARTICLE TO ENGAGE YOUNG ADULTS IN CONSERVATION SERVICE PROJECTS;

(2) COORDINATE ALL EFFORTS WITH THE CIVIC JUSTICE CORPS, AN ADJUNCT PROGRAM OF THE MARYLAND CONSERVATION CORPS, TO ENGAGE YOUTH IN CONSERVATION SERVICE PROJECTS; AND

(3) SEEK ASSISTANCE AND ADVICE FROM RELEVANT PUBLIC AND PRIVATE SOURCES”;

in lines 12 and 15, in each instance, after “THE” insert “TRUST AND THE”; in the same lines, in each instance, after “CORPS” insert “BOARD”; in line 16, strike “THE” and substitute “;

(I) THE”;

in line 18, after “ARTICLE” insert “;

(II) THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT AND OTHER APPROPRIATE UNITS OF STATE GOVERNMENT AND PRIVATE SECTOR ENTITIES TO DEVELOP OPPORTUNITIES FOR STUDENT PARTICIPATION IN PRIVATE SECTOR ACTIVITIES, SUCH AS INTERNSHIP AND EXTERNSHIP PROGRAMS; AND

(III) THE UNIVERSITY SYSTEM OF MARYLAND AND OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE TO DEVELOP OPPORTUNITIES FOR COURSE CREDIT ARRANGEMENTS THROUGH WHICH STUDENTS MAY EARN COURSE CREDITS FOR PARTICIPATION IN CORPS PROGRAMS AS AN ALTERNATIVE TO OR IN ADDITION TO PAYMENT OF A STIPEND IN A STIPEND VOLUNTEER OR OTHER VOLUNTEER CORPS PROGRAM”;

strike in their entirety lines 19 through 25, inclusive; and in line 26, strike “8-1931.” and substitute “8-1924.”.

On page 15, in line 1, after “THE” insert “TRUST, IN CONSULTATION WITH THE”; and in lines 1, 5, and 6, in each instance, after “CORPS” insert “BOARD”.

AMENDMENT NO. 8

On page 15, in line 9, after the second “the” insert “Advisory”; in the same line, strike “of Directors”; in line 10, after “Corps” insert “Program”; in line 12, after “Governor” insert “and two members appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust”; in line 15, strike “two members” and substitute “one member”; in the same line, after “Governor” insert “and one member appointed by the Chair of the Board of Trustees of the Chesapeake Bay Trust”; in line 17, after the second “the” insert “Advisory”; in the same line, strike “of Directors”; and in line 18, after “Corps” insert “Program”.

AMENDMENT NO. 9

On page 15, after line 19, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Chesapeake Bay Trust, in consultation with the Advisory Board of the Chesapeake Conservation Corps Program, shall:

(a) develop a plan for the recruitment of volunteers to participate in the Chesapeake Conservation Corps Program that incorporates direct volunteer recruitment with focus on young individuals from disadvantaged backgrounds, as well as recruitment through qualified organizations;

(b) develop a plan to centrally administer volunteer stipend payments;

(c) develop a plan that establishes mechanisms that are intended to assist in team building among volunteer participants and increase the understanding and sense of commitment to the overall Chesapeake Conservation Corps Program by volunteer participants, including measures that uniformly identify Chesapeake Conservation Corps Program volunteer participants to the public while a project is carried out; and

(d) provide a draft of the plans required under the section to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee for review and comment at least 30 days prior to the adoption and implementation of the plans by the Chesapeake Bay Trust.”;

and in line 20, strike “4.” and substitute “5.”.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Walkup moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

THE COMMITTEE ON JUDICIARY REPORT #8

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 534 – Delegates Waldstreicher, Anderson, Barnes, Benson, Carr, Carter, Dumais, Frick, Gilchrist, Gutierrez, Hecht, Huckler, Ivey, Kramer, Lee, Levi, Manno, Mizeur, Pena–Melnyk, Pendergrass, Ramirez, Rosenberg, Ross, Schuler, Simmons, Smigiel, F. Turner, V. Turner, and Valderrama

AN ACT concerning

Domestic Violence – Protective Order – Extension

HB0534/372710/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 534

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3, 4, and 6, in each instance, strike “court” and substitute “judge”.

AMENDMENT NO. 2

On page 3, strike beginning with “**IF**” in line 10 down through “**ORDER**” in line 13 and substitute “**IF, DURING THE TERM OF A PROTECTIVE ORDER, A JUDGE FINDS BY CLEAR AND CONVINCING EVIDENCE THAT THE RESPONDENT NAMED IN THE PROTECTIVE ORDER HAS COMMITTED A SUBSEQUENT ACT OF ABUSE AGAINST A PERSON ELIGIBLE FOR RELIEF NAMED IN THE PROTECTIVE ORDER**”;

in line 14, strike “5” and substitute “2”; strike beginning with “BEYOND” in line 14 down through “SUBTITLE” in line 15 and substitute “FROM THE DATE THE EXTENSION IS GRANTED”; and in line 26, after “RELIEF” insert “NAMED IN THE PROTECTIVE ORDER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 698 – Delegates Kelly, Vallario, Kramer, Simmons, and Smigiel

AN ACT concerning

District Court – Mailings – Notice of Dismissal, Nolle Prosequi, or Stet

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 778 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Hecht, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Crimes – Unauthorized Computer Access for Sabotage of State Government or Public Utilities

HB0778/252910/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 778

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “government” insert “, a service, device, or system related to the production, transmission, delivery, or storage of electricity or natural gas in the State that is owned, operated, or controlled by a person other than a public service company.”.

AMENDMENT NO. 2

On page 4, in line 6, strike “OR”; after line 6, insert:

“(II) A SERVICE, DEVICE, OR SYSTEM RELATED TO THE PRODUCTION, TRANSMISSION, DELIVERY, OR STORAGE OF ELECTRICITY OR NATURAL GAS IN THE STATE THAT IS OWNED, OPERATED, OR CONTROLLED BY A PERSON OTHER THAN A PUBLIC SERVICE COMPANY, AS DEFINED IN § 1-101 OF THE PUBLIC UTILITY COMPANIES ARTICLE; OR”;

and in line 7, strike “(II)” and substitute “(III)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 779 – Delegates Lee, Boteler, Cane, Glenn, Heller, Howard, Kach, Kaiser, Kipke, Montgomery, Pendergrass, and Shewell

AN ACT concerning

Police Training Commission – Additional Minimum Training Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 785 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud – Uniform Reporting Form

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 905 – Delegates Valderrama, Anderson, Carter, Dumais, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

**Criminal Law – Prohibitions on Wearing, Carrying, or Transporting
Firearms – Exceptions**

HB0905/692112/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 905

(First Reading File Bill)

On page 1, in line 27, strike the first “the” and substitute “a”; and in lines 27, 28, and 29, in each instance, strike “person” and substitute “respondent”.

On page 2, in line 1, strike the first “the” and substitute “a”; and in lines 2, 3, and 4, in each instance, strike “person” and substitute “respondent”.

On page 6, in lines 19, 20, and 23, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; and in line 23, strike “**PERSON**” and substitute “**RESPONDENT**”.

On page 7, in lines 2 and 8, in each instance, strike “**PERSON**” and substitute “**RESPONDENT**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1145 – Delegates Mathias, Cane, Conway, Elmore, and Rudolph

AN ACT concerning

Criminal Law – Salvinorin A and Salvia Divinorum – Distribution to and Possession by Individual Under 21 Years of Age

HB1145/932617/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1145

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Rudolph” and substitute “Rudolph, Haddaway, and Eckardt”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 1156 – Delegates Dwyer, Anderson, Barnes, Beidle, Boteler, Bronrott, Carter, Conaway, Costa, Dumais, Eckardt, Frank, Heller, Hubbard, Jennings, Kach, Kelly, Kipke, Kramer, Krebs, Levi, McComas, McConkey, Olszewski, Pena–Melnyk, Riley, Robinson, Rosenberg, Schuh, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Valderrama, Vallario, Waldstreicher, and Wood

AN ACT concerning

Victims’ Rights – Fatal Vehicular Accident – Suspension of License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 1218 – Delegates Ramirez, Ali, Barnes, Kaiser, Levy, Robinson, and Valderrama

AN ACT concerning

Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1402 – Delegates Conway, G. Clagett, DeBoy, Bates, Eckardt, Elmore, Haddaway, Mathias, Proctor, Sophocleus, and Wood

AN ACT concerning

Public Safety – Preemployment Polygraph Examinations for Correctional Officer Applicants

HB1402/812116/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1402

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “requiring” and substitute “authorizing the Division of Correction to require”; in line 5, strike “the individual may be” and substitute “being”; and in line 7, strike “required” and substitute “authorized”.

AMENDMENT NO. 2

On page 3, in line 6, strike “**BEFORE AN INDIVIDUAL MAY BE**” and substitute “**THE DIVISION MAY REQUIRE AN INDIVIDUAL TO PASS A POLYGRAPH EXAMINATION BEFORE BEING**”; strike beginning with the comma in line 7 down through “**EXAMINATION**” in line 8; and in line 11, strike “**REQUIRED**” and substitute “**AUTHORIZED**”.

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 JUDICIARY REPORT #9

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1297 – Delegates Valderrama and Vallario

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Delegation of Contested Claims to Office of Administrative Hearings

HB1297/322417/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1297

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 8 down through “employee;” in line 12; strike beginning with “requiring” in line 13 down through “circumstances;” in line 19; in line 20, strike “a certain decision” and substitute “certain decisions; authorizing a certain claimant to request a certain de novo final decision by the Office of Administrative Hearings under certain circumstances; requiring the Secretary of Public Safety and Correctional Services, within a certain time period, to delegate a certain case to the Office of Administrative Hearings for a certain de novo determination under certain circumstances; requiring the Office of Administrative Hearings, at a certain time, to promptly schedule a certain matter for proceedings and hold a hearing in a certain county at the election of a certain claimant”; strike beginning with “authorizing” in line 22 down through “purpose;” in line 23; in line 28, after “11–805” insert “(a)(2)”; in the same line, after “11–814” insert “(b)(1) and (e)”; and after line 30, insert:

“BY adding to

Article – Criminal Procedure

Section 11-814.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 4 through 6, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 11 on page 3 through line 5 on page 4, inclusive.

On page 4, strike in their entirety lines 7 and 8.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 16 on page 4 through line 5 on page 5, inclusive.

On page 5, in line 8, strike "OR OFFICE OF ADMINISTRATIVE HEARINGS"; after line 8, insert:

"11-814.1.

(A) IF A CLAIMANT CONTESTS THE FINDINGS OF FACT OR CONCLUSIONS OF LAW IN A FINAL DECISION OF THE SECRETARY, WITHIN 30 DAYS AFTER THE FINAL DECISION OF THE SECRETARY, THE CLAIMANT MAY REQUEST A DE NOVO FINAL DECISION BY THE OFFICE OF ADMINISTRATIVE HEARINGS.

(B) WITHIN 5 DAYS OF A REQUEST BY THE CLAIMANT UNDER SUBSECTION (A) OF THIS SECTION, THE SECRETARY, IN ACCORDANCE WITH § 10-205 OF THE STATE GOVERNMENT ARTICLE, SHALL DELEGATE THE CASE TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR A DE NOVO DETERMINATION OF FINAL FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING ALL MATTERS RELATED TO THE CLAIM CONTESTED BY THE CLAIMANT.

(C) AFTER THE SECRETARY DELEGATES A CASE TO THE OFFICE OF ADMINISTRATIVE HEARINGS, THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL:

(1) PROMPTLY SCHEDULE THE MATTER FOR PROCEEDINGS; AND

(2) HOLD A HEARING IN THE COUNTY WHERE THE CRIME OR DELINQUENT ACT OCCURRED, WHERE THE CLAIMANT RESIDES, OR WHERE THE CLAIMANT IS REGULARLY EMPLOYED, AT THE ELECTION OF THE CLAIMANT.

(D) THE OFFICE OF ADMINISTRATIVE HEARINGS SHALL GIVE THE CLAIMANT AND ANY ATTORNEY OF RECORD FOR THE CLAIMANT A COPY OF THE FINAL DECISION OF THE OFFICE OF ADMINISTRATIVE HEARINGS.”;

strike in their entirety lines 13 through 18, inclusive; and in lines 19 and 21, strike “3.” and “4.”, respectively, and substitute “2.” and “3.”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary and Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1335 – Delegates Ramirez, Anderson, Kullen, Pendergrass, Simmons, Smigiel, Valderrama, and Vallario

AN ACT concerning

Mental Health – Local Correctional Facilities – Incarcerated Individuals with Mental Illness

HB1335/682412/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1335

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 10 through 14, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 9-612
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 22 on page 2, inclusive, and substitute:

"9-612.

(a) The Department OR THE MANAGING OFFICIAL OF A LOCAL CORRECTIONAL FACILITY shall provide an inmate who has been sentenced to a term of incarceration in the Division of Correction OR A TERM OF AT LEAST 60 DAYS IN A LOCAL CORRECTIONAL FACILITY and who has been diagnosed with a mental illness with access to a 30-day supply of medication for the mental illness on the release of the inmate.

(B) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO PRETRIAL INMATES.

[(b)] (C) Part of the 30-day supply of medication provided under subsection (a) of this section may be provided by prescription if the inmate is provided sufficient medication on release that enables the inmate to remain medication-compliant until additional medication becomes available from filling the prescription.

[(c)] (D) This section shall apply only if a treating physician determines that:

(1) the released inmate's possession of medication in the quantity prescribed is in the best interest of the inmate; and

(2) possession of the prescribed medication will not constitute a danger to the released inmate.

[(d)] (E) The Department, an employee of the Department, A LOCAL CORRECTIONAL FACILITY, AN EMPLOYEE OF A LOCAL CORRECTIONAL FACILITY, or an agent of the Department OR LOCAL CORRECTIONAL FACILITY, including a physician or corporate entity providing medical services to inmates on behalf of the

Department OR LOCAL CORRECTIONAL FACILITY, may not be held liable under this section for issuing medication or a prescription for medication to an inmate on the inmate's release notwithstanding that the released inmate:

(1) is no longer under the care or supervision of the prescribing physician; and

(2) may be without medical supervision for the period during which the medication has been administered.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1335/176689/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1335

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Vallario” and substitute “Vallario, Hammen, Benson, Costa, Kipke, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Reznik, Riley, Tarrant, and V. Turner”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #5

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 304 – Delegates Jones, Conway, Hixson, Holmes, McIntosh, O'Donnell, Ross, and Schuh

EMERGENCY BILL

AN ACT concerning

Education – Maintenance of Effort Requirement – Process and Factors**HB0304/105062/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 304

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “altering” insert “provisions of law relating to a waiver from the maintenance of effort requirement for funding public education; altering provisions specifying to whom and”; in line 4, strike “to the State Board of Education”; in line 6, strike “Board of Education” and substitute “Superintendent of Schools”; in line 8, strike “Board of Education” and substitute “Superintendent”; and in line 9, after “denied,” insert “authorizing a county to appeal a decision by the State Superintendent regarding a waiver from the maintenance of effort requirement to the State Board of Education; requiring a county to file an appeal to the State Board within a certain period; requiring the State Board to conduct a hearing on the appeal, consider certain factors, and render a decision by a certain date; providing that the decision of the State Board is final; making the imposition of a penalty for a county’s noncompliance with certain maintenance of effort provisions applicable in a certain fiscal year;”; and in line 14, after “5–202(d)” insert “and 5–213”.

AMENDMENT NO. 2

On page 3, in lines 4 and 10, in each instance, strike “State Board of Education” and substitute “**STATE SUPERINTENDENT**”; in line 12, strike “**MAY 1**” and substitute “**APRIL 20**”; in lines 13 and 19, in each instance, strike “**BOARD OF EDUCATION**” and substitute “**SUPERINTENDENT**”; in line 15, strike “**ITS**” and substitute “**THE**”; and in the same line, after “**REGULATIONS**” insert “**OF THE DEPARTMENT**”.

AMENDMENT NO. 3

On page 4, in lines 4 and 8, in each instance, strike “State Board of Education” and substitute “**STATE SUPERINTENDENT**”; in line 4, after “county” insert “**IN WRITING**”; in line 6, strike “**45**” and substitute “**30**”; in line 7, strike “**JUNE 1**” and substitute “**MAY 20**”; and after line 13, insert:

“(VII) 1. IF THE STATE SUPERINTENDENT DENIES A COUNTY A WAIVER FOR A FISCAL YEAR IN WHOLE OR IN PART UNDER

SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE COUNTY MAY APPEAL THE DECISION OF THE STATE SUPERINTENDENT TO THE STATE BOARD.

2. THE APPEAL TO THE STATE BOARD SHALL BE IN WRITING AND FILED NO LATER THAN 5 DAYS AFTER THE COUNTY RECEIVES THE DECISION OF THE STATE SUPERINTENDENT.

3. THE STATE BOARD PROMPTLY SHALL CONDUCT A HEARING ON THE APPEAL AND RENDER A WRITTEN DECISION WHETHER TO UPHOLD, MODIFY, OR OVERTURN THE DECISION OF THE STATE SUPERINTENDENT BY JUNE 1 OF THE PRIOR FISCAL YEAR.

4. THE DECISION OF THE STATE BOARD SHALL BE MADE ON SUBSTANTIVE GROUNDS IN ACCORDANCE WITH THE FACTORS DESCRIBED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

5. THE DECISION OF THE STATE BOARD IS FINAL.

5-213.

(a) After notification from the State Superintendent that a county is not complying with the provisions of the State program of public education, the State Comptroller shall withhold any installment due the county from the General State School Fund.

(b) (1) If the Superintendent finds that a county is not complying with the maintenance of local effort provisions of § 5-202 of this subtitle or that a county fails to meet the requirements of Subtitle 4 of this title, the Superintendent shall notify the county of such noncompliance.

(2) If a county disputes the finding within 30 days of the issuance of such notice, the dispute shall be promptly referred to the State Board of Education which shall make a final determination.

(3) Upon receipt of certification of noncompliance by the Superintendent or the State Board, as the case may be, the Comptroller shall suspend, until notification of compliance is received:

(I) FOR NONCOMPLIANCE WITH SUBTITLE 4 OF THIS TITLE, payment of any funds due the county for the current fiscal year, as provided under § 5–202 of this subtitle which are appropriated in the General State School Fund, to the extent that the State’s aid due the county in the current fiscal year under that section in the Fund exceeds the amount which the county received in the prior fiscal year; AND

(II) FOR NONCOMPLIANCE WITH § 5–202(D) OF THIS SUBTITLE, PAYMENT OF ANY FUNDS DUE THE COUNTY FOR THE FOLLOWING FISCAL YEAR, AS PROVIDED UNDER § 5–202 OF THIS SUBTITLE WHICH ARE APPROPRIATED IN THE GENERAL STATE SCHOOL FUND, IN THE AMOUNT THAT THE STATE’S AID DUE THE COUNTY IN THE CURRENT FISCAL YEAR UNDER THAT SECTION IN THE FUND EXCEEDED THE AMOUNT THAT THE COUNTY RECEIVED IN THE PRIOR FISCAL YEAR.”.

The preceding 3 amendments were read only.

Delegate Hixson moved to make the Bill and Amendments a Special Order for Friday.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 469 – The Speaker (By Request – Administration) and Delegates Rosenberg, Hixson, Doory, Cardin, Bartlett, Frick, Kaiser, Ross, F. Turner, Beidle, Bobo, Bronrott, Carr, DeBoy, Haddaway, Hecht, Levy, Love, Malone, Manno, Mathias, Niemann, Reznik, Shewell, and Stein

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit For Electric Vehicles

HB0469/995765/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 469

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Gilchrist, Ivey, Rice, Murphy, Howard, Barve, Walker, Olszewski, and Stukes”; in line 8, strike “a”; in the same line, strike “year” and substitute “years”; and strike beginning with “requiring” in line 8 down through “years;” in line 10.

AMENDMENT NO. 2

On page 2, in line 10, strike “4-WHEELED”; in line 24, strike “HAS” and substitute “FOR A 4-WHEELED MOTOR VEHICLE, HAS”; in line 25, strike “AND”; after line 25, insert:

“2. FOR A 2-WHEELED OR 3-WHEELED MOTOR VEHICLE, HAS A CAPACITY OF NOT LESS THAN 2.5 KILOWATT HOURS; AND”;

in line 26, strike “2.” and substitute “3.”; and in line 28, strike “ACQUIRED” and substitute “TITLED”.

AMENDMENT NO. 3

On page 3, in line 15, strike “OWNER” and substitute “MANUFACTURER”; in line 22, strike “for fiscal year 2011, \$279,000” and substitute “the following amounts”; in line 26, after “Act” insert “:

- (1) for fiscal year 2011, \$279,000;
- (2) for fiscal year 2012, \$939,600; and
- (3) for fiscal year 2013, \$1,287,000”;

and strike in their entirety lines 27 through 33, inclusive.

On page 4, in line 1, strike “5.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 590 – Delegates Ross and Ivey

EMERGENCY BILL

AN ACT concerning

Recordation Taxes and State Transfer Tax – Debt Forgiven in “Short Sale”**HB0590/135562/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 590

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in the sponsor line, strike “and Ivey” and substitute “, Ivey, Bartlett, Murphy, and Rice”; in line 2, after “State” insert “and County”; in lines 3 and 7, in each instance, after “State” insert “and county”; in lines 4 and 7, in each instance, strike “tax” and substitute “taxes”; strike beginning with “does” in line 5 down through “grantee” in line 6 and substitute “includes only the amount paid or delivered in return for the sale of the property and does not include the amount of any debt forgiven or no longer secured by a mortgage or deed of trust”; in line 6, strike “making this Act an emergency measure;”; and after line 12, insert:

“BY adding toArticle – Tax – PropertySection 13–412Annotated Code of Maryland(2007 Replacement Volume and 2009 Supplement)”.AMENDMENT NO. 2

On page 2, in lines 1 and 9, in each instance, after “(II)” insert “SUBJECT TO ITEM (I) OF THIS PARAGRAPH, INCLUDES ONLY THE AMOUNT PAID OR DELIVERED IN RETURN FOR THE SALE OF THE PROPERTY AND”; in lines 2 and 10, in each instance, strike “ASSUMED BY A PERSON OTHER THAN THE GRANTEE” and substitute “NO LONGER SECURED BY A MORTGAGE OR DEED OF TRUST ON THE PROPERTY”; and after line 10, insert:

“13-412.

(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY TRANSFER TAX SHALL APPLY TO THE CONSIDERATION PAYABLE FOR AN INSTRUMENT OF WRITING.

(2) IF A COUNTY TRANSFER TAX APPLIES TO MORTGAGES OR DEEDS OF TRUSTS, THE COUNTY TRANSFER TAX SHALL APPLY TO THE CONSIDERATION PAYABLE OR THE PRINCIPAL AMOUNT OF THE DEBT SECURED FOR AN INSTRUMENT OF WRITING.

(B) THE CONSIDERATION:

(1) INCLUDES THE AMOUNT OF ANY MORTGAGE OR DEED OF TRUST ASSUMED BY THE GRANTEE; AND

(2) SUBJECT TO ITEM (1) OF THIS SUBSECTION, INCLUDES ONLY THE AMOUNT PAID OR DELIVERED IN RETURN FOR THE SALE OF THE PROPERTY AND DOES NOT INCLUDE THE AMOUNT OF ANY DEBT FORGIVEN OR NO LONGER SECURED BY A MORTGAGE OR DEED OF TRUST ON THE PROPERTY.”.

AMENDMENT NO. 3

On page 2, strike beginning with “is” in line 11 down through “enacted” in line 15 and substitute “shall take effect June 1, 2010”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 597 – Delegates McConkey and Sophocleus

AN ACT concerning

Anne Arundel County – School Board Nominating Commission – Membership

HB0597/465960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 597

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegates McConkey and Sophocleus” and substitute “Anne Arundel County Delegation”; and in line 3, after “a” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; in line 15, after “(AEL)” insert a period; strike beginning with “; AND” in line 15 down through “6.” in line 16 and substitute “(V)”; and in line 17, after “FACILITIES” insert “SHALL APPOINT ONE MEMBER WHO IS A RESIDENT OF ANNE ARUNDEL COUNTY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means and Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 710 – Delegates Howard, Ali, Barkley, Barnes, Bartlett, Barve, Beitzel, Bronrott, Cane, Carr, G. Clagett, Davis, DeBoy, Donoghue, Doory, Dumais, Feldman, Frick, Frush, Gaines, George, Gutierrez, Guzzone, Haynes, Healey, Hecht, Hixson, Holmes, Hubbard, Hucker, Ivey, Jameson, Jenkins, Kaiser, Kramer, Krysiak, Kullen, Lafferty, Lee, Levi, Levy, Manno, McHale, McIntosh, Mizeur, Murphy, Niemann, Proctor, Ramirez, Reznik, Rice, Ross, Simmons, Sophocleus, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Blue Ribbon Commission on Maryland Transportation Funding**HB0710/205166/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 710

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 4, insert:

“(4) short- and long-term pedestrian and bicycle facility construction and maintenance funding needs;”;

and in lines 5, 7, 9, and 11, strike “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(5)”, “(6)”, “(7)”, and “(8)”, respectively.

AMENDMENT NO. 2

On page 2, in line 13, strike “21 members as follows” and substitute “the following members”.

On page 3, strike beginning with “and” in line 3 down through “individuals” in line 4 and substitute:

“(xii) two representatives of the Maryland Association of Counties;

(xiii) a representative of the transportation construction industry;

(xiv) two representatives of the Maryland Municipal League;

(xv) two representatives of labor unions; and

(xvi) two representatives of rural areas in the State”.

AMENDMENT NO. 3

On page 3, strike beginning with “and” in line 13 down through “Services” in line 14.

AMENDMENT NO. 4

On page 3, in line 18, strike “January 1, 2012” and substitute “November 1, 2011”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 830 – Delegates Kramer, Ali, Barkley, Bates, Bronrott, Carr, Conaway, Dumais, Feldman, Frick, Gutierrez, Hecht, Heller, Hixson, Ivey, Jenkins, Kelly, Lee, Manno, McConkey, Miller, Mizeur, Montgomery, Murphy, Ramirez, Reznik, Rice, Shank, Simmons, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Income Tax Checkoff for Developmental Disabilities

HB0830/735462/2

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 830

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Waldstreicher” and substitute “Waldstreicher, Bartlett, Barve, Boteler, Cardin, Doory, Elmore, George, Howard, Kaiser, Myers, Ross, Stukes, F. Turner, and Walker”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 856 – Montgomery County Delegation

AN ACT concerning

**Election Law – Montgomery County Republican Party Central Committee
– Membership**

MC 15-10

HB0856/905965/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 856

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Republican” insert “and Democratic”; in the same line, strike “Committee” and substitute “Committees”; in line 6, after “Committee;” insert “altering the membership criteria for the Montgomery County Democratic Party Central Committee; requiring certain Democratic Party Central Committee members to be elected in a certain manner and limiting the number of members elected at large that may reside in the same legislative district;”; in line 8, after “Republican” insert “and Democratic”; and in the same line, strike “Committee” and substitute “committees”.

AMENDMENT NO. 2

On page 2, strike beginning with “In” in line 5 down through “(2)” in line 10; strike beginning with “each” in line 10 down through “FOLLOWS” in line 11 and substitute “THE DEMOCRATIC PARTY CENTRAL COMMITTEE”; in line 16, strike beginning with “the” through “large” and substitute “MEMBERS SHALL BE ELECTED AT LARGE EQUAL TO THE NUMBER OF LEGISLATIVE DISTRICTS THAT LIE WHOLLY WITHIN MONTGOMERY COUNTY, EXCEPT THAT NOT MORE THAN TWO MEMBERS AT LARGE MAY RESIDE IN THE SAME LEGISLATIVE DISTRICT”; in line 26, after “Republican” insert “and Democratic”; and in line 27, strike “Committee” and substitute “committees”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 857 – Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting

MC 12–10

HB0857/525860/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 857

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 4 down through “matter;” in line 6.

AMENDMENT NO. 2

On page 2, in lines 23, 24, 26, 28, and 29, in each instance, strike the bracket; in line 24, strike “HEARINGS”; in line 29, after the semicolon insert “AND”; and in line 30, after “bargaining” insert an opening bracket.

AMENDMENT NO. 3

On page 3, in line 3, in each instance, strike the bracket; and in the same line, strike “PROVISION”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 981 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County Board of Education – Inclusion of Employees in Bargaining Unit

HB0981/305067/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 981
(First Reading File Bill)

On page 2, in line 5, after “NURSES,” insert “JUNIOR”; and in the same line, strike “(ROTC)” and substitute “(JROTC)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1062 – Delegates Healey, Ross, Frick, Gaines, Hixson, Howard, Ivey, Stukes, and Walker

AN ACT concerning

Property Tax Credit – Urban Agricultural Activities

HB1062/995764/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 1062
(First Reading File Bill)

On page 1, in line 2, strike “Activities” and substitute “Property”; and in line 8, strike “and certain other provisions” and substitute “, eligibility criteria for the credit, certain regulations and procedures, and any other provision necessary”.

On page 3, in line 3, strike “AGRICULTURE” and substitute “AGRICULTURAL PURPOSES”; and in line 17, strike “(D)” and substitute “(E)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1135 – Delegates Ross, Holmes, Levi, and Niemann

AN ACT concerning

Property Tax Credit – Grocery Stores – Low-Income Areas

HB1135/475563/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1135

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Niemann” and substitute “Niemann, Frick, and Ivey”; in lines 6 and 10, in each instance, after “stores” insert “in certain areas”; in line 7, strike “and certain other” and substitute “, eligibility criteria for the credit, certain regulations and procedures, and any other provision necessary”; and in line 8, strike “provisions”.

AMENDMENT NO. 2

On page 2, in line 4, after “PRODUCE” insert “, MEATS, AND DAIRY PRODUCTS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1161 – Delegates Jones, Burns, Busch, Hammen, and Nathan-Pulliam

AN ACT concerning

**Tax Increment Financing and Special Taxing Districts – State Hospital
Redevelopment**

HB1161/655065/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1161

(First Reading File Bill)

AMENDMENT NO. 1

On page 4, strike beginning with “**SECRETARY**” in line 15 down through “**PLANNING**” in line 18 and substitute “**SMART GROWTH SUBCABINET ESTABLISHED UNDER § 9–1406 OF THE STATE GOVERNMENT ARTICLE**”.

AMENDMENT NO. 2

On page 9, strike beginning with “**SECRETARY**” in line 17 down through “**PLANNING**” in line 20 and substitute “**SMART GROWTH SUBCABINET ESTABLISHED UNDER § 9–1406 OF THE STATE GOVERNMENT ARTICLE**”.

AMENDMENT NO. 3

On page 13, strike beginning with “**SECRETARY**” in line 14 down through “**PLANNING**” in line 17 and substitute “**SMART GROWTH SUBCABINET ESTABLISHED UNDER § 9–1406 OF THE STATE GOVERNMENT ARTICLE**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

**House Bill 1263 – The Speaker (By Request – Administration) and Delegates
Busch, Hixson, Kaiser, and Rosenberg**

AN ACT concerning

Education Reform Act of 2010

HB1263/485762/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1263

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 18, in each instance, strike “public” and substitute “local”; in line 8, after “provided” insert “certain guidance and instruction and”; strike beginning with “requiring” in line 9 down through “stipend” in line 15 and substitute “requiring the State Board of Education to adopt regulations establishing standards for effective mentoring; providing that a tenured certificated employee who moves to another local school system in the State shall be tenured in the local school system to which the employee relocates under certain circumstances; authorizing the local school system to which an employee relocates to extend the employee’s probationary period under certain circumstances; requiring a county board to establish certain performance evaluation criteria for a certificated teacher or principal under certain conditions; requiring the performance evaluation criteria to include certain measures; requiring the State Board to establish by regulation general standards for teacher and principal performance evaluations, that the performance evaluation criteria include certain measures, and that certain criteria be accounted for in a certain manner; requiring the State Board to establish a certain program to support certain incentives”; and in line 16, strike “a certain term” and substitute “certain terms”.

AMENDMENT NO. 2

On page 2, in line 29, strike “Except as provided in” and substitute “SUBJECT TO”; and in line 30, strike “public” and substitute “LOCAL”.

On page 3, in line 15, after “THE” insert “NONTENURED”; in line 16, strike “THE END OF THE FIRST OR SECOND YEAR, A” and substitute “ANY FORMAL EVALUATION POINT:”

1. A;

in line 17, after “EMPLOYEE” insert “TO PROVIDE THE EMPLOYEE COMPREHENSIVE GUIDANCE AND INSTRUCTION; AND”; in the same line, strike “AND ADDITIONAL” and substitute:

2. ADDITIONAL;

in line 18, after “PROVIDED” insert “TO THE EMPLOYEE”; and after line 18, insert:

“(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF A CERTIFICATED EMPLOYEE HAS ACHIEVED TENURE IN ANY LOCAL SCHOOL SYSTEM IN THE STATE AND MOVES TO ANOTHER LOCAL SCHOOL SYSTEM IN THE STATE, THAT EMPLOYEE SHALL BE TENURED IF THE EMPLOYEE’S CONTRACT IS RENEWED AFTER 1 YEAR OF PROBATIONARY EMPLOYMENT IN THE LOCAL SCHOOL SYSTEM TO WHICH THE EMPLOYEE RELOCATED IF:

1. THE EMPLOYEE’S FINAL EVALUATION IN THE LOCAL SCHOOL SYSTEM FROM WHICH THE EMPLOYEE DEPARTED IS SATISFACTORY OR BETTER; AND

2. THERE HAS BEEN NO BREAK IN THE EMPLOYEE’S SERVICE BETWEEN THE TWO SYSTEMS OF LONGER THAN 1 YEAR.

(II) A LOCAL SCHOOL SYSTEM MAY EXTEND THE PROBATIONARY PERIOD FOR A CERTIFICATED EMPLOYEE SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR A SECOND YEAR FROM THE DATE OF EMPLOYMENT IF:

1. THE EMPLOYEE DOES NOT QUALIFY FOR TENURE AT THE END OF THE FIRST YEAR BASED ON ESTABLISHED PERFORMANCE EVALUATION CRITERIA; AND

2. THE EMPLOYEE DEMONSTRATES A STRONG POTENTIAL FOR IMPROVEMENT.”;

in line 19, strike “(3)” and substitute “(4) (I)”; and after line 23, insert:

“(II) THE STATE BOARD SHALL ADOPT REGULATIONS TO ESTABLISH STANDARDS FOR EFFECTIVE MENTORING, INCLUDING PROVISIONS TO ENSURE THAT MENTORS PROVIDE MENTORING THAT IS FOCUSED, OF HIGH QUALITY, AND GEARED TO THE NEEDS OF EACH EMPLOYEE BEING MENTORED.”.

On page 3, strike in their entirety lines 24 through 29, inclusive, and substitute:

“(C) (1) IN THIS SUBSECTION, “STUDENT GROWTH” MEANS STUDENT PROGRESS MEASURED BY MULTIPLE CRITERIA AND FROM A CLEARLY ARTICULATED BASELINE TO ONE OR MORE POINTS IN TIME.

(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, A COUNTY BOARD SHALL ESTABLISH PERFORMANCE EVALUATION CRITERIA FOR CERTIFICATED TEACHERS AND PRINCIPALS IN A LOCAL SCHOOL SYSTEM AFTER MEETING AND CONFERRING WITH THE EXCLUSIVE EMPLOYEE REPRESENTATIVE.

(3) THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH GENERAL STANDARDS FOR PERFORMANCE EVALUATIONS FOR CERTIFICATED TEACHERS AND PRINCIPALS.

(4) (I) PERFORMANCE EVALUATION CRITERIA FOR A CERTIFICATED TEACHER OR PRINCIPAL IN A LOCAL SCHOOL SYSTEM SHALL INCLUDE MULTIPLE MEASURES.

(II) STUDENT GROWTH SHALL ACCOUNT FOR 50% OF THE PERFORMANCE EVALUATION CRITERIA.

(III) NO SINGLE CRITERION SHALL ACCOUNT FOR MORE THAN 35% OF THE TOTAL PERFORMANCE EVALUATION CRITERIA.”;

and in line 32, strike “APPLICATION” and substitute “GRANT”.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 1 through 7, inclusive, and substitute:

“(II) CONTINGENT ON THE RECEIPT OF RACE TO THE TOP GRANT FUNDS, THE STATE BOARD SHALL ESTABLISH A PROGRAM TO SUPPORT LOCALLY NEGOTIATED INCENTIVES FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS IN IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING.”;

and in line 10, strike “public” and substitute “local”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably:

House Bill 1440 – Delegate Barve

AN ACT concerning

**Election Law – Campaign Finance Entity – Officers Authorized to Perform
Duties of Treasurer**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video Display Equipment

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Stein moved to make the Bill a Special Order for Wednesday.

The motion was adopted.

**House Bill 465 – The Speaker (By Request – Administration) and Delegates
Hucker, Anderson, Barve, Benson, Carter, Frick, Frush, Gutierrez,
Guzzone, Hixson, Hubbard, Lafferty, Manno, McHale, McIntosh,
Mizeur, Montgomery, Murphy, Nathan–Pulliam, Olszewski, Ramirez,
Simmons, Tarrant, Taylor, V. Turner, Vaughn, and Waldstreicher**

AN ACT concerning

Collective Negotiations by Family Child Care Providers

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0465/173725/1

BY: Delegate Sossi

AMENDMENTS TO HOUSE BILL 465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 26, after "laws;" insert "providing that this Act does not apply in certain counties;".

AMENDMENT NO. 2

On page 3, after line 21, insert:

"THIS PART XI OF THIS SUBTITLE DOES NOT APPLY IN THE FOLLOWING COUNTIES:

- (1) CAROLINE COUNTY;**
- (2) CECIL COUNTY;**
- (3) DORCHESTER COUNTY;**
- (4) KENT COUNTY;**
- (5) QUEEN ANNE'S COUNTY;**
- (6) SOMERSET COUNTY; AND**
- (7) TALBOT COUNTY.**

5-595.3."

On page 4, in line 13, strike “~~5-595.3.~~” and substitute “5-595.4.”.

On page 5, in line 30, strike “~~5-595.4.~~” and substitute “5-595.5.”.

On page 6, in lines 6 and 13, strike “~~5-595.5.~~” and “~~5-595.6.~~”, respectively, and substitute “5-595.6.” and “5-595.7.”, respectively.

The preceding 2 amendments were read only.

Delegate Benson moved the previous question.

The motion was adopted.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 43 Negative – 91 (See Roll Call No. 523)

FLOOR AMENDMENT

HB0465/423321/1

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 26, after “laws;” insert “providing that this Act does not apply in Carroll County;”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“THIS PART XI OF THIS SUBTITLE DOES NOT APPLY IN CARROLL COUNTY.”

5-595.3.”.

On page 4, in line 13, strike “~~5-595.3.~~” and substitute “5-595.4.”.

On page 5, in line 30, strike “~~5-595.4.~~” and substitute “5-595.5.”.

On page 6, in lines 6 and 13, strike “~~5-595.5.~~” and “~~5-595.6.~~”, respectively, and substitute “5-595.6.” and “5-595.7.”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 41 Negative – 89 (See Roll Call No. 524)

FLOOR AMENDMENT

HB0465/763229/1

BY: Delegate Jennings

AMENDMENTS TO HOUSE BILL 465

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 26, after “laws;” insert “providing that this Act does not apply in Harford County;”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“THIS PART XI OF THIS SUBTITLE DOES NOT APPLY IN HARFORD COUNTY.

5-595.3.”.

On page 4, in line 13, strike “~~5-595.3.~~” and substitute “5-595.4.”.

On page 5, in line 30, strike “~~5-595.4.~~” and substitute “5-595.5.”.

On page 6, in lines 6 and 13, strike “~~5-595.5.~~” and “~~5-595.6.~~”, respectively, and substitute “5-595.6.” and “5-595.7.”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 89 (See Roll Call No. 525)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 526)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #28**House Bill 214 – Delegates Pena–Melnik, Barnes, and Frush**

AN ACT concerning

Labor and Employment – Wage Payment and Collection Law – Definition of Wage

Read the third time and passed by yeas and nays as follows:

Affirmative – 101 Negative – 34 (See Roll Call No. 527)

The Bill was then sent to the Senate.

House Bill 462 – Delegates Kaiser, McIntosh, ~~and Mizour~~ Mizeur, Pendergrass, Benson, Costa, Kullen, Montgomery, Nathan–Pulliam, Pena–Melnik, Tarrant, and V. Turner

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 3 (See Roll Call No. 528)

The Bill was then sent to the Senate.

House Bill 786 – Delegates Healey, Beidle, Bobo, Carr, Frush, Gaines, Glenn, Ivey, Lafferty, Niemann, Ross, ~~and Sossi~~ Sossi, McIntosh, Cane, V. Clagett, Holmes, Hucker, Malone, O’Donnell, Serafini, Shewell, Stein, Stull, and Weir

AN ACT concerning

**State Highway Administration – Sidewalk or Bicycle Pathway Construction
in Priority Funding Areas**

Read the third time and passed by yeas and nays as follows:

Affirmative – 131 Negative – 4 (See Roll Call No. 529)

The Bill was then sent to the Senate.

**House Bill 825 – Delegates Barkley, Barnes, Davis, Feldman, Harrison, Hecht,
Impallaria, King, Kirk, Krysiak, Love, Manno, McHale, Minnick,
Schuler, Stifler, Taylor, and Vaughn**

AN ACT concerning

Vehicle Laws – Required Security – Minimum Amounts

Delegate Minnick moved the previous question.

The motion was adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 97 Negative – 36 (See Roll Call No. 530)

The Bill was then sent to the Senate.

**House Bill 849 – ~~Delegate Hubbard~~ Delegates Hubbard, Kipke, Benson,
Krebs, Kullen, McDonough, Montgomery, Nathan-Pulliam,
Pena-Melnyk, Pendergrass, and V. Turner**

AN ACT concerning

**Department of Health and Mental Hygiene – Home- and Community-Based
Services Waiver – Denial of Access Prohibited**

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 531)

The Bill was then sent to the Senate.

**House Bill 1032 – Delegates Kirk, Harrison, Haynes, King, Love, McHale,
Minnick, Stukes, and Vaughn**

AN ACT concerning

Motor Fuel Refiner or Supplier Suppliers – Games of Chance – Repeal of Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 3 (See Roll Call No. 532)

The Bill was then sent to the Senate.

House Bill 1151 – Chair, Economic Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Commercial Motor Vehicles – Minimum Security Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 533)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #3

Senate Bill 107 – The President (By Request – Administration) and Senators Middleton, Della, Exum, Garagiola, and Kelley

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Unemployment Insurance – Tax Deferment, Trust Fund Solvency, and Cost-Neutral Modernization and Tax Relief Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 101 Negative – 33 (See Roll Call No. 534)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 279 – The President (By Request – Administration) and Senators Frosh, Lenett, Currie, Della, Gladden, Harrington, Kelley, Klausmeier, Madaleno, Middleton, Pinsky, Raskin, Robey, and Rosapepe

AN ACT concerning

Maryland False Health Claims Act of 2010

FOR the purpose of prohibiting certain actions constituting false claims against a State health plan or a State health program; providing certain penalties for making false claims against a State health plan or a State health program; requiring the court to consider and give special attention to certain factors in determining the amount of fines and penalties provided for in this Act; authorizing the State to file a civil action against a person who makes a false claim against a State health plan or a State health program under certain circumstances; authorizing a person other than the State to file a civil action on behalf of the person and the State against a person who makes a false claim against a State health plan or a State health program; providing for the procedures to be followed in a civil action; providing for certain remedies under a civil action; requiring the State to investigate a civil action alleging a false claim against a State health plan or a State health program; requiring the State to make certain efforts to coordinate certain investigations and to establish a certain objective for the State; authorizing the State to intervene and proceed with the action with or without the person who initiated the action; authorizing the State to elect not to intervene and proceed with the action; ~~authorizing the person that initiated the action to proceed~~ requiring the court to dismiss the action if the State elects not to intervene; authorizing the court to limit the participation of the person who initiated the action under certain circumstances; authorizing the State ~~to intervene at a later time in the proceedings or~~ to pursue alternative remedies; providing for certain damages and payments to the person who initiated the action under certain circumstances; providing for certain payments to the person charged under certain circumstances if the person charged prevails; providing certain limitations on civil actions filed under this Act; prohibiting a person from taking retaliatory action against an employee, contractor, or agent under certain circumstances; authorizing an employee, contractor, or 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; requiring an employer to make certain disclosures to employees; requiring the Comptroller to deposit a certain penalty or damages in the General Fund of the State; requiring certain persons to report certain information annually to the General Assembly; authorizing the Department of Health and Mental Hygiene or the Inspector General of the Department to

adopt certain regulations; defining certain terms; and generally relating to false claims against State health plans and State health programs.

BY adding to

Article – Health – General

Section 2–601 through 2–611 to be under the new subtitle “Subtitle 6. False Claims Against State Health Plans and State Health Programs”

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Judiciary and the Committee on Appropriations.

Senate Bill 547 – Senators Pugh, Jones, and McFadden

AN ACT concerning

Insurance – Domestic Reinsurers

FOR the purpose of specifying a certain assessment fee payable by certain domestic reinsurers to the Maryland Insurance Commissioner; exempting certain domestic reinsurers from a certain requirement to have an office in the State; requiring certain domestic reinsurers to keep certain assets in the State; authorizing certain domestic reinsurers to keep certain records outside the State under certain circumstances; defining a certain term; and generally relating to domestic reinsurers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2–502 and 4–115

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 731 – Cecil County Senators

AN ACT concerning

Cecil County – Emergency Medical Services – Collective Bargaining

FOR the purpose of authorizing the representatives of certain employees in the Division of Emergency Medical Services to bargain collectively with the Cecil County Commissioners on certain issues; authorizing the County Commissioners to recognize or withdraw recognition of a certain representative under certain circumstances; providing for the subject of, the time frame of, the rules of conduct for, and the process and remedies for violations of the collective

bargaining agreement; requiring a certain memorandum between the County Commissioners and a certain representative; authorizing the County Commissioners to also have a certain representative; establishing certain actions not authorized by this Act; defining certain terms; and generally relating to collective bargaining of emergency medical services employees in Cecil County.

BY adding to

The Public Local Laws of Cecil County
Section 15-13
Article 8 – Public Local Laws of Maryland
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Appropriations.

INTRODUCTION OF BILLS

Delegate Dwyer moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 98 Negative – 24 (See Roll Call No. 535)

In compliance with the rules, the Bill was introduced.

House Bill 1563 – Delegate Dwyer

EMERGENCY BILL

AN ACT concerning

Maryland’s Health Insurance Freedom Act

FOR the purpose of establishing that, notwithstanding certain provisions of law, a person has the right to choose to participate in a private health insurance system or private health insurance plan; establishing that, notwithstanding certain provisions of law and subject to a certain exception, a person has the right to pay for lawful medical services without interference and a penalty, tax, fee, or fine of any type may not be imposed on a person who declines to contract for health insurance coverage or to participate in a particular health insurance system or plan; providing for the construction of this Act; making this Act an emergency measure; and generally relating to health insurance coverage and choosing to participate in health insurance systems or plans.

BY adding to

Article – Insurance

Section 15–134

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 536)

ADJOURNMENT

At 12:46 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 22, 2010, Calendar Day Wednesday, March 24, 2010.

Annapolis, Maryland
Legislative Day: March 22, 2010
Calendar Day: Wednesday, March 24, 2010

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 537)

The Journal of March 21, 2010 was read and approved.

EXCUSES:

Del. Bromwell – recovering from surgery

Del. Impallaria – left early – doctor’s appointment

THE COMMITTEE ON ECONOMIC MATTERS REPORT #14

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

**House Bill 405 – Chair, Economic Matters Committee (By Request –
Departmental – Workers’ Compensation Commission)**

AN ACT concerning

**Workers’ Compensation – Covered Employees and Employers – Corporate or
Limited Liability Company Officer**

HB0405/393198/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 405

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “coverage;” insert “limiting the number of officers of a close corporation who may elect to be exempt from workers’ compensation coverage;”.

AMENDMENT NO. 2

On page 2, in line 3, after “(1)” insert “SUBJECT TO SUBSECTION (C)(3) OF THIS SECTION,”.

On page 3, after line 2, insert:

“(3) NO MORE THAN FIVE OFFICERS OF A CLOSE CORPORATION DESCRIBED IN SUBSECTION (B)(1)(I) OR (II) OF THIS SECTION MAY ELECT TO BE EXEMPT UNDER SUBSECTION (B)(1) 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.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 988 – Delegate George

AN ACT concerning

Department of Natural Resources – Regulation of For-Hire Water Carriers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1136 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Supervision and Reorganization

HB1136/783695/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “or” insert “deliver”; in line 5, after the first “of” insert “a certain”; in the same line, strike “authorizing” and substitute “requiring”; in line 6, strike “a”; in the same line, strike “amount” and substitute “amounts”; in line 7, after “Commissioner” insert “or a certain receiver”; in line 8, after “costs” insert “under certain circumstances; requiring certain securities pledged by a nondepository trust company to be held at a certain institution or bank; authorizing the Commissioner to specify the types of securities that may be pledged; establishing that certain fees are the responsibility of a nondepository trust company; providing that securities pledged by a nondepository trust company may not be assets relied on by the nondepository trust company for a certain purpose; requiring any income earned on certain securities to be paid to the nondepository trust company; requiring a certain surety bond to be issued by a certain bonding company and in a certain form”; in line 9, after “bank;” insert “requiring the Commissioner to charge and collect certain fees for a conversion of a federal mutual savings bank into a savings bank under certain provisions of this Act;”; in line 11, strike “a certain emergency exists” and substitute “the nondepository trust company is insolvent”; in line 12, after “Commissioner” insert “that are court approved and”; in line 13, after the second “the” insert “nondepository”; in line 14, strike “and” and substitute a comma; in the same line, strike “bonds” and substitute “securities;”; in the same line, strike “payment on” and substitute “the recovery against”; in line 15, after “bond;” insert “providing that certain proceeds of a sale of pledged securities shall be an asset of a nondepository trust company;”; in the same line, strike “the Commissioner” and substitute “a certain receiver”; in line 17, after “salaries” insert “and certain other expenses”; in line 18, after “individuals” insert “, officers, and employees”; in the same line, strike “out of the funds” and substitute “from the assets”; in the same line, strike “trust” and substitute “nondepository trust”; in the same line, strike “as well as”; in line 19, strike “bonds” and substitute “securities;”; in the same line, strike “payment on” and substitute “the recovery against”; and in line 24, after “Section” insert “2-108(a)(4).”

AMENDMENT NO. 2

On page 2, after line 11, insert:

“2-108.

(a) The Commissioner shall charge and collect, in advance, the following nonrefundable fees:

(4) A fee for a conversion of a national banking association, a federal stock savings and loan association, or a federal stock savings bank into a commercial bank under § 3-801 of this article OR A FEDERAL MUTUAL SAVINGS BANK INTO A SAVINGS BANK UNDER § 4-701.1 OF THIS ARTICLE:

(i) Filing fee.....\$7,000

(ii) Examination fee\$3,000”.

AMENDMENT NO. 3

On page 2, after line 26, insert:

“(A) IN THIS SECTION, “RECEIVERSHIP” MEANS A PROCEEDING IN WHICH:

(1) THE COMMISSIONER TAKES POSSESSION OF A NONDEPOSITORY TRUST COMPANY IN ACCORDANCE WITH § 5-601, § 5-602, OR § 5-602.1 OF THIS ARTICLE; AND

(2) A RECEIVER IS APPOINTED IN ACCORDANCE WITH § 5-605 OF THIS ARTICLE.”;

in line 27, strike “(A)” and substitute “(B)”; strike beginning with “IN” in line 27 down through “A” in line 28 and substitute “A”; in line 29, strike beginning with “TO” through the second “COMMISSIONER,”; in line 30, after “OR” insert “DELIVER”; in the same line, after “BOND” insert “TO THE COMMISSIONER, FOR THE BENEFIT OF THE COMMISSIONER,”; and strike beginning with the second “OF” in line 30 down through “FAIL” in line 31.

On page 3, in line 4, strike “\$3,000,000” and substitute “:

(I) \$1,000,000 FOR A NONDEPOSITORY TRUST COMPANY WITH A COMPOSITE RATING, USING THE UNIFORM INTERAGENCY TRUST RATING SYSTEM, OF 1 OR 2; OR

(II) \$3,000,000 FOR A NONDEPOSITORY TRUST COMPANY WITH A COMPOSITE RATING, USING THE UNIFORM INTERAGENCY TRUST RATING SYSTEM, OF 3, 4, OR 5;

in lines 5 and 10, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 5, strike “IN” and substitute “SUBJECT TO THE PROVISIONS OF TITLE 5, SUBTITLE 6 OF THIS ARTICLE, IN”; strike beginning with the second “OF” in line 5 down through “COMPANY” in line 6; in line 6, after “COMMISSIONER” insert “OR A RECEIVER APPOINTED UNDER § 5-605 OF THIS ARTICLE”; in line 8, strike “, AS SOON AS PRACTICABLE,”; in lines 11 and 19, in each instance, strike “(A)” and substitute “(B)”; in line 16, strike “SUCH” and substitute “PLEGGED”; after line 17, insert:

“(4) SECURITIES PLEDGED BY A NONDEPOSITORY TRUST COMPANY MAY NOT BE ASSETS RELIED ON BY THE NONDEPOSITORY TRUST COMPANY TO MEET THE MINIMUM CAPITAL REQUIREMENTS OF § 3-209 OF THIS SUBTITLE.

(5) ANY INCOME EARNED ON SECURITIES PLEDGED BY A NONDEPOSITORY TRUST COMPANY:

(I) SHALL BE PAID TO THE NONDEPOSITORY TRUST COMPANY; AND

(II) MAY NOT BE HELD BY THE COMMISSIONER.”;

strike beginning with “IS” in line 22 down through “(II)” in line 23; in line 24, strike “(III)” and substitute “(II)”; in line 28, strike “THE” and substitute “A”; and in line 29, strike “ENTITY IN WHICH IT HAS A FINANCIAL INTEREST” and substitute “AFFILIATE, AS DEFINED IN § 5-401 OF THIS ARTICLE”.

AMENDMENT NO. 4

On page 7, strike beginning with “AN” in line 9 down through “SECTION” in line 10 and substitute “A NONDEPOSITORY TRUST COMPANY IS INSOLVENT”; in line 11, strike “A” and substitute “THE”; in line 13, strike “POSTING” and substitute “:

(1) POSTING”;

in the same line, strike “INSTITUTION” and substitute “NONDEPOSITORY TRUST COMPANY”; strike line 15 in its entirety and substitute “MARYLAND COMMISSIONER OF FINANCIAL REGULATION”; AND

(2) IMMEDIATELY DELIVERING WRITTEN NOTICE TO THE BOARD OF DIRECTORS OF THE NONDEPOSITORY TRUST COMPANY THAT THE COMMISSIONER HAS TAKEN POSSESSION OF THE NONDEPOSITORY TRUST COMPANY.”;

and strike in their entirety lines 16 through 29, inclusive.

AMENDMENT NO. 5

On page 8, in line 1, before “ALL” insert “**(A)**”; in the same line, after “COMMISSIONER” insert “**THAT ARE COURT APPROVED AND**”; in line 5, strike “TO THE COMMISSIONER”; in line 6, strike “IN ADDITION TO”; in line 7, strike “OR THE PAYMENT ON” and substitute “**PLEGGED UNDER § 3-211.1 OF THIS ARTICLE, OR RECOVERY AGAINST**”; in the same line, after “A” insert “**SURETY**”; in lines 7 and 25, in each instance, strike “REQUIRED” and substitute “**DELIVERED**”; after line 8, insert:

“(B) ANY PROCEEDS OF A SALE OF PLEDGED SECURITIES THAT REMAIN AFTER MAKING THE PAYMENTS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND § 5-606(B)(2) OF THIS SUBTITLE SHALL BE AN ASSET OF THE NONDEPOSITORY TRUST COMPANY.”;

in line 22, after “SUBSECTION” insert “**THAT ARE COURT APPROVED**”; in line 23, strike “OUT OF THE FUNDS” and substitute “**FROM THE ASSETS**”; in lines 23 and 24, strike “IN ADDITION TO”; and in line 24, strike “OR THE PAYMENT ON” and substitute “**PLEGGED UNDER § 3-211.1 OF THIS ARTICLE, OR RECOVERY AGAINST**”; in line 25, after “A” insert “**SURETY**”; and after line 25, insert:

“(3) ANY PROCEEDS OF A SALE OF PLEDGED SECURITIES THAT REMAIN AFTER MAKING THE PAYMENTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND § 5-604.1(A) OF THIS SUBTITLE SHALL BE AN ASSET OF THE NONDEPOSITORY TRUST COMPANY.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1137 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Public Accountancy – Educational Requirements for
Examination and Licensure**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

**House Bill 1152 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Financial Regulation – Applicant and Staff Criminal
Background Checks**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1163 – Delegates Carr, Gutierrez, and Waldstreicher

AN ACT concerning

Economic Development – Enterprise Zones – Designation

HB1163/613891/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1163

(First Reading File Bill)

In the sponsor line, strike “and Waldstreicher” and substitute “Waldstreicher, Barkley, Braveboy, Feldman, Haddaway, Harrison, Hecht, Manno, Mathias, Taylor, and Vaughn”.

The preceding amendment was read only.

Delegate Davis moved to make the Bill and Amendments a Special Order for Thursday.

The motion was adopted.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1206 – Delegates Frick, Barkley, Barve, Bobo, Bronrott, Cardin, Carr, G. Clagett, Doory, Dumais, Feldman, Frush, George, Hecht, Hixson, Howard, Kramer, Lee, Miller, Mizeur, Montgomery, Morhaim, Murphy, Niemann, Olszewski, Reznik, Rice, Taylor, F. Turner, and Waldstreicher

AN ACT concerning

Commercial Law – Consumer Protection – Refund Anticipation Loans and Checks

HB1206/103691/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1206

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 26, strike “A” and substitute “:

(I) A”;

in line 27, after “ASSOCIATION,” insert “OR”; in the same line, strike “, OR” and substitute “;

(II) AN AFFILIATE OR SUBSIDIARY OF A BANK, SAVINGS AND LOAN ASSOCIATION, OR CREDIT UNION THAT, IN CONNECTION WITH REFUND ANTICIPATION LOANS OR REFUND ANTICIPATION CHECKS, ACTS SOLELY AS A SERVICER FOR THE FINANCIAL INSTITUTION WITH WHICH IT IS AFFILIATED OR OF WHICH IT IS A SUBSIDIARY; OR

(III) A".

On page 5, in line 1, after "FEE" insert "TO A CONSUMER".

On page 7, in line 21, after "FEE" insert "TO A CONSUMER".

AMENDMENT NO. 2

On page 5 in lines 6 and 31, on page 6 in line 28, and on page 7 in line 7, in each instance, after "APPLIES" insert "THROUGH A FACILITATOR".

On page 5, in lines 7 and 32, in each instance, strike the first "A" and substitute "THE".

On page 6 in line 29 and on page 7 in line 8, in each instance, strike "A" and substitute "THE".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1295 – Delegates Krysiak, Jameson, Kirk, McHale, Minnick, and Rudolph

AN ACT concerning

Workers' Compensation – Uninsured Employers' Fund – Uninsured Employer Assessments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1323 – Delegate Jennings

AN ACT concerning

Civil Air Patrol Leave Act of 2010

HB1323/983697/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 1323

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Jennings” and substitute “Delegates Jennings, Barkley, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Minnick, Rudolph, Stifler, Taylor, Vaughn, and Walkup”.

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 ECONOMIC MATTERS REPORT #15

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 990 – Delegates Olszewski, Cardin, DeBoy, Frick, and Shewell

AN ACT concerning

**Financial Institutions – Credit Unions – Authority to Conduct Savings
Promotion Raffles**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1202 – Delegate Stein

AN ACT concerning

Business Regulation – Franchises – Copies of Documents to Franchisees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 1267 – Delegate Niemann

AN ACT concerning

Business Regulation – Returnable Containers – Plastic Secondary Packaging

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 1470 – Delegates Rudolph, Miller, and Niemann

AN ACT concerning

Title Insurance – Title Insurers and Title Insurance Producers – Regulation and Reports

HB1470/553996/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1470

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “is the agent” and substitute “provides certain services that may result in issuance of a title insurance contract by or on behalf”; in

line 15, after “any” insert “mortgage or”; in the same line, strike “by” and substitute “in a transaction in which”; and in line 16, strike “as the agent” and substitute “acts for or on behalf”.

AMENDMENT NO. 2

On page 4, in line 8, strike “IS THE AGENT” and substitute “PROVIDES ESCROW CLOSING OR SETTLEMENT SERVICES THAT MAY RESULT IN THE ISSUANCE OF A TITLE INSURANCE CONTRACT FOR OR ON BEHALF”; in line 29, strike “CONDUCT” and substitute “CONDUCT, THAT OCCURS WITHIN THE SCOPE OF THE TITLE INSURANCE PRODUCER’S INDEPENDENT CONTRACTOR’S EMPLOYMENT”; in line 30, strike “ANY” and substitute “WHEN A MORTGAGE OR”; in the same line, strike “BY” and substitute “IN A TRANSACTION IN WHICH”; in line 31, after “CONTRACTOR” insert “IS”; in the same line, strike “AS THE AGENT” and substitute “FOR OR ON BEHALF”; in line 32, strike “PRODUCER SHALL INCLUDE ON” and substitute “PRODUCER, THERE SHALL BE INCLUDED ON OR WITH”; and in the same line, after “RECORDED” insert “MORTGAGE OR”.

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 ENVIRONMENTAL MATTERS REPORT #11

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1123 – Delegates Holmes, Ali, Healey, and Niemann

AN ACT concerning

Real Property – Mobile Home Parks – Resident and Park Owner Rights

HB1123/930618/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1123

(First Reading File Bill)

On page 1, strike beginning with “establishing” in line 17 down through “resident;” in line 19; and in line 21, strike “defining a certain term;”.

On page 2, in line 1, strike the first comma and substitute “and”; and in the same line, strike “, and 8A-1705”.

On pages 11 through 13, strike in their entirety the lines beginning with line 12 on page 11 through line 28 on page 13, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably with amendments:

House Bill 1191 – Delegates McIntosh, Bobo, Cane, Carr, V. Clagett, Glenn, Healey, Holmes, Lafferty, Niemann, Shewell, Sossi, and Stein

AN ACT concerning

Natural Resources – Oyster Poaching – Hearing

HB1191/230412/1

BY: Environmental Matters Committee

AMENDMENT TO HOUSE BILL 1191

(First Reading File Bill)

On page 2, in line 7, strike “FROM” and substitute “LOCATED MORE THAN 200 FEET WITHIN A”; in line 8, strike “AREAS” and substitute “AREA”; in line 9, strike “ILLEGAL”; in the same line, after “GEAR” insert “THAT IS PROHIBITED IN THAT AREA”; strike beginning with “AT” in line 10 down through “PROHIBITED” in line 11 and substitute “OUTSIDE OF A TIME RESTRICTION FOR THE HARVEST OR POSSESSION OF OYSTERS BY MORE THAN 1 HOUR”; and in line 14, after “LEASEHOLDER” insert “OR LEASEHOLDER’S DESIGNEE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 11 – ~~Senator Conway~~ Senators Conway and Dyson

AN ACT concerning

Business Regulation – Returnable Containers – Plastic Secondary Packaging

The Bill was re-referred to the Committee on Economic Matters.

THE COMMITTEE ON JUDICIARY REPORT #10

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 60 – Delegate Smigiel

AN ACT concerning

Criminal Procedure – Violation of Pretrial or Posttrial Release No Contact Order – Expedited Hearing (“Alexis’s Law”)

HB0060/172610/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 60

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Smigiel” and substitute “Delegates Smigiel, Ramirez, Vallario, Barnes, Levi, and Walker”; in line 2, after “Violation” insert “by Child Sexual Offender”; in line 3, strike “- Expedited Hearing”; strike beginning with “an” in line 4 down through “circumstances;” in line 11 and substitute “a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has violated a condition of pretrial or posttrial release; prohibiting a person charged with committing a certain sexual crime against a victim who is a minor from violating a certain condition of pretrial or

posttrial release; establishing a penalty for a violation of certain conditions of pretrial or posttrial release;”; in line 13, strike “without” and substitute “with”; and in line 15, strike “5-201(a) and 5-213” and substitute “2-203”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 2 on page 3, inclusive, and substitute:

“2-203.

(a) A police officer without a warrant may arrest a person if the police officer has probable cause to believe:

(1) that the person has committed a crime listed in subsection (b) of this section; and

(2) that unless the person is arrested immediately, the person:

(i) may not be apprehended;

(ii) may cause physical injury or property damage to another; or

(iii) may tamper with, dispose of, or destroy evidence.

(b) The crimes referred to in subsection (a)(1) of this section are:

(1) manslaughter by vehicle or vessel under § 2-209 of the Criminal Law Article;

(2) malicious burning under § 6-104 or § 6-105 of the Criminal Law Article or an attempt to commit the crime;

(3) malicious mischief under § 6-301 of the Criminal Law Article or an attempt to commit the crime;

(4) a theft crime where the value of the property or services stolen is less than \$500 under § 7-104 or § 7-105 of the Criminal Law Article or an attempt to commit the crime;

(5) the crime of giving or causing to be given a false alarm of fire under § 9–604 of the Criminal Law Article;

(6) indecent exposure under § 11–107 of the Criminal Law Article;

(7) a crime that relates to controlled dangerous substances under Title 5 of the Criminal Law Article or an attempt to commit the crime;

(8) the wearing, carrying, or transporting of a handgun under § 4–203 or § 4–204 of the Criminal Law Article;

(9) carrying or wearing a concealed weapon under § 4–101 of the Criminal Law Article; [and]

(10) prostitution and related crimes under Title 11, Subtitle 3 of the Criminal Law Article; AND

(11) VIOLATION OF A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE UNDER § 5-213.1 OF THIS ARTICLE.

5-213.1.

(A) A PERSON CHARGED WITH COMMITTING A VIOLATION OF TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE AGAINST A VICTIM WHO IS A MINOR MAY NOT VIOLATE A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE PROHIBITING THE PERSON FROM CONTACTING, HARASSING, OR ABUSING THE ALLEGED VICTIM OR GOING IN OR NEAR THE ALLEGED VICTIM’S RESIDENCE OR PLACE OF EMPLOYMENT.

(B) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 128 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

HB0128/872110/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 128

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Rosenberg” and substitute “Delegates Rosenberg, Anderson, and Dumais”; in line 4, after the first “of” insert “limiting to a person charged by indictment or criminal information with a crime triable in circuit court and convicted of that crime the authority to file a petition for writ of actual innocence under certain circumstances;”; in the same line, after the first “a” insert “certain”; and in line 10, after “innocence;” insert “repealing a provision of law authorizing the court to dismiss a certain petition without a hearing if the court finds that the petition fails to state a claim; authorizing the State or a certain petitioner to appeal a certain order to the Court of Special Appeals within a certain time period; requiring an appeal under this Act to follow the form and procedure set by the Maryland Rules; authorizing the court to stay an order and set bail under certain circumstances; authorizing the Court of Special Appeals to affirm, modify, or reverse an order or remand a case for further proceedings under certain circumstances;”.

AMENDMENT NO. 2

On page 1, in line 21, strike “convicted”; in the same line, after “person” insert “CHARGED BY INDICTMENT OR CRIMINAL INFORMATION WITH A CRIME TRIABLE IN CIRCUIT COURT AND CONVICTED OF THAT CRIME MAY”; in the same line, strike “may”.

On page 2, in line 14, strike “15” and substitute “90”; and in line 26, strike “state a claim or”.

AMENDMENT NO. 3

On page 3, after line 2, insert:

“(H) (1) WITHIN 30 DAYS AFTER THE COURT PASSES AN ORDER IN ACCORDANCE WITH THIS SECTION, THE STATE OR THE PETITIONER MAY APPEAL THE ORDER TO THE COURT OF SPECIAL APPEALS.

(2) (I) THE APPEAL SHALL FOLLOW THE FORM AND PROCEDURE SET BY THE MARYLAND RULES.

(II) IF THE STATE FILES AN APPEAL UNDER THIS SUBSECTION, THE COURT MAY:

1. STAY THE ORDER; AND

2. SET BAIL FOR THE PETITIONER.

(III) AFTER HEARING AN APPEAL UNDER THIS SUBSECTION, THE COURT OF SPECIAL APPEALS MAY:

1. AFFIRM, MODIFY, OR REVERSE THE ORDER APPEALED FROM; OR

2. REMAND THE CASE FOR FURTHER PROCEEDINGS.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 417 – Delegates Rosenberg, Cardin, and Haynes

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore City – Orphans’ Court Judges – Qualifications

HB0417/462610/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 417

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Haynes” and substitute “Haynes, and Conaway”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 456 – Delegates Ramirez, Barnes, Anderson, Carr, Dumais, Levi, Niemann, Schuler, Simmons, Vaughn, and Waldstreicher

AN ACT concerning

Mortgage Foreclosure Bankruptcy Exemption

HB0456/872915/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 456

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Homestead Exemption – Bankruptcy”; in line 7, strike “limiting the exemption to apply to claims by unsecured

creditors;” and in line 9, strike “making conforming changes;” and substitute “making a clarifying change; providing for the application of this Act;”.

AMENDMENT NO. 2

On page 3, in line 6, after the semicolon insert “AND”; strike line 7 in its entirety; in line 8, strike beginning with “**(III)**” through “**OWNER-OCCUPIED**” and substitute “**(II) OWNER-OCCUPIED**”; in line 9, strike “**\$80,000**” and substitute “**\$20,200**”; in lines 12 and 18, in each instance, strike “**(1)(III)**” and substitute “**(1)(II)**”; in lines 13 and 17, in each instance, after “**CLAIMED**” insert “**SUCCESSFULLY**”; and strike beginning with “**A**” in line 15 down through “**ARTICLE,**” in line 16 and substitute “**THE INDIVIDUAL’S SPOUSE, CHILD, CHILD’S SPOUSE, PARENT, SIBLING, GRANDPARENT, OR GRANDCHILD**”.

AMENDMENT NO. 3

On page 3, strike beginning with the colon in line 19 down through “**MAY**” in line 22 and substitute “**MAY**”.

AMENDMENT NO. 4

On page 4, after line 20, 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 case filed before the effective date of this Act.”;

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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 811 – Delegates Dumais, Conway, DeBoy, Malone, and Mathias

AN ACT concerning

Child Abuse and Neglect – Mandatory Reporting – Children in Contact with Sexual Offenders

HB0811/392511/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Child Protection - Reporting of Children Living with or in the Regular Presence of Registered Child"; in line 4, strike "requiring certain professionals" and substitute "authorizing an individual"; in lines 5 and 6, strike "professionals have" and substitute "individual has"; strike beginning with the first "child" in line 6 down through "child's" in line 7; in line 7, strike "the" and substitute "a"; in line 8, strike "regularly associate with" and substitute "be in the regular presence of"; in the same line, after "individual," insert "providing for the manner of reporting; describing the information that is to be included in a certain report; providing for the receipt and investigation of a certain report;"; strike beginning with "providing" in line 8 down through "procedures;" in line 9; in lines 10 and 11, strike "establishing certain investigation procedures;"; in line 11, after "department" insert "and the appropriate law enforcement agency"; strike beginning with "after" in line 11 down through "reports;" in line 12, and substitute "within a certain time period after receiving a certain report; requiring an investigation to be completed within a certain time period; requiring the local department to take certain actions as part of an investigation;"; strike beginning with the second "reports" in line 14 down through "neglect" in line 15 and substitute "reporting of children living with or in the regular presence of certain persons"; in line 18, strike "5-705.2" and substitute "5-704.1"; and in line 23, strike "5-707(b) and".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 20 on page 2, inclusive.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 24 on page 2 through line 17 on page 4, inclusive, and substitute:

5-704.1.

(A) AN INDIVIDUAL MAY NOTIFY THE LOCAL DEPARTMENT OR THE APPROPRIATE LAW ENFORCEMENT AGENCY IF THE INDIVIDUAL HAS REASON TO BELIEVE THAT A PARENT, GUARDIAN, OR CAREGIVER OF A CHILD ALLOWS THE CHILD TO RESIDE WITH OR BE IN THE REGULAR PRESENCE OF AN INDIVIDUAL, OTHER THAN THE CHILD'S PARENT OR GUARDIAN, WHO:

(1) IS REGISTERED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE AS A CHILD SEXUAL OFFENDER; AND

(2) BASED ON ADDITIONAL INFORMATION, POSES A SUBSTANTIAL RISK OF SEXUAL ABUSE TO THE CHILD.

(B) (1) A REPORT UNDER SUBSECTION (A) OF THIS SECTION MAY BE ORAL OR IN WRITING.

(2) IF ACTING AS A STAFF MEMBER OF A HOSPITAL, PUBLIC HEALTH AGENCY, CHILD CARE INSTITUTION, JUVENILE DETENTION CENTER, SCHOOL, OR SIMILAR INSTITUTION, AN INDIVIDUAL WHO NOTIFIES THE APPROPRIATE AUTHORITIES UNDER SUBSECTION (A) OF THIS SECTION IMMEDIATELY SHALL NOTIFY AND GIVE ALL OF THE INFORMATION REQUIRED BY THIS SECTION TO THE HEAD OF THE INSTITUTION OR THE DESIGNEE OF THE HEAD OF THE INSTITUTION.

(C) TO THE EXTENT REASONABLY POSSIBLE, AN INDIVIDUAL WHO MAKES A REPORT UNDER THIS SECTION SHALL INCLUDE IN THE REPORT THE FOLLOWING INFORMATION:

(1) THE NAME, AGE, AND HOME ADDRESS OF THE CHILD;

(2) THE NAME AND HOME ADDRESS OF THE CHILD'S PARENT OR OTHER PERSON WHO IS RESPONSIBLE FOR THE CHILD'S CARE;

(3) THE WHEREABOUTS OF THE CHILD;

(4) THE NATURE AND EXTENT OF THE SUBSTANTIAL RISK OF SEXUAL ABUSE OF THE CHILD, INCLUDING ANY EVIDENCE OR INFORMATION

AVAILABLE TO THE REPORTER CONCERNING POSSIBLE PREVIOUS INSTANCES OF SEXUAL ABUSE; AND

(5) ANY OTHER INFORMATION THAT WOULD HELP TO DETERMINE:

(I) THE CAUSE OF THE SUBSTANTIAL RISK OF SEXUAL ABUSE; AND

(II) THE IDENTITY OF ANY INDIVIDUAL RESPONSIBLE FOR THE SUBSTANTIAL RISK OF SEXUAL ABUSE.”.

AMENDMENT NO. 4

On page 4, in line 20, strike “**5-705.2**” and substitute “**5-704.1**”; and in line 21, strike “**ABUSE OR NEGLECT**” and substitute “**SEXUAL ABUSE**”.

On pages 4 and 5, strike beginning with “**(I)**” in line 22 on page 4 down through “**(I)**” in line 1 on page 5.

On page 5, in line 2, strike “**IMMEDIATELY SHALL**” and substitute “**SHALL IMMEDIATELY**”; strike in their entirety lines 4 through 8, inclusive; in line 9, strike “**(4)**” and substitute “**(3)**”; in line 12, strike “**5-705.2**” and substitute “**5-704.1**”; in lines 14 and 15, strike “**ABUSE OR NEGLECT,**” and substitute “**SEXUAL ABUSE**”; in line 15, strike “**§ 5-705.2 OF**”; in line 18, strike “**TRUE**” and substitute “**ACCURATE AND THAT THERE IS SPECIFIC INFORMATION THAT THE CHILD IS AT SUBSTANTIAL RISK OF SEXUAL ABUSE**”; in line 21, strike “**ABUSE OR NEGLECT**” and substitute “**SEXUAL ABUSE**”; and in line 22, strike “**(I)**”.

On pages 5 and 6, strike in their entirety the lines beginning with line 24 on page 5 through line 6 on page 6, inclusive.

On page 6, in line 8, after “**INDIVIDUAL**” insert “**WITH A HISTORY OF SEXUAL ABUSE**”; in line 9, strike “**PREVIOUSLY HAS**” and substitute “**HAS PREVIOUSLY**”; in line 13, strike “**OR**” and substitute “**AND**”; strike beginning with “**DESCRIBED**” in line 16 down through “**SUBTITLE**” in line 17 and substitute “**IDENTIFIED IN THE REPORT AS A CHILD SEXUAL OFFENDER**”; in line 18, strike “**DETERMINE**” and substitute “**DECIDE ON**”; in the same line, strike the first “**OF**”; in line 19, after “**CHILD**” insert “**,**

WHEREVER THE CHILD IS,”; in the same line, strike “**TO**” and substitute “**OF**”; in line 20, strike “**DETERMINE**” and substitute “**DECIDE ON**”; in the same line, strike the first “**OF**”; in the same line, strike “**TO**” and substitute “**OF**”; strike beginning with “**DESCRIBED**” in line 21 down through “**SUBTITLE**” in line 22 and substitute “**IDENTIFIED IN THE REPORT AS A CHILD SEXUAL OFFENDER**”; and in line 24, strike “**WITHIN**” and substitute “**AS SOON AS PRACTICABLE BUT NOT LATER THAN**”.

On pages 6 and 7, strike beginning with “**IF**” in line 26 on page 6 down through “**days**” in line 19 on page 7 and substitute “**AS PART OF THE INVESTIGATION, THE LOCAL DEPARTMENT SHALL:**”

- (1) DETERMINE WHETHER THE CHILD IS SAFE;
- (2) DETERMINE WHETHER SEXUAL ABUSE OF THE CHILD HAS OCCURRED;
- (3) IF APPROPRIATE, OFFER SERVICES TO THE FAMILY; AND
- (4) IMMEDIATELY DECIDE WHETHER TO FILE A PETITION ALLEGING THAT THE CHILD IS IN NEED OF ASSISTANCE”.

AMENDMENT NO. 5

On page 7, in line 23, strike “**ABUSE OR NEGLECT**” and substitute “**SEXUAL ABUSE**”; and in the same line, strike “**5-705.2**” and substitute “**5-704.1**”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1141 – Delegate Dumais

AN ACT concerning

Child Abuse and Neglect – Disclosure of Information

HB1141/432612/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 1141

(First Reading File Bill)

On page 3, in line 27, strike “**OR NEAR FATALITY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1222 – Delegates Ramirez, Rosenberg, Anderson, Dumais, and Levi

AN ACT concerning

Correctional Services – Division of Parole and Probation – Supervision Fee

HB1222/282417/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1222

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “transferring” in line 3 down through “purposes;” in line 8 and substitute “authorizing the Division of Parole and Probation to recommend to the Parole Commission that a certain supervisee be exempt wholly or partly from a certain fee;”.

AMENDMENT NO. 2

On page 2, in lines 3, 4, 6, 10, 18, and 20, in each instance, strike the bracket; in lines 3, 4, 10, 18, and 21, in each instance, strike “**DIVISION**”; in line 4, strike “**(C) OR (H)**”; in lines 7 and 8, in each instance, strike “of Parole and Probation”; and strike lines 25 and 26 in their entirety.

On page 3, in lines 17, 24, and 25, in each instance, strike the bracket; in line 17, strike “(C)”; strike beginning with “CONDUCT” in line 25 down through “SECTION” in line 29; and after line 32, insert:

“(J) THE DIVISION MAY RECOMMEND TO THE COMMISSION THAT A SUPERVISEE BE EXEMPT WHOLLY OR PARTLY FROM THE FEE ASSESSED UNDER SUBSECTION (B) 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 WAYS AND MEANS REPORT #6

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 484 – Delegates Elliott, Aumann, Bartlett, Bates, Beidle, Beitzel, Boteler, Bromwell, Cardin, Dwyer, Eckardt, Elmore, Frush, George, Haddaway, Healey, Heller, Hubbard, Impallaria, Jenkins, Kach, King, Kipke, Krebs, Levy, Love, Mathias, McDonough, Minnick, Morhaim, Murphy, Myers, Olszewski, Schuh, Shank, Shewell, Sossi, Stein, Stocksdale, Stukes, Stull, Waldstreicher, Walker, and Wood

AN ACT concerning

Property Tax – Semiannual Payment Schedule – Small Business Property

HB0484/495068/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 484

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Wood” and substitute “Wood, Barve, Doory, Frick, Gilchrist, Hixson, Howard, Ivey, Kaiser, Rice, Ross, and F. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 892 – Delegate Niemann

AN ACT concerning

Property Taxes – Homestead Property Tax Credit

HB0892/345360/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 892

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Niemann” and substitute “Delegates Niemann, Ross, Barnes, Benson, Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Levi, Pena-Melnyk, Proctor, Ramirez, V. Turner, Valderrama, Vallario, Vaughn, and Walker”; in line 2, strike “Homestead Property Tax Credit” and substitute “Bicounty Commissions”; in line 4, strike “, including” and substitute “and”; strike beginning with “by” in line 5 down through “districts;” in line 6 and substitute “for certain bicounty commissions; specifying the applicable homestead credit percentage for certain taxes imposed for certain bicounty commissions; defining a certain term; providing for the application and construction of certain laws relating to certain taxes imposed for certain bicounty commissions;”; in line 7, after “credit” insert “and property taxes imposed for certain bicounty commissions”; after line 7, insert:

“BY repealing and reenacting, without amendments,

Article - Tax - Property

Section 9-105(a)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article - Tax - Property

Section 9-105(a)(9)

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)”;

and in line 10, strike “9-105(b)” and substitute “9-105(b), (e)(2), and (g)”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“(a) (1) In this section the following words have the meanings indicated.

(9) “BICOUNTY COMMISSION” MEANS:

(I) THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION;

(II) THE WASHINGTON SUBURBAN SANITARY COMMISSION;

OR

(III) THE WASHINGTON SUBURBAN TRANSIT COMMISSION.”.

AMENDMENT NO. 3

On page 1, in line 24, strike “, INCLUDING:” and substitute “AND ANY PROPERTY TAX IMPOSED FOR A BICOUNTY COMMISSION.”.”

On page 2, strike in their entirety lines 1 through 4, inclusive, and substitute:

“(e) (2) For each taxable year, the homestead credit percentage under paragraph (1)(i) of this subsection is:

(i) for the State property tax AND FOR ANY PROPERTY TAX IMPOSED FOR A BICOUNTY COMMISSION, 110%;

(ii) for the county property tax:

1. the homestead credit percentage established by the county under paragraph (3) of this subsection; or

2. if the county has not set a percentage for the taxable year under paragraph (3) of this subsection or has not notified the Department as required under paragraph (6) of this subsection, the homestead credit percentage in effect for the county for the preceding taxable year; and

(iii) for the municipal corporation property tax:

1. the homestead credit percentage established by the municipal corporation under paragraph (4) of this subsection; or

2. if the municipal corporation has not set a percentage under paragraph (4) of this subsection or has not notified the Department as required under paragraph (7) of this subsection, the homestead credit percentage for the taxable year for the county in which the property is located.

(g) A homeowner who meets the requirements of this section shall be granted the property tax credit under this section against the State, county, and municipal corporation property tax AND ANY PROPERTY TAX IMPOSED FOR A BICOUNTY COMMISSION imposed on the real property of the dwelling.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In this section, “bicounty commission” means:

(1) the Maryland–National Capital Park and Planning Commission;

(2) the Washington Suburban Sanitary Commission; or

(3) the Washington Suburban Transit Commission.

(b) Any provision of Article 28 of the Code, Article 29 of the Code, or Chapter 870 of the Acts of the General Assembly of 1965, as amended, providing that a tax imposed for a bicounty commission shall be levied and collected as county taxes are levied and collected, have the same priority rights, bear the same interest and penalties, and in any other respect be treated the same as a county tax:

(1) applies only to the authority to enforce and collect the tax imposed for the bicounty commission; and

(2) may not be deemed or construed to mean that the tax imposed for the bicounty commission is a county property tax under the Tax - Property Article.”;

and in line 5, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 978 – Harford County Delegation

AN ACT concerning

Harford County Board of Education – Student Member – Voting Rights

HB0978/815060/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 978

(First Reading File Bill)

On page 4, strike beginning with “**CERTIFICATED**” in line 21 down through “**ARTICLE**” in line 22 and substitute “**STAFF**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

House Bill 1219 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – WMHS Braddock Hospital Facility

HB1219/605666/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1219

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “property” insert “formerly designated and operated as a certain hospital”; in line 8, strike “certain provisions relating to the property tax” and substitute “the amount of the credit, eligibility criteria for the credit, regulations and procedures, and any other provision necessary to carry out the”; and in line 10, after the second “property” insert “formerly designated and operated as a certain hospital”.

AMENDMENT NO. 2

On page 2, in line 24, strike “AND” and substitute:

“(II) ELIGIBILITY CRITERIA FOR THE CREDIT;

“(III) REGULATIONS AND PROCEDURES FOR THE APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE CREDIT; AND”;

and in line 25, strike “(II)” and substitute “(IV)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means reported favorably with amendments:

Senate Bill 106 – The President (By Request – Administration) and Senators Miller, Currie, Kasemeyer, Astle, Brinkley, Colburn, DeGrange, Forehand, Garagiola, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Peters, Pugh, Robey, Rosapepe, ~~and Zirkin~~ Zirkin, and Stone

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

SB0106/195565/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 106

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “allowing” in line 10 down through “circumstances;” in line 11; and in line 17, strike “program”.

On page 4, in line 9, after “JOB” insert “IN THE STATE”.

AMENDMENT NO. 2

On page 3, in line 22, after “EMPLOYEE” insert “FOR AN INDEFINITE DURATION AND”.

AMENDMENT NO. 3

On page 4, in line 20, strike “JANUARY 1, 2010,” and substitute “THE EFFECTIVE DATE OF CHAPTER ____ (S.B. 106) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010”.

On page 5, in line 15, strike “DURING THE 2010 CALENDAR YEAR” and substitute “BETWEEN THE EFFECTIVE DATE OF CHAPTER ____ (S.B. 106) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010 AND DECEMBER 31, 2010”.

On page 7, in line 5, strike “JANUARY 1, 2010,” and substitute “THE EFFECTIVE DATE OF CHAPTER ____ (S.B. 106) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2010”.

On page 9, in line 4, strike “January 1, 2010,” and substitute “the effective date of this Act”.

AMENDMENT NO. 4

On page 5, in line 9, after “SECTION,” insert “WITHIN 60 DAYS AFTER RECEIVING THE APPLICATION,”.

AMENDMENT NO. 5

On page 6, in line 25, after the second comma insert “THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT,”; in line 31, strike the second “AND” and substitute a comma; in line 32, strike “JOBS” and substitute “QUALIFIED POSITIONS”; and in the same line, after “CERTIFIED” insert “, THE TOTAL AMOUNT OF CREDITS CERTIFIED FOR EACH QUALIFIED EMPLOYER, AND THE TOTAL AMOUNT OF CREDITS CERTIFIED”.

AMENDMENT NO. 6

On page 7, in line 32, strike “EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, IF” and substitute “IF”.

On page 8, in line 14, strike “REFUND” and substitute “CREDIT”; and in line 15, strike “SECTION” and substitute “SUBTITLE”.

AMENDMENT NO. 7

On page 8, strike beginning with the colon in line 23 down through “(1)” in line 24.

On pages 8 and 9, strike beginning with “; OR” in line 26 on page 8 down through “TITLE” in line 2 on page 9.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson moved to put **Senate Bill 106** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 133 Negative – 3 (See Roll Call No. 538)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 106** was placed on Third Reading.

Senate Bill 106 – The President (By Request – Administration) and Senators Miller, Currie, Kasemeyer, Astle, Brinkley, Colburn, DeGrange, Forehand, Garagiola, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Peters, Pugh, Robey, Rosapepe, ~~and Zirkin~~ Zirkin, and Stone

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

STATUS OF BILL: BILL ON 3RD READING

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 6 (See Roll Call No. 539)

The Bill was then returned to the Senate.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS
REPORT #7**

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 211 – Delegate Morhaim

AN ACT concerning

State Government – Open Meetings Act – Notice and Complaints

HB0211/646782/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 211

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Morhaim” and substitute “Delegates Hammen, Pendergrass, Benson, Costa, Donoghue, Elliott, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner”.

On page 3, in line 6, after “(I)” insert “UNLESS THE PUBLIC BODY DOES NOT REGULARLY USE A WEBSITE TO PROVIDE INFORMATION TO THE PUBLIC OR HAVE ACCESS TO A WEBSITE TO PROVIDE INFORMATION TO THE PUBLIC,”; in lines 7 and 8, strike “TO PROVIDE INFORMATION TO THE PUBLIC; OR” and substitute “;AND”; strike beginning with “IF” in line 9 down through “PUBLIC,” in line 11; and in line 16, after “APPROPRIATE” insert “, INCLUDING BY DELIVERY TO REPRESENTATIVES OF THE NEWS MEDIA WHO REGULARLY REPORT ON SESSIONS OF THE PUBLIC BODY OR THE ACTIVITIES OF THE GOVERNMENT OF WHICH THE PUBLIC BODY IS A PART”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 345 – Delegate Hucker

AN ACT concerning

State Government – State Designations – Review, Evaluation, and Recommendation by the State Archivist

HB0345/956087/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 345

(First Reading File Bill)

On page 2, in line 10, strike “OR” and substitute a comma; and in line 11, after “HOUSE,” insert “THE CHAIR OF THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, OR THE CHAIR OF THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 494 – Delegates Hubbard, Costa, King, Kirk, Kullen, Levy, Love, Minnick, Montgomery, Oaks, and Stein

AN ACT concerning

Infant Formula and Baby Food – Auction Sales – Prohibition – Exception

HB0494/936886/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 494

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Infant Formula and Baby Food” and substitute “Food and Cosmetics”; in line 7, after “circumstances;” insert “exempting the sale of certain items at a charity auction from a certain prohibition under certain circumstances;”; and in line 8, strike “infant formula and baby food” and substitute “food and cosmetics”.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“(A) THIS SECTION DOES NOT APPLY TO COSMETICS, INFANT FORMULA, OR BABY FOOD IF:

(1) THE COSMETICS, INFANT FORMULA, OR BABY FOOD ARE BEING SOLD IN A SINGLE LOT AT A CHARITY AUCTION; AND

(2) THE TOTAL VALUE OF THE COSMETICS, INFANT FORMULA, OR BABY FOOD IN THE LOT IS \$100 OR LESS.”;

and in line 23, strike “(a)” and substitute “**(B)**”.

On page 2, in line 4, strike “(b)” and substitute “(C)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 501 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Dental Examiners – Sunset Extension and Revisions

HB0501/686982/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 501

(First Reading File Bill)

On page 1, in the sponsor line, after “Committee)” insert “and Delegate V. Turner”.

On page 3, in lines 14 and 25, in each instance, strike “**FAILS TO COMPLY WITH AN INVESTIGATION OF THE BOARD**” and substitute “**WILLFULLY AND WITHOUT LEGAL JUSTIFICATION, FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION CONDUCTED BY THE BOARD**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 531 – Delegates Reznik, Morhaim, and Pena–Melnik

AN ACT concerning

Task Force to Study the Procurement of Health, Education, and Social Services by State Agencies – Extension

HB0531/276289/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 531

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Agencies;” insert “altering the appointment process for certain members of the Task Force; altering the staffing requirements for the Task Force:”.

AMENDMENT NO. 2

On page 2, strike beginning with “jointly” in line 21 down through “House” in line 22 and substitute “APPOINTED BY THE GOVERNOR”.

On page 5, strike beginning with “jointly” in line 4 down through “House” in line 5 and substitute “APPOINTED BY THE GOVERNOR”.

AMENDMENT NO. 3

On page 3, in line 3, strike “departments represented on the Task Force” and substitute “BOARD OF PUBLIC WORKS”.

On page 5, in line 17, strike “departments represented on the Task Force” and substitute “BOARD OF PUBLIC WORKS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 646 – Delegates Reznik, Barkley, Bronrott, Montgomery, Rice, Rosenberg, and Shewell

AN ACT concerning

Angel's Law – Foster Care and Child Care – Cordless Window Coverings

HB0646/336082/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 646

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Shewell” and substitute “Shewell, Benson, Costa, Donoghue, Hammen, Hubbard, Kipke, Kullen, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Riley, Tarrant, and V. Turner”; in line 2, strike “Cordless”; and in lines 9, 11, 13, and 14, in each instance, strike “cordless”.

On page 2, in line 31, strike “**BEAD**” and substitute “**BEADED**”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 4, inclusive; in lines 5, 18, and 25, strike “**(5)**”, “**(6)**”, and “**(8)**”, respectively, and substitute “**(4)**”, “**(5)**”, and “**(6)**”, respectively; strike in their entirety lines 20 through 24, inclusive; and strike in their entirety lines 27 through 30, inclusive.

On page 4, in line 1, strike “**(11)**” and substitute “**(7)**”.

AMENDMENT NO. 3

On pages 4 and 5, strike beginning with “**THE**” in line 10 on page 4 down through the period in line 4 on page 5 and substitute “**MINIMUM SAFETY STANDARDS ESTABLISHED IN REGULATIONS JOINTLY ADOPTED BY THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION THAT INCLUDE STANDARDS FOR:**

(1) ROMAN SHADES, ROLL-UP SHADES, WOVEN SHADES, AND ALL WINDOW COVERINGS WITH EXPOSED AND UNSECURED CORDS;

(II) HORIZONTAL BLINDS, CELLULAR SHADES, AND ALL WINDOW COVERINGS THAT HAVE DRAW CORDS FOR THEIR OPERATION; AND

(III) VERTICAL BLINDS AND OTHER WINDOW COVERING PRODUCTS WITH LOOPS UTILIZED IN THEIR OPERATION.”.

AMENDMENT NO. 4

On page 5 in line 26, on page 6 in line 13, and on page 7 in line 21, in each instance, strike “CORDLESS”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 693 – Delegates Hubbard, Bromwell, Frush, Kullen, Morhaim, Schuh, and Stein

AN ACT concerning

Health and Human Services Referral Board – 2-1-1 Maryland – Modifications

HB0693/876088/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 693

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Montgomery, Nathan-Pulliam, Pena-Melnyk, Reznik, Riley, and V. Turner”; in line 16, after “reimbursement;” insert “requiring the composition of the Board as to the race and gender of its members to reflect the composition of the population of the State;”; and in line 17, after “terms;” insert “repealing a certain definition; requiring a certain call center to align with 2-1-1 Maryland on or before a certain date under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 7, strike the second “AND”; after line 7, insert:

“(5) THE DEGREE TO WHICH THE COUNTY IN WHICH THE PROPOSED CALL CENTER IS TO BE LOCATED HAS DEDICATED SUBSTANTIAL RESOURCES TO THE ESTABLISHMENT OF A SINGLE TELEPHONE SOURCE FOR NON-EMERGENCY INQUIRIES REGARDING COUNTY SERVICES; AND”;

and in line 8, strike “(5)” and substitute “(6)”.

On page 5, in line 22, strike the bracket.

On page 6, after line 4, insert:

“(6) THE SECRETARY OF AGING, OR THE SECRETARY’S DESIGNEE;”;

in lines 5, 7, and 9, strike “(6)”, “(7)”, and “(8)”, respectively, and substitute “(7)”, “(8)”, and “(9)”, respectively; after line 10, insert:

“(10) A REPRESENTATIVE OF THE MARYLAND CHILD CARE RESOURCE NETWORK, APPOINTED BY THE GOVERNOR;”;

and in lines 11 and 13, strike “(9)” and “(10)”, respectively, and substitute “(11)” and “(12)”, respectively.

On page 7, after line 14, insert:

“(I) THE COMPOSITION OF THE BOARD AS TO THE RACE AND GENDER OF ITS MEMBERS SHALL REFLECT THE COMPOSITION OF THE POPULATION OF THE STATE.”.

AMENDMENT NO. 3

On page 8, in line 4, after “EVALUATE” insert “**THE PERFORMANCE OF EACH**”; and in the same line, strike “CENTERS” and substitute “**CENTER**”;

(5) MAKE RECOMMENDATIONS TO 2-1-1 MARYLAND REGARDING THE QUALITY OF SERVICE PROVIDED BY CALL CENTERS OR THE PERFORMANCE OF CALL CENTERS WHEN ISSUES RELATED TO SERVICE QUALITY AND PERFORMANCE ARE PRESENTED TO THE BOARD;

(6) MAKE RECOMMENDATIONS REGARDING CORRECTIVE ACTION TO BE TAKEN BY A CALL CENTER, AS APPROPRIATE; AND

(7) DEVELOP POLICIES AND PROCEDURES GOVERNING CONFLICT OF INTEREST STANDARDS FOR BOARD MEMBERS”;

and in line 11, after “That” insert “if 2-1-1 Maryland approves a call center to be located in Montgomery County, the call center shall align with 2-1-1 Maryland on or before July 1, 2011.”

SECTION 3. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 803 – Delegates Rudolph and Kullen

AN ACT concerning

Health Insurance – High Deductible Plans and Limited Benefit Plans for Uninsured Individuals

HB0803/936389/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 803

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Kullen” and substitute “, Kullen, Benson, Donoghue, Elliott, Hammen, Hubbard, Kach, Kipke, Krebs, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner”; in line 3, after “Individuals” insert “- Pilot Project”; in lines 4, 6 and 7, and 11, in each instance, strike “a nonprofit health service plan” and substitute “carriers”; in line 14, strike “a certain nonprofit health service plan” and substitute “certain carriers”; in line 16, after “date;” insert “requiring the Administration to monitor certain federal legislation and, under certain circumstances, to notify the Department of Legislative Services within a certain number of days after the date a certain requirement becomes effective; providing that this Act shall be abrogated and of no further force and effect on a certain date under certain circumstances;”; in line 17, after the second “Act” insert “, subject to a certain provision of this Act”; in line 19, strike “nonprofit health service plans” and substitute “carriers”; in lines 19 and 20, strike “who are residents of certain counties” and substitute “through a certain pilot project”; and in line 23, strike “14-128” and substitute “15-1107”.

AMENDMENT NO. 2

On page 2, in line 1, strike “14-128.” and substitute “15-1107.”; after line 3, insert:

“(2) “CARRIER” MEANS:

(I) AN INSURER; OR

(II) A NONPROFIT HEALTH SERVICE PLAN.”;

in lines 4, 9, 11, 14, 17, and 21, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “(9)”, respectively; in line 12, strike “THAT SATISFIES” and substitute “THAT:

(I) REQUIRES AN ANNUAL DEDUCTIBLE OF AT LEAST \$10,000; AND

(II) DOES NOT SATISFY”;

after line 20, insert:

“(8) ‘‘PILOT PROJECT’’ MEANS A PROJECT OF LIMITED DURATION THAT IS DESIGNED TO EXPAND HEALTH CARE COVERAGE IN SELECTED JURISDICTIONS OF THE STATE.”;

and in line 22, strike “**THE STATE**” and substitute “**A JURISDICTION OF THE STATE SELECTED TO PARTICIPATE IN THE PILOT PROJECT**”.

AMENDMENT NO. 3

On page 3, in lines 8, 13, 21, and 27, in each instance, strike “**NONPROFIT HEALTH SERVICE PLAN**” and substitute “**CARRIER**”; in line 22, strike “**TITLE 15,**”; in the same line, strike “**ARTICLE**” and substitute “**TITLE**”; in line 24, after “**SHALL**” insert: “**;**”

(I)”;

in line 26, strike “**ARTICLE**” and substitute “**TITLE; AND**

(II) INCLUDE DISCOUNTED FEES FOR HEALTH CARE SERVICES THAT ARE NOT COVERED BENEFITS”;

after line 33, insert:

“(D) THE COMMISSIONER, IN CONSULTATION WITH INTERESTED CARRIERS, SHALL SELECT NOT MORE THAN FOUR JURISDICTIONS OF THE STATE FOR PARTICIPATION IN THE PILOT PROJECT.”.

AMENDMENT NO. 4

On page 4, in line 1, after “That,” insert “**subject to Section 4 of this Act,**”; in lines 2 and 15, in each instance, strike “2013” and substitute “**2015**”; in lines 2 and 3, strike “a nonprofit health service plan that issues” and substitute “**carriers that issue**”; in lines 4 and 8, in each instance, strike “§ 14-128” and substitute “**§ 15-1107**”; in line 7, after “on” insert: “**;**”

(1)”;

in line 8, after “Article” insert “**;** **and**

(2) the potential to expand the pilot project established under this Act to other jurisdictions of the State”;

in line 11, strike “a nonprofit health service plan” and substitute “carriers”; after line 12 insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Insurance Administration shall monitor federal health care reform legislation and, if federal legislation is enacted that requires guaranteed issue of individual health benefit plans without medical underwriting to qualifying individuals, as defined in § 15-1107 of the Insurance Article, as enacted by Section 1 of this Act, the Administration shall notify the Department of Legislative Services within 10 days after the date the guaranteed issue requirement becomes effective.

(b) This Act shall be abrogated and of no further force and effect on the date the Department receives notice from the Administration under subsection (a) of this section.”;

in line 13, strike “4.” and substitute “5.”; in line 14, strike “It” and substitute “Subject to Section 4 of this Act, it”; and in the same line, strike “3” and substitute “5”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 923 – Delegates Levi, Benson, Haynes, Howard, Nathan–Pulliam, Oaks, Pena–Melnyk, Ramirez, Rice, Robinson, Stukes, Tarrant, Taylor, Valderrama, and Vaughn

AN ACT concerning

Procurement – Minority Business Enterprises – Review of Application for Certification and Notice to Applicant

HB0923/826282/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 923

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vaughn” and substitute “Vaughn, Hubbard, Kullen, Montgomery, Morhaim, Pendergrass, Reznik, and V. Turner”; strike beginning with the comma in line 6 down through “circumstances,” in line 7; and in line 7, after “time;” insert “authorizing the agency to extend a certain notification requirement for a certain period of time if the agency provides the applicant with a certain notice and explanation;”.

AMENDMENT NO. 2

On page 2, in line 11, strike “AND”; in line 13, strike “, ABSENT EXTENUATING CIRCUMSTANCES,”; in line 15, strike “120” and substitute “90”; and in line 16, strike “THE APPLICATION” and substitute “A COMPLETE APPLICATION THAT INCLUDES ALL OF THE INFORMATION NECESSARY FOR THE AGENCY TO MAKE A DECISION; AND”.

(III) AUTHORIZING THE AGENCY DESIGNATED TO CERTIFY MINORITY BUSINESS ENTERPRISES TO EXTEND THE NOTIFICATION REQUIREMENT ESTABLISHED UNDER ITEM (II) OF THIS ITEM ONCE, FOR NO MORE THAN AN ADDITIONAL 60 DAYS, IF THE AGENCY PROVIDES THE APPLICANT WITH A WRITTEN NOTICE AND EXPLANATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 927 – Delegates Nathan–Pulliam, Griffith, Benson, Howard, Kach, Morhaim, Oaks, Pena–Melnyk, Reznik, Robinson, Tarrant, and V. Turner

AN ACT concerning

State Board of Social Work Examiners – Out-of-State Applicants – Licensure

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations and Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 1044 – Delegates Bronrott, Ali, Aumann, Barkley, Barnes, Bartlett, Barve, Beidle, Beitzel, Bobo, Cardin, Carr, G. Clagett, Conway, Dumais, Eckardt, Feldman, Frick, Frush, Gaines, Griffith, Gutierrez, Guzzone, Hammen, Haynes, Healey, Hecht, Hixson, Hubbard, Hucker, Ivey, Jones, Kaiser, Kipke, Krysiak, Lafferty, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Pena-Melnyk, Pendergrass, Proctor, Ramirez, Reznik, Rice, Robinson, Ross, Stein, Taylor, F. Turner, and V. Turner

AN ACT concerning

High Performance Buildings Act – Applicable to Community College Capital Projects

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1050 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Maryland Health Insurance Plan – Plan Options – Governmental Third Party Payers

HB1050/526780/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1050

(First Reading File Bill)

On page 1, in the sponsor line, after “Plan)” insert “and Delegates Benson, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Tarrant, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1064 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – Criminal History Records Check

HB1064/606887/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1064

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Montgomery, Pena-Melnyk, Pendergrass, and V. Turner”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 1226 – Delegate Hubbard

AN ACT concerning

Developmental Disabilities Administration – Low Intensity Support Services

HB1226/346680/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1226

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hubbard” and substitute “Delegates Hubbard, Hammen, Pendergrass, Benson, Costa, Donoghue, Elliott, Kach, Kipke, Krebs, Kullen, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner”; in line 3, after “of” insert “establishing a Low Intensity Support Services Program in the Developmental Disabilities Administration; requiring low intensity support services to be flexible to meet the needs of individuals or families;”; in the same line, strike “Developmental Disabilities”; in line 6, strike “an individual” and substitute “certain individuals”; in line 7, strike “is” and substitute “are”; and in line 8, after “applications,” insert “authorizing the Department of Health and Mental Hygiene to develop a simplified application process for low intensity support services and to adopt certain regulations;”.

AMENDMENT NO. 2

On page 2, in line 11, strike “ENABLE” and substitute “:

(I) ENABLE”;

in line 12, after “CHILD” insert “OR AN ADULT”; in the same line, strike “OR” and substitute “;OR

(II) SUPPORT”;

in line 13, strike “AT HOME OR”; after line 15, insert:

“(B) THERE IS A LOW INTENSITY SUPPORT SERVICES PROGRAM IN THE ADMINISTRATION.

“(C) LOW INTENSITY SUPPORT SERVICES SHALL BE FLEXIBLE TO MEET THE NEEDS OF INDIVIDUALS OR FAMILIES.”;

and in lines 16, 22, and 28, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(D)”, “(E) (1)”, and “(F)”, respectively.

AMENDMENT NO. 3

On page 2, in line 16, strike “**PROVIDE UP TO**” and substitute “ESTABLISH A CAP OF NO LESS THAN”; in line 17, after the second “**PER**” insert “FISCAL”; and in line 19, strike “**\$3,000**”.

AMENDMENT NO. 4

On page 2, in lines 24 and 26, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 27, strike “**OR OTHER ALTERNATIVE FUNDING**” and substitute “IF THE LOW INTENSITY SUPPORT SERVICES WILL BE PROVIDED TO A MINOR”; and after line 27, insert:

“(2) THE DEPARTMENT MAY DEVELOP A SIMPLIFIED APPLICATION PROCESS FOR LOW INTENSITY SUPPORT SERVICES.”

AMENDMENT NO. 5

On pages 2 and 3, strike beginning with the colon in line 29 on page 2 down through “**DEPENDENT**” in line 1 on page 3 and substitute “DEPENDENT”.

AMENDMENT NO. 6

On page 3, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene may adopt regulations to implement the Low Intensity Support Services Program established under this Act, including regulations establishing the circumstances under which recipients of low intensity support services will be required to apply for other alternative funding.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #7

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 26 – Senators Miller, Kasemeyer, and Kittleman

AN ACT concerning

Maryland Constitutional Convention – Sense of the Voters

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 469 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Harrison, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Bill 470 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video Display Equipment

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate Stein moved to make the Bill a Special Order for Friday.

The motion was adopted.

House Bill 348 – Delegates Pena–Melnyk, Barnes, Frush, Healey, and Ross

AN ACT concerning

Public Institutions of Higher Education – New Design and Substantial Exterior Modification – Notice and Consultation

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED. FLOOR COMMITTEE AMENDMENT ADOPTED.

FLOOR AMENDMENT

HB0348/623229/2

BY: Delegate O'Donnell

AMENDMENT TO HOUSE BILL 348, AS AMENDED

On page 2 of the Appropriations Committee Amendments (HB0348/184569/2), in line 4 of Amendment No. 3, after "**STREAM**" insert "**, IF THE NEW OR MODIFIED STRUCTURE IS VISIBLE FROM THE ADJOINING PROPERTY**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 711 – Delegates Healey and Lafferty

EMERGENCY BILL

AN ACT concerning

Real Property – Tenants in Foreclosure – Conforming to Federal Law

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

FLOOR AMENDMENT

HB0711/963126/2

BY: Delegate McConkey

AMENDMENTS TO HOUSE BILL 711, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after the semicolon insert “establishing the maximum length of time a certain tenant may occupy the premises after the foreclosure sale:”.

AMENDMENT NO. 2

On page 3 of the bill, in line 1, after “**PREMISES**” insert “**FROM THE DATE OF THE SALE OF THE FORECLOSED PROPERTY**”; and in line 2, after “**LEASE**” insert “**BUT NO LONGER THAN 12 MONTHS AFTER THE DATE OF THE SALE**”.

On page 1 of the Environmental Matters Committee Amendments (HB0711/900413/1), in line 8 of Amendment No. 4, after “**TERM.**” insert “**UNLESS THE FORECLOSURE IS ON A FEDERALLY-RELATED MORTGAGE LOAN, IF THE LEASE TERM HAS MORE THAN 12 MONTHS REMAINING ON THE TERM, THE RENTER HAS THE RIGHT TO CONTINUE RENTING THE PROPERTY FOR 12 MONTHS AFTER THE DATE OF THE SALE AT FORECLOSURE.**”.

On page 2 of the Environmental Matters Committee Amendments, in line 13 of Amendment No. 4, after “**TERM.**” insert “**UNLESS THE FORECLOSURE IS ON A FEDERALLY-RELATED MORTGAGE LOAN, IF THE LEASE TERM HAS MORE THAN 12 MONTHS REMAINING ON THE TERM, THE RENTER HAS THE RIGHT TO CONTINUE RENTING THE PROPERTY FOR 12 MONTHS AFTER THE DATE OF THE SALE AT FORECLOSURE.**”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 33 Negative – 106 (See Roll Call No. 540)

FLOOR AMENDMENT

HB0711/563020/1

BY: Delegate McConkey

AMENDMENTS TO HOUSE BILL 711

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring a certain person authorized to make a sale in a certain foreclosure action to make a certain announcement at the sale concerning the rights of a tenant of the mortgagor or grantor under certain circumstances; requiring a certain person authorized to make a sale in a certain foreclosure action to publish certain information concerning a tenant of the mortgagor or grantor under certain circumstances;”; and in line 18, strike “7-105.6 and 7-105.9” and substitute “7-105.1(f) and (g), 7-105.6, and 7-105.9”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“7-105.1.

(f) (1) A foreclosure sale of residential property may not occur until at least 45 days after service of process is made under subsection (e) of this section.

(2) AT A FORECLOSURE SALE OF RESIDENTIAL PROPERTY, THE PERSON AUTHORIZED TO MAKE A SALE IN AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST SHALL ANNOUNCE, IF KNOWN, THAT THE TERMS OF THE FORECLOSURE SALE ARE SUBJECT TO THE RIGHTS OF A BONA FIDE TENANT OF THE MORTGAGOR OR GRANTOR UNDER § 7-105.6 OF THIS SUBTITLE.

(g) (1) Notice of the time, place, and terms of a foreclosure sale shall be published in a newspaper of general circulation in the county where the action is pending at least once a week for 3 successive weeks, the first publication to be not less than 15 days before the sale and the last publication to be not more than 1 week before the sale.

(2) THE PERSON AUTHORIZED TO MAKE A SALE IN AN ACTION TO FORECLOSE A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL PROPERTY SHALL INCLUDE IN THE NOTICE PUBLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION INFORMATION, IF KNOWN, THAT THE TERMS OF THE FORECLOSURE SALE ARE SUBJECT TO THE RIGHTS OF A BONA FIDE TENANT OF THE MORTGAGOR OR GRANTOR UNDER § 7-105.6 OF THIS SUBTITLE.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 35 Negative – 102 (See Roll Call No. 541)

Read the second time and ordered prepared for Third Reading.

House Bill 943 – Delegates McIntosh, Beidle, Bobo, Bronrott, Cane, Carr, DeBoy, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kaiser, Kullen, Lafferty, McHale, Montgomery, Morhaim, Niemann, Olszewski, Ramirez, Reznik, Riley, and Weir

AN ACT concerning

Chesapeake Conservation Corps

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate McIntosh moved to make the Bill a Special Order for Thursday.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 542)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #30**House Bill 73 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Environment – Water Quality Revolving Loan Fund – Use of Funds

Read the third time and passed by yeas and nays as follows:

Affirmative – 114 Negative – 26 (See Roll Call No. 543)

The Bill was then sent to the Senate.

**House Bill 98 – Chair, Environmental Matters Committee (By Request –
Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Tidal Fish Licenses – Transfer and
Suspension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 544)

The Bill was then sent to the Senate.

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Correctional Officers’ Bill of Rights

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 545)

The Bill was then sent to the Senate.

**House Bill 597 – ~~Delegates McConkey and Sophocles~~ Anne Arundel County
Delegation**

AN ACT concerning

Anne Arundel County – School Board Nominating Commission – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 546)

The Bill was then sent to the Senate.

House Bill 686 – Delegates Wood, Bohanan, and O’Donnell

AN ACT concerning

St. Mary’s County – Wild Waterfowl Hunting

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 547)

The Bill was then sent to the Senate.

House Bill 698 – Delegates Kelly, Vallario, Kramer, Simmons, and Smigiel

AN ACT concerning

District Court – Mailings – Notice of Dismissal, Nolle Prosequi, or Stet

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 548)

The Bill was then sent to the Senate.

House Bill 710 – Delegates Howard, Ali, Barkley, Barnes, Bartlett, Barve, Beitzel, Bronrott, Cane, Carr, G. Clagett, Davis, DeBoy, Donoghue, Doory, Dumais, Feldman, Frick, Frush, Gaines, George, Gutierrez, Guzzone, Haynes, Healey, Hecht, Hixson, Holmes, Hubbard, Hucker, Ivey, Jameson, Jenkins, Kaiser, Kramer, Krysiak, Kullen, Lafferty, Lee, Levi, Levy, Manno, McHale, McIntosh, Mizeur, Murphy, Niemann, Proctor, Ramirez, Reznik, Rice, Ross, Simmons, Sophocleus, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Blue Ribbon Commission on Maryland Transportation Funding

Read the third time and passed by yeas and nays as follows:

Affirmative – 117 Negative – 23 (See Roll Call No. 549)

The Bill was then sent to the Senate.

House Bill 734 – Washington County Delegation

AN ACT concerning

Washington County – Advisory School Design Review Committee

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 550)

The Bill was then sent to the Senate.

House Bill 785 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud – Uniform Reporting Form

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 551)

The Bill was then sent to the Senate.

House Bill 857 – Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting

MC 12-10

Read the third time and passed by yeas and nays as follows:

Affirmative – 134 Negative – 6 (See Roll Call No. 552)

The Bill was then sent to the Senate.

House Bill 869 – Delegates V. Clagett, Niemann, Ali, Anderson, Beidle, Bobo, Carr, Frush, Gilchrist, Healey, Hucker, Lafferty, and Sossi

AN ACT concerning

Real Property – Affordable Housing Land Trusts

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #31

House Bill 891 – Montgomery County Delegation

AN ACT concerning

**Montgomery County ~~Department of Economic Development~~ – Investment
Authority**

MC 18-10

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 3 (See Roll Call No. 554)

The Bill was then sent to the Senate.

House Bill 981 – St. Mary’s County Delegation

AN ACT concerning

**St. Mary’s County Board of Education – Inclusion of Employees in
Bargaining Unit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the Senate.

**House Bill 1062 – Delegates Healey, Ross, Frick, Gaines, Hixson, Howard,
Ivey, Stukes, and Walker**

AN ACT concerning

Property Tax Credit – Urban Agricultural ~~Activities~~ Property

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the Senate.

House Bill 1094 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the Senate.

**House Bill 1145 – Delegates Mathias, Cane, Conway, Elmore, ~~and Rudolph~~
Rudolph, Haddaway, and Eckardt**

AN ACT concerning

**Criminal Law – Salvinorin A and Salvia Divinorum – Distribution to and
Possession by Individual Under 21 Years of Age**

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the Senate.

**House Bill 1156 – Delegates Dwyer, Anderson, Barnes, Beidle, Boteler,
Bronrott, Carter, Conaway, Costa, Dumais, Eckardt, Frank, Heller,
Hubbard, Jennings, Kach, Kelly, Kipke, Kramer, Krebs, Levi, McComas,
McConkey, Olszewski, Pena-Melnyk, Riley, Robinson, Rosenberg,
Schuh, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi,
Valderrama, Vallario, Waldstreicher, and Wood**

AN ACT concerning

Victims' Rights – Fatal Vehicular Accident – Suspension of License

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the Senate.

House Bill 1218 – Delegates Ramirez, Ali, Barnes, Kaiser, Levy, Robinson, and Valderrama

AN ACT concerning

Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate

Read the third time and passed by yeas and nays as follows:

Affirmative – 132 Negative – 7 (See Roll Call No. 560)

The Bill was then sent to the Senate.

House Bill 1263 – The Speaker (By Request – Administration) and Delegates Busch, Hixson, Kaiser, and Rosenberg

AN ACT concerning

Education Reform Act of 2010

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 3 (See Roll Call No. 561)

The Bill was then sent to the Senate.

House Bill 1294 – Delegates Krysiak and Jones

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –
Baltimore Metropolitan Council – Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 562)

The Bill was then sent to the Senate.

House Bill 1297 – Delegates Valderrama and Vallario

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Delegation of Contested Claims to Office of Administrative Hearings

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 1 (See Roll Call No. 563)

The Bill was then sent to the Senate.

House Bill 1505 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

Central Collection Unit – Collection of Debts Owed to the State

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 564)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #32

House Bill 103 – Delegates Lafferty and Malone

AN ACT concerning

Real Property – Mobile Home Parks – Plans for Dislocated Residents

Read the third time and passed by yeas and nays as follows:

Affirmative – 115 Negative – 25 (See Roll Call No. 565)

The Bill was then sent to the Senate.

House Bill 534 – Delegates Waldstreicher, Anderson, Barnes, Benson, Carr, Carter, Dumais, Frick, Gilchrist, Gutierrez, Hecht, Hucker, Ivey, Kramer, Lee, Levi, Manno, Mizeur, Pena–Melnyk, Pendergrass, Ramirez, Rosenberg, Ross, Schuler, Simmons, Smigiel, F. Turner, V. Turner, and Valderrama

AN ACT concerning

Domestic Violence – Protective Order – Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the Senate.

House Bill 590 – Delegates Ross ~~and Ivey~~, Ivey, Bartlett, Murphy, and Rice

~~EMERGENCY BILL~~

AN ACT concerning

**Recordation Taxes and State and County Transfer Tax – Debt Forgiven in
“Short Sale”**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 567)

The Bill was then sent to the Senate.

House Bill 778 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Hecht, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

**Crimes – Unauthorized Computer Access for Sabotage of State Government
or Public Utilities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the Senate.

House Bill 801 – Delegates McHale, Hecht, Bartlett, Hammen, ~~Hecht~~, and ~~Krysiak~~ Krysiak, Barkley, Beidle, Bobo, Bronrott, Carr, G. Clagett, Doory, Feldman, Frick, George, Glenn, Holmes, Lee, Love, Manno, Mathias, Mizeur, Montgomery, Niemann, Pena–Melnyk, Riley, Stull, Burns, Braveboy, Davis, Haddaway, Harrison, Impallaria, Jameson, King, Minnick, Rudolph, Taylor, Vaughn, and Walkup

AN ACT concerning

Electricity – Net Energy Metering – Credits

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 569)

The Bill was then sent to the Senate.

House Bill 854 – Delegates Stein, Barkley, Cardin, Manno, and Minnick

AN ACT concerning

**Homeowner’s, Farmowner’s, and Dwelling Insurance Policies – Claims for
Additional Payments**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 570)

The Bill was then sent to the Senate.

House Bill 856 – Montgomery County Delegation

AN ACT concerning

**Election Law – Montgomery County Republican and Democratic Party
Central ~~Committee~~ Committees – Membership**

MC 15-10

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 571)

The Bill was then sent to the Senate.

**House Bill 1161 – Delegates Jones, Burns, Busch, Hammen, and
Nathan-Pulliam**

AN ACT concerning

**Tax Increment Financing and Special Taxing Districts – State Hospital
Redevelopment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #33

House Bill 379 – Delegates Rosenberg, Feldman, and Frick

AN ACT concerning

Consumer Protection – Transparency in Consumer Arbitrations Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 115 Negative – 25 (See Roll Call No. 573)

The Bill was then sent to the Senate.

House Bill 465 – The Speaker (By Request – Administration) and Delegates Huckler, Anderson, Barve, Benson, Carter, Frick, Frush, Gutierrez, Guzzone, Hixson, Hubbard, Lafferty, Manno, McHale, McIntosh, Mizeur, Montgomery, Murphy, Nathan–Pulliam, Olszewski, Ramirez, Simmons, Tarrant, Taylor, V. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Collective Negotiations by Family Child Care Providers

Read the third time and passed by yeas and nays as follows:

Affirmative – 101 Negative – 39 (See Roll Call No. 574)

The Bill was then sent to the Senate.

House Bill 469 – The Speaker (By Request – Administration) and Delegates Rosenberg, Hixson, Doory, Cardin, Bartlett, Frick, Kaiser, Ross, F. Turner, Beidle, Bobo, Bronrott, Carr, DeBoy, Haddaway, Hecht, Levy, Love, Malone, Manno, Mathias, Niemann, Reznik, Shewell, ~~and Stein~~ Stein, Gilchrist, Ivey, Rice, Murphy, Howard, Barve, Walker, Olszewski, and Stukes

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit For Electric Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the Senate.

House Bill 605 – Delegate Dumais

AN ACT concerning

Real Property – Wrongful Detainer

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 576)

The Bill was then sent to the Senate.

**House Bill 606 – Delegates Love, Beidle, Costa, George, King, Kipke,
McConkey, Schuh, and Sophocleus**

AN ACT concerning

Natural Resources – Local Forest Conservation Funds – Use of Money

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 577)

The Bill was then sent to the Senate.

**House Bill 779 – Delegates Lee, Boteler, Cane, Glenn, Heller, Howard, Kach,
Kaiser, Kipke, Montgomery, Pendergrass, and Shewell**

AN ACT concerning

Police Training Commission – Additional Minimum Training Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 578)

The Bill was then sent to the Senate.

House Bill 830 – Delegates Kramer, Ali, Barkley, Bates, Bronrott, Carr, Conaway, Dumais, Feldman, Frick, Gutierrez, Hecht, Heller, Hixson, Ivey, Jenkins, Kelly, Lee, Manno, McConkey, Miller, Mizeur, Montgomery, Murphy, Ramirez, Reznik, Rice, Shank, Simmons, Smigiel, Valderrama, ~~and Waldstreicher~~ Waldstreicher, Bartlett, Barve, Boteler, Cardin, Doory, Elmore, George, Howard, Kaiser, Myers, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Income Tax Checkoff for Developmental Disabilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 579)

The Bill was then sent to the Senate.

House Bill 905 – Delegates Valderrama, Anderson, Carter, Dumais, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Criminal Law – Prohibitions on Wearing, Carrying, or Transporting Firearms – Exceptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 2 (See Roll Call No. 580)

The Bill was then sent to the Senate.

House Bill 1135 – Delegates Ross, Holmes, Levi, ~~and Niemann~~ Niemann, Frick, and Ivey

AN ACT concerning

Property Tax Credit – Grocery Stores – Low-Income Areas

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 581)

The Bill was then sent to the Senate.

House Bill 1335 – Delegates Ramirez, Anderson, Kullen, Pendergrass, Simmons, Smigiel, Valderrama, ~~and Vallario~~ Vallario, Hammen,

**Benson, Costa, Kipke, Montgomery, Morhaim, Nathan-Pulliam, Oaks,
Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner**

AN ACT concerning

**Mental Health – Local Correctional Facilities – Incarcerated Individuals with
Mental Illness**

Read the third time and passed by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 582)

The Bill was then sent to the Senate.

**House Bill 1402 – Delegates Conway, G. Clagett, DeBoy, Bates, Eckardt,
Elmore, Haddaway, Mathias, Proctor, Sophocleus, and Wood**

AN ACT concerning

**Public Safety – Preemployment Polygraph Examinations for Correctional
Officer Applicants**

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 3 (See Roll Call No. 583)

The Bill was then sent to the Senate.

House Bill 1440 – Delegate Barve

AN ACT concerning

**Election Law – Campaign Finance Entity – Officers Authorized to Perform
Duties of Treasurer**

Read the third time and passed by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 584)

The Bill was then sent to the Senate.

INTRODUCTION OF BILLS

Delegate Hammen moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 585)

In compliance with the rules, the Bill was introduced.

Delegate Hammen moved to suspend the rules and assign the bill to the committee of jurisdiction.

The motion was adopted by roll call vote as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 586)

House Bill 1564 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

EMERGENCY BILL

AN ACT concerning

Maryland Health Insurance Plan – Administration of National High Risk Pool Program

FOR the purpose of authorizing the Board of Directors for the Maryland Health Insurance Plan to elect for the Plan to administer a certain national high risk pool program for the State; authorizing the Board to enter into any agreements necessary for the Plan to administer a national temporary high risk pool program for the State; authorizing the Board to limit enrollment in the national temporary high risk pool program based on the availability of certain funding; altering the eligibility requirements for the Plan; authorizing the Board to establish a benefit package and premium rate for individuals enrolled in a national temporary high risk pool program in accordance with certain standards; requiring the State to meet a certain maintenance of effort requirement; requiring the Plan to monitor certain legislation and notify the Department of Legislative Services if certain legislation is enacted; providing for the termination of this Act; making this Act an emergency measure; and generally relating to the administration of a national high risk pool program by the Maryland Health Insurance Plan.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–501(h)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance
Section 14–505(d), (e), (h), and (i)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 14–505(l) and 14–508(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Delegate Proctor moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 587)

In compliance with the rules, the Bill was introduced.

House Bill 1565 – Delegate Proctor

AN ACT concerning

Juvenile Law – Child Welfare and Juvenile Justice – Co-Commitment and Study

FOR the purpose of requiring the juvenile court in a disposition hearing to make a certain determination regarding a certain child; requiring the court to co-commit a certain child to certain agencies under certain circumstances; requiring the Department of Juvenile Services to make a certain determination under certain circumstances; requiring the Department of Juvenile Services and the Department of Human Resources to conduct a certain home study under certain circumstances; requiring the departments to file jointly a certain complaint under certain circumstances; requiring the departments to collaborate to determine certain information, to study the link between the child welfare system and the juvenile justice system in the State, to develop a certain plan, and to report to the General Assembly on or before a certain date; and generally relating to the co-commitment of children to certain agencies and the link between child welfare and juvenile justice.

BY adding to
Article – Courts and Judicial Proceedings

Section 3–8A–19(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Human Services
Section 9–247
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Delegate Hubbard moved the Bill be introduced.

The Speaker put the question: Shall the Bill be introduced?

The roll call vote resulted as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 588)

In compliance with the rules, the Bill was introduced.

House Bill 1566 – Delegate Hubbard

AN ACT concerning

Creation of a State Debt – Prince George’s County – Thomas Johnson Middle School Sign Board

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Thomas Johnson Middle School PTA for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 589)

ADJOURNMENT

At 11:50 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day March 23, 2010, Calendar Day Thursday, March 25, 2010.