

Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2012 Special Sessions

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

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Mary Monahan
Chief Clerk

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First
Special Session

May 14, 2012

Through

May 16, 2012

Annapolis, Maryland
Monday, May 14, 2012

The House met at 12:11 P.M.

This being the day prescribed by proclamation of the Governor in accordance with Section 16 of Article II of the Constitution for the Special and Extraordinary Meeting of The General Assembly of Maryland.

The House pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

MESSAGE FROM THE EXECUTIVE

EXECUTIVE ORDER 01.01.2012.10 – PROCLAMATION CONVENING THE GENERAL ASSEMBLY
OF MARYLAND IN EXTRAORDINARY SESSION AT ANNAPOLIS, MARYLAND ON MAY 14, 2012

(See Exhibit A of Appendix II)

Read and ordered journalized.

EXCUSES:

Del. Alston – daughter’s medical
Del. Barnes – business – court
Del. Boteler – late – stuck in traffic
Del. Clagett – stuck in traffic
Del. Donoghue – stuck in traffic
Del. Harrison – illness
Del. K. Kelly – illness
Del. Lafferty – personal
Del. McHale – late – stuck in traffic
Del. Myers – personal
Del. Oaks – stuck in traffic
Del. Serafini – business – out of country
Del. Simmons – funeral
Del. Stein – illness
Del. Stukes – late – stuck in traffic
Del. Valderrama – business
Del. Vaughn – illness

QUORUM CALL

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 1401)

ORDER

May 14, 2012

Ordered by the House of Delegates of Maryland, that the Orders and Appointments adopted for the Regular Session of 2012 be hereby continued for the Special Session of May 14, 2012.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

ORDER

May 14, 2012

Ordered by the House of Delegates of Maryland, that the Rules of the House of Delegates in effect at the end of the 2012 Regular Legislative Session be adopted for the Special Session of May 14, 2012.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

May 14, 2012

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the House of Delegates:

The Senate has organized pursuant to Article II, Section 16, of the Constitution of Maryland.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of five members, two on the part of the Senate and three on the part of the House, to wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the Senate, Senators Garagiola and Pipkin.

By Order,
William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

May 14, 2012

By The Majority Leader:

Ladies and Gentlemen of the Senate:

We have received your message notifying the House of Delegates of the organization of your Honorable Body and requesting the appointment of a Joint Committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make. On the part of the Senate, Senators Garagiola and Pipkin have been appointed.

We have appointed on the part of the House of Delegates, Delegates Howard, Lee, and McHale.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

INTRODUCTION OF BILLS

House Bill 1801 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2012

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; authorizing the transfer of certain funds; requiring certain appropriations to certain counties; altering the distribution of certain traffic conviction surcharges; requiring the State Court Administrator to submit a certain annual report on or before a certain date; altering certain categories required to be included in certain annual budgets of county boards of education; prohibiting a county council or board of county commissioners from reducing a certain budget amount for a county board of education; authorizing the State to deduct a certain amount under certain circumstances from certain State funds that would otherwise be paid to certain county boards of education in a certain fiscal year; requiring the State to provide a certain grant to a county board of education in a certain fiscal year if certain funding provided to a county board decreases by a certain amount; adding St. Mary's College of Maryland to the list of public senior higher education institutions eligible for money from the Higher Education Investment Fund; clarifying language relating to the Higher Education Investment Fund; providing a certain exception to a certain requirement that certain money is to be included in the budget bill; altering certain State education funding for certain fiscal years; authorizing the Department of Health and Mental Hygiene to impose a certain claims processing charge on certain Medicaid claims; setting a limit on the claims processing charge; requiring the Department of Health and Mental Hygiene to adopt certain regulations; repealing a requirement for a certain payment to certain nursing facilities under certain circumstances; altering a certain authority for the Health Services Cost Review Commission to adopt certain regulations under certain circumstances; requiring a certain nonprofit health service plan to provide a certain subsidy; altering the percentage of the amount that may be assessed in the aggregate on certain nursing facilities; requiring that certain proceeds of a certain account be transferred into the Mental Hygiene Community-Based Services Fund; repealing a certain provision related to the Injured Workers' Insurance Fund; providing that the State has no interest in the assets of the Injured Workers' Insurance Fund and that all revenues, money, and assets of the Fund belong to the Fund and are held in trust for certain persons; prohibiting the State from borrowing, appropriating, or directing payments from the Fund for any purpose; prohibiting the dissolution of the Fund; providing that certain money received by the State or otherwise subject to the direction or control of a State official as a result of a certain settlement, judgment, or consent decree shall be deposited in the State treasury, shall be expended only in a certain manner, and may be transferred by budget amendment; providing for a certain exception; authorizing certain State officials to recommend certain restrictions on the use of certain payments; requiring certain State officials to make certain requests; establishing a Mortgage Loan Servicing Practices Settlement Fund as a continuing, nonlapsing fund; requiring certain funds to be credited to the Mortgage Loan Servicing Practices Settlement Fund; providing for the use of the Mortgage Loan Servicing Practices Settlement Fund; requiring the Governor to take certain actions in connection with each program, project, or

activity receiving certain funds; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering certain commissions for certain licensed agents for a certain fiscal year; requiring county boards of education to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to include a separate certification of a certain normal contribution rate in the certification of certain rates; providing for the manner of payment by certain county boards of education for certain employer contributions; requiring certain county boards of education to make certain payments of certain employer contributions in certain fiscal years; requiring the Comptroller to withhold certain delinquent amounts from any money due under certain circumstances; requiring the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; prohibiting certain regulations adopted by the Secretary of Health and Mental Hygiene from applying to certain prior calendar years; authorizing the Department of Health and Mental Hygiene to make certain changes to a certain methodology in connection with a certain Value Based Purchasing Initiative for a certain calendar year; altering the time period during which a certain education index adjustment is to be updated; altering certain criteria and methodology to be used in updating a certain education index adjustment; prohibiting the payment of certain merit increases for certain State employees for a certain period; requiring certain reports to be submitted to certain committees of the General Assembly; authorizing a county board of education to spend certain funds after approval by the county fiscal authority; requiring the county fiscal authority to approve the amount of certain funds within a certain period of time; providing that failure to take action constitutes approval by the county fiscal authority under certain circumstances; requiring the Governor to include a certain transfer in the budget bill for a certain fiscal year; declaring the intent of the General Assembly; repealing certain provisions relating to payment of overpayment of retirement contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; setting certain limits on increases in payments to certain providers for a certain fiscal year; requiring the Health Services Cost Review Commission to approve certain remittances to support the general operations of the Medicaid program; authorizing a certain reduction to the remittances; requiring that the Governor transfer a certain amount from the Injured Workers' Insurance Fund to a certain special fund under certain circumstances; providing that the Injured Workers' Insurance Fund and its successor are jointly liable for a certain payment to the State under certain circumstances; providing that a certain transfer resolves certain claims; requiring that certain money received by the State as a result of a certain approved merger between Exelon Corporation and Constellation Energy Group be expended only in a certain manner; providing that certain money received by the State is not subject to transfer by budget amendment, except under certain circumstances; requiring each county to appropriate to the county board of education certain amounts; requiring that for a certain fiscal year a certain maintenance of effort amount be calculated in a certain manner;

requiring that for a certain fiscal year the maintenance of effort calculation for Baltimore City exclude certain reductions in the cost of health benefits for retired employees of the Baltimore City Public School System under certain circumstances; providing that a certain provision of law does not apply to a certain process for awarding a video lottery operation license; authorizing certain counties to reduce a certain education funding requirement in a certain fiscal year under certain circumstances; requiring the Governor to reduce certain appropriations by a certain amount and to propose certain additional reductions for a certain fiscal year under certain circumstances; reducing certain appropriations for a certain fiscal year in a certain manner; requiring the implementation of certain reductions in appropriations without the review or approval by the Board of Public Works; altering certain procedural requirements concerning the allocation of certain statewide reductions in appropriations; providing for the distribution of certain revenues for a certain fiscal year to a certain special fund, to be used only for certain purposes; authorizing for a certain fiscal year the use of certain funds for certain purposes subject to a certain budget amendment procedure; requiring a certain reversion of funds to the General Fund; altering the budget amendment process under certain circumstances; defining certain terms; altering certain definitions; providing for the construction of certain provisions of this Act; providing for the termination of certain provisions of this Act; making the provisions of this Act severable; providing for the effective dates of this Act; and generally relating to the financing of State and local government.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1104
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1105
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 7–301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–101(b)(4), 5–103(c), 5–105(c), 5–202(i), 5–206(f)(2), 15–106.6(a)(3) and
(b)(9), 16–305(c)(1)(i), 16–512(a)(1), and 17–104(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 5–105(d), 5–202(j), 16–305(c)(1)(iv), 16–512(a)(4), and 17–104(a)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 7–604(b) and (h) and 9–1707(f)(6)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1707(f)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–117(b) and (c), 19–214(b) and (c), 19–310.1(b)(2), and 24–1105
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 15–102.8
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–106(d)
Annotated Code of Maryland
(2011 Replacement Volume)
(As enacted by Chapter 66 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,
Article – Insurance

Section 14–106.1 and 14–504(e)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing

Article – Labor and Employment
Section 10–127
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment
Section 10–127
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64., 7–310.1, and 7–328
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–117(a)(1) and 12–203
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions
Section 21–125(b) and 21–304(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 21–304(a) and (b) and 21–308(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – Tax – General
Section 2–608(c), (d), (e), and (f)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1104(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section 5–415
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(e)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Chapter 193 of the Acts of the General Assembly of 2005
Section 2 and 3

BY repealing and reenacting, with amendments,

Chapter 2 of the Acts of the General Assembly of the Special Session of 2007
Section 13(a)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011
Section 11 and 24

BY repealing and reenacting, without amendments,
Article – Education
Section 5–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Education
Section 5–203
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1802 – The Speaker (By Request – Administration)

AN ACT concerning

State and Local Revenue and Financing Act of 2012

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; modifying a fiduciary's adjusted gross income to add back that portion of an electing small business trust consisting of stock of one or more S corporations that is subject to special taxing rules under certain provisions of the Internal Revenue Code; altering certain tax rates for certain cigars and certain tobacco products; providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan for a certain amount is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; altering the amount of certain fees; repealing a certain exemption to the sales and use tax for certain sales in the form of a demurrage charge; repealing a certain modification for purposes of determining Maryland taxable income for certain public utilities; repealing a certain credit against the State income tax for certain public utilities; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; authorizing the Comptroller to provide an alternative method of assessing and collecting a certain additional tax; requiring certain

revenue to be remitted to the Comptroller by a certain date; repealing an obsolete provision; requiring the State Department of Assessments and Taxation to establish a certain workgroup; providing for the duties, composition, and chair of the workgroup; requiring the workgroup to submit a certain report to the Governor and the General Assembly by a certain date; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to State and local revenues and finances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–105(a), 10–211(b), and 12–105(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–204(a) and 10–211(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–204(k)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – Property
Section 12–105(f)(7)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–217(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1604(b)(1)(vi)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – Tax – General
Section 10–306(c), 10–708, and 11–202

Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1803 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of \$15,324,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; providing generally for the issuance and sale of bonds evidencing the loan; stating that the General Assembly finds valid and ratifies certain prior authorizations of State debt; and generally relating to Qualified Zone Academy Bonds.

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

House Bill 1804 – Delegates Smigiel and Mizeur

EMERGENCY BILL

AN ACT concerning

Courts – Dangerous Dog Presumption – Specific Breed Prohibition

FOR the purpose of establishing that, for the purpose of determining criminal or civil liability, a dog may not be presumed dangerous or potentially dangerous solely on the basis of the breed or heritage of the dog; providing that this Act does not preclude a political subdivision from adopting or enforcing a program to control dangerous or potentially dangerous dogs, provided that no program may discriminate among dogs solely on the basis of the breed or heritage of the dog; providing for the application of this Act; making this Act an emergency measure; and generally relating to dogs.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–922
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 1805 – Delegate Smigiel

AN ACT concerning

Vehicle Laws – Special Registration Plate – United States Armed Forces

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available for certain vehicles a special registration plate honoring the armed forces of the United States; authorizing certain persons to apply for the special registration plate; requiring certain owners of vehicles assigned a special registration plate under this Act to pay certain fees; requiring that certain fees be used only for certain purposes; requiring a registration plate issued under this Act to contain a certain graphic design and certain words; requiring the Administration to adopt regulations to carry out the provisions of this Act; and generally relating to a special registration plate honoring the armed forces of the United States.

BY adding to

Article – Transportation
Section 13–619.3
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1806 – Delegate Kramer

AN ACT concerning

Courts – Dog Bite Lawsuits – Evidence and Standard of Proof

FOR the purpose of establishing that in a cause of action involving damages resulting from a dog bite, the common law rules of evidence and standard of proof that existed on a certain date are retained without regard to the breed or heritage of the dog; stating the General Assembly's intent to overturn the ruling in a certain court case; providing for the application of this Act; and generally relating to lawsuits involving dog bites.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–922
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 1807 – Delegate McMillan

AN ACT concerning

The Maryland Dog Nondiscrimination Act

FOR the purpose of establishing that in a cause of action involving damages resulting from a dog bite, the common law rules of evidence and standard of proof that existed on a certain date are retained without regard to the breed or heritage of the dog; stating the General Assembly's intent to overturn the ruling in a certain court case; providing for the application of this Act; and generally relating to lawsuits involving dog bites.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–922
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 1808 – Delegates Cardin, Bromwell, Carr, Feldman, Frush, Guzzone, Haddaway–Ricci, Hogan, Kipke, Luedtke, A. Miller, Morhaim, Reznik, Stocksdales, and F. Turner

EMERGENCY BILL

AN ACT concerning

Courts – Civil Liability for Injuries Inflicted by Dogs

FOR the purpose of establishing that no person may be held civilly liable for an injury inflicted by a dog of any breed or heritage unless the person had responsibility for exercising control over the dog and was negligent in exercising that control; making this Act an emergency measure; and generally relating to dogs.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–922
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

COMMITTEE HEARING SCHEDULES

Delegate O'Donnell moved to postpone the committee hearings for **HB 1801**, **HB 1802**, and **HB 1803** until Tuesday.

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

Affirmative – 43 Negative – 83 (See Roll Call No. 1402)

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 1403)

RECESS

At 12:32 P.M. on motion of Delegate Barve the House recessed until 10:00 A.M. on Legislative Day May 14, 2012, Calendar Day Tuesday, May 15, 2012.

AFTER RECESS
Annapolis, Maryland
Legislative Day: May 14, 2012
Calendar Day: Tuesday, May 15, 2012

At 12:19 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 1404)

EXCUSES:

Del. Alston – daughter’s medical
Del. Barnes – business – court
Del. Harrison – illness
Del. Myers – personal
Del. Serafini – business – out of country
Del. Simmons – funeral
Del. Valderrama – business

INTRODUCTION OF BILLS

House Bill 1809 – Delegates Glenn and Morhaim

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

FOR the purpose of establishing that it is an affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the marijuana or drug paraphernalia was intended for medical use by an individual with a certain debilitating medical condition for whom the defendant is a certain caregiver; prohibiting a certain defendant from asserting a certain affirmative defense unless, at least a certain number of days before trial, the defendant notifies the State’s Attorney of the defendant’s intention to assert the affirmative defense and provides the State’s Attorney with certain documentation; prohibiting a certain affirmative defense from being used under

certain circumstances; defining a certain term; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(c)(3) and 5–619(c)(4)
Annotated Code of Maryland
(2012 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 1301 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2012

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; authorizing the transfer of certain funds; requiring certain appropriations to certain counties; altering the distribution of certain traffic conviction surcharges; requiring the State Court Administrator to submit a certain annual report on or before a certain date; altering certain categories required to be included in certain annual budgets of county boards of education; prohibiting a county council or board of county commissioners from reducing a certain budget amount for a county board of education; authorizing the State to deduct a certain amount under certain circumstances from certain State funds that would otherwise be paid to certain county boards of education in a certain fiscal year; requiring the State to provide a certain grant to a county board of education in a certain fiscal year if certain funding provided to a county board decreases by a certain amount; adding St. Mary's College of Maryland to the list of public senior higher education institutions eligible for money from the Higher Education Investment Fund; clarifying language relating to the Higher Education Investment Fund; providing a certain exception to a certain requirement that certain money is to be included in the budget bill; altering certain State education funding for certain fiscal years; authorizing the Department of Health and Mental Hygiene to impose a certain claims processing charge on certain Medicaid claims; setting a limit on the claims processing charge; requiring the Department of Health and Mental Hygiene to adopt certain regulations; repealing a requirement for a certain payment to certain nursing facilities under certain circumstances;

altering a certain authority for the Health Services Cost Review Commission to adopt certain regulations under certain circumstances; requiring a certain nonprofit health service plan to provide a certain subsidy; altering the percentage of the amount that may be assessed in the aggregate on certain nursing facilities; requiring that certain proceeds of a certain account be transferred into the Mental Hygiene Community–Based Services Fund; repealing a certain provision related to the Injured Workers’ Insurance Fund; providing that the State has no interest in the assets of the Injured Workers’ Insurance Fund and that all revenues, money, and assets of the Fund belong to the Fund and are held in trust for certain persons; prohibiting the State from borrowing, appropriating, or directing payments from the Fund for any purpose; prohibiting the dissolution of the Fund; providing that certain money received by the State or otherwise subject to the direction or control of a State official as a result of a certain settlement, judgment, or consent decree shall be deposited in the State treasury, shall be expended only in a certain manner, and may be transferred by budget amendment; providing for a certain exception; authorizing certain State officials to recommend certain restrictions on the use of certain payments; requiring certain State officials to make certain requests; establishing a Mortgage Loan Servicing Practices Settlement Fund as a continuing, nonlapsing fund; requiring certain funds to be credited to the Mortgage Loan Servicing Practices Settlement Fund; providing for the use of the Mortgage Loan Servicing Practices Settlement Fund; requiring the Governor to take certain actions in connection with each program, project, or activity receiving certain funds; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering certain commissions for certain licensed agents for a certain fiscal year; requiring county boards of education to pay a certain portion of certain employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the Board of Trustees for the State Retirement and Pension System to include a separate certification of a certain normal contribution rate in the certification of certain rates; providing for the manner of payment by certain county boards of education for certain employer contributions; requiring certain county boards of education to make certain payments of certain employer contributions in certain fiscal years; requiring the Comptroller to withhold certain delinquent amounts from any money due under certain circumstances; requiring the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; prohibiting certain regulations adopted by the Secretary of Health and Mental Hygiene from applying to certain prior calendar years; authorizing the Department of Health and Mental Hygiene to make certain changes to a certain methodology in connection with a certain Value Based Purchasing Initiative for a certain calendar year; altering the time period during which a certain education index adjustment is to be updated; altering certain criteria and methodology to be used in updating a certain education index adjustment; prohibiting the payment of certain merit increases for certain State employees for a certain period; requiring certain reports to be submitted to certain committees of the General Assembly; authorizing a county board of education to spend certain funds after

approval by the county fiscal authority; requiring the county fiscal authority to approve the amount of certain funds within a certain period of time; providing that failure to take action constitutes approval by the county fiscal authority under certain circumstances; requiring the Governor to include a certain transfer in the budget bill for a certain fiscal year; declaring the intent of the General Assembly; repealing certain provisions relating to payment of overpayment of retirement contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; setting certain limits on increases in payments to certain providers for a certain fiscal year; requiring the Health Services Cost Review Commission to approve certain remittances to support the general operations of the Medicaid program; authorizing a certain reduction to the remittances; requiring that the Governor transfer a certain amount from the Injured Workers' Insurance Fund to a certain special fund under certain circumstances; providing that the Injured Workers' Insurance Fund and its successor are jointly liable for a certain payment to the State under certain circumstances; providing that a certain transfer resolves certain claims; requiring that certain money received by the State as a result of a certain approved merger between Exelon Corporation and Constellation Energy Group be expended only in a certain manner; providing that certain money received by the State is not subject to transfer by budget amendment, except under certain circumstances; requiring each county to appropriate to the county board of education certain amounts; requiring that for a certain fiscal year a certain maintenance of effort amount be calculated in a certain manner; requiring that for a certain fiscal year the maintenance of effort calculation for Baltimore City exclude certain reductions in the cost of health benefits for retired employees of the Baltimore City Public School System under certain circumstances; providing that a certain provision of law does not apply to a certain process for awarding a video lottery operation license; authorizing certain counties to reduce a certain education funding requirement in a certain fiscal year under certain circumstances; requiring the Governor to reduce certain appropriations by a certain amount and to propose certain additional reductions for a certain fiscal year under certain circumstances; reducing certain appropriations for a certain fiscal year in a certain manner; requiring the implementation of certain reductions in appropriations without the review or approval by the Board of Public Works; altering certain procedural requirements concerning the allocation of certain statewide reductions in appropriations; providing for the distribution of certain revenues for a certain fiscal year to a certain special fund, to be used only for certain purposes; authorizing for a certain fiscal year the use of certain funds for certain purposes subject to a certain budget amendment procedure; requiring a certain reversion of funds to the General Fund; altering the budget amendment process under certain circumstances; defining certain terms; altering certain definitions; providing for the construction of certain provisions of this Act; providing for the termination of certain provisions of this Act; making the provisions of this Act severable; providing for the effective dates of this Act; and generally relating to the financing of State and local government.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1104
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1105
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 7–301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 5–101(b)(4), 5–103(c), 5–105(c), 5–202(i), 5–206(f)(2), 15–106.6(a)(3) and
(b)(9), 16–305(c)(1)(i), 16–512(a)(1), and 17–104(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education
Section 5–105(d), 5–202(j), 16–305(c)(1)(iv), 16–512(a)(4), and 17–104(a)(3)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment
Section 7–604(b) and (h) and 9–1707(f)(6)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment
Section 9–1707(f)(1)
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–117(b) and (c), 19–214(b) and (c), 19–310.1(b)(2), and 24–1105

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 15–102.8

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106(d)

Annotated Code of Maryland

(2011 Replacement Volume)

(As enacted by Chapter 66 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106.1 and 14–504(e)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing

Article – Labor and Employment

Section 10–127

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment

Section 10–127

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)64., 7–310.1, and 7–328
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–117(a)(1) and 12–203
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–125(b) and 21–304(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304(a) and (b) and 21–308(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – Tax – General
Section 2–608(c), (d), (e), and (f)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1104(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section 5–415
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(e)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Chapter 193 of the Acts of the General Assembly of 2005
Section 2 and 3

BY repealing and reenacting, with amendments,
Chapter 2 of the Acts of the General Assembly of the Special Session of 2007
Section 13(a)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011
Section 11 and 24

BY repealing and reenacting, without amendments,
Article – Education
Section 5–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Education
Section 5–203
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Senate Bill 1302 – The President (By Request – Administration)

AN ACT concerning

State and Local Revenue and Financing Act of 2012

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; modifying a fiduciary's adjusted gross income to add back that portion of an electing small business trust consisting of stock of one or more S corporations that is subject to special taxing rules under certain provisions of the Internal Revenue Code; altering certain tax rates for certain cigars and certain tobacco products; providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan for a certain amount is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; altering the amount of certain fees; repealing a certain exemption to the sales and use tax for certain sales in the form of a demurrage charge; repealing a certain modification for purposes of determining Maryland taxable income for certain public utilities; repealing a certain credit against the State income tax for certain public utilities; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; authorizing the Comptroller to provide an alternative method of assessing and collecting a certain additional tax; requiring certain revenue to be remitted to the Comptroller by a certain date; repealing an obsolete provision; requiring the State Department of Assessments and Taxation to establish a certain workgroup; providing for the duties, composition, and chair of the workgroup; requiring the workgroup to submit a certain report to the Governor and the General Assembly by a certain date; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to State and local revenues and finances.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–105(a), 10–211(b), and 12–105(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–204(a) and 10–211(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–204(k)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property
Section 12–105(f)(7)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4–217(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–1604(b)(1)(vi)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Tax – General
Section 10–306(c), 10–708, and 11–202
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

Senate Bill 1303 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of \$15,324,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; providing generally for the issuance and sale of bonds evidencing the loan; stating that the

General Assembly finds valid and ratifies certain prior authorizations of State debt; and generally relating to Qualified Zone Academy Bonds.

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

QUORUM CALL

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

(See Roll Call No. 1405)

ADJOURNMENT

At 12:29 P.M. on motion of Delegate Barve the House adjourned until 3:00 P.M. on Tuesday, May 15, 2012.

**Annapolis, Maryland
Tuesday, May 15, 2012**

The House met at 3:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Michael A. McDermott of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 1406)

The Journal of May 14, 2012 was read and approved.

EXCUSES:

Del. Harrison – illness
Del. Holmes – left early – daughter’s wedding
Del. Morhaim – business
Del. Myers – personal
Del. Serafini – business – out of country
Del. Simmons – funeral
Del. Valderrama – business

THE COMMITTEE ON APPROPRIATIONS REPORT #19

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

Senate Bill 1301 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2012

SPECIAL SESSION MATERIAL – REPORT ON
THE BUDGET RECONCILIATION AND FINANCING ACT AND
STATE AND LOCAL REVENUE AND FINANCING ACT

(See Exhibit B of Appendix II)

Favorable report adopted.

FLOOR AMENDMENT

SB1301/153128/1

BY: Delegate O'Donnell

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “requiring certain appropriations to certain counties;”.

On page 2, strike beginning with “requiring” in line 27 down through “circumstances;” in line 37.

On page 3, strike beginning with “repealing” in line 7 down through “System;” in line 9; and strike beginning with “requiring” in line 22 down through “manner;” in line 24.

On page 4, strike in their entirety lines 6 through 10, inclusive.

On page 6, strike in their entirety lines 15 through 29, inclusive.

On page 7, strike in their entirety lines 31 through 35, inclusive.

AMENDMENT NO. 2

On page 8, strike in their entirety lines 4 through 16, inclusive.

On pages 30 through 36, strike in their entirety the lines beginning with line 22 on page 30 through line 3 on page 36, inclusive.

On page 42, strike in their entirety lines 24 and 25 and substitute:

“SECTION 3. RESERVED.”

On pages 46 and 47, strike in their entirety the lines beginning with line 22 on page 46 through line 18 on page 47, inclusive, and substitute:

“SECTION 18. RESERVED.”

SECTION 19. RESERVED.

On page 54, strike in their entirety lines 24 and 25 and substitute:

“SECTION 32. RESERVED.”

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

Affirmative – 49 Negative – 85 (See Roll Call No. 1407)

FLOOR AMENDMENT

SB1301/473229/1

BY: Delegate Krebs

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 37, after “circumstances;” insert “authorizing county boards of education and county governing bodies jointly to terminate membership of certain employees in the Teachers’ Pension System; providing that certain participating employees may receive a certain benefit from the Teachers’ Pension System subject to certain provisions of law; authorizing the Board of Trustees to adopt certain regulations;”.

On page 6, in line 27, after “21–309.1” insert “and 23–102”.

AMENDMENT NO. 2

On page 36, after line 3, insert:

“23–102.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY BOARD OF EDUCATION AND A COUNTY GOVERNING BODY JOINTLY MAY CHOOSE TO TERMINATE THE MEMBERSHIP OF ITS EMPLOYEES IN THE TEACHERS’ PENSION SYSTEM.

(B) IF A COUNTY BOARD OF EDUCATION AND COUNTY GOVERNING BODY CHOOSE TO TERMINATE THE MEMBERSHIP OF THE EMPLOYEES OF THE COUNTY BOARD OF EDUCATION IN THE TEACHERS’ PENSION SYSTEM, AN EMPLOYEE OF THE COUNTY BOARD OF EDUCATION THAT WAS A MEMBER OF THE TEACHERS’ PENSION SYSTEM SHALL RECEIVE A BENEFIT UNDER § 23-401 OF THIS TITLE FOR THE PERIOD OF TIME THE EMPLOYEE WAS A MEMBER OF THE TEACHERS’ PENSION SYSTEM.

(C) TO QUALIFY FOR A BENEFIT FROM THE TEACHERS’ PENSION SYSTEM UNDER SUBSECTION (B) OF THIS SECTION, THE EMPLOYEE IS SUBJECT TO THE PROVISIONS OF THIS TITLE.

(D) THE LIABILITY FOR PENSION COSTS OF THE COUNTY BOARD OF EDUCATION UNDER THE TEACHERS’ PENSION SYSTEM ON OR AFTER JULY 1, 2015, MAY NOT EXCEED THE NORMAL CONTRIBUTION RATE FOR THE TEACHERS’ PENSION SYSTEM MULTIPLIED BY THE AGGREGATE ANNUAL EARNABLE COMPENSATION OF THE COUNTY BOARD’S EMPLOYEES.

(E) THE BOARD OF TRUSTEES MAY ADOPT REGULATIONS TO SPECIFY THE PROCESS AND PROCEDURES NECESSARY TO IMPLEMENT THE TERMINATION OF MEMBERSHIP OF A COUNTY BOARD OF EDUCATION’S EMPLOYEES IN THE TEACHERS’ PENSION SYSTEM UNDER THIS SECTION.”.

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

Affirmative – 43 Negative – 91 (See Roll Call No. 1408)

FLOOR AMENDMENT

SB1301/883026/1

BY: Delegate Eckardt

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with the first “a” in line 23 down through “manner” in line 24 and substitute “certain fiscal years each county appropriate to the county

board of education certain amounts in addition to certain maintenance of effort amounts, except under certain circumstances”.

AMENDMENT NO. 2

On pages 46 and 47, strike in their entirety the lines beginning with line 22 on page 46 through line 18 on page 47, inclusive, and substitute:

“SECTION 18. AND BE IT FURTHER ENACTED, That for fiscal years 2013 through 2016, in addition to the required maintenance of effort amount calculated under § 5–202(d) of the Education Article, each county shall appropriate to the county board of education the following dollar amounts:

<u>County</u>	<u>Fiscal Year 2013</u>	<u>Fiscal Year</u> <u>2014</u>	<u>Fiscal Year</u> <u>2015</u>	<u>Fiscal Year</u> <u>2016</u>
<u>Allegany</u>	<u>94,898</u>	<u>445,482</u>	<u>781,717</u>	<u>1,101,407</u>
<u>Anne Arundel</u>	<u>1,546,473</u>	<u>4,263,078</u>	<u>6,868,903</u>	<u>9,346,994</u>
<u>Baltimore City</u>	<u>225,750</u>	<u>3,265,020</u>	<u>6,179,583</u>	<u>8,950,377</u>
<u>Baltimore</u>				
<u>County</u>	<u>1,739,969</u>	<u>5,460,152</u>	<u>9,028,438</u>	<u>12,421,584</u>
<u>Calvert</u>	<u>450,413</u>	<u>1,121,394</u>	<u>1,765,047</u>	<u>2,377,191</u>
<u>Caroline</u>	<u>53,605</u>	<u>240,724</u>	<u>420,185</u>	<u>590,818</u>
<u>Carroll</u>	<u>629,529</u>	<u>1,577,227</u>	<u>2,486,324</u>	<u>3,350,912</u>
<u>Cecil</u>	<u>303,285</u>	<u>884,402</u>	<u>1,441,807</u>	<u>1,971,872</u>
<u>Charles</u>	<u>620,950</u>	<u>1,552,284</u>	<u>2,445,685</u>	<u>3,295,347</u>
<u>Dorchester</u>	<u>22,574</u>	<u>177,094</u>	<u>325,280</u>	<u>466,163</u>
<u>Frederick</u>	<u>925,378</u>	<u>2,319,659</u>	<u>3,657,150</u>	<u>4,929,158</u>
<u>Garrett</u>	<u>28,059</u>	<u>184,554</u>	<u>334,637</u>	<u>477,326</u>
<u>Harford</u>	<u>651,556</u>	<u>1,957,620</u>	<u>3,210,378</u>	<u>4,401,672</u>
<u>Howard</u>	<u>1,957,160</u>	<u>4,284,788</u>	<u>6,517,821</u>	<u>8,641,773</u>
<u>Kent</u>	<u>18,701</u>	<u>104,936</u>	<u>187,640</u>	<u>266,271</u>
<u>Montgomery</u>	<u>3,698,565</u>	<u>10,134,320</u>	<u>16,307,649</u>	<u>22,178,393</u>
<u>Prince George’s</u>	<u>1,576,573</u>	<u>6,187,876</u>	<u>10,610,600</u>	<u>14,815,900</u>
<u>Queen Anne’s</u>	<u>131,871</u>	<u>393,001</u>	<u>643,473</u>	<u>881,658</u>
<u>St. Mary’s</u>	<u>320,826</u>	<u>908,200</u>	<u>1,471,614</u>	<u>2,007,403</u>
<u>Somerset</u>	<u>–</u>	<u>112,650</u>	<u>220,663</u>	<u>304,839</u>
<u>Talbot</u>	<u>46,180</u>	<u>194,335</u>	<u>336,430</u>	<u>471,536</u>
<u>Washington</u>	<u>323,772</u>	<u>1,054,160</u>	<u>1,754,716</u>	<u>2,420,877</u>
<u>Wicomico</u>	<u>148,689</u>	<u>660,994</u>	<u>1,152,334</u>	<u>1,619,504</u>

Worcester	_____ 114,964	_____ 414,944	_____ 702,663	_____ 976,245
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SECTION 19. AND BE IT FURTHER ENACTED, That except as provided in Section 20 of this Act, for fiscal year 2017 and each year thereafter, in addition to the required maintenance of effort amount calculated under § 5–202(d) of the Education Article, each county shall appropriate to the county board of education an amount equal to the product of one-half the normal contribution rate for the Teachers’ Retirement System and the Teachers’ Pension System multiplied by the aggregate annual earnable compensation of the local employees, as defined in § 21–304 of the State Personnel and Pensions Article as enacted in Section 1 of this Act, of that county board of education for fiscal year 2016, less one-half the amount reimbursed by the county board of education for pension costs of federally funded employees under § 5–203 of the Education Article as required for fiscal year 2012.

SECTION 20. AND BE IT FURTHER ENACTED, That a county governing body may elect to include payments required under Section 18 of this Act for fiscal years 2013 through 2016 within its calculation of highest local appropriation under § 5–202(d) of the Education Article. For a county making this election, the provisions of Section 19 of this Act do not apply, and the amount paid shall become part of the per-pupil funding base for the subsequent year and each year thereafter.”.

On page 47, in lines 19, 34, and 38, strike “20.”, “21.”, and “22.”, respectively, and substitute “21.”, “22.”, and “23.”, respectively.

On page 48, in lines 3, 23, and 37, strike “23.”, “24.”, and “25.”, respectively, and substitute “24.”, “25.”, and “26.”, respectively.

On page 51, in line 31, strike “26.” and substitute “27.”.

On page 54, in lines 2, 6, 11, 17, 21, 24, and 26, strike “27.”, “28.”, “29.”, “30.”, “31.”, “32.” and “33.”, respectively, and substitute “28.”, “29.”, “30.”, “31.”, “32.”, “33.”, and “34.”, respectively; and in lines 17 and 20, in each instance, strike “26” and substitute “27”.

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

Affirmative – 43 Negative – 90 (See Roll Call No. 1409)

FLOOR AMENDMENT

SB1301/883921/1

BY: Delegate Aumann

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “date;” insert “requiring the Maryland Technology Development Corporation and the Stem Cell Research Commission to include certain final results in a certain annual stem cell research report;”.

On page 4, in line 18, after “Section” insert “10-442 and”.

AMENDMENT NO. 2

On page 9, after line 28, insert:

“10-442.

(a) On or before January 1 of each year, the Corporation and the Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the progress of State-funded stem cell research conducted in accordance with this part.

(b) The report shall [identify] INCLUDE:

- (1) THE NAME OF each recipient of money from the Fund;
- (2) the amount of money awarded to each recipient; [and]
- (3) a description of the type of stem cell research performed by the recipient; AND
- (4) AT THE CONCLUSION OF THE FUNDING PERIOD OF AN AWARD, THE FINAL RESULTS OF THE RESEARCH PERFORMED BY THE RECIPIENT, INCLUDING THE NUMBER OF PATIENTS TREATED AS A DIRECT RESULT OF THE RESEARCH.”.

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

Affirmative – 45 Negative – 87 (See Roll Call No. 1410)

FLOOR AMENDMENT

SB1301/503521/1

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 40, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 52, in line 25, strike “may” and substitute “shall”.

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

Affirmative – 51 Negative – 83 (See Roll Call No. 1411)

FLOOR AMENDMENT

SB1301/503623/1

BY: Delegate McDermott

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with the second “a” in line 41 down through “Fund” in line 42 and substitute “that certain funds be returned to taxpayers through a certain mechanism”.

AMENDMENT NO. 2

On page 52, in line 21, strike “revert to the General Fund” and substitute “be returned to taxpayers through a mechanism determined by the Comptroller”.

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

Affirmative – 45 Negative – 88 (See Roll Call No. 1412)

FLOOR AMENDMENT

SB1301/133524/1

BY: Delegate Kramer

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 35, strike “certain fiscal years;” and substitute “a certain fiscal year;”.

AMENDMENT NO. 2

On page 33, in line 14, strike “**YEARS 2013 THROUGH 2016**” and substitute “YEAR 2013”.

On pages 33 and 34, strike in their entirety the lines beginning with line 17 on page 33 through line 6 on page 34, inclusive, and substitute:

“LOCALEMPLOYERFISCAL YEAR 2013ALLEGANY1,487,742ANNE ARUNDEL11,493,684BALTIMORE CITY12,922,862BALTIMORE15,755,802CALVERT2,835,938CAROLINE793,934CARROLL4,005,782CECIL2,459,819CHARLES3,936,516DORCHESTER656,543FREDERICK5,893,461GARRETT664,714HARFORD5,529,741HOWARD9,821,066KENT366,147MONTGOMERY27,227,553

<u>PRINCE GEORGE’S</u>	<u>19,554,579</u>
<u>QUEEN ANNE’S</u>	<u>1,105,527</u>
<u>ST. MARY’S</u>	<u>2,485,697</u>
<u>SOMERSET</u>	<u>480,124</u>
<u>TALBOT</u>	<u>628,456</u>
<u>WASHINGTON</u>	<u>3,094,113</u>
<u>WICOMICO</u>	<u>2,173,593</u>
<u>WORCESTER</u>	<u>1,271,561”;</u>

On page 34, in line 7, strike “2017” and substitute “2014”; and in line 9, after “TO” insert “50% OF”.

AMENDMENT NO. 3

On page 46, in lines 22 and 23, strike “years 2013 through 2016” and substitute “year 2013”.

On pages 46 and 47, strike in their entirety the lines beginning with line 26 on page 46 through line 13 on page 47, inclusive, and substitute:

<u>County</u>	<u>Fiscal Year 2013</u>
<u>Allegany</u>	<u>1,487,742</u>
<u>Anne Arundel</u>	<u>1,493,684</u>
<u>Baltimore City</u>	<u>12,922,862</u>
<u>Baltimore</u>	<u>15,755,802</u>
<u>Calvert</u>	<u>2,835,938</u>
<u>Caroline</u>	<u>793,934</u>
<u>Carroll</u>	<u>4,005,782</u>
<u>Cecil</u>	<u>2,459,819</u>
<u>Charles</u>	<u>3,936,516</u>
<u>Dorchester</u>	<u>656,543</u>
<u>Frederick</u>	<u>5,893,461</u>
<u>Garrett</u>	<u>664,714</u>
<u>Harford</u>	<u>5,529,741</u>
<u>Howard</u>	<u>9,821,066</u>
<u>Kent</u>	<u>366,147</u>
<u>Montgomery</u>	<u>27,227,553</u>

<u>Prince George's</u>	<u>19,554,579</u>
<u>Queen Anne's</u>	<u>1,105,527</u>
<u>St. Mary's</u>	<u>2,485,697</u>
<u>Somerset</u>	<u>480,124</u>
<u>Talbot</u>	<u>628,456</u>
<u>Washington</u>	<u>3,094,113</u>
<u>Wicomico</u>	<u>2,173,593</u>
<u>Worcester</u>	<u>1,271,561</u> ".

On page 47, in line 14, strike "2017" and substitute "2014"; and in lines 16 and 18, in each instance, strike "2016" and substitute "2013".

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 54 Negative – 78 (See Roll Call No. 1413)

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1303 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #27

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

Senate Bill 1302 – The President (By Request – Administration)

AN ACT concerning

State and Local Revenue and Financing Act of 2012

SPECIAL SESSION MATERIAL – REPORT ON
THE BUDGET RECONCILIATION AND FINANCING ACT AND
STATE AND LOCAL REVENUE AND FINANCING ACT

(See Exhibit B of Appendix II)

Favorable report adopted.

FLOOR AMENDMENT

SB1302/603821/1

BY: Delegate W. Miller

AMENDMENTS TO SENATE BILL 1302

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “circumstances;” in line 5.

On page 2, in line 7, strike “, 10–211(b),”; and in line 12, strike “and 10–211(a)”.

AMENDMENT NO. 2

On pages 4 through 6, strike in their entirety the lines beginning with line 29 on page 4 through line 2 on page 6, inclusive.

On page 8, strike beginning with “or” in line 26 down through “exemption” in line 27.

On page 9, in line 24, strike “§§ 10–105(a) and 10–211(b)” and substitute “§ 10–105(a)”.

The preceding 2 amendments were read only.

Delegate Niemann moved the previous question.

The motion was adopted.

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

Affirmative – 57 Negative – 76 (See Roll Call No. 1414)

FLOOR AMENDMENT

SB1302/733926/1

BY: Delegate Barkley

AMENDMENTS TO SENATE BILL 1302
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “circumstances;” in line 5; in line 8, after “Code;” insert “altering, for certain taxable years, the percentage of the federal earned income credit used for determining the amount that an individual may claim as a refund under the State earned income tax credit under certain circumstances; increasing the sales and use tax rate; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; creating the Mass Transit Account in the Transportation Trust Fund to be used to pay the cost of certain transit facilities and transit service in the State;”; strike beginning with “requiring” in line 19 down through “extent;” in line 21 and substitute “requiring the Comptroller to pay into the Mass Transit Account a certain amount of revenue from the increase in the sales and use tax rate under this Act;”; and strike beginning with “repealing” in line 23 down through “provision;” in line 24.

On page 2, in line 7, strike “10-105(a), 10-211(b)” and substitute “10-704(b), 11-104(a) and (b), 11-301”; in line 12, strike “10-211(a)” and substitute “10-704(a)”; and after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 3-216(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation

Section 7-309

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 4 on page 3 through line 19 on page 4, inclusive.

On pages 4 through 6, strike in their entirety the lines beginning with line 29 on page 4 through line 2 on page 6, inclusive.

On page 6, after line 5, insert:

“10-704.

(a) (1) An individual may claim a credit against the State income tax for a taxable year in the amount determined under subsection (b) of this section for earned income.

(2) An individual may claim a credit against the county income tax for a taxable year in the amount determined under subsection (c) of this section for earned income.

(b) (1) Except as provided in paragraph (2) of this subsection and subject to subsection (d) of this section, the credit allowed against the State income tax under subsection (a)(1) of this section is the lesser of:

(i) 50% of the earned income credit allowable for the taxable year under § 32 of the Internal Revenue Code; or

(ii) the State income tax for the taxable year.

(2) (I) An individual may claim a refund in the amount, if any, by which [25%] THE APPLICABLE PERCENTAGE SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH of the earned income credit allowable for the taxable year under § 32 of the Internal Revenue Code exceeds the State income tax for the taxable year.

(II) THE APPLICABLE PERCENTAGE OF THE EARNED INCOME CREDIT ALLOWABLE UNDER § 32 OF THE INTERNAL REVENUE CODE TO BE USED FOR PURPOSES OF DETERMINING THE REFUND PROVIDED UNDER THIS PARAGRAPH IS:

1. 26% FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2011, BUT BEFORE JANUARY 1, 2013;

2. 27% FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2012, BUT BEFORE JANUARY 1, 2014;

3. 28% FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2013, BUT BEFORE JANUARY 1, 2015;

4. 29% FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2014, BUT BEFORE JANUARY 1, 2016; AND

5. 30% FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2015.

11-104.

(a) Except as otherwise provided in this section, the sales and use tax rate is:

(1) for a taxable price of less than \$1:

[(i) 1 cent if the taxable price is 20 cents;

(ii) 2 cents if the taxable price is at least 21 cents but less than 34 cents;

(iii) 3 cents if the taxable price is at least 34 cents but less than 51 cents;

(iv) 4 cents if the taxable price is at least 51 cents but less than 67 cents;

(v) 5 cents if the taxable price is at least 67 cents but less than 84 cents; and

(vi) 6 cents if the taxable price is at least 84 cents; and

(2) for a taxable price of \$1 or more:

(i) 6 cents for each exact dollar; and

(ii) for that part of a dollar in excess of an exact dollar:

1. 1 cent if the excess over an exact dollar is at least 1 cent but less than 17 cents;
2. 2 cents if the excess over an exact dollar is at least 17 cents but less than 34 cents;
3. 3 cents if the excess over an exact dollar is at least 34 cents but less than 51 cents;
4. 4 cents if the excess over an exact dollar is at least 51 cents but less than 67 cents;
5. 5 cents if the excess over an exact dollar is at least 67 cents but less than 84 cents; and
6. 6 cents if the excess over an exact dollar is at least 84 cents.]

(I) 1 CENT IF THE TAXABLE PRICE IS 14 CENTS;

(II) 2 CENTS IF THE TAXABLE PRICE IS AT LEAST 15 CENTS BUT LESS THAN 29 CENTS;

(III) 3 CENTS IF THE TAXABLE PRICE IS AT LEAST 29 CENTS BUT LESS THAN 43 CENTS;

(IV) 4 CENTS IF THE TAXABLE PRICE IS AT LEAST 43 CENTS BUT LESS THAN 57 CENTS;

(V) 5 CENTS IF THE TAXABLE PRICE IS AT LEAST 57 CENTS BUT LESS THAN 71 CENTS;

(VI) 6 CENTS IF THE TAXABLE PRICE IS AT LEAST 71 CENTS BUT LESS THAN 85 CENTS; AND

(VII) 7 CENTS IF THE TAXABLE PRICE IS AT LEAST 85 CENTS;

AND

(2) FOR A TAXABLE PRICE OF \$1 OR MORE:

(I) 7 CENTS FOR EACH EXACT DOLLAR; AND

(II) FOR THAT PART OF A DOLLAR IN EXCESS OF AN EXACT DOLLAR:

1. 1 CENT IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 1 CENT BUT LESS THAN 15 CENTS;

2. 2 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 15 CENTS BUT LESS THAN 29 CENTS;

3. 3 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 29 CENTS BUT LESS THAN 43 CENTS;

4. 4 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 43 CENTS BUT LESS THAN 57 CENTS;

5. 5 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 57 CENTS BUT LESS THAN 71 CENTS;

6. 6 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 71 CENTS BUT LESS THAN 85 CENTS; AND

7. 7 CENTS IF THE EXCESS OVER AN EXACT DOLLAR IS AT LEAST 85 CENTS.

(b) If a retail sale of tangible personal property or a taxable service is made through a vending or other self-service machine, the sales and use tax rate is [6%] 7%, applied to [94.5%] 93.5% of the gross receipts from the vending machine sales.

11-301.

The sales and use tax is computed on:

- (1) the taxable price of each separate sale;
- (2) if a combined sale is made, the combined taxable price of all retail sales on the same occasion by the same vendor to the same buyer; or
- (3) if retail sales of tangible personal property or a taxable service are made through vending or other self-service machines, [94.5%] 93.5% of the gross receipts from the retail sales.”.

On page 6, after line 16, insert:

“Article – Transportation

3-216.

(c) (1) There shall be maintained in the Transportation Trust Fund one or more sinking fund accounts to which shall be credited and from which shall be paid, from the proceeds of the taxes levied and imposed for that purpose or from any other funds of the Department, amounts sufficient at all times to meet the debt service on all bonds of prior issues and consolidated transportation bonds from time to time outstanding and unpaid.

(2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, **THE MASS TRANSIT ACCOUNT**, and the Motorcycle Safety Program Account shall be maintained in the Transportation Trust Fund.

(ii) In each fiscal year, the Department shall budget from federal funds available to the Department, other funds in the Transportation Trust Fund, and any other funds available to the Department, an amount sufficient to fund projects and programs determined by the Secretary to be necessary to achieve the bicycle and pedestrian transportation goals identified for the fiscal year under Title 2, Subtitle 6 of this article.

7-309.

(A) THERE IS A MASS TRANSIT ACCOUNT IN THE TRANSPORTATION TRUST FUND.

(B) THERE SHALL BE CREDITED TO THE MASS TRANSIT ACCOUNT \$300,000,000 OF THE SALES AND USE TAX REVENUE COLLECTED IN FISCAL YEAR 2013.

(C) FUNDS IN THE MASS TRANSIT ACCOUNT SHALL BE USED TO PAY THE COST OF TRANSIT FACILITIES AND TRANSIT SERVICE IN THE STATE.”.

On page 8, strike beginning with “the” in line 22 down through “Act” in line 27 and substitute “, notwithstanding any other provision of law, for fiscal year 2013, the Comptroller shall pay into the Mass Transit Account established under § 7–309 of the Transportation Article, as enacted by this Act, \$300,000,000 of sales and use tax revenue collected as a result of the increase in the rate of the sales and use tax under this Act”.

On page 9, in line 24, strike “§§ 10–105(a) and 10–211(b)” and substitute “§ 10–704(a) and (b)”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

SB1302/203527/1

BY: Delegate Kach

AMENDMENTS TO SENATE BILL 1302
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “individuals;” in line 4.

On page 2, in line 7, strike “10–105(a), 10–211(b),” and substitute “10–211(b)”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 4 on page 3 through line 19 on page 4, inclusive.

On page 8, strike beginning with “an” in line 25 down through “or” in line 26 and substitute “a”.

On page 9, in line 24, strike “§§ 10–105(a) and 10–211(b)” and substitute “§ 10–211(b)”.

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

Affirmative – 48 Negative – 82 (See Roll Call No. 1415)

FLOOR AMENDMENT

SB1302/963121/1

BY: Delegate Bates

AMENDMENTS TO SENATE BILL 1302

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 3, after “Act;” insert “providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 8, in lines 24 and 27, in each instance, strike “2012” and substitute “2013”; and in line 30, strike “July 1, 2012” and substitute “January 1, 2013”.

AMENDMENT NO. 3

On page 9, in line 2, strike “October 15, 2012” and substitute “April 15, 2013”; in line 26, strike “2011” and substitute “2012”; and in lines 28 and 31, in each instance, strike “July 1, 2012” and substitute “January 1, 2013”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 47 Negative – 82 (See Roll Call No. 1416)

FLOOR AMENDMENT

SB1302/243826/1

BY: Delegate Szeliga

AMENDMENT TO SENATE BILL 1302
(Third Reading File Bill)

On page 3, in line 28, strike the brackets; and in the same line, strike “\$150,000”.

On page 4, in line 1, strike the brackets; in the same line, strike “\$150,001”; in lines 2, 3, 4, and 6, strike “\$175,000”, “\$175,001”, “\$225,000”, and “\$225,001”, respectively, and substitute “\$250,000”, “\$250,001”, “\$300,000”, and “\$300,001”, respectively; and in lines 6 and 8, in each instance, strike “\$300,000” and substitute “\$500,000”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 53 Negative – 77 (See Roll Call No. 1417)

FLOOR AMENDMENT

SB1302/213429/1

BY: Delegate Olszewski

AMENDMENTS TO SENATE BILL 1302
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “circumstances;” insert “altering certain State income tax rate bracket thresholds by a certain cost-of-living adjustment.”

On page 2, in line 17, after “Section” insert “10-105(e) and”.

AMENDMENT NO. 2

On page 4, after line 19, insert:

“(E) (1) FOR EACH TAXABLE YEAR:

(I) THE TOP THRESHOLD FOR APPLICATION OF THE RATE SPECIFIED IN SUBSECTION (A)(1)(III) OF THIS SECTION SHALL BE INCREASED BY THE AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING THAT THRESHOLD TIMES THE COST-OF-LIVING ADJUSTMENT SPECIFIED IN THIS SUBSECTION;

(II) EACH RATE BRACKET THRESHOLD SPECIFIED IN SUBSECTION (A)(1)(IV) THROUGH (VIII) OF THIS SECTION SHALL BE INCREASED BY THE SAME DOLLAR AMOUNT AS THE INCREASE DETERMINED UNDER ITEM (I) OF THIS PARAGRAPH;

(III) THE TOP THRESHOLD FOR APPLICATION OF THE RATE SPECIFIED IN SUBSECTION (A)(2)(III) OF THIS SECTION SHALL BE INCREASED BY THE AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING THAT THRESHOLD TIMES THE COST-OF-LIVING ADJUSTMENT SPECIFIED IN THIS SUBSECTION; AND

(IV) EACH RATE BRACKET THRESHOLD SPECIFIED IN SUBSECTION (A)(2)(IV) THROUGH (VIII) OF THIS SECTION SHALL BE INCREASED BY THE SAME DOLLAR AMOUNT AS THE INCREASE DETERMINED UNDER ITEM (III) OF THIS PARAGRAPH.

(2) FOR PURPOSES OF THIS SUBSECTION, THE COST-OF-LIVING ADJUSTMENT IS THE COST-OF-LIVING ADJUSTMENT WITHIN THE MEANING OF § 1(F)(3) OF THE INTERNAL REVENUE CODE FOR THE CALENDAR YEAR IN WHICH A TAXABLE YEAR BEGINS, AS DETERMINED BY THE COMPTROLLER BY SUBSTITUTING “CALENDAR YEAR 2012” FOR “CALENDAR YEAR 1992” IN § 1(F)(3)(B) OF THE INTERNAL REVENUE CODE.

(3) IF ANY INCREASE DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NOT A MULTIPLE OF \$50, THE INCREASE SHALL BE ROUNDED DOWN TO THE NEXT LOWEST MULTIPLE OF \$50.”

On page 9, in line 24, after “10-105(a)” insert “and (e)”.

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

Affirmative – 52 Negative – 76 (See Roll Call No. 1418)

FLOOR AMENDMENT

SB1302/543527/1

BY: Delegate Fisher

AMENDMENTS TO SENATE BILL 1302
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 10 down through “manner;” in line 15.

On pages 1 and 2, strike beginning with “requiring” in line 24 on page 1 down through “date;” in line 2 on page 2, inclusive.

On page 2, and strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 2

On pages 6 and 7, strike in their entirety the lines beginning with line 17 on page 6 through line 9 on page 7, inclusive.

On page 7, in line 10, strike “4.” and substitute “3.”.

On page 8, in lines 18, 20, 22, and 28, strike “5.”, “6.”, “7.”, and “8.”, respectively, and substitute “4.”, “5.”, “6.”, and “7.”, respectively.

On page 9, strike in their entirety lines 3 through 22, inclusive; strike in their entirety lines 29 through 31, inclusive; and in lines 23, 27, and 32, strike “10.”, “11.”, and “13.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

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 – 51 Negative – 80 (See Roll Call No. 1419)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1420)

ADJOURNMENT

At 6:23 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, May 16, 2012.

Annapolis, Maryland
Wednesday, May 16, 2012

The House met at 10:29 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline Pena–Melnik of Prince George’s and Anne Arundel counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1421)

The Journal of May 15, 2012 was read and approved.

EXCUSES:

Del. Harrison – late – illness
Del. Holmes – daughter’s wedding
Del. Serafini – business – out of country
Del. Simmons – funeral
Del. Valderrama – business

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1422)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 1301 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2012

FLOOR AMENDMENT

SB1301/743126/1

BY: Delegates Kach and Olszewski

AMENDMENTS TO SENATE BILL 1301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 8, strike in their entirety lines 8 through 16, inclusive, and substitute:

- (1) ALLEGANY COUNTY – \$105,473;**
- (2) ANNE ARUNDEL COUNTY – \$491,635;**
- (3) BALTIMORE COUNTY – \$9,776,195;**
- (4) CALVERT COUNTY – \$506,180;**
- (5) CAROLINE COUNTY – \$507,547;**
- (6) CARROLL COUNTY – \$1,139,402;**
- (7) CECIL COUNTY – \$2,172,690;**
- (8) CHARLES COUNTY – \$103,812;**
- (9) DORCHESTER COUNTY – \$391,930;**
- (10) HARFORD COUNTY – \$4,873,001**
- (11) HOWARD COUNTY – \$4,795,948;**
- (12) KENT COUNTY – \$217,004;**
- (13) QUEEN ANNE’S COUNTY – \$487,198;**

(14) ST. MARY’S COUNTY – \$2,217,296;

(15) TALBOT COUNTY – \$594,972;

(16) WASHINGTON COUNTY – \$2,523,944;

(17) WICOMICO COUNTY – \$1,404,669; AND

(18) WORCESTER COUNTY – \$1,294,817.”

AMENDMENT NO. 2

On page 53, in line 1, strike “20,768,000” and substitute “20,054,949”; and strike line 3 in its entirety.

The preceding 2 amendments were withdrawn.

Delegate Minnick moved the previous question.

The motion was adopted.

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

Affirmative – 86 Negative – 51 (See Roll Call No. 1423)

The Bill was then returned to the Senate.

Senate Bill 1303 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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

Affirmative – 99 Negative – 37 (See Roll Call No. 1424)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #59

Senate Bill 1302 – The President (By Request – Administration)

AN ACT concerning

State and Local Revenue and Financing Act of 2012

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

Affirmative – 77 Negative – 60 (See Roll Call No. 1425)

The Bill was then returned to the Senate.

MESSAGE TO THE SENATE

May 16, 2012

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

We propose with your concurrence, that when the General Assembly adjourns May 16, 2012, it stands adjourned Sine Die.

We further propose the appointment of a Joint Committee, two on the part of the Senate and two on the part of the House, to wait upon his Excellency, The Governor of Maryland, to inform him that the General Assembly will adjourn Sine Die, in accordance with the provisions of the Constitution and to inquire if he has any further communications to make to the General Assembly.

We have appointed on the part of the House, Delegates Barve and O'Donnell.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

May 16, 2012

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, May 16, 2012, it stands adjourned Sine Die.

The Senate concurs therein.

We agree to the Joint Committee to wait upon his Excellency, the Honorable Martin O'Malley, Governor of Maryland. The Senate appoints Senators Garagiola and Pipkin.

By Order,
William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 1426)

At 1:32 P.M. on motion of Delegate Barve the House adjourned Sine Die.

**Rules
of the
House of Delegates
of Maryland**

2012 First Special Session

The Rules of the House of Delegates in effect at the end of the 2012 Regular Session were adopted for the Special Session of May 14, 2012.

Appendix I

Roll Calls

List of Excuses – Special Session May 2012

May 14

Del. Alston -- daughter's medical
Del. Barnes -- business -- court
Del. Boteler -- late -- stuck in traffic
Del. Clagett -- stuck in traffic
Del. Donoghue -- stuck in traffic
Del. Harrison -- illness
Del. K. Kelly -- illness
Del. Lafferty -- personal
Del. McHale -- late -- stuck in traffic
Del. Myers -- personal
Del. Oaks -- stuck in traffic
Del. Serafini -- business -- out of country
Del. Stein -- illness
Del. Stukes -- late -- stuck in traffic
Del. Valderrama -- business
Del. Vaughn -- illness

May 15 #1

Del. Alston -- daughter's medical
Del. Barnes -- business -- court
Del. Harrison -- illness
Del. Myers -- personal
Del. Serafini -- business -- out of country
Del. Simmons -- funeral
Del. Valderrama -- business

May 15 #2

Del. Harrison -- illness
Del. Holmes -- left early -- daughter's wedding
Del. Morhaim -- business
Del. Myers -- personal
Del. Serafini -- business -- out of country
Del. Simmons -- funeral
Del. Valderrama -- business

May 16

Del. Harrison -- late -- illness
Del. Holmes -- daughter's wedding
Del. Serafini -- business -- out of country
Del. Simmons -- funeral
Del. Valderrama -- business

**Maryland House of Delegates
2012 Special Session**

Quorum

121 Yeas 0 Nays 3 Not Voting 0 Excused 17 Absent

Voting Yea - 121

Speaker Busch	Cullison	Hershey	McDermott	Robinson, S.
Afzali	Davis	Hixson	McDonough	Rosenberg
Anderson	DeBoy	Hogan	McIntosh	Ross
Arora	Dumais	Holmes	McMillan	Rudolph
Aumann	Dwyer	Hough	Miller, A.	Schuh
Barkley	Eckardt	Howard	Miller, W.	Schulz
Barve	Elliott	Hubbard	Minnick	Smigiel
Bates	Feldman	Hucker	Mitchell	Sophocleus
Beidle	Fisher	Impallaria	Mizeur	Stifler
Beitzel	Frank	Ivey	Morhaim	Stocksdale
Bobo	Frick	Jacobs	Murphy	Summers
Bohanan	Frush	Jameson	Nathan-Pulliam	Szeliga
Branch	Gaines	Jones	Niemann	Tarrant
Braveboy	George	Kach	Norman	Turner, F.
Bromwell	Gilchrist	Kaiser	O'Donnell	Turner, V.
Burns	Glass	Kelly, A.	Olszewski	Valentino-Smith
Cane	Glenn	Kipke	Otto	Vallario
Cardin	Griffith	Kramer	Parrott	Vitale
Carr	Gutierrez	Krebs	Pena-Melnyk	Waldstreicher
Carter	Guzzone	Love	Pendergrass	Washington
Clippinger	Haddaway-Riccio	Luedtke	Proctor	Weir
Cluster	Hammen	Malone	Ready	Wilson
Conaway	Haynes	McComas	Reznik	Wood
Conway	Healey	McConkey	Robinson, B.	Zucker
Costa				

Voting Nay - 0

Not Voting - 3

James Lee Walker

Excused from Voting - 0

Excused (Absent) - 17

Alston	Donoghue	McHale	Serafini	Stukes
Barnes	Harrison	Myers	Simmons	Valderrama
Boteler	Kelly, K.	Oaks	Stein	Vaughn
Clagett	Lafferty			

**Maryland House of Delegates
2012 Special Session**

MOTION TO DELAY BILL HEARINGS ON

HB1801, HB1802 and HB1803

43 Yeas 83 Nays 1 Not Voting 0 Excused 14 Absent

Voting Yea - 43

Afzali	Elliott	Impallaria	McMillan	Schuh
Aumann	Fisher	Jacobs	Miller, W.	Schulz
Bates	Frank	Kach	Minnick	Smigiel
Beitzel	George	Kipke	Norman	Stifler
Boteler	Glass	Krebs	O'Donnell	Stocksdale
Cluster	Haddaway-Riccio	McComas	Otto	Szeliga
Costa	Hershey	McConkey	Parrott	Vitale
Dwyer	Hogan	McDermott	Ready	Wood
Eckardt	Hough	McDonough		

Voting Nay - 83

Speaker Busch	Conaway	Healey	McIntosh	Ross
Anderson	Conway	Hixson	Miller, A.	Rudolph
Arora	Cullison	Holmes	Mitchell	Sophocleus
Barkley	Davis	Howard	Mizeur	Stukes
Barve	DeBoy	Hubbard	Morhaim	Summers
Beidle	Dumais	Hucker	Murphy	Tarrant
Bobo	Feldman	Ivey	Nathan-Pulliam	Turner, F.
Bohanan	Frick	Jameson	Niemann	Turner, V.
Branch	Frush	Jones	Olszewski	Valentino-Smith
Braveboy	Gaines	Kaiser	Pena-Melnyk	Vallario
Bromwell	Gilchrist	Kelly, A.	Pendergrass	Waldstreicher
Burns	Glenn	Kramer	Proctor	Walker
Cane	Griffith	Lee	Reznik	Washington
Cardin	Gutierrez	Love	Robinson, B.	Weir
Carr	Guzzone	Luedtke	Robinson, S.	Wilson
Carter	Hammen	Malone	Rosenberg	Zucker
Clippingier	Haynes	McHale		

Not Voting - 1

James

Excused from Voting - 0

Excused (Absent) - 14

Alston	Donoghue	Lafferty	Serafini	Valderrama
Barnes	Harrison	Myers	Simmons	Vaughn
Clagett	Kelly, K.	Oaks	Stein	

**Maryland House of Delegates
2012 Special Session**

Quorum

126 Yeas 0 Nays 1 Not Voting 0 Excused 14 Absent

Voting Yea - 126

Speaker Busch	Cullison	Hixson	McDonough	Rosenberg
Afzali	Davis	Hogan	McHale	Ross
Anderson	DeBoy	Holmes	McIntosh	Rudolph
Arora	Dumais	Hough	McMillan	Schuh
Aumann	Dwyer	Howard	Miller, A.	Schulz
Barkley	Eckardt	Hubbard	Miller, W.	Smigiel
Barve	Elliott	Hucker	Minnick	Sophocleus
Bates	Feldman	Impallaria	Mitchell	Stifler
Beidle	Fisher	Ivey	Mizeur	Stocksdale
Beitzel	Frank	Jacobs	Morhaim	Stukes
Bobo	Frick	Jameson	Murphy	Summers
Bohanan	Frush	Jones	Nathan-Pulliam	Szeliga
Boteler	Gaines	Kach	Niemann	Tarrant
Branch	George	Kaiser	Norman	Turner, F.
Braveboy	Gilchrist	Kelly, A.	O'Donnell	Turner, V.
Bromwell	Glass	Kipke	Olszewski	Valentino-Smith
Burns	Glenn	Kramer	Otto	Vallario
Cane	Griffith	Krebs	Parrott	Vitale
Cardin	Gutierrez	Lee	Pena-Melnyk	Waldstreicher
Carr	Guzzone	Love	Pendergrass	Walker
Carter	Haddaway-Riccio	Luedtke	Proctor	Washington
Clippinger	Hammen	Malone	Ready	Weir
Cluster	Haynes	McComas	Reznik	Wilson
Conaway	Healey	McConkey	Robinson, B.	Wood
Conway	Hershey	McDermott	Robinson, S.	Zucker
Costa				

Voting Nay - 0

Not Voting - 1

James

Excused from Voting - 0

Excused (Absent) - 14

Alston	Donoghue	Lafferty	Serafini	Valderrama
Barnes	Harrison	Myers	Simmons	Vaughn
Claggett	Kelly, K.	Oaks	Stein	

Maryland House of Delegates
2012 Special Session

Quorum

134 Yeas 0 Nays 0 Not Voting 0 Excused 7 Absent

Voting Yea - 134

Speaker Busch	Cullison	Hogan	McDonough	Ross
Afzali	Davis	Holmes	McHale	Rudolph
Anderson	DeBoy	Hough	McIntosh	Schuh
Arora	Donoghue	Howard	McMillan	Schulz
Aumann	Dumais	Hubbard	Miller, A.	Smigiel
Barkley	Dwyer	Hucker	Miller, W.	Sophocleus
Barve	Eckardt	Impallaria	Minnick	Stein
Bates	Elliott	Ivey	Mitchell	Stifler
Beidle	Feldman	Jacobs	Mizeur	Stocksdale
Beitzel	Fisher	James	Morhaim	Stukes
Bobo	Frank	Jameson	Murphy	Summers
Bohanan	Frick	Jones	Nathan-Pulliam	Szeliga
Boteler	Frush	Kach	Niemann	Tarrant
Branch	Gaines	Kaiser	Norman	Turner, F.
Braveboy	George	Kelly, A.	O'Donnell	Turner, V.
Bromwell	Gilchrist	Kelly, K.	Oaks	Valentino-Smith
Burns	Glass	Kipke	Olszewski	Vallario
Çane	Glenn	Kramer	Otto	Vaughn
Cardin	Griffith	Krebs	Parrott	Vitale
Carr	Gutierrez	Lafferty	Pena-Melnyk	Waldstreicher
Carter	Guzzone	Lee	Pendergrass	Walker
Clagett	Haddaway-Riccio	Love	Proctor	Washington
Clippingier	Hammen	Luedtke	Ready	Weir
Cluster	Haynes	Malone	Reznik	Wilson
Conaway	Healey	McComas	Robinson, B.	Wood
Conway	Hershey	McConkey	Robinson, S.	Zucker
Costa	Hixson	McDermott	Rosenberg	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 7

Alston	Harrison	Serafini	Simmons	Valderrama
Barnes	Myers			

**Maryland House of Delegates
2012 Special Session**

Quorum

134 Yeas 0 Nays 0 Not Voting 0 Excused 7 Absent

Voting Yea - 134

Speaker Busch	Cullison	Hogan	McDonough	Ross
Afzali	Davis	Holmes	McHale	Rudolph
Anderson	DeBoy	Hough	McIntosh	Schuh
Arora	Donoghue	Howard	McMillan	Schulz
Aumann	Dumais	Hubbard	Miller, A.	Smigiel
Barkley	Dwyer	Hucker	Miller, W.	Sophocleus
Barve	Eckardt	Impallaria	Minnick	Stein
Bates	Elliott	Ivey	Mitchell	Stifler
Beidle	Feldman	Jacobs	Mizeur	Stocksdale
Beitzel	Fisher	James	Morhaim	Stukes
Bobo	Frank	Jameson	Murphy	Summers
Bohanan	Frick	Jones	Nathan-Pulliam	Szeliga
Boteler	Frush	Kach	Niemann	Tarrant
Branch	Gaines	Kaiser	Norman	Turner, F.
Braveboy	George	Kelly, A.	O'Donnell	Turner, V.
Bromwell	Gilchrist	Kelly, K.	Oaks	Valentino-Smith
Burns	Glass	Kipke	Olszewski	Vallario
Cane	Glenn	Kramer	Otto	Vaughn
Cardin	Griffith	Krebs	Parrott	Vitale
Carr	Gutierrez	Lafferty	Pena-Melnyk	Waldstreicher
Carter	Guzzone	Lee	Pendergrass	Walker
Clagett	Haddaway-Riccio	Love	Proctor	Washington
Clippingier	Hammen	Luedtke	Ready	Weir
Cluster	Haynes	Malone	Reznik	Wilson
Conaway	Healey	McComas	Robinson, B.	Wood
Conway	Hershey	McConkey	Robinson, S.	Zucker
Costa	Hixson	McDermott	Rosenberg	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 7

Alston	Harrison	Serafini	Simmons	Valderrama
Barnes	Myers			

Maryland House of Delegates
2012 Special Session

Quorum

131 Yeas 0 Nays 4 Not Voting 0 Excused 6 Absent

Voting Yea - 131

Speaker Busch	Costa	Hogan	McDonough	Ross
Afzali	Cullison	Holmes	McHale	Rudolph
Alston	Davis	Hough	McIntosh	Schuh
Anderson	DeBoy	Howard	McMillan	Schulz
Arora	Donoghue	Hubbard	Miller, A.	Smigiel
Aumann	Dumais	Hucker	Miller, W.	Sophocleus
Barkley	Eckardt	Ivey	Minnick	Stein
Barnes	Elliott	Jacobs	Mitchell	Stifler
Barve	Feldman	James	Mizeur	Stocksdale
Bates	Fisher	Jameson	Murphy	Stukes
Beidle	Frank	Jones	Nathan-Pulliam	Summers
Beitzel	Frick	Kach	Niemann	Szeliga
Bobo	Frush	Kaiser	Norman	Tarrant
Bohanan	Gaines	Kelly, A.	O'Donnell	Turner, F.
Boteler	George	Kelly, K.	Oaks	Turner, V.
Branch	Gilchrist	Kipke	Olszewski	Valentino-Smith
Braveboy	Glass	Kramer	Otto	Vallario
Bromwell	Glenn	Krebs	Parrott	Vaughn
Cane	Griffith	Lafferty	Pena-Melnyk	Vitale
Cardin	Gutierrez	Lee	Pendergrass	Waldstreicher
Carr	Guzzone	Love	Proctor	Walker
Carter	Haddaway-Riccio	Luedtke	Ready	Washington
Clagett	Hammen	Malone	Reznik	Weir
Clippinger	Haynes	McComas	Robinson, B.	Wilson
Cluster	Healey	McConkey	Robinson, S.	Wood
Conaway	Hixson	McDermott	Rosenberg	Zucker
Conway				

Voting Nay - 0

Not Voting - 4

Burns Dwyer Hershey Impallaria

Excused from Voting - 0

Excused (Absent) - 6

Harrison Myers Serafini Simmons Valderrama
Morhaim

**Maryland House of Delegates
2012 Special Session**

SB 1301 Appropriations Report No. 19
The President (APP)
Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. O'Donnell /153128/1

49 Yeas 85 Nays 1 Not Voting 0 Excused 6 Absent

Voting Yea - 49

Afzali	Dwyer	Hough	McDermott	Reznik
Alston	Eckardt	Impallaria	McDonough	Schuh
Arora	Elliott	Jacobs	McMillan	Schulz
Aumann	Fisher	Kach	Miller, W.	Smigiel
Barkley	Frank	Kelly, K.	Mizeur	Stifler
Bates	George	Kipke	Norman	Stocksdale
Beitzel	Glass	Kramer	O'Donnell	Szeliga
Boteler	Haddaway-Riccio	Krebs	Otto	Vitale
Cluster	Hershey	McComas	Parrott	Wood
Costa	Hogan	McConkey	Ready	

Voting Nay - 85

Speaker Busch	Conway	Healey	McHale	Rudolph
Anderson	Cullison	Hixson	McIntosh	Sophocleus
Barnes	Davis	Holmes	Miller, A.	Stein
Barve	DeBoy	Howard	Minnick	Stukes
Beidle	Donoghue	Hubbard	Mitchell	Summers
Bobo	Dumais	Hucker	Murphy	Tarrant
Bohanan	Feldman	Ivey	Nathan-Pulliam	Turner, F.
Branch	Frick	James	Niemann	Turner, V.
Braveboy	Frush	Jameson	Oaks	Valentino-Smith
Bromwell	Gaines	Jones	Olszewski	Vallario
Cane	Gilchrist	Kaiser	Pena-Melnyk	Vaughn
Cardin	Glenn	Kelly, A.	Pendergrass	Waldstreicher
Carr	Griffith	Lafferty	Proctor	Walker
Carter	Gutierrez	Lee	Robinson, B.	Washington
Clagett	Guzzone	Love	Robinson, S.	Weir
Clippinger	Hammen	Luedtke	Rosenberg	Wilson
Conaway	Haynes	Malone	Ross	Zucker

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

Maryland House of Delegates
2012 Special Session

SB 1301 Appropriations Report No. 19
The President (APP)
Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Krebs /473229/1

43 Yeas 91 Nays 1 Not Voting 0 Excused 6 Absent

Voting Yea - 43

Afzali	Eckardt	Hough	McDermott	Ready
Alston	Elliott	Impallaria	McDonough	Schuh
Aumann	Fisher	Jacobs	McMillan	Schulz
Bates	Frank	Kach	Miller, W.	Smigiel
Beitzel	George	Kipke	Norman	Stifler
Boteler	Glass	Kramer	O'Donnell	Stocksdale
Cluster	Haddaway-Riccio	Krebs	Otto	Szeliga
Costa	Hershey	McComas	Parrott	Vitale
Dwyer	Hogan	McConkey		

Voting Nay - 91

Speaker Busch	Conway	Hixson	McIntosh	Rudolph
Anderson	Cullison	Holmes	Miller, A.	Sophocleus
Arora	Davis	Howard	Minnick	Stein
Barkley	DeBoy	Hubbard	Mitchell	Stukes
Barnes	Donoghue	Hucker	Mizeur	Summers
Barve	Dumais	Ivey	Murphy	Tarrant
Beidle	Feldman	James	Nathan-Pulliam	Turner, F.
Bobo	Frick	Jameson	Niemann	Turner, V.
Bohanan	Frush	Jones	Oaks	Valentino-Smith
Branch	Gaines	Kaiser	Olszewski	Vallario
Braveboy	Gilchrist	Kelly, A.	Pena-Melnyk	Vaughn
Bromwell	Glenn	Kelly, K.	Pendergrass	Waldstreicher
Cane	Griffith	Lafferty	Proctor	Walker
Cardin	Gutierrez	Lee	Reznik	Washington
Carr	Guzzone	Love	Robinson, B.	Weir
Carter	Hammen	Luedtke	Robinson, S.	Wilson
Clagett	Haynes	Malone	Rosenberg	Wood
Clippinger	Healey	McHale	Ross	Zucker
Conaway				

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

Maryland House of Delegates
2012 Special Session

SB 1301 Appropriations Report No. 19
The President (APP)
Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Eckardt /883026/1

43 Yeas 90 Nays 2 Not Voting 0 Excused 6 Absent

Voting Yea - 43

Afzali	Elliott	Impallaria	McMillan	Schuh
Aumann	Fisher	Jacobs	Miller, W.	Schulz
Bates	Frank	Kach	Minnick	Smigiel
Beitzel	George	Kipke	Norman	Sophocleus
Boteler	Glass	Krebs	O'Donnell	Stifter
Cluster	Haddaway-Riccio	McComas	Otto	Stocksdale
Costa	Hershey	McConkey	Parrott	Szeliga
Dwyer	Hogan	McDermott	Ready	Vitale
Eckardt	Hough	McDonough		

Voting Nay - 90

Speaker Busch	Clippinger	Healey	Malone	Ross
Alston	Conaway	Hixson	McHale	Rudolph
Anderson	Conway	Holmes	McIntosh	Stein
Arora	Cullison	Howard	Miller, A.	Stukes
Barkley	Davis	Hubbard	Mitchell	Summers
Barnes	DeBoy	Hucker	Mizeur	Tarrant
Barve	Dumais	Ivey	Murphy	Turner, F.
Beidle	Feldman	James	Nathan-Pulliam	Turner, V.
Bobo	Frick	Jameson	Niemann	Valentino-Smith
Bohanan	Frush	Jones	Oaks	Vallario
Branch	Gaines	Kaiser	Olszewski	Vaughn
Braveboy	Gilchrist	Kelly, A.	Pena-Melnyk	Waldstreicher
Bromwell	Glenn	Kelly, K.	Pendergrass	Walker
Cane	Griffith	Kramer	Proctor	Washington
Cardin	Gutierrez	Lafferty	Reznik	Weir
Carr	Guzzone	Lee	Robinson, B.	Wilson
Carter	Hammen	Love	Robinson, S.	Wood
Clagett	Haynes	Luedtke	Rosenberg	Zucker

Not Voting - 2

Burns Donoghue

Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

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SB 1301 Appropriations Report No. 19
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Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Aumann /883921/1

45 Yeas 87 Nays 3 Not Voting 0 Excused 6 Absent

Voting Yea - 45

Afzali	Eckardt	Impallaria	McDonough	Schuh
Aumann	Elliott	Jacobs	McMillan	Schulz
Bates	Frank	Kach	Miller, W.	Smigiel
Beitzel	George	Kelly, K.	Minnick	Sophocleus
Boteler	Glass	Kipke	Norman	Stifler
Cluster	Haddaway-Riccio	Krebs	O'Donnell	Stocksdale
Costa	Hershey	McComas	Otto	Szeliga
DeBoy	Hogan	McConkey	Parrott	Vitale
Dwyer	Hough	McDermott	Ready	Wood

Voting Nay - 87

Speaker Busch	Clippinger	Healey	McHale	Ross
Alston	Conaway	Hixson	McIntosh	Rudolph
Anderson	Conway	Holmes	Miller, A.	Stein
Arora	Cullison	Howard	Mitchell	Stukes
Barkley	Davis	Hubbard	Mizeur	Summers
Barnes	Donoghue	Hucker	Murphy	Tarrant
Barve	Dumais	Ivey	Nathan-Pulliam	Turner, F.
Beidle	Feldman	James	Niemann	Turner, V.
Bobo	Frick	Jameson	Oaks	Valentino-Smith
Bohanan	Frush	Kaiser	Olszewski	Vallario
Branch	Gaines	Kelly, A.	Pena-Melnyk	Vaughn
Braveboy	Gilchrist	Kramer	Pendergrass	Waldstreicher
Bromwell	Glenn	Lafferty	Proctor	Walker
Cane	Griffith	Lee	Reznik	Washington
Cardin	Gutierrez	Love	Robinson, B.	Weir
Carr	Guzzone	Luedtke	Robinson, S.	Wilson
Carter	Hammen	Malone	Rosenberg	Zucker
Clagett	Haynes			

Not Voting - 3

Burns	Fisher	Jones
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Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

Maryland House of Delegates
2012 Special Session

SB 1301 Appropriations Report No. 19
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Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Smigiel /503521/1

51 Yeas 83 Nays 1 Not Voting 0 Excused 6 Absent

Voting Yea - 51

Afzali	Eckardt	Impallaria	McMillan	Schuh
Alston	Elliott	Jacobs	Miller, W.	Schulz
Aumann	Fisher	Kach	Minnick	Smigiel
Barkley	Frank	Kelly, K.	Mizeur	Stifter
Bates	George	Kipke	Norman	Stocksdale
Beitzel	Glass	Krebs	O'Donnell	Szeliga
Boteler	Haddaway-Riccio	McComas	Olszewski	Valentino-Smith
Bromwell	Hershey	McConkey	Otto	Vitale
Cluster	Hogan	McDermott	Parrott	Weir
Costa	Hough	McDonough	Ready	Wood
Dwyer				

Voting Nay - 83

Speaker Busch	Conway	Healey	Malone	Ross
Anderson	Cullison	Hixson	McHale	Rudolph
Arora	Davis	Holmes	McIntosh	Sophocleus
Barnes	DeBoy	Howard	Miller, A.	Stein
Barve	Donoghue	Hubbard	Mitchell	Stukes
Beidle	Dumais	Hucker	Murphy	Summers
Bobo	Feldman	Ivey	Nathan-Pulliam	Tarrant
Bohanan	Frick	James	Niemann	Turner, F.
Branch	Frush	Jameson	Oaks	Turner, V.
Braveboy	Gaines	Jones	Pena-Melnyk	Vallario
Cane	Gilchrist	Kaiser	Pendergrass	Vaughn
Cardin	Glenn	Kelly, A.	Proctor	Waldstreicher
Carr	Griffith	Kramer	Reznik	Walker
Carter	Gutierrez	Lafferty	Robinson, B.	Washington
Claggett	Guzzone	Lee	Robinson, S.	Wilson
Clippinger	Hammen	Love	Rosenberg	Zucker
Conaway	Haynes	Luedtke		

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

Maryland House of Delegates
2012 Special Session

SB 1301 Appropriations Report No. 19
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Favorable adp - ON 2ND RDG
FLA Del. McDermott /503623/1

45 Yeas 88 Nays 2 Not Voting 0 Excused 6 Absent

Voting Yea - 45

Afzali	Eckardt	Hough	McDermott	Ready
Alston	Elliott	Impallaria	McDonough	Schuh
Aumann	Fisher	Jacobs	McMillan	Schulz
Bates	Frank	Kach	Miller, W.	Smigiel
Beitzel	George	Kelly, K.	Minnick	Stifter
Boteler	Glass	Kipke	Norman	Stocksdale
Cluster	Haddaway-Riccio	Krebs	O'Donnell	Szeliga
Costa	Hershey	McComas	Otto	Vitale
Dwyer	Hogan	McConkey	Parrott	Wood

Voting Nay - 88

Speaker Busch	Conway	Hixson	McIntosh	Rudolph
Anderson	Cullison	Holmes	Miller, A.	Sophocleus
Arora	Davis	Howard	Mitchell	Stein
Barkley	DeBoy	Hubbard	Mizeur	Stukes
Barnes	Donoghue	Hucker	Murphy	Summers
Barve	Dumais	Ivey	Nathan-Pulliam	Tarrant
Bobo	Feldman	James	Niemann	Turner, F.
Bohanan	Frick	Jameson	Oaks	Turner, V.
Branch	Frush	Jones	Olszewski	Valentino-Smith
Braveboy	Gaines	Kaiser	Pena-Melyk	Vallario
Bromwell	Gilchrist	Kelly, A.	Pendergrass	Vaughn
Cane	Glenn	Kramer	Proctor	Waldstreicher
Cardin	Griffith	Lafferty	Reznik	Walker
Carr	Gutierrez	Lee	Robinson, B.	Washington
Carter	Guzzone	Love	Robinson, S.	Weir
Clagett	Hammen	Luedtke	Rosenberg	Wilson
Clippinger	Haynes	Malone	Ross	Zucker
Conaway	Healey	McHale		

Not Voting - 2

Beidle Burns

Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

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The President (APP)
Budget Reconciliation and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Kramer /133524/1

54 Yeas 78 Nays 3 Not Voting 0 Excused 6 Absent

Voting Yea - 54

Afzali	Dwyer	Hough	McConkey	Reznik
Alston	Eckardt	Impallaria	McDermott	Rudolph
Arora	Elliott	Jacobs	McDonough	Schuh
Aumann	Fisher	Kach	McMillan	Schulz
Barkley	Frank	Kelly, A.	Miller, W.	Smigiel
Bates	George	Kelly, K.	Minnick	Stifler
Beidle	Glass	Kipke	Norman	Stocksdale
Beitzel	Gutierrez	Kramer	O'Donnell	Szeliga
Boteler	Haddaway-Riccio	Krebs	Otto	Vitale
Cluster	Hershey	Lafferty	Parrott	Wood
Costa	Hogan	McComas	Ready	

Voting Nay - 78

Speaker Busch	Conway	Hixson	Miller, A.	Stein
Anderson	Cullison	Holmes	Mitchell	Stukes
Barnes	Davis	Howard	Mizeur	Summers
Barve	DeBoy	Hubbard	Murphy	Tarrant
Bobo	Donoghue	Hucker	Nathan-Pulliam	Turner, F.
Bohanan	Dumais	Ivey	Niemann	Turner, V.
Branch	Frick	James	Oaks	Valentino-Smith
Braveboy	Frush	Jameson	Pena-McInyk	Vallario
Bromwell	Gaines	Jones	Pendergrass	Vaughn
Cane	Gilchrist	Kaiser	Proctor	Waldstreicher
Cardin	Glenn	Lee	Robinson, B.	Walker
Carr	Griffith	Love	Robinson, S.	Washington
Carter	Guzzone	Luedtke	Rosenberg	Weir
Clagett	Hammen	Malone	Ross	Wilson
Clippinger	Haynes	McHale	Sophocleus	Zucker
Conaway	Healey	McIntosh		

Not Voting - 3

Burns	Feldman	Olszewski
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Excused from Voting - 0

Excused (Absent) - 6

Harrison	Myers	Serafini	Simmons	Valderrama
Morhaim				

Maryland House of Delegates
2012 Special Session

SB 1302 Ways and Means Report No. 27
The President (W&M)
State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Miller, W. /603821/1

57 Yeas 76 Nays 1 Not Voting 0 Excused 7 Absent

Voting Yea - 57

Afzali	Dwyer	Impallaria	McDonough	Schuh
Alston	Eckardt	Jacobs	McMillan	Schulz
Aumann	Elliott	Kach	Miller, W.	Smigiel
Barkley	Fisher	Kelly, A.	Minnick	Sophocleus
Bates	Frank	Kelly, K.	Norman	Stifler
Beidle	George	Kipke	O'Donnell	Stocksdale
Beitzel	Glass	Kramer	Olszewski	Szeliga
Boteler	Gutierrez	Krebs	Otto	Valentino-Smith
Bromwell	Haddaway-Riccio	McComas	Parrott	Vitale
Cluster	Hershey	McConkey	Ready	Weir
Costa	Hogan	McDermott	Reznik	Wood
DeBoy	Hough			

Voting Nay - 76

Speaker Busch	Conway	Healey	McHale	Ross
Anderson	Cullison	Hixson	McIntosh	Rudolph
Arora	Davis	Howard	Miller, A.	Stein
Barnes	Donoghue	Hubbard	Mitchell	Stukes
Barve	Dumais	Hucker	Mizeur	Summers
Bobo	Feldman	Ivey	Murphy	Tarrant
Bohanan	Frick	James	Nathan-Pulliam	Turner, F.
Branch	Frush	Jameson	Niemann	Turner, V.
Braveboy	Gaines	Jones	Oaks	Vallario
Cane	Gilchrist	Kaiser	Pena-Melnyk	Vaughn
Cardin	Glenn	Lafferty	Pendergrass	Waldstreicher
Carr	Griffith	Lee	Proctor	Walker
Carter	Guzzone	Love	Robinson, B.	Washington
Clagett	Hammen	Luedtke	Robinson, S.	Wilson
Clippinger	Haynes	Malone	Rosenberg	Zucker
Conaway				

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

Maryland House of Delegates
2012 Special Session

SB 1302 Ways and Means Report No. 27
The President (W&M)
State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Kach /203527/1

48 Yeas 82 Nays 4 Not Voting 0 Excused 7 Absent

Voting Yea - 48

Afzali	Elliott	Jacobs	McMillan	Schuh
Alston	Fisher	Kach	Miller, W.	Schulz
Aumann	Frank	Kelly, A.	Minnick	Smigiel
Bates	George	Kelly, K.	Norman	Stifler
Beitzel	Glass	Kipke	O'Donnell	Stocksdale
Boteler	Haddaway-Riccio	Krebs	Olszewski	Szeliga
Cluster	Hershey	McComas	Otto	Vitale
Costa	Hogan	McConkey	Parrott	Weir
Dwyer	Hough	McDermott	Ready	Wood
Eckardt	Impallaria	McDonough		

Voting Nay - 82

Speaker Busch	Conaway	Haynes	McHale	Rudolph
Anderson	Conway	Healey	McIntosh	Sophocleus
Arora	Cullison	Hixson	Miller, A.	Stein
Barkley	Davis	Howard	Mitchell	Stukes
Barnes	DeBoy	Hubbard	Mizeur	Summers
Barve	Donoghue	Hucker	Murphy	Tarrant
Beidle	Dumais	Ivey	Niemann	Turner, F.
Bobo	Feldman	Jameson	Oaks	Turner, V.
Bohanan	Frick	Jones	Pena-Melnyk	Valentino-Smith
Branch	Frush	Kaiser	Pendergrass	Vallario
Braveboy	Gaines	Kramer	Proctor	Vaughn
Bromwell	Gilchrist	Lafferty	Reznik	Waldstreicher
Cane	Glenn	Lee	Robinson, B.	Walker
Carr	Griffith	Love	Robinson, S.	Washington
Carter	Gutierrez	Luedtke	Rosenberg	Wilson
Clagett	Guzzone	Malone	Ross	Zucker
Clippinger	Hammen			

Not Voting - 4

Burns	Cardin	James	Nathan-Pulliam
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Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

Maryland House of Delegates
2012 Special Session

SB 1302 Ways and Means Report No. 27
The President (W&M)
State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Bates /963121/1

47 Yeas 82 Nays 5 Not Voting 0 Excused 7 Absent

Voting Yea - 47

Afzali	Eckardt	Impallaria	McDermott	Schuh
Aumann	Elliott	Jacobs	McDonough	Schulz
Barkley	Fisher	Kach	McMillan	Smigiel
Bates	Frank	Kelly, K.	Miller, W.	Sophocleus
Beidle	George	Kipke	Norman	Stifler
Beitzel	Glass	Kramer	O'Donnell	Stocksdale
Boteler	Haddaway-Riccio	Krebs	Otto	Szeliga
Cluster	Hershey	McComas	Parrott	Vitale
Costa	Hogan	McConkey	Ready	Wood
Dwyer	Hough			

Voting Nay - 82

Speaker Busch	Conway	Howard	Miller, A.	Rudolph
Alston	Cullison	Hubbard	Minnick	Stein
Anderson	Davis	Hucker	Mitchell	Stukes
Arora	DeBoy	Ivey	Mizeur	Summers
Barnes	Dumais	James	Nathan-Pulliam	Tarrant
Barve	Feldman	Jameson	Niemann	Turner, F.
Bobo	Frick	Jones	Oaks	Turner, V.
Bohanan	Frush	Kaiser	Olszewski	Valentino-Smith
Branch	Gaines	Kelly, A.	Pena-Melnyk	Vallario
Braveboy	Gilchrist	Lafferty	Pendergrass	Vaughn
Bromwell	Glenn	Lee	Proctor	Waldstreicher
Cane	Griffith	Love	Reznik	Walker
Carr	Gutierrez	Luedtke	Robinson, B.	Washington
Carter	Hammen	Malone	Robinson, S.	Weir
Clagett	Haynes	McHale	Rosenberg	Wilson
Clippinger	Healey	McIntosh	Ross	Zucker
Conaway	Hixson			

Not Voting - 5

Burns	Cardin	Donoghue	Guzzone	Murphy
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Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

Maryland House of Delegates
2012 Special Session

SB 1302 Ways and Means Report No. 27
The President (W&M)
State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Szeliga /243826/1

53 Yeas 77 Nays 4 Not Voting 0 Excused 7 Absent

Voting Yea - 53

Afzali	Eckardt	Jacobs	McMillan	Schuh
Alston	Elliott	Kach	Miller, W.	Schulz
Aumann	Fisher	Kelly, A.	Minnick	Smigiel
Barkley	Frank	Kelly, K.	Norman	Stifler
Bates	George	Kipke	O'Donnell	Stocksdale
Beitzel	Glass	Kramer	Olszewski	Szeliga
Boteler	Haddaway-Riccio	Krebs	Otto	Valentino-Smith
Bromwell	Hershey	McComas	Parrott	Vitale
Cluster	Hogan	McConkey	Ready	Weir
Costa	Hough	McDermott	Reznik	Wood
Dwyer	Impallaria	McDonough		

Voting Nay - 77

Speaker Busch	Conway	Haynes	McHale	Ross
Anderson	Cullison	Healey	McIntosh	Sophocleus
Arora	Davis	Hixson	Miller, A.	Stein
Barnes	DeBoy	Howard	Mitchell	Stukes
Barve	Donoghue	Hubbard	Mizeur	Summers
Beidle	Dumais	Hucker	Murphy	Tarrant
Bobo	Feldman	James	Nathan-Pulliam	Turner, F.
Bohanan	Frick	Jameson	Niemann	Turner, V.
Branch	Frush	Jones	Oaks	Vallario
Braveboy	Gaines	Kaiser	Pena-Melnyk	Vaughn
Cane	Gilchrist	Lafferty	Pendergrass	Waldstreicher
Carr	Glenn	Lee	Proctor	Walker
Carter	Griffith	Love	Robinson, B.	Washington
Clagett	Gutierrez	Luedtke	Robinson, S.	Wilson
Clippinger	Guzzone	Malone	Rosenberg	Zucker
Conaway	Hammen			

Not Voting - 4

Burns	Cardin	Ivey	Rudolph
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Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

Maryland House of Delegates
2012 Special Session

SB 1302 Ways and Means Report No. 27
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State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Olszewski /213429/1

52 Yeas 76 Nays 6 Not Voting 0 Excused 7 Absent

Voting Yea - 52

Afzali	Eckardt	Jacobs	McMillan	Schuh
Alston	Elliott	Kach	Miller, W.	Smigiel
Aumann	Fisher	Kelly, A.	Minnick	Sophocleus
Bates	Frank	Kelly, K.	Norman	Stifler
Beitzel	George	Kipke	O'Donnell	Stocksdale
Boteler	Glass	Krebs	Olszewski	Szeliga
Bromwell	Haddaway-Riccio	McComas	Otto	Valentino-Smith
Cluster	Hershey	McConkey	Parrott	Vitale
Costa	Hogan	McDermott	Ready	Weir
DeBoy	Hough	McDonough	Rudolph	Wood
Dwyer	Impallaria			

Voting Nay - 76

Speaker Busch	Conaway	Hammen	Luedtke	Robinson, S.
Anderson	Conway	Haynes	Malone	Rosenberg
Arora	Cullison	Healey	McHale	Ross
Barkley	Davis	Hixson	McIntosh	Stein
Barnes	Donoghue	Howard	Miller, A.	Stukes
Barve	Dumais	Hubbard	Mitchell	Summers
Beidle	Feldman	Hucker	Mizeur	Tarrant
Bobo	Frick	Ivey	Murphy	Turner, F.
Bohanan	Frush	Jameson	Niemann	Turner, V.
Branch	Gaines	Jones	Oaks	Vallario
Braveboy	Gilchrist	Kaiser	Pena-Melnyk	Vaughn
Cane	Glenn	Kramer	Pendergrass	Waldstreicher
Carr	Griffith	Lafferty	Proctor	Washington
Carter	Gutierrez	Lee	Reznik	Wilson
Clagett	Guzzone	Love	Robinson, B.	Zucker
Clippinger				

Not Voting - 6

Burns	James	Nathan-Pulliam	Schulz	Walker
Cardin				

Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

**Maryland House of Delegates
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SB 1302 Ways and Means Report No. 27
The President (W&M)
State and Local Revenue and Financing Act of 2012

Favorable adp - ON 2ND RDG
FLA Del. Fisher /543527/1

51 Yeas 80 Nays 3 Not Voting 0 Excused 7 Absent

Voting Yea - 51

Afzali	Eckardt	Impallaria	McMillan	Schulz
Aumann	Elliott	Jacobs	Miller, W.	Smigiel
Bates	Fisher	James	Minnick	Stifler
Beidle	Frank	Kach	Norman	Stocksdale
Beitzel	George	Kipke	O'Donnell	Szeliga
Bohanan	Glass	Krebs	Otto	Vitale
Boteler	Haddaway-Riccio	McComas	Parrott	Walker
Bromwell	Hershey	McConkey	Ready	Weir
Cluster	Hogan	McDermott	Rudolph	Wilson
Costa	Hough	McDonough	Schuh	Wood
Dwyer				

Voting Nay - 80

Speaker Busch	Conway	Haynes	Malone	Robinson, S.
Alston	Cullison	Healey	McHale	Rosenberg
Anderson	Davis	Hixson	McIntosh	Ross
Arora	DeBoy	Howard	Miller, A.	Sophocleus
Barkley	Donoghue	Hubbard	Mitchell	Stein
Barnes	Dumais	Hucker	Mizeur	Stukes
Barve	Feldman	Ivey	Murphy	Summers
Bobo	Frick	Jameson	Nathan-Pulliam	Tarrant
Branch	Frush	Jones	Niemann	Turner, F.
Braveboy	Gaines	Kaiser	Oaks	Turner, V.
Cane	Gilchrist	Kelly, A.	Olszewski	Valentino-Smith
Carr	Glenn	Kramer	Pena-Melnyk	Vallario
Carter	Griffith	Lafferty	Pendergrass	Vaughn
Clagett	Gutierrez	Lee	Proctor	Waldstreicher
Clippinger	Guzzone	Love	Reznik	Washington
Conaway	Hammen	Luedtke	Robinson, B.	Zucker

Not Voting - 3

Burns	Cardin	Kelly, K.
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Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

**Maryland House of Delegates
2012 Special Session**

Quorum

132 Yeas 0 Nays 2 Not Voting 0 Excused 7 Absent

Voting Yea - 132

Speaker Busch	Cullison	Hogan	McDonough	Ross
Afzali	Davis	Hough	McHale	Rudolph
Alston	DeBoy	Howard	McIntosh	Schuh
Anderson	Donoghue	Hubbard	McMillan	Schulz
Arora	Dumais	Hucker	Miller, A.	Smigiel
Aumann	Dwyer	Impallaria	Miller, W.	Sophocleus
Barkley	Eckardt	Ivey	Minnick	Stein
Barnes	Elliott	Jacobs	Mitchell	Stifter
Barve	Feldman	James	Mizeur	Stocksdale
Bates	Fisher	Jameson	Murphy	Stukes
Beidle	Frank	Jones	Nathan-Pulliam	Summers
Beitzel	Frick	Kach	Niemann	Szeliga
Bobo	Frush	Kaiser	Norman	Tarrant
Bohanan	Gaines	Kelly, A.	O'Donnell	Turner, F.
Boteler	George	Kelly, K.	Oaks	Turner, V.
Branch	Gilchrist	Kipke	Olszewski	Valentino-Smith
Braveboy	Glass	Kramer	Otto	Vallario
Bromwell	Glenn	Krebs	Parrott	Vaughn
Cane	Griffith	Lafferty	Pena-Melnyk	Vitale
Carr	Gutierrez	Lee	Pendergrass	Waldstreicher
Carter	Guzzone	Love	Proctor	Walker
Clagett	Haddaway-Riccio	Luedtke	Ready	Washington
Clippinger	Hammen	Malone	Reznik	Weir
Cluster	Haynes	McComas	Robinson, B.	Wilson
Conaway	Healey	McConkey	Robinson, S.	Wood
Conway	Hershey	McDermott	Rosenberg	Zucker
Costa	Hixson			

Voting Nay - 0

Not Voting - 2

Burns Cardin

Excused from Voting - 0

Excused (Absent) - 7

Harrison	Morhaim	Serafini	Simmons	Valderrama
Holmes	Myers			

**Maryland House of Delegates
2012 Special Session**

Quorum

135 Yeas 0 Nays 1 Not Voting 0 Excused 5 Absent

Voting Yea - 135

Speaker Busch	Conway	Hixson	McDonough	Rosenberg
Afzali	Costa	Hogan	McHale	Ross
Alston	Cullison	Hough	McIntosh	Rudolph
Anderson	Davis	Howard	McMillan	Schuh
Arora	DeBoy	Hubbard	Miller, A.	Schulz
Aumann	Dumais	Hucker	Miller, W.	Smigiel
Barkley	Dwyer	Impallaria	Minnick	Sophocleus
Barnes	Eckardt	Ivey	Mitchell	Stein
Barve	Elliott	Jacobs	Mizeur	Stifter
Bates	Feldman	James	Morhaim	Stocksdale
Beidle	Fisher	Jameson	Murphy	Stukes
Beitzel	Frank	Jones	Myers	Summers
Bobo	Frick	Kach	Nathan-Pulliam	Szeliga
Bohanan	Frush	Kaiser	Niemann	Tarrant
Boteler	Gaines	Kelly, A.	Norman	Turner, F.
Branch	George	Kelly, K.	O'Donnell	Turner, V.
Braveboy	Gilchrist	Kipke	Oaks	Valentino-Smith
Bromwell	Glass	Kramer	Olszewski	Vallario
Burns	Glenn	Krebs	Otto	Vaughn
Cane	Griffith	Lafferty	Parrott	Vitale
Cardin	Gutierrez	Lee	Pena-Melnyk	Waldstreicher
Carr	Guzzone	Love	Pendergrass	Walker
Carter	Haddaway-Riccio	Luedtke	Proctor	Washington
Clagett	Hammen	Malone	Ready	Weir
Clippinger	Haynes	McComas	Reznik	Wilson
Cluster	Healey	McConkey	Robinson, B.	Wood
Conaway	Hershey	McDermott	Robinson, S.	Zucker

Voting Nay - 0

Not Voting - 1

Donoghue

Excused from Voting - 0

Excused (Absent) - 5

Harrison	Holmes	Serafini	Simmons	Valderrama
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Maryland House of Delegates
2012 Special Session

Quorum

135 Yeas 0 Nays 1 Not Voting 0 Excused 5 Absent

Voting Yea - 135

Speaker Busch	Conway	Hixson	McDonough	Rosenberg
Afzali	Costa	Hogan	McHale	Ross
Alston	Cullison	Hough	McIntosh	Rudolph
Anderson	Davis	Howard	McMillan	Schuh
Arora	DeBoy	Hubbard	Miller, A.	Schulz
Aumann	Dumais	Hucker	Miller, W.	Smigiel
Barkley	Dwyer	Impallaria	Minnick	Sophocleus
Barnes	Eckardt	Ivey	Mitchell	Stein
Barve	Elliott	Jacobs	Mizeur	Stifler
Bates	Feldman	James	Morhaim	Stocksdale
Beidle	Fisher	Jameson	Murphy	Stukes
Beitzel	Frank	Jones	Myers	Summers
Bobo	Frick	Kach	Nathan-Pulliam	Szeliga
Bohanan	Frush	Kaiser	Niemann	Tarrant
Boteler	Gaines	Kelly, A.	Norman	Turner, F.
Branch	George	Kelly, K.	O'Donnell	Turner, V.
Braveboy	Gilchrist	Kipke	Oaks	Valentino-Smith
Bromwell	Glass	Kramer	Olszewski	Vallario
Burns	Glenn	Krebs	Otto	Vaughn
Cane	Griffith	Lafferty	Parrott	Vitale
Cardin	Gutierrez	Lee	Pena-Melnyk	Waldstreicher
Carr	Guzzone	Love	Pendergrass	Walker
Carter	Haddaway-Riccio	Luedtke	Proctor	Washington
Clagett	Hammen	Malone	Ready	Weir
Clippinger	Haynes	McComas	Reznik	Wilson
Cluster	Healey	McConkey	Robinson, B.	Wood
Conaway	Hershey	McDermott	Robinson, S.	Zucker

Voting Nay - 0

Not Voting - 1

Donoghue

Excused from Voting - 0

Excused (Absent) - 5

Harrison	Holmes	Serafini	Simmons	Valderrama
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Maryland House of Delegates
2012 Special Session

SB 1301 Third Reading (SB) Calendar No.58
The President (APP)
Budget Reconciliation and Financing Act of 2012

On Third Reading

86 Yeas 51 Nays 0 Not Voting 0 Excused 4 Absent

Voting Yea - 86

Speaker Busch	Clippinger	Harrison	Malone	Ross
Anderson	Conaway	Haynes	McHale	Rudolph
Arora	Conway	Healey	McIntosh	Sophocleus
Barnes	Cullison	Hixson	Miller, A.	Stein
Barve	Davis	Howard	Mitchell	Stukes
Beidle	DeBoy	Hubbard	Morhaim	Summers
Beitzel	Donoghue	Hucker	Murphy	Tarrant
Bobo	Dumais	Ivey	Nathan-Pulliam	Turner, F.
Bohanan	Feldman	James	Niemann	Turner, V.
Branch	Frick	Jameson	Oaks	Valentino-Smith
Braveboy	Frush	Jones	Olszewski	Vallario
Bromwell	Gaines	Kaiser	Pena-Melnyk	Vaughn
Burns	Glenn	Kelly, K.	Pendergrass	Waldstreicher
Cane	Griffith	Lafferty	Proctor	Walker
Cardin	Gutierrez	Lee	Robinson, B.	Washington
Carr	Guzzone	Love	Robinson, S.	Wilson
Carter	Hammen	Luedtke	Rosenberg	Zucker
Clagett				

Voting Nay - 51

Afzali	Fisher	Jacobs	McMillan	Reznik
Alston	Frank	Kach	Miller, W.	Schuh
Aumann	George	Kelly, A.	Minnick	Schulz
Barkley	Gilchrist	Kipke	Mizeur	Smigiel
Bates	Glass	Kramer	Myers	Stifter
Boteler	Haddaway-Riccio	Krebs	Norman	Stocksdale
Cluster	Hershey	McComas	O'Donnell	Szeliga
Costa	Hogan	McConkey	Otto	Vitale
Dwyer	Hough	McDermott	Parrott	Weir
Eckardt	Impallaria	McDonough	Ready	Wood
Elliott				

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Holmes	Serafini	Simmons	Valderrama
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Maryland House of Delegates
2012 Special Session

SB 1303 Third Reading (SB) Calendar No.58
The President (APP)
Creation of a State Debt - Qualified Zone Academy
Bonds
On Third Reading

99 Yeas 37 Nays 1 Not Voting 0 Excused 4 Absent

Voting Yea - 99

Speaker Busch	Conaway	Haynes	McConkey	Ross
Alston	Conway	Healey	McHale	Rudolph
Anderson	Costa	Hixson	McIntosh	Sophocleus
Arora	Cullison	Howard	McMillan	Stein
Barkley	Davis	Hubbard	Miller, A.	Stukes
Barnes	DeBoy	Hucker	Mitchell	Summers
Barve	Donoghue	Ivey	Mizeur	Tarrant
Beidle	Dumais	James	Morhaim	Turner, F.
Beitzel	Eckardt	Jameson	Murphy	Turner, V.
Bobo	Feldman	Jones	Nathan-Pulliam	Valentino-Smith
Bohanan	Frick	Kaiser	Niemann	Vallario
Branch	Frush	Kelly, A.	Oaks	Vaughn
Braveboy	Gaines	Kelly, K.	Olszewski	Vitale
Bromwell	Gilchrist	Kipke	Pena-Melnyk	Waldstreicher
Cane	Glenn	Kramer	Pendergrass	Walker
Cardin	Griffith	Lafferty	Proctor	Washington
Carr	Gutierrez	Lee	Reznik	Wilson
Carter	Guzzone	Love	Robinson, B.	Wood
Clagett	Hammen	Luedtke	Robinson, S.	Zucker
Clippinger	Harrison	Malone	Rosenberg	

Voting Nay - 37

Afzali	Frank	Jacobs	Minnick	Schuh
Aumann	George	Kach	Myers	Schulz
Bates	Glass	Krebs	Norman	Smigiel
Boteler	Haddaway-Riccio	McComas	O'Donnell	Stifler
Cluster	Hershey	McDermott	Otto	Stocksdale
Dwyer	Hogan	McDonough	Parrott	Szeliga
Elliott	Hough	Miller, W.	Ready	Weir
Fisher	Impallaria			

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 4

Holmes	Serafini	Simmons	Valderrama
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Maryland House of Delegates
2012 Special Session

SB 1302 Third Reading (SB) Calendar No.59
The President (W&M)
State and Local Revenue and Financing Act of 2012

On Third Reading

77 Yeas 60 Nays 0 Not Voting 0 Excused 4 Absent

Voting Yea - 77

Speaker Busch	Conway	Healey	McHale	Ross
Anderson	Cullison	Hixson	McIntosh	Stein
Arora	Davis	Howard	Miller, A.	Stukes
Barnes	Donoghue	Hubbard	Mitchell	Summers
Barve	Dumais	Hucker	Mizeur	Tarrant
Bobo	Feldman	Ivey	Murphy	Turner, F.
Branch	Frick	Jameson	Nathan-Pulliam	Turner, V.
Braveboy	Frush	Jones	Niemann	Valentino-Smith
Burns	Gaines	Kaiser	Oaks	Vallario
Cane	Gilchrist	Kramer	Pena-Melnyk	Vaughn
Cardin	Glenn	Lafferty	Pendergrass	Waldstreicher
Carr	Griffith	Lee	Proctor	Walker
Carter	Guzzone	Love	Robinson, B.	Washington
Clagett	Hammen	Luedtke	Robinson, S.	Wilson
Clippinger	Harrison	Malone	Rosenberg	Zucker
Conaway	Haynes			

Voting Nay - 60

Afzali	DeBoy	Hough	McDonough	Reznik
Alston	Dwyer	Impallaria	McMillan	Rudolph
Aumann	Eckardt	Jacobs	Miller, W.	Schuh
Barkley	Elliott	James	Minnick	Schulz
Bates	Fisher	Kach	Morhaim	Smigiel
Beidle	Frank	Kelly, A.	Myers	Sophocleus
Beitzel	George	Kelly, K.	Norman	Stifler
Bohanan	Glass	Kipke	O'Donnell	Stocksdale
Boteler	Gutierrez	Krebs	Olszewski	Szeliga
Bromwell	Haddaway-Riccio	McComas	Otto	Vitale
Cluster	Hershey	McConkey	Parrott	Weir
Costa	Hogan	McDermott	Ready	Wood

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Holmes	Serafini	Simmons	Valderrama
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Maryland House of Delegates
2012 Special Session

Quorum

136 Yeas 0 Nays 1 Not Voting 0 Excused 4 Absent

Voting Yea - 136

Speaker Busch	Costa	Hixson	McDonough	Rosenberg
Afzali	Cullison	Hogan	McHale	Ross
Alston	Davis	Hough	McIntosh	Rudolph
Anderson	DeBoy	Howard	McMillan	Schuh
Arora	Donoghue	Hubbard	Miller, A.	Schulz
Aumann	Dumais	Hucker	Miller, W.	Smigiel
Barkley	Eckardt	Impallaria	Minnick	Sophocleus
Barnes	Elliott	Ivey	Mitchell	Stein
Barve	Feldman	Jacobs	Mizeur	Stiffer
Bates	Fisher	James	Morhaim	Stocksdale
Beidle	Frank	Jameson	Murphy	Stukes
Beitzel	Frick	Jones	Myers	Summers
Bobo	Frush	Kach	Nathan-Pulliam	Szeliga
Bohanan	Gaines	Kaiser	Niemann	Tarrant
Boteler	George	Kelly, A.	Norman	Turner, F.
Branch	Gilchrist	Kelly, K.	O'Donnell	Turner, V.
Braveboy	Glass	Kipke	Oaks	Valentino-Smith
Bromwell	Glenn	Kramer	Olszewski	Vallario
Burns	Griffith	Krebs	Otto	Vaughn
Cane	Gutierrez	Lafferty	Parrott	Vitale
Cardin	Guzzone	Lee	Pena-Melnyk	Waldstreicher
Carr	Haddaway-Riccio	Love	Pendergrass	Walker
Carter	Hammen	Luedtke	Proctor	Washington
Clagett	Harrison	Malone	Ready	Weir
Clippinger	Haynes	McComas	Reznik	Wilson
Cluster	Healey	McConkey	Robinson, B.	Wood
Conaway	Hershey	McDermott	Robinson, S.	Zucker
Conway				

Voting Nay - 0

Not Voting - 1

Dwyer

Excused from Voting - 0

Excused (Absent) - 4

Holmes Serafini Simmons Valderrama

Appendix II

Exhibits A and B

HOUSE JOURNAL EXHIBITS
2012 First Special Session

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B	Special Session Material – Report on the Budget Reconciliation and Financing Act and State and Local Revenue and Financing Act.....	II-5



The State of Maryland
Executive Department

EXECUTIVE ORDER
01.01.2012.10

Proclamation Convening the General Assembly of Maryland
in Extraordinary Session at Annapolis, Maryland on May 14, 2012

- WHEREAS, The operating Budget Bill that passed the General Assembly on the final day of the 2012 Session contains over \$436 million in budget reductions to important Maryland priorities;
- WHEREAS, Conferees from the House and Senate had reached agreement on legislation that would have averted the reductions, but that legislation did not pass prior to *sine die*;
- WHEREAS, The budget reductions, if allowed to go into effect, will impede our ability to maintain the #1 public school system in the country (four years in a row), will reduce community college funding, and will cause double-digit tuition increases at our public universities;
- WHEREAS, The budget reductions, if allowed to go into effect, will threaten our ability to compete in the knowledge economy, by eliminating the successful biotechnology research and development tax credit and our stem cell research program;
- WHEREAS, The budget reductions, if allowed to go into effect, will hurt our efforts to care for the most needy and vulnerable of our citizens;
- WHEREAS, The budget reductions, if allowed to go into effect, will have a drastic impact on our State employees – burdening them with additional health care costs, eliminating a scheduled cost of living increase, and forcing the elimination of 500 positions – an estimated 400 of which are filled;
- WHEREAS, If the General Assembly does not act soon, the Board of Public Works on May 23, 2012 will be presented with over \$165 million in budget reductions - \$50 million in agency reductions; \$30 million from 500 eliminated positions; \$15 million in increased

health care costs to employees; and an additional \$71 million in cuts just to balance the FY 2013 Budget;

WHEREAS,

If the General Assembly does not act soon, the FY 2013 Budget will have no fund balance to help defray against unexpected fiscal circumstances or to help address costs in next year's budget, as contrasted to the approximately \$150 million fund balance that would have been left had the legislation agreed to by the conferees passed; and

WHEREAS,

Maryland has a long, proud tradition of fiscal responsibility and is one of a few states with a AAA bond rating from the major rating agencies, and the rating agencies are watching closely with an expectation that we will again act in a manner that protects our rating, and the ratings of our local governments.

NOW THEREFORE,

I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY ARTICLE II, SECTION 16 OF THE MARYLAND CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM AND CONVENE A SPECIAL AND EXTRAORDINARY SESSION OF THE GENERAL ASSEMBLY OF MARYLAND TO COMMENCE ON MONDAY, MAY 14, 2012, IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING LEGISLATION TO ADDRESS MARYLAND'S FISCAL YEAR 2013 BUDGET.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 9th Day of May, 2012.



Martin O'Malley
Governor

ATTEST:

John P. McDonough
Secretary of State

Special Session Material

Report on

**The Budget Reconciliation and
Financing Act**

State and Local Revenue and Financing Act

**Maryland General Assembly
Annapolis, Maryland**

May 14, 2012

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Budget Summary
Special Session of 2012
Fiscal 2012 and 2013
(\$ in Millions)

	<u>Amount</u>
<u>General Fund</u>	
<u>Fiscal 2012</u>	
Ending Balance Before Special Session Action	\$279.5
Revenues – State/Local Revenue and Financing Act	0.0
Expenditure Reductions – BRFA of 2012 Special Session	40.6
Adjusted Ending Balance	\$320.1
 <u>Fiscal 2013</u>	
Revenues – March BRE Estimate	\$14,372.3
Other Revenues	96.5
Revenues – BRFA of 2012 Special Session	6.0
Revenues – State/Local Revenue and Financing Act	261.6
Budget Restoration Fund – Revenue Transfer	-259.7
Total Revenues and Balance	\$14,796.7
Expenditures – Legislative Appropriation	\$14,820.6
Expenditure Reductions – Teachers' Retirement – BRFA	-136.6
Expenditure Reductions – Originally in 2012 Session BRFA	-28.5
Expenditure Reductions – 2012 Special Session BRFA	-62.4
Total Expenditures	\$14,593.0
Ending Balance (Revenues Less Expenditures)	\$203.7
 <u>Cash Position</u>	
General Fund Balance	\$203.7
Rainy Day Fund Balance – June 30, 2013	721.4
Total	\$925.1
 Cash and Rainy Day Fund Over 5%	 \$203.9

BRE: Board of Revenue Estimates
BRFA: Budget Reconciliation and Financing Act

General Fund Revenues 2012 Special Session Legislation

**Amount
(\$ in Millions)**

State and Local Revenue and Financing Act

Fiscal 2012 Revenues

Fee to Appeal Drivers' License Suspension (\$42,048)	\$0.0
Total Fiscal 2012 Revenues	\$0.0

Fiscal 2013 Revenues

Limit Personal Exemptions – Individual Income Tax	\$51.7
Income Tax Bracket and Rate Changes	195.6
Electing Small Business Trusts – Modify Income Determination ¹	0.0
Eliminate Telecom Property Tax Credits – Corporate Income Tax	7.4
Cylinder Demurrage – Eliminate Sales Tax Exemption	0.7
Increase Tax Rate for Other Tobacco Products	5.0
Increase Fees for Certain Vital Records from \$12 to \$24	0.7
Fee to Appeal Drivers License Suspension – Increase \$25	0.5
Total	\$261.6

Budget Reconciliation and Financing Act

District of Columbia Hospital Claims Processing Charge	\$6.0
Teachers' Retirement Costs for Federally Funded Positions ²	0.0
Total – BRFA	\$6.0
Total Fiscal 2013 Revenues – SB/BRFA	\$267.6

BRFA: Budget Reconciliation and Financing Act

SB: Senate Bill

¹ Provision effective beginning tax year 2013.

²Deferred until fiscal 2015, the third year of the four-year phase-in of sharing teachers' retirement cost with the school boards.

**General Fund Reductions Implemented through
Budget Reconciliation and Financing Act of 2012 Special Session
(\$ in Millions)**

<u>Fiscal 2012</u>	<u>Amount</u>
Favorable Medicaid Spending Trends	\$40.0
Central Business License – Less Funds Required	0.6
Total Fiscal 2012 Reductions	\$40.6

Fiscal 2013

Reductions That Would Have Been Implemented by 2012 Session BRFA (SB 152)

Education Aid – Redirect Unspent Fiscal 2012 VLT Funds to Education Trust Fund ¹	\$1.9
Share Teachers' Retirement Costs with School Boards	136.6
Level Fund Seller Grants for Private Higher Education Institutions	1.3
Higher Education – Share of Additional Corporate Taxes Paid by Telecom. Companies	0.2
Increase Nursing Home Provider Rate from 5.5 to 6.0% – Medicaid	6.9
Fund Kidney Disease Program with Nonprofit Health Plan/SPDAP Revenues	2.0
Utilize Senior Prescription Drug Assistance Program Fund Balance for Medicaid	4.5
Use Nonprofit Health Plan Revenues for Mental Health Community Services	6.2
Eliminate Payments to Nursing Homes for Reserving Beds for Hospitalized Patients	1.3
Shift Speed Camera Revenues from State Highway Administration to State Police	4.2
<i>Subtotal</i>	\$165.2

Additional Reductions Implemented by 2012 Special Session BRFA

Education Aid – Additional VLT Revenue Attainments Available for Education Trust Fund	\$6.1
Favorable Medicaid Spending Trends	40.0
Additional CRF Revenues Available for Medicaid	10.0
Psychiatric Rehabilitation Services – Bayview Medical Center	0.8
Central Business License – Less Funds Required	0.6
Funding for 700 MHz Radios – Cash Flow Reduction	5.0
<i>Subtotal</i>	\$62.4

Total Fiscal 2013 Reductions **\$227.6**

BRFA: Budget Reconciliation and Financing Act

CRF: Cigarette Restitution Fund

MHz: Megahertz

SPDAP: Senior Prescription Drug Assistance Program

VLT: video lottery terminal

¹ Portion of video lottery proceeds distributed to the Small, Minority, and Women-Owned Business Investment Account.

**Budget Restoration Fund Established Under
Budget Reconciliation and Financing Act of 2012
2012 Special Session
Fiscal 2013
(\$ in Millions)**

<u>Revenues</u>	<u>Amount</u>
Individual Income Tax	\$247.3
Corporate Income Tax	7.4
Tobacco Tax	5.0
State Lottery Revenues	8.8
Injured Workers' Insurance Fund	50.0
Program Open Space and Related Programs	96.9
Chesapeake and Atlantic Coastal Bays 2010 Trust Fund (Motor Fuel Tax)	8.0
Other Transfers	10.1
Total Revenues	\$433.5
<u>Expenditures</u>	
Disparity Grants	\$12.0
Teacher Retirement Supplemental Grants	19.6
Crime Grants to Local Governments	20.8
Geographic Cost of Education Index	128.8
Teacher Development Grants	5.2
Community Colleges – Cade Formula	19.9
Public Colleges and Universities	38.5
Private Colleges and Universities – Sellinger Formula	3.8
Legislative Scholarships	11.8
Community Provider Rate Increases	15.2
Regional Institutes for Children and Adolescents – MHA	6.5
Sustainable Communities Tax Credit	7.0
Biotechnology Investment Tax Credit	8.0
Maryland Stem Cell Research Fund	10.4
State Employees Cost-of-living Increase	33.8
Employees Health Insurance	15.0
Funding for State Positions	24.0
Agency Operating Expenses	50.0
Total Expenditures	\$430.3

BRFA: Budget Reconciliation and Financing Act

MHA: Mental Hygiene Administration

**Transfers to the Budget Restoration Fund
Under Budget Reconciliation and Financing Act
of 2012 Special Session
(\$ in Millions)**

<u>Fiscal 2012</u>	<u>Amount</u>
Baltimore City Community College	\$1.8
Helicopter Replacement Fund – State Police	1.0
Total Fiscal 2012 Transfers	\$2.8
<u>Fiscal 2013</u>	
Maryland Correctional Enterprises Revolving Fund	\$0.5
Spinal Cord Injury Research Trust Fund	0.5
State Board of Examiners for Audiologists and SLPs	0.1
State Board of Morticians and Funeral Directors (\$9,788)	0.0
State Board of Physicians	0.3
Horse Racing Impact Aid	0.4
University System of Maryland	5.0
Morgan State University	0.3
Injured Workers' Insurance Fund	50.0
State Insurance Trust Fund	0.2
Division of State Documents – Secretary of State	0.1
Program Open Space and Related Programs	96.9
Total Fiscal 2013 Transfers	\$154.2

SLPs: Speech-Language Pathologists

Spending Affordability Analysis 2012 Special Session

(\$ in Millions)

Target

Estimated Structural Gap (December 2011)	\$1,105
50% Target Reduction	553

Revenues

	14,643	
Federal Payroll Tax Cut Extension	-39	
Other One-time Items	-24	
	14,580	\$14,580

Spending

	14,593	
One-time Reductions	508	
Rainy Day Fund	-23	
CHIPRA Bonus in Medicaid	28	
Supplemental Budget No. 1 One-time Spending	16	
Local Management Board Fund Swap: Earned Reinvestment	7	
Pay-as-you-go Capital	-1	
	14,593	\$15,128

Structural Reductions from Baseline Spending

\$557

Percent of Structural Deficit Reduction

50.4%

CHIPRA: Children's Health Insurance Program Reauthorization Act

Budget Growth by Fund
Fiscal 2012-2013
(\$ in Millions)

Fiscal 2013 Legislative Appropriation versus Fiscal 2012 Working Appropriation
2012 Legislative Session

<u>Fund</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>\$ Change</u>	<u>% Change</u>
General	\$14,976.3	\$14,816.1	-\$160.2	-1.1%
Special	6,527.3	7,290.9	763.6	11.7%
Federal	9,331.8	9,298.8	-33.0	-0.4%
Higher Education	3,812.6	3,929.1	116.5	3.1%
Total	\$34,648.0	\$35,334.9	\$686.9	2.0%

Special Session BRFA Changes

General	-\$40.6	-\$223.1
Special	0.0	411.9
Federal	-40.0	-17.9
Higher Education	0.0	0.0
Total	-\$80.6	\$170.9

New Fiscal 2013 Legislative Approp. versus New Fiscal 2012 Working Approp.
2012 Special Session

General	\$14,935.7	\$14,593.0	-\$342.7	-2.3%
Special	6,527.3	7,702.8	1,175.5	18.0%
Federal	9,291.8	9,280.9	-10.9	-0.1%
Higher Education	3,812.6	3,929.1	116.5	3.1%
Total	\$34,567.4	\$35,505.8	\$938.4	2.7%

General fund amounts assume \$30 million in reversions.

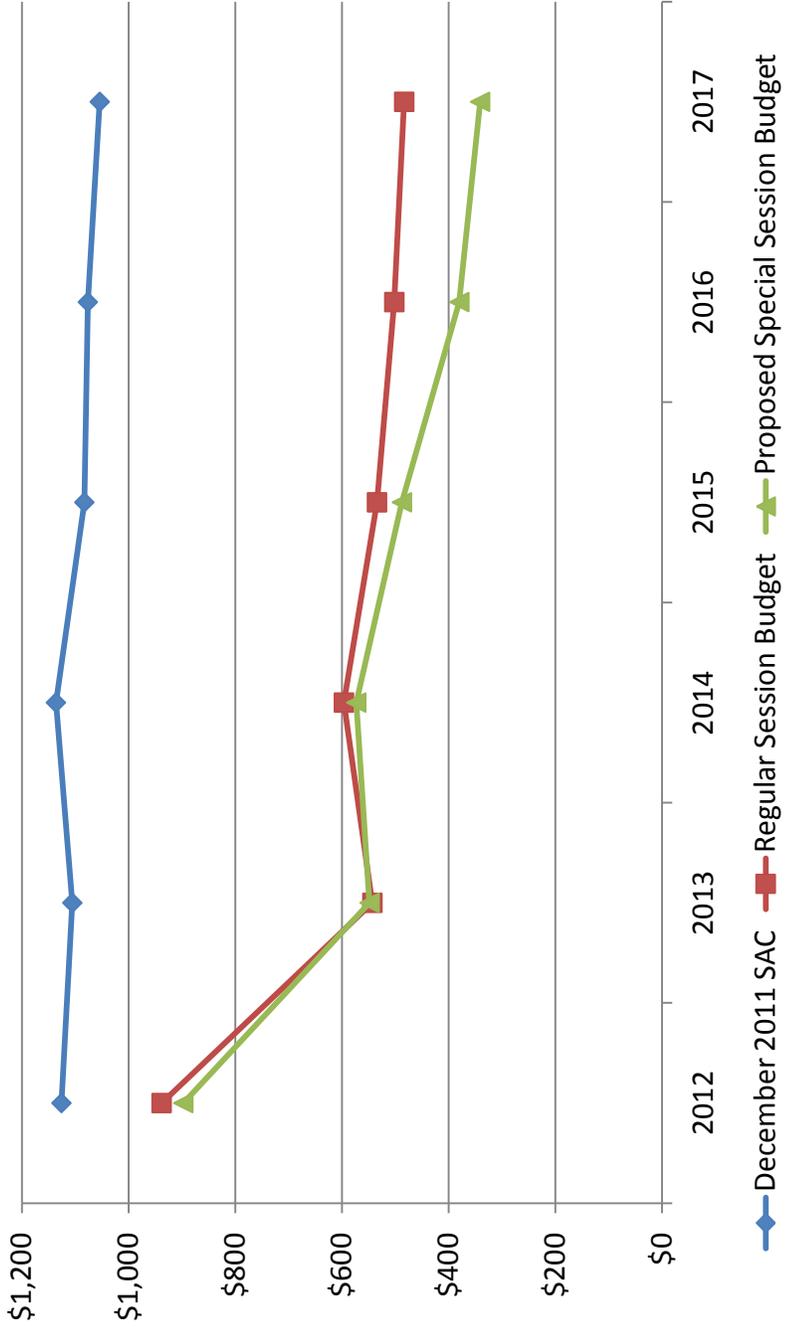
BRFA: Budget Reconciliation and Financing Act

Budget Status 2012 Special Session

	<u>FY 2012</u>	<u>FY 2013</u>
Starting General Fund Balance	\$990,115,128	\$320,120,824
 Revenues		
BRE Estimated Revenues – December 2011	\$14,055,183,000	\$14,423,040,000
BRE Revenue Revision – March 2012	-80,055,000	-50,775,000
Supplemental Budget No. 1	8,656,756	680,000
Prior Budget Reconciliation Legislation	225,534,122	0
Budget Reconciliation Legislation – Revenues	0	6,000,000
Budget Reconciliation Legislation – Transfers	0	0
Other Legislation	41,048	11,393,300
Additional Revenues	56,338,475	86,204,918
Subtotal Revenues	\$14,265,698,401	\$14,476,543,218
 Subtotal Available Revenues	 \$15,255,813,529	 \$14,796,664,042
 Appropriations		
General Fund Appropriations	\$14,781,136,445	\$15,727,220,337
Deficiencies	296,711,314	0
Supplemental Budget No. 1	13,490,910	14,022,956
Legislative Reductions/Contingent Legislation	-118,511,214	-1,118,239,413
Estimated Agency Reversions	-37,134,750	-30,000,000
Subtotal Appropriations	\$14,935,692,705	\$14,593,003,880
 Closing General Fund Balance	 \$320,120,824	 \$203,660,162

BRE: Board of Revenue Estimates

Projected Structural Deficit Reduction Achieved and Work Left to Do Fiscal 2012-2017 (\$ in Millions)



SAC: Spending Affordability Committee

**Comparison of Special Session Actions to the Regular Session Budget
Fiscal 2012-2017
(\$ in Millions)**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Regular Session Cash Balance	\$280	-\$76	-\$633	-\$573	-\$606	-\$536
Revenues (2012 Special Session)						
Additional Revenues – BRFA	\$0	\$6	\$6	-\$31	-\$32	-\$32
Additional Revenues – SLRFA	0	262	208	214	227	241
Net Transfer to Budget Restoration Fund ¹	0	-257	0	0	0	0
Spending (2012 Special Session)						
Reductions to Teachers' Retirement	\$0	-\$137	-\$173	-\$222	-\$255	-\$249
Other BRFA Reductions	-41	-91	-35	-43	-81	-102
Restoration of Reductions	0	0	399	401	410	419
Revised Cash Balance	\$320	\$204	-\$406	-\$526	-\$484	-\$393
Regular Session Structural Balance	-\$938	-\$548	-\$596	-\$534	-\$502	-\$483
Revised Structural Balance	-\$898	-\$548	-\$573	-\$488	-\$380	-\$341

BRFA: Budget Reconciliation and Financing Act
SLRFA: State and Local Revenue and Financing Act

¹ Transfers to Budget Restoration Fund exceed expenditures by \$3.2 million.

Budget Reconciliation and Financing Act of 2012 Special Session

Teachers' Retirement Supplemental Grants – allocates \$27.7 million to specified counties; includes the amount of the miscellaneous Baltimore City grant into the Teachers' Retirement Supplemental Grants; and repeals the separate miscellaneous grant

Moving Violation Surcharge – clarifies the requirements for the distribution of revenues to the Volunteer Company Assistance Fund and adds a distribution to support the Maryland State Firemen's Association

Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) – modifies the provision to set funding at \$2,875,000 in fiscal 2013 and 2014 and at \$4.0 million for fiscal 2015 through 2020

Requires local boards of education to budget the costs to satisfy any final court judgments; prohibits the county government from reducing funds in the school budget dedicated to satisfying a final court judgment; and that, if it becomes necessary for the State to make payment, the amount will be deducted from State education aid due to that board of education in the following fiscal year

Provides an additional State grant to a county board of education to ensure that direct education aid in fiscal 2013 does not decrease by more than 5% compared to fiscal 2012

Aging Schools Program – sets funding by county at the fiscal 2011 level for fiscal 2013 and thereafter

Higher Education Investment Fund – adds St. Mary's College of Maryland to the list of eligible recipients

Cade Formula for Community College Funding – sets total funding and allocation by county for fiscal 2013 at \$199.2 million; establishes that funding will be the greater of \$1,839.47 per full-time equivalent student or specified percentages of public four-year per student funding for fiscal 2014 through 2017; beginning in fiscal 2018, funding is calculated as a percentage of public four-year per student funding, increasing annually to reach 29% in fiscal 2023

Baltimore City Community College – sets total funding for fiscal 2013 at \$39.9 million; establishes that funding will be the greater of \$5,695.63 per full-time equivalent student or specified percentages of public four-year per student funding for fiscal 2014 through 2017; beginning in fiscal 2018, funding is calculated as a percentage of public four-year per student funding, increasing annually to reach 68.5% in fiscal 2023

Sellinger Formula for Aid to Nonpublic Institutions of Higher Education – sets total funding for fiscal 2013 at \$38.1 million; establishes that funding will be the greater of \$875.53 per full-time equivalent student or specified percentages of public four-year per student funding for fiscal 2014 through 2017; beginning in fiscal 2018, funding is calculated as a percentage of public four-year per student funding, increasing annually to reach 15.5% in fiscal 2021

Community Right-to-Know Fund – modifies the authorized uses of the fund to include emergency response activities in the Department of the Environment

State Recycling Trust Fund – modifies the authorized uses of the fund to include land management administration in the Department of the Environment

Authorizes the Department of Health and Mental Hygiene to implement regulations to establish a claims processing fee not to exceed 6% of the amount of claims paid to hospitals located in the District of Columbia

Repeals the requirement that Medicaid pay a nursing facility for days when a program recipient is hospitalized

Authorizes the Health Services Cost Review Commission to establish an alternative method for financing, as part of hospital rates, the costs of Disproportionate Share Hospital payments

Nursing Facility Quality Assessment – increases the assessment from 5.5 to 6.0% of nursing facility operating revenue

Mental Hygiene Community-Based Services Fund – authorizes the use of the proceeds as well as interest earnings from the Mental Hygiene Administration account of the Community Services Trust Fund

Authorizes that payments in lieu of premium tax paid by a nonprofit health service plan may be used by the Department of Health and Mental Hygiene to provide mental health services to the uninsured

Maryland Health Insurance Plan – authorizes that Maryland Health Insurance Plan Fund may be used by the Department of Health and Mental Hygiene to provide mental health services to the uninsured

Injured Workers' Insurance Fund – clarifies that the transfer from the Injured Workers' Insurance Fund resolves any claim that the State has to the property or assets of the Injured Workers' Insurance Fund; if legislation is enacted requiring a valuation study, the fund or its successor is liable for any additional payment, subject to a determination by the Insurance Commissioner that the fund will not be impaired

Funds Received as a Result of a Settlement, Judgment, or Consent Decree – requires that funds due to the State be held in the State treasury, that funds other than restitution be appropriated in the budget, and that, the official negotiating the State payment request that funds may be used for any public purpose; establishes a Mortgage Loan Servicing Practices Settlement Fund to receive and provide for the uses of the proceeds of the national mortgage settlement; requires reports on the activities of the Fund through 2016

Lottery Agent Commissions – sets the commission paid to lottery agents in fiscal 2013 at 5.0% of gross receipts from ticket sales

Teacher Pension Costs – provides that the State and local school boards will share in the costs of teacher retirement by phasing in a requirement for school board payment of the annual normal cost over a four-year period, at increments of 50-65-85-100%; sets out the payment required of each school board for fiscal 2013 through 2016; sets out the additional maintenance of effort payments required by each county in fiscal 2013 through 2016 during the phase-in of the cost-sharing of teacher retirement costs and clarifies the calculation for fiscal 2017 and thereafter

Repeals the requirement that county governments repay \$36.7 million annually, from fiscal 2013 to 2022, to replenish the Local Income Tax Reserve Account

Chesapeake Bay 2010 Trust Fund – for fiscal 2014 through 2016, specifies that a portion of the motor fuel tax that would otherwise go to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund is directed to the general fund; directs an additional \$8 million to the Budget Restoration Fund in fiscal 2013

Delays the final repayment to the Maryland Transportation Authority for the InterCounty Connector from fiscal 2013 to 2014

BWI Fire and Rescue Department – requires the Maryland Aviation Administration to levy a fee on ambulance transports conducted by the BWI Fire and Rescue Department

Speed Camera Revenues – directs a portion of the revenue from speed cameras to the Department of State Police for roadside enforcement activities

Prohibits the Department of Health and Mental Hygiene from adopting regulations that would retrospectively change the requirements for medical loss ratio payments

Medicaid value-based purchasing incentives – authorizes that the cap on disincentive payments made by managed care organizations may be increased from 0.5 to 1.0% effective for calendar 2012

Delays until September 2016 the requirement that the Geographic Cost of Education Index be updated

Transfers \$5 million from the balance in the Senior Prescription Drug Assistance Program to the Medicaid Kidney Disease Program in fiscal 2013

Authorizes pay increases for operationally critical personnel in fiscal 2013 and requires reports from higher education and the Department of Budget and Management on the definition of “operationally critical” and the increases awarded under this provision

Establishes the method for a local school board to amend its budget after adoption to appropriate funds that may be received directly from the State Comptroller in the event a county fails to meet maintenance of effort and does not receive a waiver from the State Board of Education

Effective in fiscal 2015, repeals the requirement that local boards of education reimburse the State Retirement Agency for the employer share of retirement contributions for federally funded positions

Fund balance transfers to the Budget Restoration Fund, which is established under this Act to provide for the restoration of contingent reductions:

	<u>Fiscal 2012</u>	<u>Fiscal 2013</u>
Helicopter Replacement Fund	\$1,000,000	
Baltimore City Community College	1,800,000	
University System of Maryland		\$5,000,000
Maryland Correctional Enterprises Revolving Fund		500,000
Spinal Cord Injury Research Trust Fund		500,000
Morgan State University		250,000
Horse Racing Impact Aid		351,000
State Board of Physicians		320,392
State Insurance Trust Fund		206,000
State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists		96,350
Division of State Documents Special Fund		50,000
State Board of Morticians and Funeral Directors		9,788
Transfer Tax – Program Open Space		96,870,649
Injured Workers’ Insurance Fund		50,000,000

Transfers \$1,867,000 from the Small, Minority, and Women-Owned Business Account established with the revenues from the video lottery terminal program to the Education Trust Fund in fiscal 2012

Requires that the Governor include in the fiscal 2014 allowance \$2 million from the Fair Campaign Financing Fund to be used by the State Board of Elections to begin the implementation of a voting system that provides a voter-verifiable paper record
Problem Gambling Fund – transfers \$950,000 in fiscal 2012 funds and \$209,000 in fiscal 2013 funds to the Education Trust Fund

Limits, for fiscal 2013, the increase in rates paid to group homes and nonpublic placements to 1% over the rates in effect on January 18, 2012

Requires the Health Services Cost Review Commission to approve remittances of \$9.1 million to support the Medicaid program; remittances may be reduced by the savings to the State Medicaid expenditures from other changes to hospital rates or policies

Developmental Disabilities Administration – for fiscal 2012 only, authorizes that up to \$5 million in unexpended funds may be reserved in a dedicated account for specified uses in fiscal 2013

Maryland Energy Administration – adds a provision that transfers \$2 million from the Administrative Account of the Strategic Energy Investment Fund to the Office of Home Energy Programs for energy assistance

Senior Prescription Drug Assistance Program – transfers \$4.5 million in fiscal 2013 to Medicaid

Exelon-Constellation Merger Settlement Funds – requires that funds received by the State be appropriated through the annual budget bill, or, for fiscal 2013, by budget amendment subject to review by the Legislative Policy Committee and the budget committees

For fiscal 2013 only, the maintenance of effort calculation for Baltimore City shall exclude reductions in the cost of health insurance benefits for retired school system employees and reductions due to changes in methodology of the cost allocation

Clarifies that the award of a video lottery operation license for Allegany County and the execution of a ground lease between the Department of Natural Resources and the awardee are not subject to statutory provisions restricting the disposition of the proceeds under the ground lease

Authorizes the Governor to transfer \$5 million in fiscal 2013 from the Revenue Stabilization Account to fund teacher retirement supplemental grants

Provides that a county which does not meet maintenance of effort for fiscal 2012 and approves a county income tax rate of 3.2% and maximum allowable property tax rate before July 1, 2012, may calculate its required fiscal 2013 maintenance of effort payment based on the fiscal 2012 appropriation

Reduces spending in fiscal 2013 to implement reductions that would have taken effect by the enactment of SB 152 of the 2012 regular session; includes additional reductions for fiscal 2012 and 2013 in lieu of \$60 million in Board of Public Works reductions that was agreed upon by the Conference Committee

Specifies that the Governor shall abolish 100 vacant positions, for a savings of \$6 million; positions are inclusive of the 64 positions required to be abolished by Section 47 of the budget bill

Creates the Budget Restoration Fund as a special fund comprised of revenues transferred to it under this bill: \$247,300,000 of income tax revenues, \$7,428,400 in corporate income tax revenues from the general fund, \$8,800,000 in State Lottery Revenues, and \$5,000,000 in tobacco tax revenue; authorizes that specified revenues and funds transferred into the Budget Restoration Fund may be used to restore specified reductions that occurred in fiscal 2013 as a result of the failure of SB 152 and SB 523 of 2012

Establishes that the Budget Restoration Fund is in effect until June 30, 2013; any remaining funds are transferred to the general fund

Clarifies that the salary of the new State Superintendent of Schools is the salary as set by the State Board of Education

Authorizes the Governor to process a budget amendment of \$383,840 from the Higher Education Investment Fund to provide a grant to St. Mary's College of Maryland to offset a tuition increase for in-state students to implement a provision in the budget bill

Changes Compared to the Agreement of the Conference Committee at the Conclusion of the Regular Session

New Provisions

Additional Reductions	<u>General</u>	<u>Federal</u>
Fiscal 2012		
Department of Mental Health and Hygiene – Reduction due to favorable trends	\$40,000,000	\$40,000,000
Department of Business and Economic Development – Reduction to business license Information Technology project	578,000	
Fiscal 2013		
Department of Information Technology – Cash flow reduction to the 700 MHz radio project	\$5,000,000	
Department of Mental Health and Hygiene – Reduce spending provided in the supplemental budget for inpatient psychiatric rehabilitation (Bayview Hospital)	750,000	\$750,000
Department of Mental Health and Hygiene – Carry forward of fiscal 2012 reduction due to favorable trends	40,000,000	40,000,000
Department of Mental Health and Hygiene – Reduce general fund Medicaid spending in fiscal 2013 and replace with additional Cigarette Restitution Funds	10,000,000	
Aid to Education – Reduce general fund spending due to additional Video Lottery Terminal revenues and Rocky Gap license fees	6,100,000	
Department of Business and Economic Development – Reduction to business license IT project	578,000	

Creates the Budget Restoration Fund as a special fund comprised of revenues transferred to it under this bill: \$247,300,000 of income tax revenues, \$7,428,400 in corporate income tax revenues from the general fund, \$8,800,000 in State Lottery Revenues, and \$5,000,000 in tobacco tax revenue; authorizes that specified revenues and funds transferred into the Budget Restoration may be used to restore reductions that occurred in fiscal 2013 as a result of the failure of Senate Bill 152 and Senate Bill 523 of 2012

Establishes that the Budget Restoration Fund is in effect until June 30, 2013; any remaining funds are transferred to the general fund

Clarifies that the salary of the new State Superintendent of Schools is the salary as set by the State Board of Education

Authorizes the Governor to process a budget amendment of \$383,840 from the Higher Education Investment Fund to provide a grant to St. Mary's College of Maryland to offset a tuition increase for in-State students to implement a provision in the budget bill

Modified Provisions

Added a sunset date for reporting requirements relating to the use of funds from the National Mortgage Settlement

Provisions That Have Been Removed

Facility Renewal and Capital Maintenance Fund – provision that would have established a special non-lapsing fund, and, beginning in fiscal 2014, requires the Governor to establish an agency charge-back to generate not less than \$20 million annually for facility renewal, capital maintenance, and related expenses

Aid to Education Formulas – provision that would have reduced the per pupil foundation amount from \$6,761 to \$6,650 for fiscal 2013 if legislation relating to the cost-sharing of teacher retirement was not enacted; this provision is unnecessary

Maryland Transit Administration – provision that would have required the administration to adjust fares to the nearest dime triennially, beginning in fiscal 2013, based on the increase in the Consumer Price Index over the preceding three calendar years

Vehicle Registration Surcharge – provision which would have increased the surcharge which accrues to the Maryland Emergency Medical System Operations Fund from \$11 to \$13

Language which expressed the intent of the General Assembly that funding be provided in the annual budget to upgrade the Maryland Institute of Emergency Medical Services Systems communications system

Summary of Sharing of Teachers' Retirement Costs with Local Jurisdictions

- Retirement costs are shared for school boards only (excludes libraries and community colleges).
- School boards will pay the *normal cost* of retirement phased in over four years with concurrent county-paid maintenance of effort increases.
- The normal cost reflects the current cost of retirement for active employees, which does not include unfunded, accrued liabilities. The normal cost's dollar value grows primarily by the growth in salaries and the number of teachers employed.
- The required maintenance of effort amount paid by counties increases each year by the additional pension costs during the phase-in period.
- Increased pension costs are offset by new county revenues and local aid to counties and school boards beginning in fiscal 2013 and 2014, and federal fund reimbursement relief to school boards beginning in fiscal 2015.
- State maintains responsibility to pay for unfunded accrued liabilities and reinvestment, as well as a portion of the normal cost and any costs above the estimates during the phase-in period.
- This plan is reflected in the fiscal 2013 budget (SB 150 of the 2012 session) and the Budget Reconciliation and Financing Act and State and Local Revenue and Financing Act of the 2012 special session.

Shift of Retirement Costs to School Boards with Offsets/MOE Increase
"Normal Cost" of Teachers' Retirement Shifted to Locals with Four-year Phase-in
Fiscal 2013-2016
(\$ in Millions)

	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>
Normal Cost Shifted (School Boards) – 50/65/85/100% Offset by:	-\$136.6	-\$173.2	-\$221.6	-\$254.8
Relieve Reimbursement for Federally Funded Teachers ⁽¹⁾	0.0	0.0	37.8	38.2
Net Pension Costs Shifted to School Boards	-\$136.6	-\$173.2	-\$183.7	-\$216.5
Counties Increase in MOE Due to Shift⁽²⁾	\$136.6	\$173.2	\$183.7	\$216.5
Annual Increase in MOE Due to Shift		\$36.6	\$10.5	\$32.8
Offset by:				
Additional Local Income Tax Revenues (SLRFA)	\$31.5	\$21.6	\$21.8	\$22.1
Teachers' Retirement Supplemental Grant ⁽³⁾ (BRFA)	27.6	27.6	27.6	27.6
Recordation Tax Indemnity Mortgages (SLRFA)	35.7	35.7	35.7	35.7
Local Income Tax Reserve Relief (BRFA)	36.7	36.7	36.7	36.7
Restore Local Police Aid (SB 150/BRFA)	0.0	22.1	22.8	23.5
Health Department Grants (SB 150/BRFA)	0.0	2.2	3.0	4.0
Total County Offsets	\$131.5	\$145.9	\$147.6	\$149.6
Net Impact of Shift on Counties	-\$5.2	-\$27.3	-\$36.1	-\$67.0
Net Impact on State General Fund (Savings)/Cost⁽⁴⁾	-\$109.0	-\$120.8	-\$126.5	-\$154.0
Remaining State-paid Pension Costs (Non-normal)	\$768.4	\$866.5	\$870.0	\$870.8
Net Impact of Shift on School Boards	\$0.0	\$0.0	\$0.0	\$0.0
State Direct Aid Increase Current Law ⁽²⁾	113.2	88.4	113.6	184.4

BRFA: Budget Reconciliation and Financing Act of 2012 Special Session
SLRFA: State and Local Revenue and Financing Act of 2012 Special Session
MOE: maintenance of effort
SB 150: Fiscal 2013 Budget Bill

⁽¹⁾ Requirement to reimburse the State for federally funded teachers is repealed beginning in fiscal 2015.

⁽²⁾ Fiscal 2016 county MOE increase will be included in per pupil MOE amount for fiscal 2017.

⁽³⁾ Includes Miscellaneous Grant for Baltimore City.

⁽⁴⁾ Includes increase in Guaranteed Tax Base program due to increased MOE.

Note: Includes school boards only; Governor's proposal also included community colleges and libraries.

Impact of County Maintenance of Effort Increase Due to Sharing of Pension Costs
Fiscal 2013 and 2016
 (\$ in Thousands)

County	Fiscal 2013										Fiscal 2016									
	MOE Increase Due to Pension Shift	Local Income Tax Revenues	Teacher Retire. Supp. Grant	Indemnity Mortgage Rec. Tax	Local Income Reserve Relief	Net Impact	MOE Increase Due to Pension Shift	Local Income Tax Revenues	Teacher Retire. Supp. Grant	Indemnity Mortgage Rec. Tax	Local Income Reserve Relief	Net Impact	MOE Increase Due to Pension Shift	Local Income Tax Revenues	Teacher Retire. Supp. Grant	Indemnity Mortgage Rec. Tax	Local Income Reserve Relief	Net Impact		
Allegany	-\$1,488	\$70	\$1,632	\$107	\$245	\$566	-\$2,203	\$49	\$1,632	\$107	\$245	\$93	-\$2,203	\$49	\$1,632	\$107	\$245	\$93		
Anne Arundel	-11,494	3,018	0	2,925	3,356	-2,195	-18,694	2,117	0	2,925	3,356	340	-18,694	2,117	0	2,925	3,356	340		
Baltimore City	-12,923	1,011	10,048	400	2,105	640	-17,901	709	10,048	400	2,105	0	-17,901	709	10,048	400	2,105	0		
Baltimore	-15,756	3,237	3,000	2,100	4,840	-2,579	-24,843	2,270	3,000	2,100	4,840	475	-24,843	2,270	3,000	2,100	4,840	475		
Calvert	-2,836	599	0	550	554	-1,133	-4,754	420	0	550	554	42	-4,754	420	0	550	554	42		
Caroline	-794	35	685	100	100	126	-1,182	25	685	100	100	55	-1,182	25	685	100	100	55		
Carroll	-4,006	1,057	0	800	1,087	-1,062	-6,702	741	0	800	1,087	130	-6,702	741	0	800	1,087	130		
Cecil	-2,460	270	0	2,195	441	446	-3,944	189	0	2,195	441	85	-3,944	189	0	2,195	441	85		
Charles	-3,937	842	0	1,000	823	-1,272	-6,591	591	0	1,000	823	106	-6,591	591	0	1,000	823	106		
Dorchester	-657	31	309	185	97	-35	-932	22	309	185	97	44	-932	22	309	185	97	44		
Frederick	-5,893	1,444	0	5,000	1,531	2,082	-9,858	1,013	0	5,000	1,531	160	-9,858	1,013	0	5,000	1,531	160		
Garrett	-665	28	406	220	96	86	-955	20	406	220	96	45	-955	20	406	220	96	45		
Harford	-5,530	1,291	0	1,020	1,531	-1,688	-8,803	906	0	1,020	1,531	184	-8,803	906	0	1,020	1,531	184		
Howard	-9,821	3,514	0	2,903	2,918	-486	-17,284	2,465	0	2,903	2,918	134	-17,284	2,465	0	2,903	2,918	134		
Kent	-366	45	0	70	91	-160	-533	32	0	70	91	34	-533	32	0	70	91	34		
Montgomery	-27,228	10,203	0	11,000	10,503	4,479	-44,357	7,157	0	11,000	10,503	347	-44,357	7,157	0	11,000	10,503	347		
Prince George's	-19,555	3,273	9,629	2,500	4,097	-56	-29,632	2,296	9,629	2,500	4,097	551	-29,632	2,296	9,629	2,500	4,097	551		
Queen Anne's	-1,106	266	0	500	293	-47	-1,763	186	0	500	293	44	-1,763	186	0	500	293	44		
St. Mary's	-2,486	590	0	500	636	-760	-4,015	414	0	500	636	85	-4,015	414	0	500	636	85		
Somerset	-480	11	382	40	58	11	-610	8	382	40	58	44	-610	8	382	40	58	44		
Talbot	-628	117	0	565	209	262	-943	82	0	565	209	34	-943	82	0	565	209	34		
Washington	-3,094	279	0	455	585	-1,775	-4,842	196	0	455	585	144	-4,842	196	0	455	585	144		
Wicomico	-2,174	167	1,568	350	376	287	-3,239	117	1,568	350	376	99	-3,239	117	1,568	350	376	99		
Worcester	-1,272	53	0	250	107	-861	-1,952	37	0	250	107	34	-1,952	37	0	250	107	34		
Total	-\$136,645	\$31,451	\$27,659	\$35,735	\$36,678	-\$5,122	-\$216,530	\$22,062	\$27,659	\$35,735	\$36,678	\$4,030	-\$216,530	\$22,062	\$27,659	\$35,735	\$36,678	\$4,030		

MOE: maintenance of effort

Impact of Pension Shift on Local School Boards
Fiscal 2013 and 2016
(\$ in Thousands)

School System	Fiscal 2013		Fiscal 2016		
	50% Normal Cost Pension Shift	County MOE Increase	100% Normal Cost Pension Shift	Relief FF Teacher Retirement	County MOE Increase
Allegany	-\$1,488	-\$1,488	-\$2,774	\$571	-\$2,203
Anne Arundel	-11,494	-11,494	-21,428	2,734	-18,694
Baltimore City	-12,923	-12,923	-24,093	6,192	-17,901
Baltimore	-15,756	-15,756	-29,374	4,531	-24,843
Calvert	-2,836	-2,836	-5,287	533	-4,754
Caroline	-794	-794	-1,480	299	-1,182
Carroll	-4,006	-4,006	-7,468	766	-6,702
Cecil	-2,460	-2,460	-4,586	642	-3,944
Charles	-3,937	-3,937	-7,339	748	-6,591
Dorchester	-657	-657	-1,224	292	-932
Frederick	-5,893	-5,893	-10,987	1,129	-9,858
Garrett	-665	-665	-1,239	285	-955
Harford	-5,530	-5,530	-10,309	1,506	-8,803
Howard	-9,821	-9,821	-18,310	1,026	-17,284
Kent	-366	-366	-683	150	-533
Montgomery	-27,228	-27,228	-50,762	6,405	-44,357
Prince George's	-19,555	-19,555	-36,457	6,825	-29,632
Queen Anne's	-1,106	-1,106	-2,061	298	-1,763
St. Mary's	-2,486	-2,486	-4,634	619	-4,015
Somerset	-480	-480	-895	285	-610
Talbot	-628	-628	-1,172	229	-943
Washington	-3,094	-3,094	-5,769	927	-4,842
Wicomico	-2,174	-2,174	-4,052	813	-3,239
Worcester	-1,272	-1,272	-2,371	418	-1,952
Total	-\$136,645	-\$136,645	-\$254,755	\$38,224	-\$216,530

FF: federal funds

MOE: maintenance of effort

State and Local Revenue and Financing Act of 2012 Special Session

- Income Tax Rate Changes (\$195.6 Million in Fiscal 2013)**

<i>Single Taxpayers</i>			<i>Joint Taxpayers</i>		
Lower	Upper	<i>Current/Proposed</i>	Lower	Upper	<i>Current/Proposed</i>
\$1	\$1,000	2.00%	\$1	\$1,000	2.00%
1,001	2,000	3.00%	1,001	2,000	3.00%
2,001	3,000	4.00%	2,001	3,000	4.00%
3,001	100,000	4.75%	3,001	150,000	4.75%
100,001	125,000	4.75%/5.00%	150,001	175,000	4.75%/5.00%
125,001	150,000	4.75%/5.25%	175,001	225,000	4.75%/5.00%/5.25%
150,001	250,000	5.00%/5.50%	225,001	300,000	5.00%/5.50%
250,001	500,000	5.00%/5.25%/5.75%	300,001	500,000	5.00%/5.25%/5.75%
500,001	99,999,999	5.50%/5.75%	500,001	99,999,999	5.50%/5.75%

- Income Tax Personal Exemption Changes (State Revenues of \$51.7 Million and Local Revenues of \$31.4 Million in Fiscal 2013)**

<i>Federal Adjusted Gross Income</i>			<i>Amount Per Exemption</i>	
Lower	Upper	Filing	Proposed	Current
\$1	\$100,000	Single	\$3,200	\$3,200
100,001	125,000	Single	1,600	2,400
125,001	150,000	Single	800	1,800
150,001	200,000	Single	0	1,200
200,001	99,999,999	Single	0	600
\$1	\$150,000	Joint	\$3,200	\$3,200
150,001	175,000	Joint	1,600	2,400
175,001	200,000	Joint	800	1,800
200,001	250,000	Joint	0	1,200
250,001	99,999,999	Joint	0	600

- **Other Tobacco Products Rate Increase (\$5 Million in Fiscal 2013)**

Increases the other tobacco product tax rate on moist snuff and smokeless tobacco from 15 to 30% of the wholesale price.

The tax rate for premium cigars remains at 15% of the wholesale price.

The tax rate for other cigars increases from 15 to 70% of the wholesale price.

- **Recordation Tax – Indemnity Mortgages (Local Revenues of \$35.7 Million in Fiscal 2013)**

Applies the recordation tax to an “indemnity mortgage” in the same manner as if the guarantor were primarily liable for the guaranteed loan, unless the recordation tax is paid on another instrument of writing that secures the payment of the guaranteed loan or the indemnity mortgage secures a guarantee of repayment of a loan for less than \$1.0 million.

Creates a stakeholder workgroup to review the impacts of the tax on local government revenues and real estate transactions and report back any findings and recommendations about the tax to the Governor and General Assembly by December 31, 2012.

- **Office of Administrative Hearings – Fee Increase (\$497,500 in Fiscal 2013)**

Increases the maximum filing fee from \$125 to \$150 for an appeal of a decision by the Motor Vehicle Administration to suspend or revoke a driver’s license.

- **Death Certificate – Fee Increase (\$667,000 in Fiscal 2013)**

Increases the fee from \$12 to \$24 for the first copy of a certified death certificate.

- **Corporate Income Tax Credit – Telecommunications Property Taxes (\$7.5 Million in Fiscal 2013)**

Repeals the corporate income tax credit for State and local property taxes paid on certain telecommunications property.

- **Repeal of Sales and Use Tax Exemption for Cylinder Demurrage (\$700,000 in Fiscal 2013)**

Repeals the State sales and use tax exemption for demurrage charges in the nature of a penalty for failure to return a gas cylinder within a designated time period.

- **Income Tax – Electing Small Business Trusts (Effective Beginning in Tax Year 2013)**

Requires a fiduciary of certain trusts to include the income derived from certain stock holdings for the purpose of calculating federal adjusted gross income.

**State and Local Revenue and Financing Act of 2012
Additional Income Tax Paid by Representative Taxpayers**

Joint Filer with Two Children	
Federal Adjusted Gross Income	Additional Annual Tax
\$50,000	\$0
75,000	0
90,000	0
120,000	0
150,000	0
175,000	254
180,000	325
205,000	464
255,000	444
525,000	1,823
1,100,000	3,269

Joint Filer with No Children	
Federal Adjusted Gross Income	Additional Annual Tax
\$50,000	\$0
75,000	0
90,000	0
120,000	0
150,000	0
175,000	127
180,000	170
205,000	273
255,000	345
525,000	1,720
1,100,000	3,164

State Aid Actions Resulting from Special Session Fiscal 2013

County	Teachers Retirement	Program Open Space	GCEI Funding ¹	Supplemental Grants ²	Crime Grants	Disparity Grants	Community College	Other Grants ³	Total
Allegany	-\$1,487,742	-\$151,000	\$0	\$1,632,106	\$0	\$729,851	\$803,418	\$0	\$1,526,633
Anne Arundel	-11,493,684	-1,634,000	9,042,800	0	295,855	0	3,297,394	0	-491,635
Baltimore City	-12,922,862	-1,081,000	22,396,367	10,047,596	10,367,614	7,754,249	0	-3,075,000	33,486,964
Baltimore	-15,755,802	-1,838,000	5,478,127	3,000,000	0	0	2,339,480	0	-6,776,195
Calvert	-2,835,938	-163,000	2,291,041	0	0	0	201,717	0	-506,180
Caroline	-793,934	-71,000	0	685,108	0	213,178	144,209	0	177,561
Carroll	-4,005,782	-365,000	2,535,378	0	0	0	696,002	0	-1,139,402
Cecil	-2,459,819	-189,000	0	0	0	0	476,129	0	-2,172,690
Charles	-3,936,516	-334,000	3,498,074	0	0	0	668,630	0	-103,812
Dorchester	-656,543	-62,000	0	308,913	0	202,269	124,344	0	-83,017
Frederick	-5,893,461	-386,000	6,379,612	0	0	0	795,150	0	895,301
Garrett	-664,714	-76,000	0	406,400	0	213,127	230,388	1,161,009	1,270,210
Harford	-5,529,741	-546,000	0	0	0	0	1,202,740	0	-4,873,001
Howard	-9,821,066	-971,000	5,119,581	0	0	0	876,537	0	-4,795,948
Kent	-366,147	-46,000	137,992	0	0	0	57,151	0	-217,004
Montgomery	-27,227,553	-2,460,000	32,796,296	0	0	0	4,655,504	0	7,764,247
Prince George's	-19,554,579	-2,092,000	38,292,762	9,628,702	3,760,902	2,169,477	1,327,693	0	33,532,957
Queen Anne's	-1,105,527	-99,000	558,377	0	0	0	158,952	0	-487,198
St. Mary's	-2,485,697	-185,000	226,253	0	0	0	227,148	0	-2,217,296
Somerset	-480,124	-44,000	0	381,999	0	490,817	61,662	0	410,353
Talbot	-628,456	-105,000	0	0	0	0	138,484	0	-594,972
Washington	-3,094,113	-287,000	0	0	0	0	857,169	0	-2,523,944
Wicomico	-2,173,593	-191,000	0	1,567,837	327,254	219,704	412,966	0	163,168
Worcester	-1,271,561	-188,000	0	0	0	0	164,744	0	-1,294,817
Unallocated	0	0	0	0	4,034,294	0	0	5,232,000	9,266,294
Total	-\$136,644,954	-\$13,564,000	\$128,752,660	\$27,658,662	\$18,785,919	\$11,992,672	\$19,917,609	\$3,318,009	\$60,216,577

GCEI: Geographic Cost of Education Index

Note: ¹Geographic Cost of Education Index (GCEI); ²Teacher Retirement Supplemental Grants; ³includes funding for Quality Teacher Incentives, National Board Certification Fees and the Hold Harmless Grant for Garrett County Public Schools and the elimination of the Miscellaneous Grant for Baltimore City which is now funded under the supplemental grants.

Proposed State Aid Actions and Local Revenue Enhancements Under Special Session Plan Fiscal 2013

County	Local Revenue Enhancements					State Aid Adjustments	Net Effect
	Individual Income Tax	Income Tax Reserve	Recordation Tax	Enhancements	Total		
Allegany	\$70,000	\$245,023	\$107,000	\$422,023	\$1,526,633	\$1,948,656	
Anne Arundel	3,018,000	3,355,846	2,925,000	9,298,846	-491,635	8,807,211	
Baltimore City	1,011,000	2,104,714	400,000	3,515,714	33,486,964	37,002,678	
Baltimore	3,237,000	4,839,885	2,100,000	10,176,885	-6,776,195	3,400,690	
Calvert	599,000	554,364	550,000	1,703,364	-506,180	1,197,184	
Caroline	35,000	100,213	100,000	235,213	177,561	412,774	
Carroll	1,057,000	1,086,772	800,000	2,943,772	-1,139,402	1,804,370	
Cecil	270,000	440,845	2,195,000	2,905,845	-2,172,690	733,155	
Charles	842,000	822,650	1,000,000	2,664,650	-103,812	2,560,838	
Dorchester	31,000	96,702	185,000	312,702	-83,017	229,685	
Frederick	1,444,000	1,531,193	5,000,000	7,975,193	895,301	8,870,494	
Garrett	28,000	95,943	220,000	343,943	1,270,210	1,614,153	
Harford	1,291,000	1,530,887	1,020,000	3,841,887	-4,873,001	-1,031,114	
Howard	3,514,000	2,918,127	2,903,000	9,335,127	-4,795,948	4,539,179	
Kent	45,000	91,369	70,000	206,369	-217,004	-10,635	
Montgomery	10,203,000	10,503,112	11,000,000	31,706,112	7,764,247	39,470,359	
Prince George's	3,273,000	4,097,314	2,500,000	9,870,314	33,532,957	43,403,271	
Queen Anne's	266,000	292,934	500,000	1,058,934	-487,198	571,736	
St. Mary's	590,000	635,562	500,000	1,725,562	-2,217,296	-491,734	
Somerset	11,000	57,711	40,000	108,711	410,353	519,064	
Talbot	117,000	208,563	565,000	890,563	-594,972	295,591	
Washington	279,000	584,688	455,000	1,318,688	-2,523,944	-1,205,256	
Wicomico	167,000	376,141	350,000	893,141	163,168	1,056,309	
Worcester	53,000	107,304	250,000	410,304	-1,294,817	-884,513	
Unallocated	0	0	0	0	9,266,294	9,266,294	
Total	\$31,451,000	\$36,677,862	\$35,735,000	\$103,863,862	\$60,216,577	\$164,080,439	

Change in State Aid to Local Governments Final 2012 Session Action Compared to Special Session Plan

County	FY 2012	Final Action FY 2013	Percent Difference	State Aid Adjustments	Special Session FY 2013	Percent Difference
Allegany	\$106,044,073	\$102,869,477	-3.0%	\$1,526,633	\$104,396,110	-1.6%
Anne Arundel	421,227,842	445,329,337	5.7%	-491,635	444,837,702	5.6%
Baltimore City	1,191,052,679	1,181,981,072	-0.8%	33,486,964	1,215,468,036	2.0%
Baltimore	698,504,038	724,348,533	3.7%	-6,776,195	717,572,338	2.7%
Calvert	104,933,302	103,959,414	-0.9%	-506,180	103,453,234	-1.4%
Caroline	53,025,202	55,753,175	5.1%	177,561	55,930,736	5.5%
Carroll	179,749,241	178,902,316	-0.5%	-1,139,402	177,762,914	-1.1%
Cecil	126,804,294	128,942,553	1.7%	-2,172,690	126,769,863	0.0%
Charles	192,829,585	192,338,016	-0.3%	-103,812	192,234,204	-0.3%
Dorchester	41,458,185	43,031,286	3.8%	-83,017	42,948,269	3.6%
Frederick	272,907,823	275,521,673	1.0%	895,301	276,416,974	1.3%
Garrett	34,883,107	32,844,525	-5.8%	1,270,210	34,114,735	-2.2%
Harford	262,680,088	261,975,095	-0.3%	-4,873,001	257,102,094	-2.1%
Howard	298,823,692	306,165,111	2.5%	-4,795,948	301,369,163	0.9%
Kent	13,903,464	14,143,928	1.7%	-217,004	13,926,923	0.2%
Montgomery	808,681,776	817,337,089	1.1%	7,764,247	825,101,336	2.0%
Prince George's	1,075,599,829	1,085,724,722	0.9%	33,532,957	1,119,257,679	4.1%
Queen Anne's	42,755,529	43,210,760	1.1%	-487,198	42,723,562	-0.1%
St. Mary's	113,310,533	117,807,863	4.0%	-2,217,296	115,590,567	2.0%
Somerset	34,212,622	34,036,172	-0.5%	410,353	34,446,525	0.7%
Talbot	18,630,691	19,625,085	5.3%	-594,972	19,030,113	2.1%
Washington	187,200,010	192,972,756	3.1%	-2,523,944	190,448,812	1.7%
Wicomico	140,586,142	145,876,369	3.8%	163,168	146,039,536	3.9%
Worcester	32,800,039	34,261,766	4.5%	-1,294,817	32,966,949	0.5%
Unallocated	83,278,498	71,423,341	-14.2%	9,266,294	80,689,635	-3.1%
Total	\$6,535,882,284	\$6,610,381,432	1.1%	\$60,216,577	\$6,670,598,009	2.1%

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Creation of a State Debt – Qualified Zone Academy Bonds – See HB 1803; SB 1303

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Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

State Police, Department of —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

State Roads –see– Highways

State Universities and Colleges —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

Streets and Roads –see– Highways

Suits –see– Civil Actions

Sunset —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

T

Task Forces –see– Committees and Commissions

Tax Credits —

State and Local Revenue and Financing Act of 2012 – See HB 1802; SB 1302

Taxes –see– Revenue and Taxes

Teachers —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

Technology –see– Telecommunications and Information Technology

Telecommunications and Information Technology —

State and Local Revenue and Financing Act of 2012 – See HB 1802; SB 1302

Tobacco —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

State and Local Revenue and Financing Act of 2012 – See HB 1802; SB 1302

Tolls –see– Fees

Transportation –see– Airports

Trials —

Medical Marijuana – Caregiver – Affirmative Defense – See HB 1809

Trusts –see– Business Trusts

U

Universities –see– Higher Education; State Universities and Colleges

University of Baltimore –see– State Universities and Colleges

University System of Maryland –see– State Universities and Colleges

Use Tax –see– Sales and Use Tax

Utilities —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

State and Local Revenue and Financing Act of 2012 – See HB 1802; SB 1302

V

Veterans —

Vehicle Laws – Special Registration Plate – United States Armed Forces
– See HB 1805

Video Lottery Terminals and Facilities –see– Gaming**Vital Records —**

State and Local Revenue and Financing Act of 2012 – See HB 1802; SB
1302

Voting —

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

W**Wages –see– Salaries****Work, Labor and Employment –see– Salaries****Workers' Compensation —**

Budget Reconciliation and Financing Act of 2012 – See HB 1801; SB 1301

**Second
Special Session**

August 9, 2012

Through

August 15, 2012

Annapolis, Maryland
Friday, August 10, 2012

The House met at 11:21 A.M.

This being the day prescribed by proclamation of the Governor in accordance with Section 16 of Article II of the Constitution for the Special and Extraordinary Meeting of the General Assembly of Maryland.

The House pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

MESSAGE FROM THE CHIEF EXECUTIVE

EXECUTIVE ORDER 01.01.2012.16 – PROCLAMATION CONVENING THE GENERAL ASSEMBLY
OF MARYLAND IN EXTRAORDINARY SESSION AT ANNAPOLIS, MARYLAND ON AUGUST 9, 2012

(See Exhibit A of Appendix V)

Read and ordered journalized.

EXCUSES:

Del. Bates – business
Del. Beidle – business – out of town
Del. Bobo – out of town
Del. Braveboy – personal – out of town
Del. Burns – doctor’s appointment
Del. Carr – personal – vacation
Del. Cullison – death in family
Del. Dwyer – illness
Del. Eckardt – out of town
Del. Hubbard – out of town
Del. Ivey – out of town
Del. Kipke – illness
Del. Krebs – out of town
Del. Love – out of town
Del. McDonough – business
Del. McIntosh – out of town
Del. McMillan – business
Del. Miller, W. – business
Del. Mitchell – out of town
Del. Mizeur – out of town

Del. Niemann – out of town
Del. Pena–Melnik – out of town
Del. Robinson, S. – business
Del. Szeliga – out of town
Del. Waldstreicher – business

QUORUM CALL

The presiding officer announced a quorum call, showing 111 Members present.

(See Roll Call No. 2)

ORDER

August 10, 2012

Ordered by the House of Delegates of Maryland, that the Orders and Appointments adopted for the Regular Session of 2012 and the Special Session of May 2012 be hereby continued for the Special Session of August 10, 2012.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

ORDER

August 10, 2012

Ordered by the House of Delegates of Maryland, that the Rules of the House of Delegates in effect at the end of the 2012 Regular Session and the May 2012 Special Session be adopted for the Special Session of August 10, 2012.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

August 9, 2012

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the House of Delegates:

The Senate has organized pursuant to Article II, Section 16, of the Constitution of Maryland.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of five members, two on the part of the Senate and three on the part of the House, to wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the Senate, Senators Garagiola and Pipkin.

By Order,
William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

August 10, 2012

By The Majority Leader:

Ladies and Gentlemen of the Senate:

We have received your message notifying the House of Delegates of the organization of your Honorable Body and requesting the appointment of a Joint Committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make. On the part of the Senate, Senators Garagiola and Pipkin have been appointed.

We have appointed on the part of the House of Delegates, Delegates Barve and O'Donnell.

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

VETOED HOUSE BILLS AND MESSAGES – 2012 REGULAR SESSION

(See Exhibit B of Appendix V)

The Messages from the Governor were read and ordered journalized.

The Speaker put the question: Shall all of the following bills pass, notwithstanding the objections of the Governor?

HB 51 sustained (1–110)
HB 56 sustained (1–110)
HB 73 sustained (1–110)
HB 88 sustained (1–110)
HB 90 sustained (1–110)
HB 97 sustained (1–110)
HB 98 sustained (1–110)
HB 120 sustained (1–110)
HB 124 sustained (1–110)
HB 129 sustained (1–110)
HB 136 sustained (1–110)
HB 144 sustained (1–110)
HB 162 sustained (1–110)
HB 170 sustained (1–110)
HB 204 sustained (1–110)
HB 212 sustained (1–110)
HB 223 sustained (1–110)
HB 239 sustained (1–110)
HB 251 sustained (1–110)
HB 306 sustained (1–110)
HB 363 sustained (1–110)
HB 379 sustained (1–110)
HB 395 sustained (1–110)
HB 524 sustained (1–110)
HB 736 sustained (1–110)
HB 737 sustained (1–110)
HB 769 sustained (1–110)
HB 787 sustained (1–110)
HB 1006 sustained (1–110)
HB 1095 sustained (1–110)
HB 1213 sustained (1–110)
HB 1347 sustained (1–110)

The vetoes were sustained by roll call vote as follows:

Affirmative – 1 Negative – 110 (See Roll Call No. 3)

INTRODUCTION OF BILLS**House Bill 1 – The Speaker (By Request – Administration)**

AN ACT concerning

Gaming Expansion – Video Lottery Terminals and Table Games

FOR the purpose of establishing the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency with certain powers and duties; transferring the responsibilities of the State Lottery Commission and the State Lottery Agency to the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency, respectively; providing for the membership of the State Lottery and Gaming Control Commission; providing for certain qualifications, terms of office, salaries, and reimbursements of expenses for members of the State Lottery and Gaming Control Commission; providing for certain staffing and consultants for the State Lottery and Gaming Control Commission; requiring certain video lottery facilities to own or lease certain video lottery terminals and associated equipment and software; requiring that certain savings related to the ownership or leasing of video lottery terminals and associated equipment and software be appropriated to the Education Trust Fund; authorizing certain counties to impose certain requirements under certain circumstances; altering the distribution of certain proceeds of video lottery terminals; altering the timing for certain transfers of funds; altering the period of time and authorized use for certain local impact grants; extending certain reporting requirements; altering the staffing for the Video Lottery Facility Location Commission; repealing certain limitations on a certain video lottery facility; requiring certain applicants for a video lottery operation license to take certain steps before being awarded a license; requiring the Governor's Office of Minority Affairs, in consultation with the Office of the Attorney General, to provide certain assistance; requiring certain proceedings before the Board of Contract Appeals to proceed in a certain manner; authorizing certain petitions for judicial review to be heard in certain circuit courts; requiring that certain proceedings related to certain petitions for judicial review proceed in a certain manner under certain circumstances; authorizing certain parties to certain proceedings related to certain petitions for judicial review to appeal the decision of the circuit court in a certain manner; prohibiting certain persons from making certain contributions under certain circumstances; authorizing, subject to a certain contingency, the use and regulation of table games in the State; authorizing, subject to a certain contingency, an additional license to operate a video lottery facility in the State and additional video lottery terminal devices; prohibiting a certain fee under certain circumstances; prohibiting the operation of certain video lottery terminals in a certain location before a certain date; repealing, subject to a certain contingency, a limitation on the hours of operation of a video lottery facility; providing, subject to a certain contingency, for the distribution of

proceeds from table games and video lottery terminals; authorizing the State Lottery and Gaming Control Commission to adjust the distribution of proceeds from video lottery terminals after a certain license is awarded under certain circumstances and subject to a certain reporting requirement; altering, subject to a certain contingency, the distribution of proceeds from video lottery terminals, including certain impact grants; altering, subject to a certain contingency, the distribution of certain local impact grants; requiring, subject to a certain contingency, the State Lottery and Gaming Control Commission to take certain actions; declaring the intent of the General Assembly; requiring that certain persons submit certain campaign finance statements in a certain manner; requiring the State Board of Elections to take certain actions; providing for the expiration of the terms of the members of the State Lottery Commission and for the staggering of the terms of the initial members of the State Lottery and Gaming Control Commission; authorizing the applicant for a video lottery operation license in Prince George's County to request that the Video Lottery Facility Location Commission authorize a temporary table games facility upon the award of a video lottery operation license; requiring the State Lottery and Gaming Control Commission to make certain recommendations and prepare certain reports; providing for the transfer of certain functions, powers, duties, equipment, assets, liabilities, employees, and appropriations under certain circumstances; providing for certain employee rights if transferred; providing for the continuity of certain transactions, rights, duties, and interests; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders and other directives, forms, plans, contracts, property, investigations, administrative and judicial responsibilities, rights, duties, and responsibilities; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct certain cross-references and terminology; defining certain terms; altering certain definitions; submitting certain provisions of this Act to a referendum of the qualified voters of the State; providing for the effective dates of this Act; making certain provisions of this Act subject to certain contingencies; and generally relating to authorizing and regulating gaming in the State.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–101(a) and 9–1A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–101(b) and (c), 9–103, 9–104, 9–105, 9–108, 9–109, 9–1A–01(k), (r), and (u)(2), 9–1A–02(c)(1) and (d), 9–1A–04(d), 9–1A–05(a), (c), and (d)(4), 9–1A–06(a), 9–1A–10, 9–1A–11(c)(1) and (d)(2)(i), 9–1A–15(a) and (d), 9–1A–18(a), 9–1A–21(a), 9–1A–23(a), 9–1A–24(c), 9–1A–26, 9–1A–27,

9–1A–29(k), 9–1A–31(a) and (b), and 9–1A–36(e), (f), (h)(1) and (3), (i)(1) and (3), and (l) through (s)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Government
Section 9–1A–01(w–1) and (w–2), 9–1A–02(b)(3), 9–1A–36(l), and 9–1A–37
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 12–309
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY adding to
Article – Election Law
Section 13–237
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–01(u), 9–1A–04, 9–1A–27, 9–1A–31(a) and (b), and 9–1A–36(r)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–237(a)(2), (6), and (7)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

BY adding to
Article – Election Law
Section 13–237(a)(6)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27

Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 2 of this Act)

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

House Bill 2 – Delegates Anderson, Busch, and Vallario

EMERGENCY BILL

AN ACT concerning

Civil Actions – Liability for Personal Injury or Death Caused by Dog

FOR the purpose of establishing that the owner of a dog is liable for damages for personal injury or death caused by the dog, under certain circumstances; establishing certain exceptions; establishing that certain common law is retained as to certain owners of real property and certain other persons; providing for the construction and application of this Act; stating the intent of the General Assembly; defining certain terms; making this Act an emergency measure; and generally relating to civil liability for personal injury or death caused by dogs.

BY adding to

Article – Courts and Judicial Proceedings

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

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

House Bill 3 – Delegate Kramer

EMERGENCY BILL

AN ACT concerning

Civil Action – Liability for Damages Caused by Dog

FOR the purpose of establishing that, in a civil action for damages for serious personal injury or death caused by a dog, an owner of the dog is liable under certain circumstances; providing that, in a certain civil action for damages caused by a dog, the common law that applied on a certain date shall be retained under certain circumstances; providing for the construction and application of this Act; stating the intent of the General Assembly to abrogate under certain circumstances the holding by the Court of Appeals in a certain case; defining

certain terms; making this Act an emergency measure; and generally relating to civil liability for certain damages caused by a dog.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1901 through 3–1905 to be under the new subtitle “Subtitle 19.
Liability for Damages Caused by Dog”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

House Bill 4 – Delegate Kramer

EMERGENCY BILL

AN ACT concerning

Civil Action – Liability for Damages Caused by Dog Bite

FOR the purpose of establishing that, in a civil action for damages caused by a dog bite, the common law that applied on a certain date to a civil action for damages caused by a dog bite shall be retained; stating the intent of the General Assembly to abrogate the holding by the Court of Appeals in a certain case; providing for the application of this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to liability in a civil action for damages caused by a dog bite.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1901 to be under the new subtitle “Subtitle 19. Liability for Damages
Caused by Dog Bite”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

House Bill 5 – Delegate Smigiel

EMERGENCY BILL

AN ACT concerning

Civil Actions – Liability for Damages Caused by Dog Bite

FOR the purpose of establishing that, in a civil action for damages caused by a dog bite, the common law that applied on a certain date to a civil action for damages

caused by a dog bite shall be retained; stating the General Assembly's intent to abrogate the holding by the Court of Appeals in a certain case; providing for the application of this Act; making this Act an emergency measure; and generally relating to liability in a civil action for damages caused by a dog bite.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1901 to be under the new subtitle “Subtitle 19. Liability for Damages Caused by Dog Bite”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

House Bill 6 – Delegate Jameson

AN ACT concerning

Video Lottery Terminals and Table Games – Expansion

FOR the purpose of authorizing the awarding of an additional video lottery operation license and a certain number of additional video lottery terminals for a video lottery facility in Charles County in a vessel moored to a pier on the Potomac River; repealing a certain prohibition against an individual or a business entity owning an interest in more than one video lottery facility; repealing certain prohibitions against a video lottery operation licensee providing food or alcoholic beverages to individuals at no cost; altering the amount the Comptroller pays to a video lottery operation licensee from the proceeds of video lottery terminals; repealing a certain prohibition against a holder of a video lottery operation license or any other person with a certain interest in the Ocean Downs racetrack or video lottery facility from building or operating certain structures within a certain location or offering to patrons of the video lottery facility the playing of live music or certain other live entertainment under certain conditions; authorizing the holder of a video lottery operation license to offer table games in the State; specifying certain distributions of proceeds of table games; prohibiting the charging of a certain license fee; specifying the types of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain legislation under certain circumstances; making a certain technical correction; submitting this Act to a referendum of the qualified voters of the State; and generally relating to gaming in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–05(a) and (d), 9–1A–24, 9–1A–27, and 9–1A–36(f), (h), (i)(1), and (q)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 7 – Delegate Smigiel

AN ACT concerning

Table Games – Video Lottery Facilities – Transportation Trust Fund

FOR the purpose of providing that the State may authorize the holder of a video lottery operation license to offer table games in the State; specifying the type of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring that a certain percentage of the proceeds from table games be paid to license holders and a certain percentage to the Transportation Trust Fund for certain purposes; requiring certain legislation under certain circumstances; submitting certain provisions of this Act to a referendum of the qualified voters of the State; providing for the effective dates of this Act; and generally relating to authorization of additional forms or expansion of commercial gaming in the State.

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

House Bill 8 – Delegate Smigiel

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Special Registration Plate – United States Armed Forces

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available for certain vehicles a special registration plate honoring the armed forces of the United States; authorizing certain persons to apply for the special registration plate; requiring certain owners of vehicles assigned a special registration plate under this Act to pay certain fees; requiring that certain fees be used only for certain purposes; requiring a registration plate issued under this Act to contain a certain graphic design and certain words; requiring the Administration to adopt regulations to carry out the provisions of this Act; making this Act an emergency measure; and generally relating to a special registration plate honoring the armed forces of the United States.

BY adding to
Article – Transportation

Section 13–619.3
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 9 – Delegate Smigiel

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Gaming – Video Lottery Terminals – Repeal of Constitutional Amendment – Changes to Statutory Provisions

FOR the purpose of repealing Article XIX – Video Lottery Terminals of the Maryland Constitution; specifying in statutory law that the primary purpose of the operation of video lottery terminals is to raise revenue for certain public education goals; requiring in statutory law that a video lottery facility comply with all applicable planning and zoning laws of the local jurisdiction; submitting this amendment to the qualified voters of the State for their adoption or rejection; making this Act contingent on the passage and ratification of a certain Constitutional Amendment; and generally relating to video lottery terminals.

BY proposing a repeal of the Maryland Constitution
Article XIX – Video Lottery Terminals
Section 1 and the article designation “Article XIX – Video Lottery Terminals”

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–02 and 9–1A–11
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–03, 9–1A–05(a), and 9–1A–36(g) and (h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 10 – Delegate Haynes

AN ACT concerning

Baltimore City – School Construction – Block Grants

FOR the purpose of requiring the State to provide a certain block grant each year to Baltimore City for certain public school construction projects; providing for the initial amount, the source of funding, and an annual increase in the amount of a certain annual block grant for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; defining certain terms; and generally relating to school construction projects in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–306.1(a) and 5–301(d) through (j)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 5–301(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 11 – Delegates Feldman, Arora, and Reznik

CONSTITUTIONAL AMENDMENT

AN ACT concerning

End the Gridlock

FOR the purpose of proposing an amendment to the Maryland Constitution relating to transportation financing; providing that the General Assembly may authorize a referendum on a transportation investment program; providing that a transportation investment program submitted to referendum may include a

certain source of revenue or authorize the issuance of certain bonds; requiring that a transportation investment program submitted to referendum include a list of certain transportation projects; providing that a transportation investment program submitted to referendum becomes law, after approval by the voters of the State, at a time specified in a certain law; establishing a Transportation Trust Fund to be used only for purposes relating to transportation except under certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this amendment does not prohibit the allocation or use of certain funds in the Transportation Trust Fund for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 53 and 53A

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

House Bill 12 – Delegate Kramer

EMERGENCY BILL

AN ACT concerning

Maryland Contributory Negligence Act

FOR the purpose of establishing that the common law doctrine of contributory negligence, as it existed under its judicially determined meaning on a certain date, shall remain an affirmative defense that may be raised by a party under certain circumstances; defining a certain term; providing for the scope of this Act; making this Act an emergency measure; and generally relating to certain actions for damages and contributory negligence.

BY adding to
Article – Courts and Judicial Proceedings
Section 11–2A–01 to be under the new subtitle “Subtitle 2A. Maryland
Contributory Negligence Act”
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 13 – Delegate Parrott

AN ACT concerning

Task Force to Study Redistricting in Maryland

FOR the purpose of establishing a Task Force to Study Redistricting in Maryland; specifying the composition, powers, and duties of the Task Force; providing for the staffing of the Task Force; requiring the Task Force to report its findings and recommendations, including suggested constitutional and legislative changes, to the Governor and to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Redistricting in Maryland.

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

House Bill 14 – Delegate Parrott

AN ACT concerning

Citizens' Congressional Redistricting Commission

FOR the purpose of creating the Citizens' Congressional Redistricting Commission; requiring the Commission to divide the State to create certain congressional districts; providing for the membership, qualifications, and duties of the Commission; specifying certain requirements for the adoption of a redistricting plan by the Commission; specifying that the redistricting plan meet certain standards and requirements; prohibiting the Commission from considering certain factors in adopting a redistricting plan; requiring the Legislative Auditor to establish and administer an online application process for individuals seeking appointment to the Commission; prohibiting certain individuals from serving as a member of the Commission; authorizing the Legislative Auditor to disqualify certain applicants seeking membership on the Commission; requiring the Legislative Auditor to establish an Applicant Review Panel to identify and establish certain applicant pools from which certain members of the Commission are to be selected; authorizing the presiding officer and the minority leader in each House of the General Assembly to strike certain names from the applicant pools; requiring the Legislative Auditor randomly to select a certain number of names from the applicant pools for membership on the Commission; requiring certain Commission members to select the remaining members of the Commission from the applicant pools in a certain manner; requiring the Commission to elect a chair and establish certain rules and procedures; making Commission meetings and records subject to State laws

governing open meetings and public records; specifying that the Court of Appeals shall appoint a Special Master Panel to draw congressional district lines under certain circumstances; specifying that certain legislation proposed by the Commission and passed by the General Assembly is subject to referendum under certain provisions of the Maryland Constitution; specifying that the Commission shall have staff and other resources as provided in the State budget; defining certain terms; and generally relating to the Citizens' Congressional Redistricting Commission.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–701
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Election Law
Section 8–701.1 through 8–701.12
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 15 – Delegates Hough, Afzali, Cluster, Conaway, Fisher, George, Hogan, McDermott, Myers, Norman, Ready, Schulz, and Serafini

EMERGENCY BILL

AN ACT concerning

Criminal Law – Fourth Degree Sexual Offense – School Employees

FOR the purpose of altering the definition of a “person in a position of authority” to provide that the fourth degree sexual offense of a person in a position of authority engaging in a sexual act or sexual contact with a certain minor applies to certain school employees regardless of their employment status; making this Act an emergency measure; and generally relating to fourth degree sexual offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–308
Annotated Code of Maryland
(2012 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 113 Members present.

(See Roll Call No. 4)

ADJOURNMENT

At 11:33 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Legislative Day August 11, 2012, Calendar Day Monday, August 13, 2012.

Annapolis, Maryland
Legislative Day: August 11, 2012
Calendar Day: Monday, August 13, 2012

The House met at 10:45 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 5)

The Journal of August 10, 2012 was read and approved.

EXCUSES:

Del. Beidle – out of town
Del. Bobo – out of town
Del. Braveboy – out of town
Del. Cane – illness – medical
Del. Carr – personal – vacation
Del. Dwyer – illness
Del. Frank – doctor’s appointment
Del. Mitchell – out of town
Del. Mizeur – out of town
Del. Myers – business
Del. Olszewski – out of town
Del. Pena–Melnyk – out of town
Del. Proctor – out of town
Del. Stein – business
Del. V. Turner – doctor’s appointment
Del. Waldstreicher – business

INTRODUCTION OF BILLS

House Bill 16 – Delegates Krebs, Afzali, Aumann, Bates, Beitzel, Cardin, Cluster, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Hershey, Hogan, Hough, Howard, Impallaria, Jacobs, Kach, Kramer, McComas, McConkey, McDermott, McDonough, A. Miller, Minnick, Myers, Norman, Otto, Parrott, Ready, Schuh, Schulz, Smigiel, Stein, Stocksdale, Vitale, and Wood

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Transportation Trust Fund Protection Act

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation with a certain exception; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 53

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 1 – The President (By Request – Administration)

AN ACT concerning

Gaming Expansion – Video Lottery Terminals and Table Games

FOR the purpose of establishing the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency with certain powers and duties; transferring the responsibilities of the State Lottery Commission and the State Lottery Agency to the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency, respectively; providing for the membership of the State Lottery and Gaming Control Commission; providing for certain qualifications, terms of office, salaries, and reimbursements of expenses for members of the State Lottery and Gaming Control Commission; altering the number of members who must concur before the State Lottery and Gaming Control Commission may act; providing for certain staffing and consultants for the State Lottery and Gaming Control

Commission; requiring certain video lottery facilities to own or lease certain video lottery terminals and associated equipment and software, subject to a certain exception; requiring that certain savings related to the ownership or leasing of video lottery terminals and associated equipment and software be appropriated to the Education Trust Fund; authorizing certain counties to impose certain requirements under certain circumstances; altering the distribution of certain proceeds of video lottery terminals; altering the timing for certain transfers of funds; altering the authorized uses of a certain fund; altering the period of time and authorized use for certain local impact grants; extending certain reporting requirements; altering the staffing for the Video Lottery Facility Location Commission; repealing certain limitations on a certain video lottery facility; requiring certain applicants for a video lottery operation license to take certain steps before being awarded a license; requiring the Governor's Office of Minority Affairs, in consultation with the Office of the Attorney General, to provide certain assistance; requiring certain proceedings before the Board of Contract Appeals to proceed in a certain manner; authorizing certain petitions for judicial review to be heard in certain circuit courts; requiring that certain proceedings related to certain petitions for judicial review proceed in a certain manner under certain circumstances; authorizing certain parties to certain proceedings related to certain petitions for judicial review to appeal the decision of the circuit court in a certain manner; prohibiting certain persons from making certain contributions under certain circumstances; authorizing, subject to a certain contingency, the use and regulation of table games in the State; authorizing, subject to a certain contingency, an additional license to operate a video lottery facility in the State and additional video lottery terminal devices; prohibiting a certain fee under certain circumstances; prohibiting the operation of certain video lottery terminals in a certain location before a certain date; repealing, subject to a certain contingency, a limitation on the hours of operation of a video lottery facility; providing, subject to a certain contingency, for the distribution of proceeds from table games and video lottery terminals; authorizing the State Lottery and Gaming Control Commission to establish a certain annual fee; authorizing the State Lottery and Gaming Control Commission to adjust the distribution of proceeds from video lottery terminals after a certain license is awarded under certain circumstances and subject to a certain reporting requirement; altering, subject to a certain contingency, the distribution of proceeds from video lottery terminals, including certain impact grants; altering, subject to a certain contingency, the distribution of certain local impact grants; requiring, subject to a certain contingency, the State Lottery and Gaming Control Commission to take certain actions; declaring the intent of the General Assembly; requiring that certain persons submit certain campaign finance statements in a certain manner; requiring the State Board of Elections to take certain actions; providing for the expiration of the terms of the members of the State Lottery Commission and for the staggering of the terms of the initial members of the State Lottery and Gaming Control Commission; authorizing the applicant for a video lottery operation license in Prince George's County to request that the Video Lottery Facility Location Commission authorize a

temporary table games facility upon the award of a video lottery operation license; requiring the State Lottery and Gaming Control Commission to make certain recommendations and prepare certain reports; providing for the transfer of certain functions, powers, duties, equipment, assets, liabilities, employees, and appropriations under certain circumstances; providing for certain employee rights if transferred; providing for the continuity of certain transactions, rights, duties, and interests; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders and other directives, forms, plans, contracts, property, investigations, administrative and judicial responsibilities, rights, duties, and responsibilities; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct certain cross-references and terminology; defining certain terms; altering certain definitions; submitting certain provisions of this Act to a referendum of the qualified voters of the State; providing for the effective dates of this Act; making certain provisions of this Act subject to certain contingencies; and generally relating to authorizing and regulating gaming in the State.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–101(a) and 9–1A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–101(b) and (c), 9–103, 9–104, 9–105, 9–108, 9–109, 9–1A–01(k), (r), and (u)(2), 9–1A–02(c)(1) and (d), 9–1A–04(d), 9–1A–05(a), (c), and (d)(4), 9–1A–06(a), 9–1A–10, 9–1A–11(c)(1) and (d)(2)(i), 9–1A–15(a) and (d), 9–1A–18(a), 9–1A–21(a), 9–1A–23(a), 9–1A–24(c), 9–1A–26, 9–1A–27, 9–1A–29(k), 9–1A–30(c), 9–1A–31(a) and (b), 9–1A–33(a), and 9–1A–36(e), (f), (h)(1) and (3), (i)(1) and (3), and (l) through (s)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 9–1A–01(w–1) and (w–2), 9–1A–02(b)(3), 9–1A–36(l), and 9–1A–37

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 12–309

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law
Section 13–237
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–1A–01(u), 9–1A–04, 9–1A–27, 9–1A–31(a) and (b), and 9–1A–36(r)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

~~BY repealing and reenacting, with amendments,~~

~~Article – Election Law
Section 13–237(a)(2), (6), and (7)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)~~

~~BY adding to~~

~~Article – Election Law
Section 13–237(a)(6)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)~~

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–1A–27
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 2 of this Act)

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

Senate Bill 2 – Senators Frosh, Raskin, and Gladden

EMERGENCY BILL

AN ACT concerning

Civil Actions – Liability for Personal Injury or Death Caused by Dog

FOR the purpose of establishing that the owner of a dog is liable for damages for personal injury or death caused by the dog, under certain circumstances; establishing certain exceptions; establishing that certain common law is

retained as to certain owners of real property and certain other persons; providing for the construction and application of this Act; stating the intent of the General Assembly; defining certain terms; making this Act an emergency measure; and generally relating to civil liability for personal injury or death caused by dogs.

BY adding to

Article – Courts and Judicial Proceedings

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

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

Senate Bill 10 – Senator Colburn

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

FOR the purpose of repealing a restriction that limits a certain gaming licensee in Dorchester County from holding a gaming event or carnival on a Sunday; and generally relating to Sunday charitable gaming in Dorchester County.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1202 and 13–1203(a)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1204

Annotated Code of Maryland

(2012 Replacement Volume)

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

Senate Bill 19 – Carroll County Senators

AN ACT concerning

Carroll County and Harford County – Gaming

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of County Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons under certain circumstances; authorizing certain organizations to use certain proceeds for certain purposes after certain costs are deducted; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the Sheriff of Harford County to refuse to issue a permit under certain conditions; requiring the sheriff to adopt certain regulations; providing ~~a certain penalty~~ certain penalties; defining certain terms; and generally relating to gaming in Carroll County and Harford County.

BY renumbering

Article – Criminal Law

Section 13–1512

to be Section 13–1513

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law

Section 13-906
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to
Article – Criminal Law
Section 13-906.1 and 13-1512
Annotated Code of Maryland
(2012 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 123 Members present.

(See Roll Call No. 6)

ADJOURNMENT

At 11:00 A.M. on motion of Delegate Barve the House adjourned until 5:00 P.M. on Legislative Day August 12, 2012, Calendar Day Monday, August 13, 2012.

Annapolis, Maryland
Legislative Day: August 12, 2012
Calendar Day: Tuesday, August 14, 2012

The House met at 4:23 P.M. and pledged Allegiance to the Flag.

Notation: The Speaker postponed Monday's 5:00 P.M. Session until Tuesday, Legislative Day August 12, 2012, Calendar Day August 14, 2012 at 2:00 P.M.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 7)

The Journal of August 11, 2012 was read and approved.

EXCUSES:

Del. Bobo – out of town	Del. Hucker – out of town
Del. Braveboy – out of town	Del. Mitchell – out of town
Del. Cane – illness	Del. Oaks – late – doctor's appointment
Del. Carr – personal – vacation	Del. Proctor – out of town
Del. Dwyer – illness	Del. V. Turner – left early – medical
Del. Gutierrez – left early – business – El Salvador	Del. Waldstreicher – late – business

INTRODUCTION OF BILLS

**House Bill 17 – Delegates Ready, Boteler, Elliott, Glass, Hershey, Hogan,
Hough, Jacobs, Kipke, Krebs, McDermott, Norman, Otto, Parrott,
Smigiel, and Stocksdale**

AN ACT concerning

Corporate Income Tax – Rate Reduction

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–105(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 18 – Delegates Ready, Boteler, Elliott, Glass, Hershey, Hogan, Hough, Jacobs, Kipke, Krebs, McDermott, Norman, Otto, Smigiel, and Stocksedale

AN ACT concerning

Corporate Income Tax – Foreign and Domestic Corporations – Capital Investments

FOR the purpose of altering the Maryland corporate income tax rate for certain taxable years for foreign and domestic corporations that make certain investments in the State; requiring certain corporations to disclose certain information to the Comptroller; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 1–101(n) and (p) and 7–203(a) and (b)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing, and reenacting, with amendments,
Article – Tax – General
Section 10–105(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–105.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

THE COMMITTEE ON JUDICIARY REPORT #1

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

House Bill 2 – Delegates Anderson, Busch, and Vallario**EMERGENCY BILL**

AN ACT concerning

Civil Actions – Liability for Personal Injury or Death Caused by Dog

HB0002/792615/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 2

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Vallario” and substitute “Vallario, Kramer, and Smigiel”.

AMENDMENT NO. 2

On page 1, in line 3, after “dog” insert “running at large”; in line 4, strike “the dog” and substitute “a dog bite”; in line 8, strike “certain terms” and substitute “a certain term”; and in line 9, after the semicolon insert “providing for the termination of this Act;”.

AMENDMENT NO. 3

On pages 1 and 2, strike beginning with “MEANS” in line 22 on page 1 down through “INCLUDES” in line 2 on page 2 and substitute “INCLUDES”.

On page 2, in line 4, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 4

On page 2, in lines 5 and 7, in each instance, after “SHELTER” insert “, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF A DOG”; and in line 7, after “SHELTERED,” insert “CONTROLLED, WALKED, KEPT, HARBORED,”.

AMENDMENT NO. 5

On page 2, in line 9, after “(1)” insert “**(I) THIS PARAGRAPH APPLIES ONLY TO A PERSONAL INJURY OR DEATH CAUSED BY A BITE FROM A DOG RUNNING AT LARGE.**”

(II) THIS PARAGRAPH DOES NOT APPLY TO A GUIDE DOG DESCRIBED UNDER ARTICLE 24, § 11-502 OF THE CODE.

(III)”.

AMENDMENT NO. 6

On page 2, strike beginning with “UNLESS” in line 17 down through the second “THE” in line 18 and substitute “**THE**”.

AMENDMENT NO. 7

On page 2, in line 19, strike “INTENTIONALLY”.

AMENDMENT NO. 8

On page 2, strike beginning with “UNLESS” in line 20 down through the second “THE” in line 21 and substitute “**THE**”.

AMENDMENT NO. 9

On page 2, in line 22, strike “CRIMINAL TRESPASS OR OTHER”.

AMENDMENT NO. 10

On page 2, in line 23, after “DOG” insert “**OR AGAINST THE OWNER OF THE DOG**”.

AMENDMENT NO. 11

On page 2, in line 23, strike “OR”; and after line 23, insert:

“(III) THE INJURED OR DECEASED INDIVIDUAL WAS TRESPASSING OR ATTEMPTING TO TRESPASS ON THE REAL PROPERTY OF THE OWNER OF THE DOG;”;

and in line 24, strike “(III)” and substitute “**(IV)**”.

AMENDMENT NO. 12

On page 2, strike beginning with the colon in line 25 down through “**THE**” in line 30 and substitute “**THE**”; in line 33, strike “**THE REASONABLE**” and substitute “:

1. REASONABLE”;

and in the same line, after “**FORCE**” insert “;**OR**

2. TRAINING OR A TRAINING EXERCISE IN SUPPORT OF THE DOG’S DUTIES IN MILITARY OR POLICE WORK;

(V) THE INJURED OR DECEASED INDIVIDUAL WAS CONTRIBUTORILY NEGLIGENT;

(VI) THE INJURED OR DECEASED INDIVIDUAL ASSUMED THE RISK OF THE DOG CAUSING THE INDIVIDUAL’S PERSONAL INJURY OR DEATH;

(VII) THE OWNER OF THE DOG HAS ANY OTHER COMMON LAW OR STATUTORY DEFENSE OR IMMUNITY THAT EXISTED AS OF APRIL 1, 2012, AND THAT WOULD BE AVAILABLE IN ANY OTHER PERSONAL INJURY ACTION OR WRONGFUL DEATH ACTION AGAINST THE OWNER OF A DOG; OR

(VIII) THE DOG IS IN THE TEMPORARY CUSTODY OR CONTROL OF A VETERINARY HOSPITAL, COMMERCIAL KENNEL, ANIMAL SHELTER, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF THE DOG, OR PET SHOP”.

AMENDMENT NO. 13

On page 3, in line 5, after “**LANDLORD,**” insert “**CONDOMINIUM ASSOCIATION, HOUSING COOPERATIVE, OR HOMEOWNERS ASSOCIATION**”.

AMENDMENT NO.14

On page 3, after line 10, insert:

“(3) IN AN ACTION AGAINST A PERSON WHO IS NOT AN OWNER OF A DOG FOR DAMAGES FOR PERSONAL INJURY OR DEATH CAUSED BY A DOG, THE COMMON LAW OF LIABILITY RELATING TO ATTACKS BY DOGS AGAINST HUMANS

THAT EXISTED ON APRIL 1, 2012, IS RETAINED AS TO THE PERSON WITHOUT REGARD TO THE BREED OR HERITAGE OF THE DOG.”.

AMENDMENT NO. 15

On page 3, in line 13, strike “OR”; and in line 15, after “IMMUNITY” insert “;OR

(3) ANY LAW THAT GOVERNS PROVOCATION, CRIMINAL INTENT, ASSUMPTION OF RISK, OR CONTRIBUTORY NEGLIGENCE”.

AMENDMENT NO. 16

On page 3, in line 27, after the period insert “It shall remain effective through September 30, 2013, 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 16 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

Senate Bill 2 – Senators Frosh, Raskin, and Gladden

EMERGENCY BILL

AN ACT concerning

Civil Actions – Liability for Personal Injury or Death Caused by Dog

SB0002/402414/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 2

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “certain terms” and substitute “a certain term”.

On page 2, strike beginning with “MEANS” in line 2 down through “INCLUDES” in line 5 and substitute “INCLUDES”; and in line 7, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 2

On page 2, in lines 8 and 10, in each instance, after “SHELTER” insert “, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF A DOG”; and in line 10, after “SHELTERED,” insert “CONTROLLED, WALKED, KEPT, HARBORED,”.

AMENDMENT NO. 3

On page 1, in line 3, after “dog” insert “running at large”; and in line 4, strike “the dog” and substitute “a dog bite”.

On page 2, in line 12, after “(1)” insert “(I) THIS PARAGRAPH APPLIES ONLY TO A PERSONAL INJURY OR DEATH CAUSED BY A BITE FROM A DOG RUNNING AT LARGE.”

(II) THIS PARAGRAPH DOES NOT APPLY TO A GUIDE DOG DESCRIBED UNDER ARTICLE 24, § 11-502 OF THE CODE.

(III)”.

AMENDMENT NO. 4

On page 2, strike beginning with “UNLESS” in line 20 down through the second “THE” in line 21 and substitute “THE”.

AMENDMENT NO. 5

On page 2, in line 22, strike “INTENTIONALLY”.

AMENDMENT NO. 6

On page 2, strike beginning with “UNLESS” in line 23 down through the second “THE” in line 24 and substitute “THE”.

AMENDMENT NO. 7

On page 2, in line 25, strike “CRIMINAL TRESPASS OR OTHER”.

AMENDMENT NO. 8

On page 2, in line 26, after “DOG” insert “OR AGAINST THE OWNER OF THE DOG”.

AMENDMENT NO. 9

On page 2, strike in their entirety lines 27 through 31, inclusive, and substitute:

“(III) THE INJURED OR DECEASED INDIVIDUAL WAS TRESPASSING OR ATTEMPTING TO TRESPASS ON THE REAL PROPERTY OF THE OWNER OF THE DOG;”.

AMENDMENT NO. 10

On page 3, strike beginning with the colon in line 2 down through “THE” in line 7 and substitute “THE”; in line 10, strike “THE REASONABLE” and substitute “:

1. REASONABLE”;

and in the same line, after “FORCE” insert “; OR

2. TRAINING OR A TRAINING EXERCISE IN SUPPORT OF THE DOG’S DUTIES IN MILITARY OR POLICE WORK;

(V) THE INJURED OR DECEASED INDIVIDUAL WAS CONTRIBUTORILY NEGLIGENT;

(VI) THE INJURED OR DECEASED INDIVIDUAL ASSUMED THE RISK OF THE DOG CAUSING THE INDIVIDUAL’S PERSONAL INJURY OR DEATH;

(VII) THE OWNER OF THE DOG HAS ANY OTHER COMMON LAW OR STATUTORY DEFENSE OR IMMUNITY THAT EXISTED AS OF APRIL 1, 2012, AND THAT WOULD BE AVAILABLE IN ANY OTHER PERSONAL INJURY ACTION OR WRONGFUL DEATH ACTION AGAINST THE OWNER OF A DOG; OR

(VIII) THE DOG IS IN THE TEMPORARY CUSTODY OR CONTROL OF A VETERINARY HOSPITAL, COMMERCIAL KENNEL, ANIMAL SHELTER, UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, DOG WALKER, KEEPER OR HARBORER OF THE DOG, OR PET SHOP”.

AMENDMENT NO. 11

On page 3, in line 15, after “LANDLORD,” insert “CONDOMINIUM ASSOCIATION, HOUSING COOPERATIVE, OR HOMEOWNERS ASSOCIATION”.

AMENDMENT NO. 12

On page 3, after line 20, insert:

“(3) IN AN ACTION AGAINST A PERSON WHO IS NOT AN OWNER OF A DOG FOR DAMAGES FOR PERSONAL INJURY OR DEATH CAUSED BY A DOG, THE COMMON LAW OF LIABILITY RELATING TO ATTACKS BY DOGS AGAINST HUMANS THAT EXISTED ON APRIL 1, 2012, IS RETAINED AS TO THE PERSON WITHOUT REGARD TO THE BREED OR HERITAGE OF THE DOG.”

AMENDMENT NO. 13

On page 3, in line 23, strike “OR”; and in line 25, after “IMMUNITY” insert “**; OR**

(3) ANY LAW THAT GOVERNS PROVOCATION, CRIMINAL INTENT, ASSUMPTION OF RISK, OR CONTRIBUTORY NEGLIGENCE”.

AMENDMENT NO. 14

On page 1, in line 9, after “measure;” insert “providing for the termination of this Act;”.

On page 4, in line 3, after the period insert “It shall remain effective through September 30, 2013, 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 14 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 #1

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

Senate Bill 1 – The President (By Request – Administration)

AN ACT concerning

Gaming Expansion – Video Lottery Terminals and Table Games

WAYS AND MEANS COMMITTEE REPRINT TO SENATE BILL 1

(See Exhibit C of Appendix V)

Read and ordered journalized.**SB0001/785868/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Commission;” insert “authorizing the Presiding Officers of the General Assembly to recommend individuals to the Governor for appointment to the State Lottery and Gaming Control Commission;”; in line 14, after “Commission;” insert “establishing the Joint Committee on Gaming Oversight; providing for the membership, duties, and staffing of the Committee and the appointment of cochairs; establishing that a member of the Committee may not receive compensation but may receive a certain reimbursement; requiring the Committee to submit a certain annual report;”; in line 20, after “terminals;” insert “authorizing video lottery operation licensees to retain certain funds;”; and in line 23, after “requirements;” insert “authorizing the State Racing Commission to use certain accounting services for a certain purpose; requiring certain holders of a license to hold a race meeting to reimburse the State Racing Commission for certain expenditures; altering the authorized use of certain revenues in Prince George’s County to require that the revenues be used for public safety projects instead of capital projects; altering the distance from Rosecroft Raceway for purposes of determining the communities within which certain revenues may be used for certain projects;”.

On page 2, in line 7, after “circumstances;” insert “exempting certain video lottery terminals, associated equipment and software, and table games from property tax;”; in line 11, after “circumstances;” insert “altering a certain provision relating to certain temporary facilities; prohibiting a certain video lottery facility from beginning certain operations in a temporary facility;”; in line 14, after “devices;” insert

“authorizing, subject to a certain contingency, a holder of a video lottery facility license to apply for an additional license under certain circumstances and notwithstanding a certain prohibition against an individual or business entity owning an interest in more than one video lottery facility; authorizing, subject to a certain contingency, the State Lottery and Gaming Control Commission to allow an awardee of a video lottery operation license in Prince George’s County to commence operations in a permanent facility after a certain date;”; in line 26, after “grants;” insert “requiring a certain percentage of local impact grants to Prince George’s County to be used for a certain purpose subject to a certain limitation; authorizing the State to reimburse Prince George’s County under certain circumstances;”; in line 31, after “actions;” insert “authorizing the State Prosecutor to assess a certain penalty against a person who fails to submit a certain campaign finance statement or campaign finance report in a timely manner; requiring a regulated lobbyist that sought to influence executive or legislative action related to gaming issues in a certain special session of the General Assembly to submit a report including certain information to the State Ethics Commission on or before a certain date;”; in line 37, before “requiring” insert “stating the intent of the General Assembly that video lottery operation licensees partner with certain institutions of higher education to offer job training programs in the gaming and hospitality industries;”; strike beginning with “authorizing” in line 33 down through “license;” in line 37; and in line 38, after “reports;” insert “requiring certain holders of a license to hold a race meeting in the State to submit capital improvement plans to the State Racing Commission that contain certain information on or before a certain date and to submit a certain formal funding request; providing for forfeiture of certain funds under certain circumstances;”.

On page 3, in line 8, strike “and 9-1A-01(a)” and substitute “, 9-1A-01(a), and 9-1A-29(a)”; in line 14, strike “(d)(4)” and substitute “(d)”; in line 15, strike “9-1A-11(c)(1)” and substitute “9-1A-11(b), (c)(1),”; in line 17, strike “9-1A-29(k)” and substitute “9-1A-29(b) and (k)”; in line 23, after “9-1A-02(b)(3),” insert “9-1A-11(c)(3),”; in the same line, strike the second “and”; in the same line, after “9-1A-37” insert “, and 9-1A-38”; after line 35, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7-244

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)”;

in line 38, after “9-1A-04,” insert “9-1A-11(c)(1), 9-1A-26,”; and after line 41, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7-244

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 5, in line 1, after “(a)” insert “**(1)**”; and after line 2, insert:

“(2) THE PRESIDING OFFICER OF EITHER HOUSE OF THE GENERAL ASSEMBLY MAY RECOMMEND TO THE GOVERNOR A LIST OF INDIVIDUALS FOR APPOINTMENT TO THE COMMISSION.”

On page 23, after line 11, insert:

“9-1A-38.

(A) THERE IS A JOINT COMMITTEE ON GAMING OVERSIGHT.

(B) THE COMMITTEE CONSISTS OF THE FOLLOWING EIGHT MEMBERS:

(1) FOUR MEMBERS OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(2) FOUR MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE.

(C) THE MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE PRESIDING OFFICER WHO APPOINTED THEM.

(D) THE PRESIDENT AND THE SPEAKER OF THE HOUSE SHALL APPOINT A SENATOR AND A DELEGATE, RESPECTIVELY, TO SERVE AS COCHAIRS.

(E) (1) THE COMMITTEE SHALL EXAMINE:

(I) THE STATUS OF THE STATE’S GAMING PROGRAM; AND

(II) THE IMPLEMENTATION OF NEW LAWS RELATING TO GAMING.

(2) THE COMMITTEE SHALL MAKE RECOMMENDATIONS FOR POTENTIAL IMPROVEMENTS TO THE STATE’S GAMING PROGRAM.

(F) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE STAFFING FOR THE COMMITTEE.

(G) A MEMBER OF THE COMMITTEE MAY NOT RECEIVE COMPENSATION FOR SERVING ON THE COMMITTEE, BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(H) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 3

On page 15, in line 19, after “(5)” insert “(I) UNTIL THE ISSUANCE OF A VIDEO LOTTERY OPERATION LICENSE IN BALTIMORE CITY, 1.75% TO THE RACETRACK FACILITY RENEWAL ACCOUNT ESTABLISHED UNDER § 9-1A-29 OF THIS SUBTITLE AND DISTRIBUTED IN ACCORDANCE WITH THAT SECTION; AND

(II) ON OR AFTER THE ISSUANCE OF A VIDEO LOTTERY OPERATION LICENSE IN BALTIMORE CITY, ”;

in the same line, strike beginning with “for” down through “facility,”; and in line 21, after “subtitle” insert “AND DISTRIBUTED IN ACCORDANCE WITH THAT SECTION”.

On page 17, after line 10, insert:

“(a) There is a Racetrack Facility Renewal Account under the authority of the State Racing Commission.

(b) (1) The Account shall receive money as required under § 9-1A-27 of this subtitle FOR THE FIRST 16 YEARS OF OPERATIONS AT EACH VIDEO LOTTERY FACILITY.

(2) Money in the Account shall be invested and reinvested by the Treasurer and interest and earnings shall accrue to the Account.

(3) The Comptroller shall:

(i) account for the Account; and

(ii) on a properly approved transmittal prepared by the State Racing Commission, issue a warrant to pay out money from the Account in the manner provided under this section.

(4) The Account is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(5) Expenditures from the Account shall only be made on a properly approved transmittal prepared by the State Racing Commission as provided under subsection (c) of this section.

(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE STATE RACING COMMISSION MAY USE THE SERVICES OF A CERTIFIED PUBLIC ACCOUNTANT TO REVIEW AN ELIGIBLE REQUEST FOR A GRANT UNDER THIS SECTION.

(II) THE HOLDER OF A LICENSE TO HOLD A RACE MEETING IN THE STATE THAT HAS REQUESTED A GRANT UNDER THIS SECTION SHALL REIMBURSE THE STATE RACING COMMISSION FOR ANY EXPENDITURES FOR SERVICES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

and in line 12, strike beginning with “on” through “**2026,**” and substitute “**AFTER A VIDEO LOTTERY FACILITY HAS BEEN IN OPERATION FOR 16 YEARS**”.

On page 34, in line 22, after “(5)” insert “(i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal

Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section; and

(ii) on or after the issuance of a video lottery operation license in Baltimore City.”;

and in line 22, strike beginning with “for” down through “facility.”.

On page 40, in line 17, after “(5)” insert “(i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section;

(ii) on or after the issuance of a video lottery operation license in Baltimore City.”;

and in line 17, strike beginning with “for” down through “facility.”.

AMENDMENT NO. 4

On page 19, in line 31, in each instance, strike the bracket.

On page 18, in line 17, strike “capital” and substitute “**PUBLIC SAFETY**”; and in the same line, strike “10” and substitute “**5**”.

On page 43, in line 24, strike “capital” and substitute “public safety”; and in the same line, strike “10” and substitute “5”.

AMENDMENT NO. 5

On page 12, strike in their entirety lines 9 through 13, inclusive.

On page 32, after line 8, insert:

“(d) (1) In this subsection, “owner” includes any type of owner or beneficiary of a business entity, including an officer, director, principal employee, partner, investor, stockholder, or beneficial owner of the business entity and, notwithstanding any other provisions of this subtitle, including a person having any ownership interest regardless of the percentage of ownership interest.

(2) An individual or business entity may not own an interest in more than one video lottery facility.

(3) A member of the Senate of Maryland or the House of Delegates may not be an owner or an employee of any business entity that holds a video lottery operation license.

(4) Notwithstanding paragraphs (1) and (2) of this subsection[.],:

(I) an individual or business entity may enter into a management agreement to operate a facility located in Allegany County that it does not own, subject to the approval of the Video Lottery Facility Location Commission and the State Lottery AND GAMING CONTROL Commission; AND

(II) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE MAY APPLY TO THE VIDEO LOTTERY FACILITY LOCATION COMMISSION FOR AN ADDITIONAL LICENSE PROVIDED THAT THE APPLICATION REQUIRED UNDER § 9-1A-36 OF THIS SUBTITLE INCLUDES A PLAN FOR DIVESTING FROM THE VIDEO LOTTERY OPERATION LICENSE HELD ON THE DATE OF THE APPLICATION.”;

and after line 16, insert:

“9-1A-11.

(b) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a licensee shall commence operation of video lottery terminals in a permanent facility at the location for which the video lottery operation license has been awarded within 18 months after the license is awarded.

(2) (i) On a determination by the Commission that extenuating circumstances exist that are beyond the control of an awardee and have prevented the awardee from complying with the requirements of paragraph (1) of this subsection, the Commission may allow the awardee an extension of 6 months to comply with the requirements.

(ii) The Commission may not grant more than two extensions to an awardee under this paragraph.

(3) NOTWITHSTANDING PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, THE COMMISSION MAY ALLOW AN AWARDEE OF A VIDEO LOTTERY OPERATION LICENSE IN PRINCE GEORGE’S COUNTY TO COMMENCE OPERATION IN A PERMANENT FACILITY MORE THAN 18 MONTHS, BUT NOT MORE THAN 30 MONTHS, AFTER THE LICENSE IS AWARDED.

[(3)] (4) If a video lottery operation awardee fails to comply with the requirements of this subsection, the license awarded to the awardee shall be revoked and shall automatically revert to the State.”.

AMENDMENT NO. 6

On page 32, before line 17, insert:

“(c) (1) Nothing in this subtitle may be construed to prohibit a video lottery operation licensee that is issued a license from beginning video lottery terminal OR TABLE GAME operations in a temporary facility that meets the minimum requirements established in regulations adopted by the State Lottery and Gaming Control Commission.

(3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY MAY NOT BEGIN VIDEO LOTTERY TERMINAL OR TABLE GAME OPERATIONS IN A TEMPORARY FACILITY OR IN A STRUCTURE, INCLUDING A HOTEL OR CONFERENCE CENTER, THAT EXISTS ON AUGUST 15, 2012.”.

On page 47, strike beginning with “SECTION” in line 16 down through “license.” in line 19.

AMENDMENT NO. 7

On page 15, in line 25, after “(7)” insert “**(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM,**”; after line 27 insert:

“(II) 8% TO THE VIDEO LOTTERY OPERATION LICENSEE IN ANNE ARUNDEL COUNTY; AND”.

On page 34, in line 27, after “(7)” insert “**(i) except as provided in item (ii) of this item,**”; and in line 29 after “software;” insert “**and**

(ii) 8% to the video lottery operation licensee in Anne Arundel County;”.

On page 40, in line 22, after “(7)” insert “(i) except as provided in item (ii) of this item;”; and in line 24 after “software;” insert “and”

(ii) 8% to the video lottery operation licensee in Anne Arundel County;”.

On page 34, in line 32, strike “5%” and substitute “8%”; and in line 33, after “AND” insert “7% TO THE LICENSEE IN”.

On page 40, in line 26, strike “5%” and substitute “8%”; and in line 27, after “and” insert “7% to the licensee in”.

On page 38, in line 26, strike “AND (3)” and substitute “THROUGH (5)”; and strike beginning with “ANNE” in line 29 down through “SUBTITLE.” in line 32 and substitute “:”

(I) ANNE ARUNDEL COUNTY, BY NOT MORE THAN 2% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE; AND

(II) BALTIMORE CITY, BY NOT MORE THAN 3% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE.

(2) IF THE COMMISSION INCREASES THE PERCENTAGE OF PROCEEDS FROM VIDEO LOTTERY TERMINALS FOR THE VIDEO LOTTERY FACILITY IN ANNE ARUNDEL COUNTY UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL INCREASE THE PERCENTAGE OF PROCEEDS FOR THE VIDEO LOTTERY FACILITY IN BALTIMORE CITY BY AT LEAST THE SAME PERCENTAGE POINT INCREASE AS FOR ANNE ARUNDEL COUNTY.

(3) (I) IF A VIDEO LOTTERY OPERATION LICENSE IS AWARDED TO A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY, THE

COMMISSION MAY INCREASE FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY, BY NOT MORE THAN 5% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(2) OF THIS SUBTITLE.

(II) ANY INCREASED DISTRIBUTION OF VIDEO LOTTERY TERMINAL PROCEEDS UNDER THIS PARAGRAPH FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY SHALL BE USED FOR:

1. MARKETING, ADVERTISING, AND PROMOTIONAL COSTS REQUIRED UNDER § 9-1A-23 OF THIS SUBTITLE; AND

2. CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY.”.

On page 39, in line 1, strike “(2)” and substitute “(4)”; in line 4, after “SUBTITLE” insert “OR UNDER PARAGRAPH (3) OF THIS SUBSECTION”; in line 10, strike “(3)” and substitute “(5)”; and in line 25, after “ANY,” insert “AND COST”.

AMENDMENT NO. 8

On page 25, after line 20, insert:

“Article – Tax – Property

7-244.

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

(2) “Associated equipment” has the meaning stated in § 9-1A-01 of the State Government Article.

(3) “VIDEO LOTTERY OPERATION LICENSE” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

[(3)] (4) “Video lottery terminal” has the meaning stated in § 9-1A-01 of the State Government Article.

(b) Video lottery terminals and any associated equipment or software leased by the State Lottery AND GAMING CONTROL Commission as provided in § 9-1A-21 of the State Government Article are not subject to property tax.

(c) An interest of a person in video lottery terminals and any associated equipment or software owned by the State Lottery AND GAMING CONTROL Commission as provided in § 9-1A-21 of the State Government Article is not subject to property tax.

(D) VIDEO LOTTERY TERMINALS AND ANY ASSOCIATED EQUIPMENT AND SOFTWARE OWNED OR LEASED BY A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE ARE NOT SUBJECT TO PROPERTY TAX.”.

On page 39, in line 1, strike “2015” and substitute “2019”; in line 9, strike “NO”; in the same line, strike “2016” and substitute “2019”; and after line 29, insert:

“Article – Tax – Property

7-244.

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

(2) “Associated equipment” has the meaning stated in § 9-1A-01 of the State Government Article.

(3) “TABLE GAMES” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

[(3)] (4) “Video lottery operation license” has the meaning stated in § 9-1A-01 of the State Government Article.

[(4)] (5) “Video lottery terminal” has the meaning stated in § 9-1A-01 of the State Government Article.

(b) Video lottery terminals and any associated equipment or software leased by the State Lottery and Gaming Control Commission as provided in § 9-1A-21 of the State Government Article are not subject to property tax.

(c) An interest of a person in video lottery terminals and any associated equipment or software owned by the State Lottery and Gaming Control Commission as provided in § 9–1A–21 of the State Government Article is not subject to property tax.

(d) Video lottery terminals [and], any associated equipment and software, AND TABLE GAMES owned or leased by a holder of a video lottery operation license are not subject to property tax.”.

AMENDMENT NO. 9

On page 42, in line 14, after “**THAT**” insert “:

1. 50% OF”;

in line 16, after “**PROJECTS;**” insert “**AND**

2. 50% OF THE PROCEEDS PAID TO BALTIMORE CITY SHALL BE USED TO FUND THE MAINTENANCE, OPERATION, AND CONSTRUCTION OF RECREATIONAL FACILITIES; AND”;

and after line 26, insert:

“(F) ON OR BEFORE DECEMBER 1, 2019, AND EVERY YEAR THEREAFTER, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE DISTRIBUTION OF PROCEEDS OF VIDEO LOTTERY TERMINALS TO LICENSEES FOR THE PROCUREMENT OF VIDEO LOTTERY TERMINALS; MARKETING, ADVERTISING, AND PROMOTIONAL COSTS; AND CAPITAL IMPROVEMENTS AND THE DISTRIBUTIONS OF LOCAL IMPACT GRANTS TO JURISDICTIONS UNDER § 9–1A–31 OF THIS SUBTITLE.

(G) BALTIMORE CITY SHALL REPORT TO THE BALTIMORE CITY SENATE AND HOUSE DELEGATIONS BY DECEMBER 31 OF EACH YEAR AS TO THE DISTRIBUTION AND USE OF THE FUNDS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION.”.

On page 43, in line 1, strike “\$200,000” and substitute “\$130,000”; in the same line, strike “AND”; after line 1, insert:

“(III) TOWN OF PERRYVILLE – \$70,000; AND”;

and in line 2, strike “(III)” and substitute “(IV)”.

On page 44, in line 10, after “subsection” insert “AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION”; and before line 28, insert:

“(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN PRINCE GEORGE’S COUNTY, 40% OF LOCAL IMPACT GRANTS PROVIDED UNDER THIS SECTION SHALL BE USED TO ADDRESS INFRASTRUCTURE NEEDS RELATED TO MARYLAND ROUTE 210 IN PRINCE GEORGE’S COUNTY.

(II) THE AMOUNT OF LOCAL IMPACT GRANTS USED AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED \$15,000,000 IN A FISCAL YEAR.

(III) PRINCE GEORGE’S COUNTY MAY BE REIMBURSED BY THE STATE FOR ANY MONEY USED AS PROVIDED IN THIS PARAGRAPH.”.

On page 47, after line 19, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the holder of a license to hold a race meeting in the State that is eligible to receive funds from the Racetrack Facility Renewal Account under § 9–1A–29 of the State Government Article shall submit a preliminary capital improvement plan to the State Racing Commission and the Department of Budget and Management. The preliminary capital improvement plan shall include a description of the racing licensee’s planned capital improvements, a preliminary project schedule, and an estimate of the funding to be requested from the Account. If the preliminary report is not submitted by the date required in this section, the racing licensee shall forfeit any right to funds in the Account and, notwithstanding any other provision of law, any unencumbered funds remaining in the Account that would otherwise be available to the racing licensee shall be paid to the Education Trust Fund established under § 9–1A–30 of the State Government Article. The racing licensee shall submit a formal

funding request as provided under § 9–1A–29 of the State Government Article and regulations adopted by the State Racing Commission.”.

AMENDMENT NO. 10

On page 47, before line 20, insert:

“SECTION 9A. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that video lottery operation licensees partner with Maryland institutions of higher education, such as Morgan State University and Prince George’s Community College, to offer job training programs in the gaming and hospitality industries.”.

AMENDMENT NO. 11

On page 24, in line 20, strike “AND”; and after line 20, insert:

“(2) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE; OR”.

On page 25, in line 4, strike “(2)” and substitute “(3)”; in lines 12 and 18, in each instance, after “ANY” insert “NONFEDERAL”; in line 13, after the semicolon insert “OR”; strike beginning with “THE” in line 14 down through “(3)” in line 16; strike beginning with the colon in line 17 down through “(1)” in line 18; and strike beginning with the semicolon in line 18 down through “STATE” in line 20.

AMENDMENT NO. 12

On page 46, strike in their entirety lines 19 through 31, inclusive, and substitute:

“(c) (1) This subsection applies from the enactment of this Act through October 21, 2012, (the transactions end date for the campaign finance report due on the second Friday, October 26, 2012, immediately preceding the November 6, 2012 general election).

(2) A person subject to this section shall submit a campaign finance statement within 48 hours after:

(i) receiving aggregate contributions of \$10,000 or more from any single contributor subsequent to the enactment of this Act or subsequent to the closing date for the person’s most recent campaign finance statement or campaign finance report; or

(ii) making aggregate expenditures or becoming obligated to make aggregate expenditures of \$10,000 or more subsequent to the enactment of this Act or subsequent to the closing date for the person's most recent campaign finance statement or campaign finance report.

(3) A campaign finance statement submitted under this subsection shall include only:

(i) the identity of the contributor who made aggregate contributions of \$10,000 or more and the total amount of contributions the contributor made subsequent to the enactment of this Act or subsequent to the closing date for the most recent campaign finance statement or campaign finance report; or

(ii) the total amount of aggregate expenditures of \$10,000 or more made or obligated to be made subsequent to the enactment of this Act or subsequent to the closing date for the most recent campaign finance statement or campaign finance report.

(d) (1) This subsection applies from October 22, 2012 (the day following the transactions end date for the campaign finance report due on the second Friday, October 26, 2012, immediately preceding the November 6, 2012 general election) through November 9, 2012, (the first Friday after the November 6, 2012 general election).

(2) A person subject to this section shall submit a campaign finance statement within 48 hours after:

(i) receiving aggregate contributions of \$5,000 or more from any single contributor on or after October 22, 2012 or subsequent to the closing date for the person's most recent campaign finance statement; or

(ii) making aggregate expenditures or becoming obligated to make aggregate expenditures of \$5,000 or more on or after October 22, 2012 or subsequent to the closing date for the person's most recent campaign finance statement.

(3) A campaign finance statement submitted under this subsection shall include only:

(i) the identity of the contributor who made aggregate contributions of \$5,000 or more and the total amount of contributions the contributor made on or after October 22, 2012 or subsequent to the closing date for the most recent campaign finance statement; or

(ii) the total amount of aggregate expenditures of \$5,000 or more made or obligated to be made on or after October 22, 2012 or subsequent to the closing date for the most recent campaign finance statement.”;

and in line 32, strike “(d)” and substitute “(e)”.

On page 47, in line 2, strike “within 24 hours” and substitute “on the next business day”.

AMENDMENT NO. 13

On page 47, strike in their entirety lines 3 through 7, inclusive, and substitute:

“(f) (1) The State Prosecutor may assess a penalty against any person subject to this section who fails to file a campaign finance statement or campaign finance report in a timely manner.

(2) A penalty under this subsection shall equal the greater of:

(i) \$1,000 for each day or part of a day that a campaign finance statement or campaign finance report is overdue; or

(ii) 10% of the amount of contributions or expenditures that were not reported in a timely manner.

(3) Except as otherwise provided in this subsection, a penalty under this subsection shall be assessed in accordance with § 13-604(b) through (f) of the Election Law Article.”.

AMENDMENT NO. 14

On page 15, before line 1, insert:

“9-1A-26.

(a) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, all proceeds from the operation of video lottery terminals shall be electronically transferred daily into the State Lottery Fund established under Subtitle 1 of this title and distributed as provided under § 9-1A-27 of this subtitle.

(2) The requirement under paragraph (1) of this subsection does not apply on a day when State government is closed.

(3) THE AMOUNT FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS TO BE PAID TO VIDEO LOTTERY OPERATION LICENSEES UNDER § 9-1A-27(A)(2) AND (7), (B), AND (C)(1)(II) AND (2) OF THIS SUBTITLE SHALL BE RETAINED BY THE LICENSEE.

(b) (1) The Commission shall account to the Comptroller for all of the revenue under this subtitle.

(2) The proceeds from video lottery terminals shall be under the control of the Comptroller and shall be distributed as provided under § 9-1A-27 of this subtitle.

(c) The admissions and amusement tax may not be imposed on any proceeds from the operation of video lottery terminals.”;

and in line 3, after “section” insert “**AND § 9-1A-26(A)(3) OF THIS SUBTITLE**”.

On page 33, in line 27, strike “paragraph (2)” and substitute “paragraphs (2) and (3)”; and after line 32, insert:

“(3) The amount from the proceeds of video lottery terminals to be paid to video lottery operation licensees under § 9-1A-27(a)(2) and (7), (b), and (c)(1)(ii) and (2) of this subtitle shall be retained by the licensee.”.

On page 34, in line 7, after “section” insert “and § 9-1A-26(a)(3) of this subtitle”.

On page 36, in line 12, after “(D)” insert “**(1) EACH VIDEO LOTTERY OPERATION LICENSEE SHALL RETAIN 80% OF THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY.**”.

(2)”;

and strike beginning with “80%” in line 13 down through “REMAINDER” in line 15 and substitute “20% OF THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY”.

On page 42, in line 6, strike the opening bracket; in the same line, after “(d)” insert “(1) Each video lottery operation licensee shall retain 80% of the proceeds of table games at the video lottery facility.”

(2)”;

strike beginning with “80%” in line 7 down through “remainder” in line 8 and substitute “[20% of the proceeds of table games of the video lottery facility]”; strike beginning with “(D)” in line 10 down through “PAY” in line 11; in line 13, strike “(1)” and substitute “(I)”; strike beginning with “(2)” in line 17 down through “(3)” in line 19 and substitute “(II)”; and in line 19, strike “THE REMAINDER” and substitute “15%”.

AMENDMENT NO. 15

On page 18, in line 26, strike “paragraph (2)” and substitute “PARAGRAPHS (2) AND (3)”.

On page 19, after line 10, insert:

“(3) IN BALTIMORE CITY, LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION SHALL BE USED FOR IMPROVEMENTS IN THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE VIDEO LOTTERY FACILITY AND MAY BE USED FOR THE FOLLOWING PURPOSES:

(I) INFRASTRUCTURE IMPROVEMENTS;

(II) FACILITIES;

(III) PUBLIC SAFETY;

(IV) SANITATION;

(V) ECONOMIC AND COMMUNITY DEVELOPMENT, INCLUDING HOUSING; AND

(VI) OTHER PUBLIC SERVICES AND IMPROVEMENTS.”.

On page 44, in line 10, strike “paragraph (2)” and substitute “paragraphs (2) and (3)”; and after line 27, insert:

“(3) In Baltimore City, local impact grants provided under subsection [(a)(1)(i)] (A)(3)(I) of this section shall be used for improvements in the communities in immediate proximity to the video lottery facility and may be used for the following purposes:

(i) infrastructure improvements;

(ii) facilities;

(iii) public safety;

(iv) sanitation;

(v) economic and community development, including housing;

and

(vi) other public services and improvements.”.

AMENDMENT NO. 16

On page 47, after line 15, insert:

“SECTION 8A. AND BE IT FURTHER ENACTED, That:

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

(2) “Own” has the meaning stated in § 9–1A–01 of the State Government Article.

(3) “Regulated lobbyist” has the meaning stated in § 15–701 of the State Government Article.

(4) “Video lottery facility” has the meaning stated in § 9–1A–01 of the State Government Article.

(5) “Video lottery operation license” has the meaning stated in § 9–1A–01 of the State Government Article.

(b) In addition to any report required under § 15–704 of the State Government Article, a regulated lobbyist that sought to influence executive or legislative action related to gaming issues in the General Assembly’s Second Special Session of 2012 shall submit a report on or before September 17, 2012, to the State Ethics Commission on a form prepared by the Commission that details:

(1) all amounts expended for the purpose of influencing executive or legislative action in the special session and the nature of the expenditures by categories, as determined by the Commission;

(2) all amounts disbursed to any third–party groups or entities for purposes of influencing executive or legislative action in the special session and the dates of the disbursements; and

(3) any contributions, loans, transfers, in–kind contributions, or other transfers of value to a campaign finance entity from an applicant for a video lottery operation license, a holder of a video lottery operation license, or a person who owns an interest in the operation of a video lottery facility during the prior 6 months, including the dates and amounts of the contributions, loans, transfers, in–kind contributions, or other transfers of value.

(c) A person who violates this section is subject to enforcement provisions set forth in Title 15, Subtitle 9 of the State Government Article.”.

AMENDMENT NO. 17

On page 48, after line 37, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That the provisions of § 12–309 of the Courts Article, as amended by Section 1 of this Act, shall take effect August 15, 2012, and shall apply to any appeal pending as of that date.”;

and in line 38, strike “19.” and substitute “20.”.

The preceding 17 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0001/525660/2

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 59, in line 22, strike “a campaign finance entity” and substitute “the regulated lobbyist”.

On page 61, after line 32, insert:

“SECTION 20. AND BE IT FURHTER ENACTED, That Sections 7 and 8A of this Act shall take effect on enactment of this Act.”;

and in line 33, strike “20.” and substitute “21.”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0001/573323/1

BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 16, after “Commission;” insert “increasing the percentage of a State lottery sales agent’s gross receipts from ticket sales that an agent receives as a commission under certain circumstances;”.

On page 4, after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – State Government
Section 9–117(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 1 of the Acts of the General Assembly
of the 2012 First Special Session)”.

AMENDMENT NO. 2

On page 11, after line 15, insert:

“9–117.

(a) (1) (i) Except as provided in [subparagraph (ii)] SUBPARAGRAPHS (II) AND (III) of this paragraph, a licensed agent shall receive regular commissions of 5.5% of the licensed agent’s gross receipts from ticket sales.

(ii) For fiscal [years] YEAR 2012 through [2013] DECEMBER 31, 2012, only a licensed agent shall receive regular commission of 5.0% of the licensed agents gross receipts from ticket sales.

(iii) IF A VIDEO LOTTERY OPERATION LICENSE FOR A VIDEO LOTTERY FACILITY IN BALTIMORE CITY IS ISSUED, A LICENSED AGENT SHALL RECEIVE REGULAR COMMISSIONS OF 6% OF THE LICENSED AGENT’S GROSS RECEIPTS FROM TICKET SALES.”

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0001/633027/2

BY: Delegate Minnick

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 2, after “Games” insert “– Lottery Machines – Veterans’ Organizations”; in line 20, after “report.” insert “authorizing the Director of the State Lottery and Gaming Control Agency to issue to certain veterans’ organizations a

license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; exempting certain counties from certain provisions; requiring a veterans' organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans' organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans' organizations to the Maryland Veterans Trust Fund; requiring a veterans' organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans' organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery and Gaming Control Agency to ensure that implementation of the provisions of this Act with respect to the conduct of gaming and the operation of the instant ticket lottery machines is consistent with a certain court decision;".

On page 3, in line 45, after "State" insert "and certain lottery machine ticket sales by veterans' organizations".

On page 4, in line 2, after "9-101(a)" insert ", 9-120(a),"; and in line 7, after "9-109," insert "9-112, 9-120(b), 9-913,".

AMENDMENT NO. 2

On page 11, after line 15, insert:

"9-112.

(a) IN THIS SECTION, "VETERANS' ORGANIZATION" MEANS AN ORGANIZATION THAT IS TAX EXEMPT AND ORGANIZED AS A VETERANS' ORGANIZATION UNDER § 501(C)(19) OR § 501(C)(4) OF THE INTERNAL REVENUE CODE.

(B) [In] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IN accordance with the regulations of the Agency and this subtitle, the Director shall issue licenses to the persons and governmental units that will best serve the public convenience and promote the sale of State lottery tickets or shares.

[(b)](C) Before issuing a license to an applicant, the Director shall consider such factors as:

(1) the financial responsibility and security of the applicant and the business or activity of the applicant;

(2) the accessibility of the place of business or activity to the public;

(3) the sufficiency of existing licenses to serve the public convenience;

and

(4) the volume of expected sales.

(D) (1) THIS SUBSECTION DOES NOT APPLY IN:

(I) CAROLINE COUNTY;

(II) CECIL COUNTY;

(III) DORCHESTER COUNTY;

(V) MONTGOMERY COUNTY;

(IV) KENT COUNTY;

(VI) QUEEN ANNE’S COUNTY;

(VII) SOMERSET COUNTY;

(VIII) TALBOT COUNTY;

(IX) WICOMICO COUNTY; AND

(X) WORCESTER COUNTY.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DIRECTOR MAY ISSUE A LICENSE UNDER THIS SUBTITLE FOR NOT MORE

THAN FIVE INSTANT TICKET LOTTERY MACHINES TO AN APPLICANT THAT IS A VETERANS' ORGANIZATION.

(II) A VETERANS' ORGANIZATION THAT IS ISSUED A LICENSE UNDER THIS SUBSECTION SHALL LOCATE AND OPERATE ITS INSTANT TICKET LOTTERY MACHINES AT ITS PRINCIPAL MEETING HALL IN THE COUNTY IN WHICH THE VETERANS' ORGANIZATION IS LOCATED.

(3) AFTER DEDUCTION OF ANY COMMISSION AND VALIDATION PRIZE PAYOUT AS PROVIDED UNDER § 9-117 OF THIS SUBTITLE, A VETERANS' ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL CREDIT THE REMAINING RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES TO THE STATE LOTTERY FUND ESTABLISHED UNDER § 9-120(B) OF THIS SUBTITLE.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A VETERANS' ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL PURCHASE OR LEASE FROM THE AGENCY THE INSTANT TICKET LOTTERY MACHINES TO BE USED BY THE VETERANS' ORGANIZATION.

(II) AN ORGANIZATION MAY NOT USE RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES THAT WOULD OTHERWISE BE CREDITED TO THE STATE LOTTERY FUND FOR THE COSTS OF PURCHASING OR LEASING INSTANT TICKET LOTTERY MACHINES.

(5) THE DIRECTOR MAY ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION THAT INCLUDED RESTRICTING THE LOCATION OF INSTANT TICKET LOTTERY MACHINES IN AREAS OF A VETERANS' ORGANIZATION'S PUBLIC MEETING HALL THAT IS ACCESSIBLE TO THE PUBLIC.

(6) THE STATE LOTTERY AND GAMING CONTROL AGENCY SHALL ENSURE THAT THE CONDUCT OF THE GAMING AND THE OPERATION OF THE INSTANT TICKET LOTTERY MACHINES AS ESTABLISHED UNDER THIS SUBSECTION ARE CONSISTENT WITH THE HOLDING IN THE CASE OF CHESAPEAKE AMUSEMENTS INC. V. RIDDLE, 363 MD. 16 (2001).

[(c)](E) The Director may not issue a license to:

(1) a person or governmental unit to engage in business primarily as a licensed agent; or

(2) an individual who is under the age of 21 years.

[(d)](F) The Commission may hear and decide an appeal of a denial of a license.

9–120.

(a) The Comptroller shall distribute the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or share.

(b) (1) Promptly after the 1st day of each month, the Comptroller shall pay:

(i) into the Maryland Stadium Facilities Fund the money that remains in the State Lottery Fund from the proceeds of the lotteries conducted for the benefit of the Maryland Stadium Authority, after the distribution under subsection (a) of this section; [and]

(II) AFTER JUNE 30, 2014, INTO THE MARYLAND VETERANS TRUST FUND 10% OF THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES BY VETERANS' ORGANIZATIONS UNDER § 9–112(D) OF THIS SUBTITLE, AFTER THE DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION; AND

~~[(ii)](III)~~ into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all other lotteries after the distribution under subsection (a) of this section.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

9-913.

(a) In this section, "Fund" means the Maryland Veterans Trust Fund.

(b) There is a Maryland Veterans Trust Fund in the Department.

(c) (1) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(d) (1) The Secretary shall administer the Fund.

(2) The Maryland Veterans Commission, the Maryland Veterans' Home Commission, and program directors shall advise the Secretary on the administration of the Fund.

(e) The Fund consists of:

(1) gifts and grants that the Department receives under § 9-912(b) of this subtitle; AND

(2) CONTRIBUTIONS TO THE FUND FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES UNDER § 9-112(D) OF THIS TITLE.

(f) Money in the Fund may only be used to:

(1) make grants and loans under § 9-912(b)(2)(i) of this subtitle;

(2) be invested under § 9-912(b)(2)(ii) of this subtitle; and

(3) pay the costs of administering the Fund through distribution to an administrative cost account in the Department.

(g) (1) The State Treasurer shall invest the money in the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the Fund.

(h) Money expended from the Fund is supplemental to and is not intended to take the place of funding that would otherwise be appropriated to the Department.

(i) (1) On or before August 31 of each year, the Secretary shall submit a report to the General Assembly, in accordance with § 2-1246 of this article, on the status of the Fund.

(2) The report shall include:

(i) the gross amount of gifts and grants credited to the Fund;

(ii) the costs of administration of the Fund; and

(iii) a detailed accounting of the use of the Fund.”.

The preceding 2 amendments were read only.

Delegate Boteler moved to Special Order the amendment until the Bill is on Third Reading.

The motion was rejected by roll call vote as follows:

Affirmative – 48 Negative – 79 (See Roll Call No. 8)

Delegate McHale moved the previous question.

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

Affirmative – 80 Negative – 47 (See Roll Call No. 9)

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0001/813123/1

BY: Delegate George

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 55, in line 13, strike “a question” and substitute “two questions”; in line 16, before “Do” insert “(a)”; in line 18, strike “; to” and substitute “?”

(b) Do you favor the expansion of commercial gaming in the State of Maryland for the primary purpose of raising revenue for education to”;

in line 25, strike the second “the”; in the same line, after “question” insert “(a)”; in line 26, after “gaming,” insert “the provisions of”; in the same line, after “Act” insert “authorizing video lottery licensees to operate “table games””; in line 29, after “gaming,” insert “the provisions of”; in the same line, after “Act” insert “authorizing video lottery licensees to operate “table games””; in the same line, strike “is” and substitute “are”; and in the same line, after “void.” insert “If a majority of the votes cast on question (b) are “For the additional expansion of commercial gaming”, the provisions of Section 2 of this Act authorizing the increase of the maximum number of video lottery terminals that may be operated in the State, the increase from 5 to 6 of the maximum number of video lottery operation licenses that may be awarded, and allowing a video lottery facility to operate in Prince George’s County shall become effective on the 30th day following the official canvass of votes for the referendum, but if a majority of the votes cast on the question are “Against the expansion of commercial gaming”, those provisions of Section 2 of this Act are of no effect and null and void.”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 69 (See Roll Call No. 10)

FLOOR AMENDMENT

SB0001/793424/1

BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 2, after “terminals;” insert “requiring that regulations adopted by the State Lottery and Gaming Control Commission include provisions that prohibit automated teller machines located in video lottery facilities from accepting certain electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Resources for certain purposes;”.

On page 4, in line 10, after “9-1A-24(c)” insert “and (f)”.

AMENDMENT NO. 2

On page 16, after line 11, insert:

“9-1A-24.

(f) In order to protect the public interest, the regulations shall include provisions that:

(1) limit the number and location of and maximum withdrawal amounts from automated teller machines;

(2) PROHIBIT AUTHORIZED AUTOMATED TELLER MACHINES FROM ACCEPTING ELECTRONIC BENEFIT CARDS, DEBIT CARDS, OR SIMILAR NEGOTIABLE INSTRUMENTS ISSUED BY THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF ACCESSING TEMPORARY CASH ASSISTANCE;

[(2)](3) require payouts above an amount adopted by the Commission to be made by check;

[(3)](4) require conspicuous disclosures related to the payout of video lottery terminals;

[(4)](5) limit the dollar amount that video lottery terminals will accept;

[(5)](6) prohibit the use of specified negotiable instruments at video lottery facilities and the use of credit cards, debit cards, and similar devices in video lottery terminals;

[(6)](7) provide consumers with a record of video lottery terminal spending levels if marketing measures are utilized that track consumer spending at video lottery facilities;

[(7)](8) prohibit consumers from cashing paychecks at video lottery facilities; and

[(8)](9) prohibit video lottery operation licensees from engaging in or contracting with another to engage in predatory marketing practices.”.

The preceding 2 amendments were read only.

Delegate Bromwell moved to Special Order the amendment until the Bill is on Third Reading.

The motion was adopted.

FLOOR AMENDMENT

SB0001/443621/1

BY: Delegate Simmons

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 5, after line 8, insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–237(a)(2), (6), and (7)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – Election Law

Section 13–237(a)(6)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 28, after line 14, insert:

“(2) “GAMING ACTIVITY” MEANS VIDEO LOTTERY AUTHORIZED BY THE STATE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

(3) “KEY EMPLOYEE” MEANS AN INDIVIDUAL WHO, ACTING AS AN AGENT OR EMPLOYEE OF A PERSON OR LICENSEE, SUPERVISES MORE THAN TWO AGENTS OR EMPLOYEES OF THE PERSON OR LICENSEE AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THE STATE.

(4) “LICENSEE” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.”;

in lines 24, 26, and 28, strike **“(2)”**, **“(3)”**, and **“(4)”**, respectively, and substitute **“(5)”**, **“(6)”**, and **“(7)”**, respectively; in line 26, strike **“FACILITY”**; and in line 28, strike **“OPERATION LICENSE”** and substitute **“TERMINAL”**.

On page 29, in line 1, strike **“VIDEO LOTTERY OPERATION”**; in the same line, after **“LICENSE”**, insert **“TO ENGAGE IN GAMING ACTIVITY IN THIS STATE”**; strike line 3 in its entirety and substitute:

“(2) A LICENSEE OR OTHER PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THIS STATE;

(3) A HOLDING COMPANY, INTERMEDIARY COMPANY, OR A SUBSIDIARY COMPANY OF:

(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING ACTIVITY IN THIS STATE; OR

(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THIS STATE;

(4) A KEY EMPLOYEE OF, OR PERSON OR AGENT ON BEHALF OF:

(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING ACTIVITY IN THIS STATE; OR

(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO ENGAGE IN GAMING ACTIVITY IN THIS STATE; OR;

in line 17, strike “**(3)**” and substitute “**(5)**”; in line 18, strike “**FACILITY**” and substitute “**TERMINAL OR OTHER GAMING ACTIVITY**”; in line 26, strike “**NONFEDERAL**”; in the same line, strike “**OR**”; in line 27, after “**(2)**” insert “**THE CAMPAIGN FINANCE ENTITY OF A POLITICAL PARTY; OR**

(3)”;

and in line 30, after “**OF**” insert “:

(I)”.

On page 30, in line 1, strike “**NONFEDERAL**”; and in line 2, after “**STATE**” insert “;**OR**

(II) A POLITICAL PARTY”.

On page 54, after line 30, insert:

Article – Election Law

13–237.

(a) **(2) “Gaming activity” means video lottery OR TABLE GAMES authorized by this State under Title 9, Subtitle 1A of the State Government Article.**

(6) “TABLE GAMES” HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.

[(6)] (7) “Video lottery” has the meaning stated in § 9–1A–01 of the State Government Article.

[(7)] (8) “Video lottery terminal” has the meaning stated in § 9–1A–01 of the State Government Article.”.

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

Affirmative – 33 Negative – 84 (See Roll Call No. 11)

FLOOR AMENDMENT

SB0001/983824/2

BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 11, after “Commission,” insert “requiring the Commission to refer a certain matter regarding the legal operation of amusement games in Baltimore City or Baltimore County to the State’s Attorney under certain circumstances;”.

On page 3, after line 45, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(a) and (b)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

(As enacted by Chapter 603 of the Acts of the General Assembly of 2012)”.

AMENDMENT NO. 2

On page 5, after line 28, insert:

“Article – Criminal Law

12–301.1.

(a) In this subtitle, “Commission” means the State Lottery AND GAMING CONTROL Commission.

(b) (1) [Subject to paragraph (2)] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) of this subsection and consistent with the provisions of this title and Title 13 of this article, the Commission shall certify and regulate the operation, ownership, and manufacture of an electronic gaming device authorized under this title.

(2) This section does not apply to:

(i) the ownership or operation of slot machines that are subject to regulation by the Comptroller under § 12-304 of this title; and

(ii) paper tip jar gaming where authorized.

(3) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY AND BALTIMORE COUNTY.

(II) IF A LOCAL LAW ENFORCEMENT AGENCY REFUSES TO ENFORCE A PROVISION REGARDING THE LEGAL OPERATION OF AMUSEMENT GAMES, THE COMMISSION SHALL REFER THE MATTER TO THE APPROPRIATE OFFICE OF THE STATE’S ATTORNEY.”.

The preceding 2 amendments were read only.

Delegate F. Turner moved to Special Order the amendment until the Bill is on Third Reading.

The motion was adopted.

FLOOR AMENDMENT

SB0001/873626/1

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “CONSTITUTIONAL AMENDMENT”.

On page 3, in line 17, after “date;” insert “repealing Article XIX – Video Lottery Terminals of the Maryland Constitution; specifying in statutory law that the primary purpose of the operation of video lottery terminals is to raise revenue for certain public education goals; requiring in statutory law that a video lottery facility comply with all applicable planning and zoning laws of the local jurisdiction; submitting this amendment to the qualified voters of the State for their adoption or rejection; making this Act contingent on the passage and ratification of a certain Constitutional Amendment;”.

On page 4, in line 39, after “9-1A-01(u),” insert “9-1A-02”; in the same line, strike “9-1A-11(c)(1)” and substitute “9-1A-11”.

On page 5, after line 26, insert:

“BY proposing a repeal of the Maryland Constitution
Article XIX – Video Lottery Terminals
Section 1 and the article designation “Article XIX – Video Lottery Terminals””.

AMENDMENT NO. 2

On page 55, before line 1, insert:

“SECTION 3A. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

[Article XIX – Video Lottery Terminals]

[1.

(a) This article does not apply to:

(1) Lotteries conducted under Title 9, Subtitle 1 of the State Government Article of the Annotated Code of Maryland;

(2) Wagering on horse racing conducted under Title 11 of the Business Regulation Article of the Annotated Code of Maryland; or

(3) Gaming conducted under Title 12 or Title 13 of the Criminal Law Article of the Annotated Code of Maryland.

(b) In this article, “video lottery operation license” means a license issued to a person that allows players to operate video lottery terminals.

(c) (1) Except as provided in subsection (e) of this section, the State may issue up to five video lottery operation licenses throughout the State for the primary purpose of raising revenue for:

(i) Education for the children of the State in public schools, prekindergarten through grade 12;

(ii) Public school construction and public school capital improvements; and

(iii) Construction of capital projects at community colleges and public senior higher education institutions.

(2) Except as provided in subsection (e) of this section, the State may not authorize the operation of more than 15,000 video lottery terminals in the State.

(3) Except as provided in subsection (e) of this section, a video lottery operation license only may be awarded for a video lottery facility in the following locations:

(i) Anne Arundel County, within 2 miles of MD Route 295;

(ii) Cecil County, within 2 miles of Interstate 95;

(iii) Worcester County, within 1 mile of the intersection of Route 50 and Route 589;

(iv) On State property located within Rocky Gap State Park in Allegany County; or

(v) Baltimore City, if the video lottery facility is:

1. Located:

A. In a nonresidential area;

- B. Within one-half mile of Interstate 95;
 - C. Within one-half mile of MD Route 295; and
 - D. On property that is owned by Baltimore City on the date on which the application for a video lottery operation license is submitted; and
2. Not adjacent to or within one-quarter mile of property that is:
- A. Zoned for residential use; and
 - B. Used for a residential dwelling on the date the application for a video lottery operation license is submitted.

(4) Except as provided in subsection (e) of this section, the State may not award more than one video lottery operation license in a single county or Baltimore City.

(5) A video lottery facility shall comply with all applicable planning and zoning laws of the local jurisdiction.

(d) Except as provided in subsection (e) of this section, on or after November 15, 2008, the General Assembly may not authorize any additional forms or expansion of commercial gaming.

(e) The General Assembly may only authorize additional forms or expansion of commercial gaming if approval is granted through a referendum, authorized by an act of the General Assembly, in a general election by a majority of the qualified voters in the State.

(f) The General Assembly may, from time to time, enact such laws not inconsistent with this section, as may be necessary and proper to carry out its provisions.]

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

Article – State Government9-1A-02.

- (a) This subtitle is statewide and exclusive in its effect.
- (b) (1) The Commission shall regulate the operation of video lottery terminals in accordance with this subtitle.
- (2) The Maryland State Lottery Agency shall provide assistance to the Commission in the performance of the Commission's duties under this subtitle.
- (c) (1) This subtitle authorizes the operation of video lottery terminals that are connected to a central monitor and control system owned or leased by the State that allows the Commission to monitor a video lottery terminal.
- (2) The Commission shall provide and operate a single central monitor and control system into which all licensed video lottery terminals must be connected.
- (3) The central monitor and control system shall be capable of:
- (i) continuously monitoring, retrieving, and auditing the operations, financial data, and program information of all video lottery terminals;
- (ii) allowing the Commission to account for all money inserted in and payouts made from any video lottery terminal;
- (iii) disabling from operation or play any video lottery terminal as the Commission deems necessary to carry out the provisions of this subtitle;
- (iv) supporting and monitoring a progressive jackpot system capable of operating one or more progressive jackpots; and
- (v) providing any other function that the Commission considers necessary.
- (4) The central monitor and control system shall employ a widely accepted gaming industry communications protocol to facilitate the ability of video lottery terminal manufacturers to communicate with the statewide system.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, the Commission may not allow a video lottery operation licensee to have access to, or obtain information from, the central monitor and control system.

(ii) Only if the access does not in any way affect the integrity or security of the central monitor and control system, may the Commission allow a video lottery operation licensee to have access to the central monitor and control system that allows the licensee to obtain information pertinent to the legitimate operation of a video lottery facility.

(D) THE PRIMARY PURPOSE OF THE OPERATION OF VIDEO LOTTERY TERMINALS IS TO RAISE REVENUE FOR:

(1) EDUCATION FOR THE CHILDREN OF THE STATE IN PUBLIC SCHOOLS, PREKINDERGARTEN THROUGH GRADE 12;

(2) PUBLIC SCHOOL CONSTRUCTION AND PUBLIC SCHOOL CAPITAL IMPROVEMENTS; AND

(3) CONSTRUCTION OF CAPITAL PROJECTS AT COMMUNITY COLLEGES AND PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS.

[(d)] (E) Only a person with a video lottery operation license issued under this subtitle may offer a video lottery terminal for public use in the State under this subtitle.

9-1A-11.

(a) Any video lottery operation licenses not issued or awarded for a location authorized under this subtitle shall automatically revert to the State.

(b) (1) Except as provided in paragraph (2) of this subsection, a licensee shall commence operation of video lottery terminals in a permanent facility at the location for which the video lottery operation license has been awarded within 18 months after the license is awarded.

(2) (i) On a determination by the Commission that extenuating circumstances exist that are beyond the control of an awardee and have prevented the awardee from complying with the requirements of paragraph (1) of this subsection, the Commission may allow the awardee an extension of 6 months to comply with the requirements.

(ii) The Commission may not grant more than two extensions to an awardee under this paragraph.

(3) If a video lottery operation awardee fails to comply with the requirements of this subsection, the license awarded to the awardee shall be revoked and shall automatically revert to the State.

(c) (1) Nothing in this subtitle may be construed to prohibit a video lottery operation licensee that is issued a license from beginning video lottery terminal operations in a temporary facility that meets the minimum requirements established in regulations adopted by the State Lottery and Gaming Control Commission.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, a video lottery operation licensee shall be operational in a permanent facility no later than 30 months after the award of the video lottery operation license.

(D) A VIDEO LOTTERY FACILITY SHALL COMPLY WITH ALL APPLICABLE PLANNING AND ZONING LAWS OF THE LOCAL JURISDICTION.

[(d)] (E) (1) For a location in Allegany County, if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort, the licensee shall restrict public access to the video lottery facility from the Rocky Gap Lodge and Resort.

(2) (i) Subject to subparagraph (ii) of this paragraph, for a location in Allegany County, if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort and existing meeting space is eliminated as a result of the video lottery terminals, the licensee shall provide for meeting space that is accessible from the Rocky Gap Lodge and Resort within 36 months after issuance of the video lottery operation license, subject to the approval of the Video Lottery Facility Location Commission and the State Lottery and Gaming Control Commission.

(ii) The licensee shall restrict public access to the video lottery facility from any meeting space provided under subparagraph (i) of this paragraph.”

AMENDMENT NO. 3

On page 61, after line 36, insert:

“SECTION 19A. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 3A of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 19B. AND BE IT FURTHER ENACTED, That the amendment to the Maryland Constitution proposed by Section 3A of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November, 2012 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words “For the Constitutional Amendment” and “Against the Constitutional Amendment,” as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.

SECTION 19C. AND BE IT FURTHER ENACTED, That Section 3B of this Act shall take effect October 1, 2012, contingent on the proclamation of the Governor that the Constitutional Amendment proposed in Section 3A of this Act, having received a majority of the votes cast at the general election, has been adopted by the people of Maryland. If a majority of votes cast are against the proposed Constitutional Amendment, the provisions of this Act are of no effect and null and void.”.

The preceding 3 amendments were ruled out order.

FLOOR AMENDMENT**SB0001/903524/1**

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 43, strike beginning with “**EDUCATION**” in line 12 down through “**SUBTITLE**” in line 13 and substitute “**TRANSPORTATION TRUST FUND TO IMPROVE ROADS AND BRIDGES AND MEET OTHER INFRASTRUCTURE NEEDS**”.

AMENDMENT NO. 2

On page 51, in line 15, strike beginning with “Education” through “subtitle” and substitute “Transportation Trust Fund to improve roads and bridges and meet other infrastructure needs”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

SB0001/703025/1

BY: Delegate Aumann

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, strike beginning with “*prohibiting*” in line 28 down through “devices;” in line 32; strike beginning with “*authorizing*” in line 36 down through “*date,*” in line 39; strike beginning with “prohibiting” in line 40 down through “date;” in line 41; and strike beginning with “authorizing” in line 45 down through “under” in line 47.

On page 3, strike beginning with the first “certain” in line 1 down through “Assembly;” in line 9.

On page 4, in lines 8 and 9, strike “9-1A-05(a), (c), and *(d)*,” and substitute “9-1A-05(c) and (d)”; in line 9, strike “*9-1A-11(b)*,” and substitute “9-1A-11”; strike beginning with “(f)” in line 12 down through “(3)” in line 13 and substitute “(h)(3), (i)(3)”; in line 18, strike “*9-1A-11(c)(3)*,”; in line 39, strike “9-1A-27,” and substitute “and 9-1A-27(d)”; and in lines 39 and 40, strike “9-1A-31(a) and (b), and 9-1A-36(r)”.

On page 5, after line 2, insert:

“BY adding to

Article – State Government

Section 9-1A-27(d)”

Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)”;

and strike in their entirety lines 21 through 26, inclusive.

AMENDMENT NO. 2

On page 36, strike in their entirety lines 27 through 30.

On pages 36 and 37, strike in their entirety the lines beginning with line 32 on page 36 through line 10 on page 37, inclusive.

On page 38, strike in their entirety lines 8 through 26, inclusive; and strike in their entirety lines 32 through 34, inclusive.

On page 39, strike lines 1 and 2 in their entirety.

On pages 40 through 43, strike in their entirety the lines beginning with line 28 on page 40 through line 5 on page 43, inclusive.

On pages 43 through 47, strike in their entirety the lines beginning with line 34 on page 43 through line 21 on page 47, inclusive.

On pages 48 through 54, strike in their entirety the lines beginning with line 12 on page 48 through line 20 on page 54, inclusive.

On page 55, in line 1, strike “4.” and substitute “3.”; in line 3, strike “6” and substitute “4”; strike in their entirety lines 5 through 9, inclusive; in line 10, strike “6.” and substitute “4.”; strike beginning with “; to” in line 18 down through “County” in line 22; and in line 30, strike “7.” and substitute “5.”.

On page 58, in lines 22 and 30, strike “8.” and “8A.”, respectively, and substitute “6.” and “6A.”, respectively.

On page 59, in line 33, strike “9.” and substitute “7.”.

On page 60, in lines 13, 18, 23, 28, 34, and 40, strike “9A.”, “10.”, “11.”, “12.”, “13.”, and “14.”, respectively, and substitute “7A.”, “8.”, “9.”, “10.”, “11.”, and “12.”, respectively.

On page 61, in lines 5, 15, 26, 30, and 33, strike “15.”, “16.”, “18.”, “19.”, and “20.”, respectively, and substitute “13.”, “14.”, “15.”, “16.”, and “17.”, respectively; and strike in their entirety lines 22 through 25, inclusive; and in lines 27 and 28, in each instance, strike “6” and substitute “4”.

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

Affirmative – 44 Negative – 68 (See Roll Call No. 12)

FLOOR AMENDMENT

SB0001/503226/1

BY: Delegates Aumann and Frank

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, in line 3, after “grants;” insert “requiring certain proceeds from a video lottery facility located in Prince George’s County to be distributed to the General Fund;”; and in line 38, after “responsibilities;” insert “declaring the intent of the General Assembly that certain legislation be introduced at a certain time and that certain proceeds be used for a certain purpose;”.

AMENDMENT NO. 2

On page 49, in line 17, strike “and”; and in line 18, after “(9)” insert “**THE REMAINDER OF THE PROCEEDS FROM A VIDEO LOTTERY FACILITY LOCATED IN PRINCE GEORGE’S COUNTY TO THE GENERAL FUND; AND**

(10)”.

AMENDMENT NO. 3

On page 61, after line 14, insert:

“SECTION 15A. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if a license is issued for a video lottery facility in Prince George’s County:

(1) legislation be introduced in the legislative session following the issuance of the license to repeal the tax increases enacted by Chapter 2 of the Acts of the General Assembly of the First Special Session of 2012; and

(2) the revenue from a video lottery facility located in Prince George’s County that is allocated to the General Fund of the State under § 9–1A–27 of the State Government Article, as enacted by Section 3 of this Act, shall be used to offset a reduction in the General Fund that results from the repeal of the tax increases enacted by Chapter 2 of the Acts of the General Assembly of the First Special Session of 2012.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 61 (See Roll Call No. 13)

FLOOR AMENDMENT

SB0001/153927/1

BY: Delegate Schuh

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 45, after “fee,” insert “prohibiting the Video Lottery Facility Location Commission from allocating more than a certain number of video lottery terminals to a certain location; prohibiting the State Lottery and Gaming Control Commission from allocating or reallocating video lottery terminals in a certain manner;”.

On page 4, in lines 12 and 13, strike “(i)(1) and (3)” and substitute “(i)”; and in line 40, strike “9–1A–36(r)” and substitute “9–1A–36(i)(3) and (r)”.

AMENDMENT NO. 2

On page 45, after line 13, insert:

“(2) **(I)** [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Video Lottery Facility Location Commission may allocate video lottery terminals in a manner that is different from the allocation provided in paragraph (1) of this subsection on a determination that the market factors and other

factors evaluated under subsection (k) of this section warrant the different allocation, provided that no one location may be allocated more than 4,750 video lottery terminals.

(II) THE VIDEO LOTTERY FACILITY LOCATION COMMISSION MAY NOT ALLOCATE MORE THAN 3,000 VIDEO LOTTERY TERMINALS TO THE LOCATION IN PRINCE GEORGE’S COUNTY.

(3) (i) [Beginning] EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, BEGINNING with the termination date for the Video Lottery Facility Location Commission and every 3 years thereafter, if all of the video lottery terminals authorized under this subtitle are not allocated or have been allocated but are not in regular operation, the State Lottery and Gaming Control Commission may allocate or reallocate video lottery terminals to video lottery operation licensees in a manner that ensures that the highest potential revenues are achieved.

(ii) In determining the highest potential revenues to be achieved by additional video lottery terminals at each potential location, the State Lottery and Gaming Control Commission shall consider the market performance of the existing video lottery terminals at each location.

(III) THE STATE LOTTERY AND GAMING CONTROL COMMISSION MAY NOT ALLOCATE OR REALLOCATE VIDEO LOTTERY TERMINALS IN A MANNER THAT WOULD RESULT IN MORE THAN 3,000 VIDEO LOTTERY TERMINALS BEING ALLOCATED TO THE LOCATION IN PRINCE GEORGE’S COUNTY.”

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

Affirmative – 37 Negative – 62 (See Roll Call No. 14)

FLOOR AMENDMENT

SB0001/943721/1

BY: Delegate Schuh

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, in line 7, after “circumstances,” insert “prohibiting the State from paying for certain road improvements necessitated by the construction of a certain facility;”.

On page 4, in line 12, after “(b),” insert “9-1A-32(a).”.

AMENDMENT NO. 2

On page 54, after line 20, insert:

“9-1A-32.

(a) **(1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE State may pay for the reasonable transportation costs to:**

[1] (I) mitigate the impact on the communities in the immediate proximity to the facility; and

[2] (II) make each video lottery facility accessible to the public.

(2) THE STATE MAY NOT PAY FOR ANY ROAD IMPROVEMENTS NECESSITATED BY THE CONSTRUCTION OF A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY.”.

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

Affirmative – 44 Negative – 66 (See Roll Call No. 15)

FLOOR AMENDMENT

SB0001/473725/1

BY: Delegate Norman

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 7, in line 9, strike “or local” and substitute “**, LOCAL, OR MUNICIPAL**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 72 (See Roll Call No. 16)

FLOOR AMENDMENT

SB0001/313422/1

BY: Delegate Norman

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 8, in line 16, strike “ONE MEMBER” and substitute “TWO MEMBERS”; in line 17, strike “RESIDES” and substitute “RESIDE”; and in the same line, strike “LOCAL JURISDICTION” and substitute “COUNTY”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 42 Negative – 75 (See Roll Call No. 17)

FLOOR AMENDMENT

SB0001/543829/1

BY: Delegate Norman

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 26, in line 30, after “(B)” insert “(1)”; and in line 31, strike “(1)” and substitute “(I)”.

On page 27, in line 1, strike “(2)” and substitute “(II)”; and after line 2, insert:

“(2) AT LEAST ONE SENATOR AND ONE DELEGATE APPOINTED UNDER THIS SUBSECTION SHALL BE A MEMBER OF THE MINORITY PARTY.”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0001/493027/1

BY: Delegate Bates

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 1, after “circumstances;” insert “prohibiting a certain contract from containing a project labor agreement under certain circumstances;”.

AMENDMENT NO. 2

On page 14, after line 25, insert:

“(9) A CONTRACT FOR CONSTRUCTION OR PROCUREMENT RELATED TO THE OPERATION OF VIDEO LOTTERY TERMINALS MAY NOT CONTAIN A PROJECT LABOR AGREEMENT IF STATE FUNDS WILL BE USED TO PAY FOR THE CONSTRUCTION OR PROCUREMENT.”

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

Affirmative – 34 Negative – 77 (See Roll Call No. 18)

FLOOR AMENDMENT

SB0001/503926/1

BY: Allegany County Delegation

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 29, after “facility;” insert “prohibiting a certain licensee from beginning table game operations until a certain condition is met;”.

On page 4, in line 39, after “9-1A-11(c)(1)” insert “and (d)”.

AMENDMENT NO. 2

On page 39, after line 2, insert:

“(d) (1) For a location in Allegany County, if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort, the licensee shall restrict public access to the video lottery facility from the Rocky Gap Lodge and Resort.”

(2) (i) Subject to [subparagraph (ii)] **SUBPARAGRAPHS (II) AND (III)** of this paragraph, for a location in Allegany County, if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort and existing meeting space is eliminated as a result of the video lottery terminals, the licensee shall provide for meeting space that is accessible from the Rocky Gap Lodge and Resort within 36 months after issuance of the video lottery operation license, subject to the approval of the Video Lottery Facility Location Commission and the State Lottery **AND GAMING CONTROL** Commission.

(ii) The licensee shall restrict public access to the video lottery facility from any meeting space provided under subparagraph (i) of this paragraph.

(III) THE LICENSEE MAY NOT BEGIN TABLE GAME OPERATIONS UNTIL THE LICENSEE SUBMITS EVIDENCE SATISFACTORY TO THE STATE LOTTERY AND GAMING CONTROL COMMISSION THAT REPLACEMENT WORK HAS BEGUN TO PROVIDE MEETING SPACE EQUAL TO OR GREATER THAN THE ELIMINATED MEETING SPACE.”

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0001/893329/1

BY: Delegate Smigiel

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 29, in line 26, strike “**OR**”; after line 26, insert:

“(2) A CAMPAIGN FINANCE ENTITY ESTABLISHED BY A POLITICAL ACTION COMMITTEE IF:

(I) THE POLITICAL ACTION COMMITTEE SOLICITS CONTRIBUTIONS ON BEHALF OF AN ELECTED OFFICIAL OR A CANDIDATE FOR PUBLIC OFFICE IN THE STATE;

(II) THE CAMPAIGN FINANCE ENTITY MAKES A TRANSFER TO THE CAMPAIGN FINANCE ENTITY OF AN ELECTED OFFICIAL OR A CANDIDATE FOR PUBLIC OFFICE IN THE STATE; OR

(III) THE POLITICAL ACTION COMMITTEE IS OTHERWISE AFFILIATED WITH AN ELECTED OFFICIAL OR CANDIDATE FOR PUBLIC OFFICE IN THE STATE;

(3) ANY OTHER CAMPAIGN FINANCE ENTITY IF:

(I) THE CAMPAIGN FINANCE ENTITY IS CONTROLLED BY A STATE OR LOCAL ELECTED OFFICIAL; AND

(II) THE ELECTED OFFICIAL TAKES ANY PART IN DETERMINING HOW FUNDS CONTRIBUTED TO THE CAMPAIGN FINANCE ENTITY ARE DISBURSED; OR”;

and in line 27, strike “(2)” and substitute “(4)”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 46 Negative – 67 (See Roll Call No. 19)

FLOOR AMENDMENT

SB0001/113425/1

BY: Delegate McComas

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 17, in line 33, strike “AND”; after line 33, insert:

“(8) 1% TO THE MARYLAND VETERANS TRUST FUND UNDER § 9-913 OF THIS TITLE FOR DISTRIBUTION AS GRANTS TO WAR VETERANS’ ORGANIZATIONS LOCATED IN THE STATE TO BE USED IN THE FOLLOWING MANNER:

(I) 50% TO FURTHER THE PURPOSES OF THE WAR VETERANS’ ORGANIZATION; AND

(II) 50% TO ONE OR MORE CHARITABLE ORGANIZATIONS LOCATED IN THE SAME COUNTY AS THE WAR VETERANS’ ORGANIZATION; AND”.

On page 18, in line 1, strike “(8)” and substitute “(9)”.

On page 19, in line 2, strike “and”; and after line 2, insert:

“(VI) 1% TO THE MARYLAND VETERANS TRUST FUND UNDER § 9-913 OF THIS TITLE FOR DISTRIBUTION AS GRANTS TO WAR VETERANS’ ORGANIZATIONS LOCATED IN THE COUNTY TO BE USED IN THE FOLLOWING MANNER:

1. 50% TO FURTHER THE PURPOSES OF THE WAR VETERANS’ ORGANIZATION; AND

2. 50% TO ONE OR MORE CHARITABLE ORGANIZATIONS LOCATED IN THE SAME COUNTY AS THE WAR VETERANS’ ORGANIZATION; AND”;

and in line 3, strike “(vi)” and substitute “(VII)”.

AMENDMENT NO. 2

On page 41, in line 23, strike “AND”; after line 23, insert:

“(8) 1% to the Maryland Veterans Trust Fund under § 9-913 of this title for distribution as grants to war veterans’ organizations located in the State to be used in the following manner:

(i) 50% to further the purposes of the war veterans' organization; and

(ii) 50% to one or more charitable organizations located in the same county as the war veterans' organization; and”;

and in lines 24 and 32, strike “(8)” and “(9)”, respectively, and substitute “(9)” and “(10)”, respectively.

On page 42, in line 34, strike “and”; and after line 34, insert:

“(vi) 1% to the Maryland Veterans Trust Fund under § 9–913 of this title for distribution as grants to war veterans' organizations located in the county to be used in the following manner:

1. 50% to further the purposes of the war veterans' organization; and

2. 50% to one or more charitable organizations located in the same county as the war veterans' organization; and”.

On page 43, in line 1, strike “(vi)” and substitute “(vii)”.

AMENDMENT NO. 3

On page 49, after line 11, insert:

“(8) 1% to the Maryland Veterans Trust Fund under § 9–913 of this title for distribution as grants to war veterans' organizations located in the State to be used in the following manner:

(i) 50% to further the purposes of the war veterans' organization; and

(ii) 50% to one or more charitable organizations located in the same county as the war veterans' organization; and”.

and in lines 12 and 18, strike “(8)” and “(9)”, respectively, and substitute “(9)” and “(10)”.

On page 50, in line 18, strike “and”; and after line 18, insert:

“(vi) 1% to the Maryland Veterans Trust Fund under § 9–913 of this title for distribution as grants to war veterans’ organizations located in the county to be used in the following manner:

1. 50% to further the purposes of the war veterans’ organization; and

2. 50% to one or more charitable organizations located in the same county as the war veterans’ organization; and”;

and in line 19, strike “(vi)” and substitute “(vii)”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 49 Negative – 64 (See Roll Call No. 20)

FLOOR AMENDMENT

SB0001/493021/1

BY: Delegate Arora

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 18, after “assistance;” insert “prohibiting certain actions constituting false claims; providing certain penalties for making certain false claims; requiring the court to consider and give special attention to certain factors in determining the amount of fines and penalties provided for in certain provisions of this Act; authorizing a person and the State to file a civil action against a person who makes a certain false claim under certain circumstances; providing for the procedures to be followed in the civil action and for certain remedies under the action; requiring the State to investigate a certain civil action; 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 a certain civil action with or without the person who initiated the action; requiring the court to dismiss the action if the State elects not to intervene in the action; authorizing the State to pursue certain alternative remedies; providing certain limitations on civil actions filed under

certain provisions of 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 into the General Fund of the State; requiring the Office of the Attorney General to report certain information annually to the General Assembly in conjunction with a certain report; authorizing the State Lottery and Gaming Control Commission to adopt certain regulations;”.

On page 4, in line 19, strike “*and*”; and in the same line, after “9-1A-38” insert “; and 9-1B-01 through 9-1B-11 to be under the new subtitle “Subtitle 1B. False Claims”.

AMENDMENT NO. 2

On page 27, after line 21, insert:

“SUBTITLE 1B. FALSE CLAIMS.

9-1B-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “AGENCY” MEANS THE STATE LOTTERY AND GAMING CONTROL AGENCY.

(C) (1) “CLAIM” MEANS A REQUEST OR DEMAND, UNDER A CONTRACT OR OTHERWISE, FOR MONEY OR OTHER PROPERTY, WHETHER OR NOT THE STATE HAS TITLE TO THE MONEY OR PROPERTY, THAT IS:

(I) PRESENTED UNDER SUBTITLE 1 OR 1A OF THIS TITLE TO AN OFFICER, EMPLOYEE, OR AGENT OF THE STATE; OR

(II) MADE UNDER SUBTITLE 1 OR 1A OF THIS TITLE TO A CONTRACTOR, GRANTEE, OR OTHER RECIPIENT, IF THE MONEY OR OTHER

PROPERTY IS TO BE SPENT OR USED ON THE STATE'S BEHALF OR TO ADVANCE A STATE INTEREST, AND THE STATE:

1. PROVIDES OR HAS PROVIDED ANY PORTION OF THE MONEY OR OTHER PROPERTY REQUESTED OR DEMANDED; OR

2. WILL REIMBURSE THE CONTRACTOR, GRANTEE, OR OTHER RECIPIENT FOR ANY PORTION OF THE MONEY OR OTHER PROPERTY THAT IS REQUESTED OR DEMANDED.

(2) "CLAIM" DOES NOT INCLUDE REQUESTS OR DEMANDS FOR MONEY OR OTHER PROPERTY THAT THE STATE HAS PAID TO AN INDIVIDUAL AS COMPENSATION FOR STATE EMPLOYMENT OR AS AN INCOME SUBSIDY WITH NO RESTRICTIONS ON THAT INDIVIDUAL'S USE OF THE MONEY OR OTHER PROPERTY.

(D) "COMMISSION" MEANS THE STATE LOTTERY AND GAMING CONTROL COMMISSION.

(E) "EMPLOYEE" MEANS AN INDIVIDUAL WHO PERFORMS SERVICES:

(1) FOR AND UNDER THE CONTROL AND DIRECTION OF AN EMPLOYER; AND

(2) UNDER AN EMPLOYER'S PROMISE OR IMPLIED PROMISE OF PAYMENT OF WAGES OR OTHER REMUNERATION.

(F) "EMPLOYER" MEANS A PERSON LICENSED UNDER SUBTITLE 1A OF THIS TITLE WHO, ACTING DIRECTLY OR INDIRECTLY ON BEHALF OF ANOTHER PERSON OR GROUP OF PERSONS:

(1) ALLOWS AN EMPLOYEE TO PERFORM SERVICES UNDER THE EMPLOYER'S CONTROL AND DIRECTION; AND

(2) PROMISES OR IMPLIES THAT THE EMPLOYEE WILL RECEIVE WAGES OR OTHER REMUNERATION IN PAYMENT FOR THE PERFORMANCE OF THOSE SERVICES.

(G) (1) “KNOWING” OR “KNOWINGLY” MEANS, WITH RESPECT TO INFORMATION AND WITHOUT REQUIRING PROOF OF SPECIFIC INTENT TO DEFRAUD, THAT A PERSON:

(I) HAS ACTUAL KNOWLEDGE OF THE INFORMATION;

(II) ACTS IN DELIBERATE IGNORANCE OF THE TRUTH OR FALSITY OF THE INFORMATION; OR

(III) ACTS IN RECKLESS DISREGARD OF THE TRUTH OR FALSITY OF THE INFORMATION.

(2) “KNOWING” OR “KNOWINGLY” DOES NOT MEAN, WITH RESPECT TO INFORMATION, THAT A PERSON ACTS IN A MANNER THAT CONSTITUTES MISTAKE OR NEGLIGENCE.

(H) “MATERIAL” MEANS HAVING A NATURAL TENDENCY TO INFLUENCE OR BE CAPABLE OF INFLUENCING THE PAYMENT OR RECEIPT OF MONEY OR OTHER PROPERTY.

(I) “OBLIGATION” MEANS AN ESTABLISHED DUTY, WHETHER OR NOT FIXED, ARISING FROM:

(1) AN EXPRESS OR IMPLIED:

(I) CONTRACTUAL RELATIONSHIP;

(II) GRANTOR–GRANTEE RELATIONSHIP; OR

(III) LICENSOR–LICENSEE RELATIONSHIP;

(2) A FEE–BASED OR SIMILAR RELATIONSHIP;

(3) STATUTE OR REGULATION; OR

(4) THE RETENTION OF AN OVERPAYMENT.

(J) “PUBLIC BODY” MEANS:

(1) THE GENERAL ASSEMBLY OR ANY OTHER ELECTED BODY;

(2) A MEMBER OR AN EMPLOYEE OF THE GENERAL ASSEMBLY OR OTHER ELECTED BODY;

(3) A STATE COURT;

(4) A MEMBER OR AN EMPLOYEE OF A STATE COURT;

(5) A STATE OR LOCAL REGULATORY, ADMINISTRATIVE, OR PUBLIC AGENCY OR AUTHORITY;

(6) AN INSTRUMENTALITY OF A STATE OR LOCAL REGULATORY, ADMINISTRATIVE, OR PUBLIC AGENCY OR AUTHORITY;

(7) A STATE OR LOCAL LAW ENFORCEMENT AGENCY, PROSECUTORIAL OFFICE, OR POLICE OR PEACE OFFICER;

(8) A STATE OR LOCAL DEPARTMENT OF AN EXECUTIVE BRANCH OF GOVERNMENT; OR

(9) A DIVISION, BOARD, BUREAU, OFFICE, COMMITTEE, OR COMMISSION OF ANY OF THE PUBLIC BODIES LISTED IN THIS SUBSECTION.

(K) “RETALIATORY ACTION” MEANS:

(1) DISCHARGING, SUSPENDING, DEMOTING, THREATENING, HARASSING, OR DISCRIMINATING AGAINST AN EMPLOYEE, CONTRACTOR, OR AGENT; OR

(2) ANY OTHER ADVERSE ACTION TAKEN AGAINST AN EMPLOYEE, CONTRACTOR, OR AGENT RELATING TO THE CONDITIONS OF EMPLOYMENT, CONTRACT, OR AGENCY.

(L) “SUPERVISOR” MEANS AN INDIVIDUAL WITHIN AN EMPLOYER’S ORGANIZATION WHO HAS THE AUTHORITY TO:

(1) DIRECT AND CONTROL THE WORK PERFORMANCE OF AN EMPLOYEE; OR

(2) TAKE CORRECTIVE ACTION REGARDING THE VIOLATION OF A LAW OR REGULATION THAT IS THE SUBJECT OF A COMPLAINT OR CHARGE UNDER THIS SUBTITLE.

9-1B-02.

(A) A PERSON MAY NOT:

(1) KNOWINGLY PRESENT OR CAUSE TO BE PRESENTED A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OR APPROVAL;

(2) KNOWINGLY MAKE, USE, OR CAUSE TO BE MADE OR USED A FALSE RECORD OR STATEMENT MATERIAL TO A FALSE OR FRAUDULENT CLAIM;

(3) CONSPIRE TO COMMIT A VIOLATION UNDER THIS SUBTITLE;

(4) HAVE POSSESSION, CUSTODY, OR CONTROL OF MONEY OR OTHER PROPERTY USED BY OR ON BEHALF OF THE STATE UNDER SUBTITLE 1 OR 1A OF THIS TITLE AND KNOWINGLY DELIVER OR CAUSE TO BE DELIVERED TO THE STATE LESS THAN ALL OF THAT MONEY OR OTHER PROPERTY;

(5) (I) BE AUTHORIZED TO MAKE OR DELIVER A RECEIPT OR OTHER DOCUMENT CERTIFYING RECEIPT OF MONEY OR OTHER PROPERTY USED OR TO BE USED BY THE STATE UNDER SUBTITLE 1 OR 1A OF THIS TITLE; AND

(II) INTENDING TO DEFRAUD THE STATE, MAKE OR DELIVER A RECEIPT OR DOCUMENT KNOWING THAT THE INFORMATION CONTAINED IN THE RECEIPT OR DOCUMENT IS NOT TRUE;

(6) KNOWINGLY BUY OR RECEIVE AS A PLEDGE OF AN OBLIGATION OR DEBT PUBLICLY OWNED PROPERTY FROM AN OFFICER, EMPLOYEE, OR AGENT UNDER SUBTITLE 1 OR 1A OF THIS TITLE WHO LAWFULLY MAY NOT SELL OR PLEDGE THE PROPERTY;

(7) KNOWINGLY MAKE, USE, OR CAUSE TO BE MADE OR USED, A FALSE RECORD OR STATEMENT MATERIAL TO AN OBLIGATION TO PAY OR TRANSMIT MONEY OR OTHER PROPERTY TO THE STATE;

(8) KNOWINGLY CONCEAL, OR KNOWINGLY AND IMPROPERLY AVOID OR DECREASE, AN OBLIGATION TO PAY OR TRANSMIT MONEY OR OTHER PROPERTY TO THE STATE; OR

(9) KNOWINGLY MAKE ANY OTHER FALSE OR FRAUDULENT CLAIM UNDER SUBTITLE 1 OR 1A OF THIS TITLE.

(B) SUBSECTION (A) OF THIS SECTION APPLIES TO CLAIMS, RECORDS, OR STATEMENTS MADE UNDER THE TAX – GENERAL ARTICLE OR TAX – PROPERTY ARTICLE.

(C) (1) A PERSON WHO IS FOUND TO HAVE VIOLATED SUBSECTION (A) OF THIS SECTION IS LIABLE TO THE STATE FOR:

(I) A CIVIL PENALTY OF NOT MORE THAN \$10,000 FOR EACH VIOLATION OF SUBSECTION (A) OF THIS SECTION; AND

(II) AN ADDITIONAL AMOUNT OF NOT MORE THAN THREE TIMES THE AMOUNT OF DAMAGES THAT THE STATE SUSTAINS AS A RESULT OF THE ACTS OF THAT PERSON IN VIOLATION OF SUBSECTION (A) OF THIS SECTION.

(2) THE TOTAL AMOUNT OWED BY A PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE LESS THAN THE AMOUNT OF THE ACTUAL

DAMAGES THE STATE INCURS AS A RESULT OF THE PERSON'S VIOLATION OF SUBSECTION (A) OF THIS SECTION.

(D) IN DETERMINING THE APPROPRIATE AMOUNT OF FINES AND DAMAGES UNDER SUBSECTION (C) OF THIS SECTION, THE COURT SHALL CONSIDER:

(1) THE NUMBER, NATURE, AND SEVERITY OF THE VIOLATIONS OF THIS SUBTITLE FOR WHICH THE PERSON HAS BEEN FOUND LIABLE;

(2) THE NUMBER, NATURE, AND SEVERITY OF ANY PREVIOUS VIOLATIONS OF THIS SUBTITLE;

(3) THE DEGREE OF LOSS SUFFERED BY THE STATE;

(4) THE PERSON'S HISTORY OF BILLING COMPLIANCE;

(5) WHETHER THE PERSON HAS A COMPLIANCE PROGRAM IN PLACE;

(6) THE EXTENT TO WHICH THE PERSON HAS TAKEN STEPS TO ADDRESS AND CORRECT THE VIOLATION SINCE THE PERSON BECAME AWARE OF THE VIOLATION;

(7) ANY FUNDS PREVIOUSLY RETURNED TO THE STATE IN COMPLIANCE WITH FEDERAL REQUIREMENTS REGARDING OVERPAYMENTS, TO THE EXTENT THE FUNDS REPRESENTED LOSSES TO THE STATE CAUSED BY THE VIOLATION;

(8) WHETHER THE PERSON SELF-REPORTED THE VIOLATION, THE TIMELINESS OF THE SELF-REPORTING, THE EXTENT TO WHICH THE PERSON OTHERWISE COOPERATED IN THE INVESTIGATION OF THE VIOLATION, AND THE EXTENT TO WHICH THE PERSON HAD PRIOR KNOWLEDGE OF AN INVESTIGATION OR OTHER ACTION RELATING TO THE VIOLATION; AND

(9) ANY OTHER FACTOR AS JUSTICE REQUIRES.

(E) THE PENALTIES PROVIDED IN SUBSECTION (C) OF THIS SECTION ARE IN ADDITION TO ANY CRIMINAL, CIVIL, OR ADMINISTRATIVE PENALTIES PROVIDED UNDER ANY OTHER STATE OR FEDERAL STATUTE OR REGULATION.

9-1B-03.

(A) IF THE STATE FINDS THAT A PERSON HAS VIOLATED OR IS VIOLATING § 9-1B-02(A) OF THIS SUBTITLE, THE STATE MAY FILE A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION WITHIN THE STATE AGAINST THE PERSON.

(B) IN FILING A CIVIL ACTION UNDER THIS SECTION, THE STATE MAY SEEK:

(1) THE PENALTIES PROVIDED UNDER § 9-1B-02(C) OF THIS SUBTITLE; AND

(2) SUBJECT TO THE GUIDELINES SET FORTH IN § 9-1B-05(A)(4) OF THIS SUBTITLE, COURT COSTS AND ATTORNEY'S FEES.

9-1B-04.

(A) (1) (I) A PERSON MAY FILE A CIVIL ACTION ON BEHALF OF THE PERSON AND THE STATE IN A COURT OF COMPETENT JURISDICTION WITHIN THE STATE AGAINST A PERSON WHO HAS ACTED OR IS ACTING IN VIOLATION OF § 9-1B-02(A) OF THIS SUBTITLE.

(II) A CIVIL ACTION FILED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE BROUGHT IN THE NAME OF THE STATE.

(2) A PERSON FILING AN ACTION UNDER THIS SECTION MAY SEEK:

(I) THE PENALTIES PROVIDED UNDER § 9-1B-02(C) OF THIS SUBTITLE; AND

(II) SUBJECT TO THE GUIDELINES SET FORTH IN § 9-1B-05(A)(4) OF THIS SUBTITLE, COURT COSTS AND ATTORNEY’S FEES.

(3) (I) THE PERSON SHALL SERVE ON THE STATE A COPY OF THE COMPLAINT AND A WRITTEN DISCLOSURE OF SUBSTANTIALLY ALL MATERIAL EVIDENCE AND INFORMATION THAT THE PERSON POSSESSES, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 2 OF THE MARYLAND RULES FOR SERVING PROCESS ON THE STATE.

(II) 1. THE COMPLAINT SHALL BE FILED IN CAMERA AND SHALL REMAIN UNDER SEAL FOR AT LEAST 60 DAYS.

2. THE COMPLAINT MAY NOT BE SERVED ON THE DEFENDANT UNTIL THE COMPLAINT IS UNSEALED AND THE COURT ORDERS THE COMPLAINT SERVED.

3. WITHIN 60 DAYS AFTER THE STATE RECEIVES THE COMPLAINT AND THE MATERIAL EVIDENCE AND INFORMATION, THE STATE MAY ELECT TO INTERVENE AND PROCEED WITH THE ACTION.

(4) (I) FOR GOOD CAUSE SHOWN, THE STATE MAY MOVE THE COURT FOR EXTENSIONS OF THE TIME DURING WHICH THE COMPLAINT REMAINS UNDER SEAL UNDER PARAGRAPH (3)(II)1 OF THIS SUBSECTION.

(II) ANY MOTIONS MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SUPPORTED BY AFFIDAVITS OR OTHER SUBMISSIONS IN CAMERA.

(5) (I) THE DEFENDANT MAY NOT BE REQUIRED TO ANSWER A COMPLAINT FILED UNDER THIS SECTION UNTIL AFTER THE COMPLAINT IS:

1. UNSEALED AND ORDERED BY THE COURT TO BE SERVED; AND

2. SERVED ON THE DEFENDANT IN ACCORDANCE WITH TITLE 2 OF THE MARYLAND RULES.

(II) WHEN ANSWERING A COMPLAINT FILED UNDER THIS SECTION, A DEFENDANT SHALL FOLLOW THE TIME FRAMES AND OTHER PROVISIONS FOR FILING ANSWERS TO A COMPLAINT AS REQUIRED UNDER TITLE 2, CHAPTER 300 OF THE MARYLAND RULES.

(III) DURING THE PERIOD IN WHICH THE COMPLAINT IS UNDER SEAL, IF THE STATE'S INVESTIGATION REVEALS THAT THE ACT, TRANSACTION, OR OCCURRENCE THAT GAVE RISE TO THE ALLEGED VIOLATION OF THIS SUBTITLE IS REASONABLY LIKELY TO BE CONTINUING, THE STATE SHALL NOTIFY THE DEFENDANT AS SOON AS PRACTICABLE WITHOUT JEOPARDIZING THE COURSE AND CONDUCT OF THE STATE'S OR THE FEDERAL GOVERNMENT'S INVESTIGATION OF THE VIOLATION, COMPROMISING THE DEVELOPMENT OF EVIDENCE, OR VIOLATING ANY STATE OR FEDERAL LAW.

(6) BEFORE THE LATER OF THE EXPIRATION OF THE 60-DAY PERIOD DURING WHICH THE COMPLAINT REMAINS UNDER SEAL UNDER PARAGRAPH (3)(II)1 OF THIS SUBSECTION OR ANY EXTENSION OF THE 60-DAY PERIOD OBTAINED UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE STATE SHALL:

(I) INTERVENE AND PROCEED WITH THE ACTION IN A COURT OF COMPETENT JURISDICTION WITHIN THE STATE; OR

(II) NOTIFY THE COURT THAT IT WILL NOT INTERVENE AND PROCEED WITH THE ACTION.

(7) IF THE STATE DOES NOT ELECT TO INTERVENE AND PROCEED WITH THE ACTION UNDER PARAGRAPH (6) OF THIS SUBSECTION, BEFORE UNSEALING THE COMPLAINT, THE COURT SHALL DISMISS THE ACTION.

(8) IF A PERSON INITIATES AN ACTION UNDER THIS SECTION, NO PERSON OTHER THAN THE STATE MAY INTERVENE IN THE ACTION OR INITIATE A RELATED ACTION BASED ON THE FACTS UNDERLYING THE PENDING ACTION.

(B) (1) IF THE STATE INTERVENES AND PROCEEDS WITH THE ACTION UNDER SUBSECTION (A)(6)(I) OF THIS SECTION:

(I) THE STATE SHALL HAVE THE PRIMARY RESPONSIBILITY FOR PROCEEDING WITH THE ACTION AND MAY NOT BE BOUND BY ANY ACT OF THE PERSON WHO INITIATED THE ACTION; AND

(II) SUBJECT TO PARAGRAPHS (3) THROUGH (6) OF THIS SUBSECTION, THE PERSON WHO INITIATED THE ACTION MAY CONTINUE AS A PARTY TO THE ACTION.

(2) (I) DURING AN INVESTIGATION BY THE STATE CONDUCTED EITHER INDEPENDENTLY OR IN CONJUNCTION WITH A CIVIL ACTION FILED UNDER THIS SUBTITLE, THE ATTORNEY GENERAL SHALL HAVE THE SAME RIGHTS OF DISCOVERY AS A CIVIL LITIGANT IN THE CIRCUIT COURT UNDER TITLE 2, CHAPTER 400 OF THE MARYLAND RULES.

(II) A PERSON FROM WHOM THE ATTORNEY GENERAL SEEKS DISCOVERY SHALL BE CONSIDERED A PARTY UNDER TITLE 2, CHAPTER 400 OF THE MARYLAND RULES.

(3) (I) NOTWITHSTANDING THE OBJECTIONS OF THE PERSON INITIATING THE ACTION, THE STATE MAY ELECT AT ANY POINT TO WITHDRAW ITS INTERVENTION AS A PARTY TO THE ACTION.

(II) IF THE STATE ELECTS TO WITHDRAW AS A PARTY TO THE ACTION:

1. THE STATE SHALL NOTIFY THE COURT AND THE PARTY INITIATING THE ACTION; AND

2. THE COURT SHALL DISMISS THE ACTION.

(4) NOTWITHSTANDING THE OBJECTIONS OF THE PERSON INITIATING THE ACTION, IF THE COURT DETERMINES AFTER A HEARING THAT A

PROPOSED SETTLEMENT IS FAIR, ADEQUATE, AND REASONABLE UNDER THE CIRCUMSTANCES, THE STATE MAY SETTLE A CIVIL ACTION FILED UNDER THIS SECTION.

(5) ON MOTION OF THE STATE OR THE DEFENDANT OR ON THE COURT'S OWN MOTION, THE COURT MAY IMPOSE LIMITATIONS ON THE PARTICIPATION OF THE PERSON INITIATING AN ACTION UNDER THIS SECTION IF:

(I) THE STATE SHOWS THAT THE PERSON'S UNRESTRICTED PARTICIPATION IN THE ACTION WOULD:

1. INTERFERE WITH OR UNDULY DELAY THE STATE IN ITS PURSUIT OF THE CIVIL ACTION; OR

2. BE REPETITIOUS, IRRELEVANT, OR HARASSING TO THE DEFENDANT; OR

(II) THE DEFENDANT SHOWS THAT UNRESTRICTED PARTICIPATION BY THE PERSON INITIATING THE ACTION WOULD HARASS THE DEFENDANT OR CAUSE THE DEFENDANT UNDUE BURDEN OR UNNECESSARY EXPENSE.

(6) LIMITATIONS IMPOSED BY THE COURT UNDER PARAGRAPH (5) OF THIS SUBSECTION MAY INCLUDE:

(I) A LIMITATION ON THE NUMBER OF WITNESSES THE PERSON MAY CALL TO TESTIFY;

(II) A LIMITATION ON THE LENGTH OF THE TESTIMONY OF WITNESSES CALLED BY THE PERSON;

(III) A LIMITATION ON THE PERSON'S CROSS-EXAMINATION OF WITNESSES; OR

(IV) A LIMITATION ON THE PARTICIPATION OF THE PERSON IN THE LITIGATION.

(C) (1) INSTEAD OF PROCEEDING WITH A CIVIL ACTION FILED UNDER THIS SUBTITLE, THE STATE MAY PURSUE ANY ALTERNATIVE REMEDY AVAILABLE TO THE STATE, INCLUDING ANY APPROPRIATE ADMINISTRATIVE PROCEEDING TO DETERMINE A CIVIL MONEY PENALTY.

(2) IF THE STATE SEEKS AN ALTERNATIVE REMEDY IN ANOTHER PROCEEDING AFTER INTERVENING IN A CIVIL ACTION FILED UNDER THIS SECTION, THE PERSON INITIATING THE ACTION SHALL HAVE THE SAME RIGHTS IN THE ALTERNATIVE PROCEEDING AS THE PERSON WOULD HAVE HAD IF THE CIVIL ACTION HAD CONTINUED UNDER THIS SECTION.

(3) (I) A FINDING OF FACT OR CONCLUSION OF LAW MADE IN ANY ALTERNATIVE PROCEEDING THAT HAS BECOME FINAL SHALL BE CONCLUSIVE ON ALL PARTIES TO AN ACTION FILED UNDER THIS SUBTITLE.

(II) FOR PURPOSES OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, A FINDING OR CONCLUSION IS FINAL IF:

1. IT HAS BEEN FINALLY DETERMINED ON APPEAL TO THE APPROPRIATE COURT OF THE STATE;

2. ALL TIME FOR FILING THE APPEAL WITH RESPECT TO THE FINDING OR CONCLUSION HAS EXPIRED; OR

3. THE FINDING OR CONCLUSION IS NOT SUBJECT TO JUDICIAL REVIEW.

(D) (1) ON A SHOWING IN CAMERA BY THE STATE THAT CERTAIN ACTIONS OF DISCOVERY BY THE PERSON INITIATING THE ACTION WOULD INTERFERE WITH THE STATE'S INVESTIGATION OR PROSECUTION OF A CRIMINAL OR CIVIL MATTER ARISING OUT OF THE SAME FACTS, THE COURT MAY STAY THE DISCOVERY FOR A PERIOD OF NOT MORE THAN 60 DAYS.

(2) THE COURT MAY EXTEND THE 60-DAY PERIOD ON A FURTHER SHOWING IN CAMERA THAT:

(I) THE STATE HAS PURSUED THE CRIMINAL OR CIVIL INVESTIGATION OR PROCEEDING WITH REASONABLE DILIGENCE; AND

(II) ANY PROPOSED DISCOVERY IN THE CIVIL ACTION WILL INTERFERE WITH THE ONGOING CRIMINAL OR CIVIL INVESTIGATION OR PROCEEDING.

9-1B-05.

(A) (1) IF THE STATE INTERVENES AND PROCEEDS WITH AN ACTION FILED UNDER § 9-1B-04 OF THIS SUBTITLE AND THE STATE PREVAILS, THE COURT SHALL AWARD THE PERSON INITIATING THE ACTION AN AMOUNT THAT IS:

(I) NOT LESS THAN 15% AND NOT MORE THAN 25% OF THE PROCEEDS OF THE ACTION OR SETTLEMENT OF THE CLAIM; AND

(II) PROPORTIONAL TO THE AMOUNT OF TIME AND EFFORT THAT THE PERSON SUBSTANTIALLY CONTRIBUTED TO THE FINAL RESOLUTION OF THE CIVIL ACTION.

(2) (1) IF THE COURT FINDS THAT THE ACTION IS BASED PRIMARILY ON DISCLOSURES OF SPECIFIC INFORMATION RELATING TO ALLEGATIONS OR TRANSACTIONS IN A CRIMINAL, CIVIL, OR ADMINISTRATIVE HEARING, IN A LEGISLATIVE OR ADMINISTRATIVE REPORT, HEARING, AUDIT, OR INVESTIGATION, OR FROM THE NEWS MEDIA, THE COURT MAY MAKE AN AWARD TO THE PERSON INITIATING THE ACTION THAT:

1. THE COURT CONSIDERS APPROPRIATE, TAKING INTO ACCOUNT THE SIGNIFICANCE OF THE INFORMATION AND THE ROLE OF THE PERSON INITIATING THE ACTION IN ADVANCING THE CASE TO LITIGATION; AND

2. DOES NOT EXCEED 10% OF THE PROCEEDS OF THE ACTION.

(II) THE INFORMATION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT INCLUDE INFORMATION DISCLOSED AND PROVIDED BY THE PERSON INITIATING THE ACTION.

(3) ANY PAYMENT TO A PERSON UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION SHALL BE MADE FROM THE PROCEEDS OF THE ACTION.

(4) (I) IN ADDITION TO THE AMOUNT PROVIDED UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, A COURT MAY AWARD THE PERSON INITIATING THE ACTION:

1. AN AMOUNT FOR REASONABLE EXPENSES THAT THE COURT FINDS TO HAVE BEEN NECESSARILY INCURRED; AND

2. REASONABLE ATTORNEY'S FEES AND COSTS.

(II) IN DETERMINING THE AMOUNT OF ANY AWARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COURT SHALL CONSIDER THE AMOUNT OF ANY PENALTIES AND DAMAGES RECOVERED IN THE ACTION AND ANY OTHER FACTOR AS JUSTICE MAY REQUIRE.

(III) ANY EXPENSES, FEES, AND COSTS AWARDED UNDER THIS PARAGRAPH SHALL BE AWARDED AGAINST THE DEFENDANT.

(B) (1) IF A COURT FINDS THAT THE ACTION IS INITIATED BY A PERSON WHO PLANNED AND INITIATED OR OTHERWISE DELIBERATELY PARTICIPATED IN THE VIOLATION ON WHICH THE ACTION WAS BASED, THE COURT MAY, TO THE EXTENT IT CONSIDERS APPROPRIATE, REDUCE THE SHARE OF THE PROCEEDS OF THE ACTION THAT THE PERSON OTHERWISE WOULD HAVE RECEIVED UNDER THIS SECTION.

(2) IN REDUCING THE SHARE OF THE PROCEEDS OF THE PERSON INITIATING THE ACTION UNDER THIS SUBSECTION, THE COURT SHALL CONSIDER:

(I) THE ROLE OF THE PERSON IN ADVANCING THE CASE TO LITIGATION; AND

(II) ANY RELEVANT CIRCUMSTANCES RELATING TO THE UNDERLYING VIOLATION.

(3) (I) IF THE PERSON INITIATING A CIVIL ACTION UNDER § 9-1B-04 OF THIS SUBTITLE IS CONVICTED OF CRIMINAL CONDUCT ARISING FROM THE PERSON'S PARTICIPATION IN THE VIOLATION ON WHICH THE ACTION WAS BASED PRIOR TO A FINAL DETERMINATION OF THE ACTION, THE PERSON:

1. SHALL BE DISMISSED FROM THE ACTION; AND

2. MAY NOT RECEIVE ANY SHARE OF THE PROCEEDS OF THE ACTION.

(II) THE DISMISSAL OF THE PERSON INITIATING THE ACTION IN ACCORDANCE WITH THIS PARAGRAPH DOES NOT PREJUDICE THE RIGHT OF THE STATE TO CONTINUE THE ACTION.

(4) IF THE PERSON INITIATING A CIVIL ACTION UNDER § 9-1B-04 OF THIS SUBTITLE IS CONVICTED OF CRIMINAL CONDUCT ARISING FROM THE PERSON'S PARTICIPATION IN THE VIOLATION ON WHICH THE ACTION WAS BASED AFTER THE PROCEEDS FROM THE ACTION ARE AWARDED TO THAT PERSON, THE COURT SHALL ORDER THE PERSON TO REPAY THE PROCEEDS PREVIOUSLY AWARDED.

(C) A COURT MAY AWARD REASONABLE ATTORNEY'S FEES AND EXPENSES TO A DEFENDANT AND AGAINST THE PERSON INITIATING THE ACTION IF:

(1) THE DEFENDANT PREVAILS IN THE ACTION; AND

(2) THE COURT FINDS THAT THE CLAIM OF THE PERSON INITIATING THE ACTION WAS BROUGHT PRIMARILY FOR PURPOSES OF HARASSMENT OR OTHERWISE BROUGHT IN BAD FAITH.

9-1B-06.

(A) NO COURT IN THIS STATE SHALL HAVE JURISDICTION OVER AN ACTION FILED UNDER § 9-1B-04 OF THIS SUBTITLE AGAINST ANY MEMBER OF THE LEGISLATIVE BRANCH OR THE JUDICIARY OF THE STATE, ANY MEMBER OF THE GOVERNOR'S EXECUTIVE COUNCIL, THE ATTORNEY GENERAL, THE COMPTROLLER, OR THE STATE TREASURER IF THE ACTION IS BASED ON EVIDENCE OR INFORMATION KNOWN TO THE STATE WHEN THE ACTION WAS FILED.

(B) A CIVIL ACTION MAY NOT BE BROUGHT UNDER THIS SUBTITLE BY A PERSON WHO IS OR WAS A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL IF THE ALLEGATIONS OF THE ACTION ARE BASED SUBSTANTIALLY ON:

(1) ALLEGATIONS OF WRONGDOING OR MISCONDUCT THAT THE PERSON HAD A DUTY OR OBLIGATION TO REPORT OR INVESTIGATE WITHIN THE SCOPE OF THE PERSON'S PUBLIC EMPLOYMENT OR OFFICE; OR

(2) INFORMATION OR RECORDS TO WHICH THE PERSON HAD ACCESS AS A RESULT OF THE PERSON'S PUBLIC EMPLOYMENT OR OFFICE.

(C) A PERSON MAY NOT BRING AN ACTION UNDER § 9-1B-04 OF THIS SUBTITLE THAT IS BASED ON ALLEGATIONS OR TRANSACTIONS THAT ARE THE SUBJECT OF A CIVIL SUIT OR AN ADMINISTRATIVE CIVIL MONEY PENALTY PROCEEDING IN WHICH THE STATE IS ALREADY A PARTY.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, NO COURT IN THIS STATE SHALL HAVE JURISDICTION OVER AN ACTION FILED UNDER § 9-1B-04 OF THIS SUBTITLE THAT IS BASED ON THE PUBLIC DISCLOSURE OF ALLEGATIONS OR TRANSACTIONS:

(I) IN A CRIMINAL, CIVIL, OR AN ADMINISTRATIVE HEARING;

(II) IN A LEGISLATIVE OR AN ADMINISTRATIVE REPORT, A HEARING, AN AUDIT, OR AN INVESTIGATION; OR

(III) FROM THE NEWS MEDIA.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF THE ACTION IS INITIATED BY A PERSON WHO:

(I) HAS DIRECT AND INDEPENDENT KNOWLEDGE OF THE INFORMATION ON WHICH THE ALLEGATIONS ARE BASED; AND

(II) HAS VOLUNTARILY PROVIDED THE INFORMATION TO THE STATE BEFORE FILING AN ACTION UNDER § 9-1B-04 OF THIS SUBTITLE THAT IS BASED ON THE INFORMATION.

(3) THE STATE, THROUGH THE ATTORNEY GENERAL, MAY FILE A CIVIL ACTION UNDER § 9-1B-03 OF THIS SUBTITLE BASED ON THE PUBLIC DISCLOSURE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

(E) THE STATE IS NOT LIABLE FOR EXPENSES THAT A PERSON INCURS IN BRINGING AN ACTION UNDER § 9-1B-04 OF THIS SUBTITLE.

(F) A PERSON WHO IS OR WAS EMPLOYED BY THE STATE, A LOCAL GOVERNMENT, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE AS AN AUDITOR, INVESTIGATOR, ATTORNEY, FINANCIAL OFFICER, OR CONTRACTING OFFICER MAY NOT BRING AN ACTION UNDER § 9-1B-04 OF THIS SUBTITLE THAT IS BASED ON ALLEGATIONS OR TRANSACTIONS THAT THE PERSON DISCOVERED OR LEARNED OF WHILE ACTING IN THE PERSON'S CAPACITY AS AN AUDITOR, INVESTIGATOR, ATTORNEY, FINANCIAL OFFICER, OR CONTRACTING OFFICER FOR THE STATE, LOCAL GOVERNMENT, OR OTHER POLITICAL SUBDIVISION OF THE STATE.

9-1B-07.

(A) A PERSON MAY NOT TAKE A RETALIATORY ACTION AGAINST AN EMPLOYEE, CONTRACTOR, OR GRANTEE BECAUSE THE EMPLOYEE, CONTRACTOR, OR GRANTEE:

(1) ACTS LAWFULLY IN FURTHERANCE OF AN ACTION FILED UNDER THIS SUBTITLE, INCLUDING AN INVESTIGATION FOR, INITIATION OF, TESTIMONY FOR, OR ASSISTANCE IN AN ACTION FILED OR TO BE FILED UNDER THIS SUBTITLE;

(2) DISCLOSES OR THREATENS TO DISCLOSE TO A SUPERVISOR OR TO A PUBLIC BODY AN ACTIVITY, POLICY, OR PRACTICE OF THE PERSON THAT THE EMPLOYEE, CONTRACTOR, OR GRANTEE REASONABLY BELIEVES IS IN VIOLATION OF § 9-1B-02(A) OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE;

(3) PROVIDES INFORMATION TO, OR TESTIFIES BEFORE, A PUBLIC BODY CONDUCTING AN INVESTIGATION, HEARING, OR INQUIRY INTO A VIOLATION OF § 9-1B-02(A) OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE THAT IS ALLEGEDLY OR ACTUALLY COMMITTED BY THE PERSON; OR

(4) OBJECTS TO OR REFUSES TO PARTICIPATE IN ANY ACTIVITY, POLICY, OR PRACTICE THAT THE EMPLOYEE, CONTRACTOR, OR GRANTEE REASONABLY BELIEVES IS IN VIOLATION OF § 9-1B-02(A) OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER THIS SUBTITLE.

(B) (1) AN EMPLOYEE, CONTRACTOR, OR GRANTEE MAY FILE A CIVIL ACTION AGAINST A PERSON OTHER THAN A SUPERVISOR IN STATE GOVERNMENT, AN APPOINTING AUTHORITY IN STATE GOVERNMENT, OR THE HEAD OF A PRINCIPAL UNIT IN STATE GOVERNMENT IF THE PERSON TAKES A RETALIATORY ACTION AGAINST THE EMPLOYEE, CONTRACTOR, OR GRANTEE IN VIOLATION OF SUBSECTION (A) OF THIS SECTION.

(2) THE EMPLOYEE, CONTRACTOR, OR GRANTEE MAY SEEK IN THE CIVIL ACTION:

(I) AN INJUNCTION TO RESTRAIN A CONTINUING VIOLATION OF SUBSECTION (A) OF THIS SECTION;

(II) REINSTATEMENT TO THE SAME SENIORITY STATUS HELD BEFORE THE RETALIATORY ACTION;

(III) REINSTATEMENT OF FULL FRINGE BENEFITS AND SENIORITY RIGHTS;

(IV) TWO TIMES THE AMOUNT OF LOST WAGES, BENEFITS, AND OTHER REMUNERATION, INCLUDING ANY INTEREST ACCUMULATED;

(V) PAYMENT BY THE PERSON OF REASONABLE COSTS AND ATTORNEY'S FEES;

(VI) PUNITIVE DAMAGES;

(VII) AN ASSESSMENT OF A CIVIL PENALTY:

1. NOT EXCEEDING \$1,000 FOR THE FIRST VIOLATION; AND

2. NOT EXCEEDING \$5,000 FOR EACH SUBSEQUENT VIOLATION; AND

(VIII) ANY OTHER RELIEF NECESSARY TO MAKE THE EMPLOYEE, CONTRACTOR, OR GRANTEE WHOLE.

(3) THE REMEDIES PROVIDED UNDER THIS SECTION DO NOT DIMINISH OR AFFECT THE RIGHTS, PRIVILEGES, OR REMEDIES AVAILABLE TO THE EMPLOYEE, CONTRACTOR, OR GRANTEE UNDER:

(I) ANY OTHER FEDERAL OR STATE STATUTE OR REGULATION; OR

(II) ANY COLLECTIVE BARGAINING AGREEMENT OR EMPLOYEE CONTRACT.

(C) A STATE EMPLOYEE WHO IS SUBJECT TO RETALIATORY ACTION IN VIOLATION OF SUBSECTION (A) OF THIS SECTION MAY FILE A COMPLAINT UNDER TITLE 5, SUBTITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

9-1B-08.

AN EMPLOYER SHALL:

(1) CONSPICUOUSLY DISPLAY NOTICES OF THE PROTECTIONS PROVIDED TO AND OBLIGATIONS REQUIRED OF ITS EMPLOYEES UNDER THIS SUBTITLE; AND

(2) USE ANY APPROPRIATE MEANS TO INFORM ITS EMPLOYEES OF THE PROTECTIONS AND OBLIGATIONS PROVIDED UNDER THIS SUBTITLE.

9-1B-09.

(A) A CIVIL ACTION FILED UNDER THIS SUBTITLE MAY NOT BE FILED AFTER THE LATER OF:

(1) 10 YEARS AFTER THE DATE ON WHICH THE UNDERLYING VIOLATION OF § 9-1B-02(A) OF THIS SUBTITLE OCCURRED; OR

(2) 3 YEARS AFTER THE DATE WHEN FACTS MATERIAL TO THE RIGHT OF ACTION ARE KNOWN OR REASONABLY SHOULD HAVE BEEN KNOWN BY THE STATE OFFICIAL CHARGED WITH RESPONSIBILITY FOR ACTING UNDER THE CIRCUMSTANCES.

(B) A CIVIL ACTION MAY BE FILED UNDER THIS SUBTITLE FOR ACTIVITY THAT OCCURRED PRIOR TO OCTOBER 1, 2012, IF THE LIMITATIONS PERIOD UNDER SUBSECTION (A) OF THIS SECTION HAS NOT LAPSED.

(C) IF THE STATE ELECTS TO INTERVENE AND PROCEED WITH AN ACTION BROUGHT UNDER THIS SUBTITLE, THE STATE, THROUGH THE OFFICE OF THE ATTORNEY GENERAL, MAY:

(1) FILE ITS OWN COMPLAINT; OR

(2) AMEND THE COMPLAINT OF THE PERSON WHO BROUGHT THE ACTION TO CLARIFY, ADD DETAIL TO THE COMPLAINT, OR ADD ADDITIONAL CLAIMS TO THE COMPLAINT.

(D) TO THE EXTENT THAT THE CLAIM OF THE STATE ARISES OUT OF THE CONDUCT, TRANSACTIONS, OR OCCURRENCES SET FORTH, OR ATTEMPTED TO BE SET FORTH BY A PERSON, A STATE PLEADING RELATES BACK TO THE FILING DATE OF THE COMPLAINT OF THE PERSON WHO ORIGINALLY BROUGHT THE ACTION.

(E) IN AN ACTION FILED UNDER THIS SUBTITLE, ALL ESSENTIAL ELEMENTS OF THE CAUSE OF ACTION, INCLUDING DAMAGES, SHALL BE PROVEN BY A PREPONDERANCE OF THE EVIDENCE.

(F) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR RULE OF PROCEDURE OR EVIDENCE IN THE MARYLAND RULES, A FINAL JUDGMENT RENDERED IN FAVOR OF THE STATE IN ANY CRIMINAL PROCEEDING CHARGING FRAUD OR FALSE STATEMENTS, WHETHER ON A VERDICT AFTER TRIAL OR ON A PLEA OF GUILTY OR NOLO CONTENDERE, SHALL STOP THE DEFENDANT FROM DENYING THE ESSENTIAL ELEMENTS OF THE OFFENSE IN ANY ACTION FILED UNDER THIS SUBTITLE THAT INVOLVES THE SAME ACT, TRANSACTION, OR OCCURRENCE AS IN THE CRIMINAL PROCEEDING.

9-1B-10.

(A) ANY REMEDY PROVIDED UNDER THIS SUBTITLE IS IN ADDITION TO ANY OTHER APPROPRIATE LEGAL OR EQUITABLE RELIEF PROVIDED UNDER ANY OTHER APPLICABLE STATE OR FEDERAL STATUTE OR REGULATION.

(B) (1) THE STATE SHALL MAKE ALL REASONABLE EFFORTS TO COORDINATE ANY INVESTIGATION OF AN ALLEGED VIOLATION UNDER THIS SUBTITLE WITH ANY INVESTIGATION CONDUCTED BY THE FEDERAL GOVERNMENT INVOLVING THE SAME VIOLATION.

(2) THE STATE'S OBJECTIVE SHALL BE TO AVOID UNNECESSARY DUPLICATION OF EFFORT ON THE PART OF THE PERSON ALLEGED TO HAVE COMMITTED THE VIOLATION AND TO MINIMIZE THE BURDEN OF THE INVESTIGATION ON THE PERSON.

(C) THE COMPTROLLER SHALL DEPOSIT ANY CIVIL PENALTY OR DAMAGES COLLECTED UNDER THIS SUBTITLE INTO THE GENERAL FUND OF THE STATE.

(D) THE COMMISSION MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

9-1B-11.

(A) BEGINNING OCTOBER 1, 2013, IN CONJUNCTION WITH THE REPORT FILED UNDER § 2-611 OF THE HEALTH – GENERAL ARTICLE, THE OFFICE OF THE ATTORNEY GENERAL SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION FOR THE PREVIOUS FISCAL YEAR:

(1) THE NUMBER OF CIVIL ACTIONS FILED UNDER THIS SUBTITLE;

(2) THE NUMBER OF CIVIL ACTIONS UNDER THIS SUBTITLE IN WHICH A JUDGMENT WAS ENTERED, WHETHER BY SETTLEMENT OR ADJUDICATION; AND

(3) THE NUMBER OF CLAIMS MADE BY THE STATE BASED ON ALLEGED VIOLATIONS OF § 9-1B-02(A) OF THIS SUBTITLE THAT ARE SETTLED WITHOUT THE FILING OF A CIVIL ACTION UNDER THIS SUBTITLE.

(B) UNLESS THE ACTION IS UNDER SEAL IN ACCORDANCE WITH § 9-1B-04 OF THIS SUBTITLE, FOR EACH CIVIL ACTION REPORTED UNDER SUBSECTION (A)(1) OR (2) OF THIS SECTION, THE REPORT SHALL STATE:

(1) WHETHER THE ACTION WAS FILED BY THE STATE OR BY A PERSON ON BEHALF OF THE STATE AND, IF FILED BY A PERSON, WHETHER THE STATE INTERVENED AND PROCEEDED WITH THE ACTION;

(2) THE NAME OF THE DEFENDANT;

(3) A DESCRIPTION OF THE VIOLATION OR ALLEGED VIOLATION OF § 9-1B-02 OF THIS SUBTITLE; AND

(4) THE AMOUNT SOUGHT IN THE ACTION AND, IF APPLICABLE, THE AMOUNT FOR WHICH THE DEFENDANT IS LIABLE UNDER A SETTLEMENT AGREEMENT OR COURT ORDER.

(C) FOR EACH CLAIM REPORTED UNDER SUBSECTION (A)(3) OF THIS SECTION, THE REPORT SHALL STATE:

(1) A DESCRIPTION OF THE VIOLATION OR ALLEGED VIOLATION OF § 9-1B-02 OF THIS SUBTITLE;

(2) THE RESOLUTION OF THE CLAIM;

(3) THE AMOUNT, IF ANY, THE PERSON AGAINST WHOM THE CLAIM WAS MADE AGREED TO PAY IN SETTLEMENT OF THE CLAIM; AND

(4) THE AMOUNT, IF ANY, COLLECTED BY THE STATE.”.

AMENDMENT NO. 3

On page 61, in line 6, after “provided” insert “in Section 1 of this Act and”.

The preceding 3 amendments were withdrawn.

FLOOR AMENDMENT

SB0001/133023/1

BY: Delegate Arora

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 2, after “terminals;” insert “requiring a video lottery operation licensee to include on the licensee’s Web site the odds of winning for each game the licensee offers and to include a reference to the Web site in any marketing, advertising, and promotion for the video lottery operation;”.

On page 4, in line 10, after “9–1A–23(a)” insert “and (b)”.

AMENDMENT NO. 2

On page 16, after line 11, insert:

“9–1A–23.

(b) **(1)** A video lottery operation licensee shall be responsible for all marketing, advertising, and promotion for its video lottery operation.

(2) A VIDEO LOTTERY OPERATION LICENSEE SHALL:

(I) INCLUDE ON THE LICENSEE’S WEB SITE THE ODDS OF WINNING FOR EACH GAME THE LICENSEE OFFERS; AND

(II) INCLUDE IN ANY MARKETING, ADVERTISING, AND PROMOTION FOR THE VIDEO LOTTERY OPERATION A REFERENCE TO THE WEB SITE WHERE THE ODDS OF WINNING CAN BE VIEWED.”.

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

Affirmative – 52 Negative – 63 (See Roll Call No. 21)

FLOOR AMENDMENT

SB0001/923625/1

BY: Delegate Alston

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 32, after “devices;” insert “prohibiting the Video Lottery Facility Location Commission from issuing a video lottery operation license unless it is issued to a certain corporation;”.

On page 4, in line 18, strike “9–1A–36(l)” and substitute “9–1A–36(h)(4) and (l)”.

AMENDMENT NO. 2

On page 44, strike beginning with “WITHIN” in line 27 down through “ROAD” in line 29; and after line 29, insert:

“(4) THE VIDEO LOTTERY FACILITY LOCATION COMMISSION MAY NOT ISSUE A VIDEO LOTTERY OPERATION LICENSE FOR A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY UNLESS IT IS ISSUED TO A CORPORATION THE SHARES OF WHICH ARE OWNED BY INDIVIDUALS:

(I) WHO HAVE BEEN DOMICILED AND REGISTERED TO VOTE IN THE STATE SINCE SEPTEMBER 1, 2011; AND

(II) AT LEAST 60% OF WHOM HAVE BEEN DOMICILED AND REGISTERED TO VOTE IN PRINCE GEORGE’S COUNTY SINCE SEPTEMBER 1, 2011.”.

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

Affirmative – 21 Negative – 82 (See Roll Call No. 22)

FLOOR AMENDMENT

SB0001/623223/1

BY: Delegate Norman

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 24, in line 8, strike “MINORITY”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 33 Negative – 77 (See Roll Call No. 23)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 24)

ADJOURNMENT

At 8:21 P.M. on motion of Delegate Barve the House adjourned until 9:15 P.M. on Legislative Day August 13, 2012, Calendar Day Tuesday, August 14, 2012.

Annapolis, Maryland
Legislative Day: August 13, 2012
Calendar Day: Tuesday, August 14, 2012

The House met at 9:32 P.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 25)

The Journal of August 12, 2012 was read and approved.

EXCUSES:

Del. Bobo – out of town
Del. Braveboy – out of town
Del. Cane – illness
Del. Carr – personal – vacation
Del. Dwyer – illness
Del. Gutierrez – business – El Salvador
Del. Harrison – illness
Del. Hucker – out of town
Del. Mitchell – out of town
Del. Proctor – out of town
Del. V. Turner – late – medical

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 26)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #1**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

EMERGENCY BILL

AN ACT concerning

Civil Actions – Liability for Personal Injury or Death Caused by Dog

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

Affirmative – 127 Negative – 0 (See Roll Call No. 27)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #2**Senate Bill 1 – The President (By Request – Administration)**

AN ACT concerning

Gaming Expansion – Video Lottery Terminals and Table Games

FLOOR AMENDMENT

SB0001/793424/1

BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 2, after “terminals;” insert “requiring that regulations adopted by the State Lottery and Gaming Control Commission include provisions that prohibit automated teller machines located in video lottery facilities from accepting certain electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Resources for certain purposes;”.

On page 4, in line 10, after “9–1A–24(c)” insert “and (f)”.

AMENDMENT NO. 2

On page 16, after line 11, insert:

“9-1A-24.

(f) In order to protect the public interest, the regulations shall include provisions that:

(1) limit the number and location of and maximum withdrawal amounts from automated teller machines;

(2) PROHIBIT AUTHORIZED AUTOMATED TELLER MACHINES FROM ACCEPTING ELECTRONIC BENEFIT CARDS, DEBIT CARDS, OR SIMILAR NEGOTIABLE INSTRUMENTS ISSUED BY THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF ACCESSING TEMPORARY CASH ASSISTANCE;

[(2)](3) require payouts above an amount adopted by the Commission to be made by check;

[(3)](4) require conspicuous disclosures related to the payout of video lottery terminals;

[(4)](5) limit the dollar amount that video lottery terminals will accept;

[(5)](6) prohibit the use of specified negotiable instruments at video lottery facilities and the use of credit cards, debit cards, and similar devices in video lottery terminals;

[(6)](7) provide consumers with a record of video lottery terminal spending levels if marketing measures are utilized that track consumer spending at video lottery facilities;

[(7)](8) prohibit consumers from cashing paychecks at video lottery facilities; and

[(8)](9) prohibit video lottery operation licensees from engaging in or contracting with another to engage in predatory marketing practices.”.

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

Affirmative – 124 Negative – 0 (See Roll Call No. 28)

FLOOR AMENDMENT

SB0001/983824/2

BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 11, after “Commission,” insert “requiring the Commission to refer a certain matter regarding the legal operation of amusement games in Baltimore City or Baltimore County to the State’s Attorney under certain circumstances:”.

On page 3, after line 45, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(a) and (b)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

(As enacted by Chapter 603 of the Acts of the General Assembly of 2012)”.

AMENDMENT NO. 2

On page 5, after line 28, insert:

“Article – Criminal Law

12–301.1.

(a) In this subtitle, “Commission” means the State Lottery AND GAMING CONTROL Commission.

(b) (1) [Subject to paragraph (2)] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) of this subsection and consistent with the provisions of this title and Title 13 of this article, the Commission shall certify and regulate the operation, ownership, and manufacture of an electronic gaming device authorized under this title.

(2) This section does not apply to:

(i) the ownership or operation of slot machines that are subject to regulation by the Comptroller under § 12-304 of this title; and

(ii) paper tip jar gaming where authorized.

(3) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY AND BALTIMORE COUNTY.

(II) IF A LOCAL LAW ENFORCEMENT AGENCY REFUSES TO ENFORCE A PROVISION REGARDING THE LEGAL OPERATION OF AMUSEMENT GAMES, THE COMMISSION SHALL REFER THE MATTER TO THE APPROPRIATE OFFICE OF THE STATE’S ATTORNEY.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0001/503326/2

BY: Delegate McConkey

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 32, after “devices;” insert “prohibiting a member of the Senate of Maryland or the House of Delegates from having any ownership interest in an entity licensed in connection with the operation of video lottery facilities; prohibiting a member from performing work or services as an independent contractor for a certain licensee or an agent of the licensee;”.

AMENDMENT NO. 2

On page 37, in line 19, after “not” insert “:

(I);

and in line 20, after “license” insert “:

(II) HAVE AN OWNERSHIP INTEREST IN ANY ENTITY LICENSED UNDER THIS SUBTITLE; OR

(III) PERFORM WORK OR SERVICES AS AN INDEPENDENT CONTRACTOR FOR A PERSON OR AN AGENT OF A PERSON THAT HOLDS ANY LICENSE ISSUED UNDER THIS SUBTITLE”.

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

Affirmative – 41 Negative – 81 (See Roll Call No. 29)

FLOOR AMENDMENT

SB0001/763025/1

BY: Delegate Rudolph

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 20, in line 28, strike “The” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE**”.

On page 21, after line 24, insert:

“(4) BEGINNING AFTER A VIDEO OPERATION LICENSE IS ISSUED TO A VIDEO LOTTERY FACILITY IN BALTIMORE CITY, 100% OF THE LOCAL IMPACT GRANTS PROVIDED UNDER § 9-1A-27 OF THIS SUBTITLE SHALL BE DISTRIBUTED TO THE LOCAL JURISDICTIONS IN WHICH THE OCEAN DOWNS, PERRYVILLE, AND ROCKY GAP VIDEO LOTTERY FACILITIES ARE LOCATED.”.

On page 51, in line 32, strike “The” and substitute “**Except as provided in paragraph [(4)] (7) of this subsection, the**”.

On page 53, after line 14, insert:

“(7) Beginning after a video operation license is issued to a video lottery facility in Baltimore City, 100% of the local impact grants provided under §

9-1A-27 of this subtitle shall be distributed to the local jurisdictions in which the Ocean Downs, Perryville, and Rocky Gap video lottery facilities are located.”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0001/763025/2

BY: Delegate Rudolph

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 20, in line 28, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE”.

On page 21, after line 24, insert:

“(4) BEGINNING AFTER A VIDEO LOTTERY OPERATION LICENSE IS ISSUED TO A VIDEO LOTTERY FACILITY IN BALTIMORE CITY, 100% OF THE LOCAL IMPACT GRANTS PROVIDED UNDER § 9-1A-27 OF THIS SUBTITLE FROM THE PROCEEDS OF THE VIDEO LOTTERY FACILITIES LOCATED IN ALLEGANY, CECIL, AND WORCESTER COUNTIES SHALL BE DISTRIBUTED TO THE LOCAL JURISDICTIONS IN WHICH THE THOSE VIDEO LOTTERY FACILITIES ARE LOCATED.”.

On page 51, in line 32, strike “The” and substitute “Except as provided in paragraph [(4)] (7) of this subsection, the”.

On page 53, after line 14, insert:

“(7) Beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, 100% of the local impact grants provided under § 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in Allegany, Cecil, and Worcester counties shall be distributed to the local jurisdictions in which those video lottery facilities are located.”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0001/813827/1

BY: Delegate Impallaria

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 13, in line 11, strike “and”; after line 11, insert:

“(16) REQUIRING LICENSEES UNDER THIS SUBTITLE TO USE THE FEDERAL E-VERIFY PROGRAM, OR A SUCCESSOR PROGRAM AUTHORIZED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, TO VERIFY ELECTRONICALLY THE WORK AUTHORIZATION STATUS OF NEWLY HIRED EMPLOYEES IN ACCORDANCE WITH FEDERAL IMMIGRATION LAW OR REGULATION.”;

and in line 12, strike “(16)” and substitute “(17)”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 48 Negative – 73 (See Roll Call No. 30)

FLOOR AMENDMENT

SB0001/623823/2

BY: Delegate Fisher

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, strike beginning with “*video*” in line 22 down through “*games*” in line 23 and substitute “personal property”.

On page 5, strike in their entirety lines 3 through 8, inclusive.

AMENDMENT NO. 2

On page 30, strike beginning with “(a)” in line 6 down through “are” in line 15 and substitute “ALL PERSONAL PROPERTY, EXCEPT OPERATING PROPERTY OF PUBLIC UTILITIES, IS”; and strike in their entirety lines 16 through 22, inclusive.

On pages 47 and 48, strike in their entirety the lines beginning with line 22 on page 47 through line 11 on page 48, inclusive.

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

Affirmative – 50 Negative – 71 (See Roll Call No. 31)

FLOOR AMENDMENT

SB0001/603924/1

BY: Delegate Alston

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 20 down through “circumstances;” in line 22.

On page 4, strike in their entirety lines 22 through 26, inclusive.

AMENDMENT NO. 2

On pages 27 and 28, strike in their entirety the lines beginning with line 22 on page 27 through line 10 on page 28, inclusive.

On page 61, strike beginning with “AND” in line 30 down through “20.” in line 33.

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

Affirmative – 59 Negative – 59 (See Roll Call No. 32)

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

Affirmative – 71 Negative – 59 (See Roll Call No. 33)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 34)

At 11:45 P.M. on motion of Delegate Barve the House adjourned Sine Die.

**Rules
of the
House of Delegates
of Maryland**

2012 Second Special Session

The Rules of the House of Delegates in effect at the end of the 2012 Regular Session were adopted for the Special Session of August 9, 2012.

Appendix IV

Roll Calls

List of Excuses – Special Session August 2012

August 10

Del. Bates –business
Del. Beidle – business – out of town
Del. Bobo – out of town
Del. Braveboy – personal – out of town
Del. Burns – doctor's appointment
Del. Carr – personal – vacation
Del. Cullison – death in family
Del. Dwyer – illness
Del. Eckardt – out of town
Del. Hubbard – out of town
Del. Ivey – out of town
Del. Kipke – illness
Del. Krebs – out of town
Del. Love – out of town
Del. McDonough – business
Del. McIntosh – out of town
Del. McMillan – business
Del. Miller, W. – business
Del. Mitchell – out of town
Del. Mizeur – out of town
Del. Niemann – out of town
Del. Pena-Melnyk – out of town
Del. Robinson, S. – business
Del. Szeliga – out of town
Del. Waldstreicher – business

August 13

Del. Beidle – out of town
Del. Bobo – out of town
Del. Braveboy – out of town
Del. Cane – illness – medical
Del. Carr – personal – vacation
Del. Dwyer – illness
Del. Frank – doctor's appointment
Del. Mitchell – out of town
Del. Mizeur – out of town
Del. Myers – business
Del. Olszewski – out of town
Del. Pena-Melnyk – out of town
Del. Proctor – out of town
Del. Stein – business
Del. V. Turner – doctor's appointment
Del. Waldstreicher – business

August 14 #1

Del. Bobo – out of town
Del. Braveboy – out of town
Del. Cane – illness
Del. Carr – personal – vacation
Del. Dwyer – illness
Del. Gutierrez – left early – business – El Salvador
Del. Huckler – out of town
Del. Mitchell – out of town
Del. Oaks – late – doctor's appointment
Del. Proctor – out of town
Del. V. Turner – left early – medical
Del. Waldstreicher – late – business

August 14 #2

Del. Bobo – out of town
Del. Braveboy – out of town
Del. Cane – illness
Del. Carr – personal – vacation
Del. Dwyer – illness
Del. Gutierrez – business – El Salvador
Del. Harrison – illness
Del. Huckler – out of town
Del. Mitchell – out of town
Del. Proctor – out of town
Del. V. Turner – late – medical

Maryland House of Delegates
2012 Special Session 2

Quorum

111 Yeas 0 Nays 5 Not Voting 0 Excused 25 Absent

Voting Yea - 111

Speaker Busch	DeBoy	Hixson	McHale	Schulz
Afzali	Donoghue	Hogan	Miller, A.	Serafini
Alston	Dumais	Holmes	Minnick	Simmons
Anderson	Elliott	Hough	Morhaim	Smigiel
Arora	Feldman	Hucker	Murphy	Sophocleus
Aumann	Fisher	Impallaria	Myers	Stein
Barkley	Frank	Jacobs	Nathan-Pulliam	Stifler
Barve	Frick	James	Norman	Stukes
Beitzel	Frush	Jameson	O'Donnell	Tarrant
Bohanan	Gaines	Jones	Oaks	Turner, F.
Boteler	George	Kach	Olszewski	Turner, V.
Branch	Gilchrist	Kaiser	Otto	Valderrama
Bromwell	Glenn	Kelly, A.	Parrott	Valentino-Smith
Cane	Griffith	Kelly, K.	Pendergrass	Vallario
Cardin	Gutierrez	Kramer	Proctor	Vaughn
Carter	Guzzone	Lafferty	Ready	Vitale
Clagett	Haddaway-Riccio	Lee	Reznik	Walker
Clippinger	Hammen	Luedtke	Robinson, B.	Washington
Cluster	Harrison	Malone	Rosenberg	Weir
Conaway	Haynes	McComas	Ross	Wilson
Conway	Healey	McConkey	Rudolph	Wood
Costa	Hershey	McDermott	Schuh	Zucker
Davis				

Voting Nay - 0

Not Voting - 5

Barnes	Glass	Howard	Stocksdale	Summers
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Excused from Voting - 0

Excused (Absent) - 25

Bates	Carr	Ivey	McIntosh	Niemann
Beidle	Cullison	Kipke	McMillan	Pena-Melnyk
Bobo	Dwyer	Krebs	Miller, W.	Robinson, S.
Braveboy	Eckardt	Love	Mitchell	Szeliga
Burns	Hubbard	McDonough	Mizeur	Waldstreicher

Maryland House of Delegates
2012 Special Session 2

CONSENT CALENDAR OF 2012 VETOED HOUSE BILLS

Shall all the Bills pass notwithstanding the
objections of the Chief Executive?

1 Yeas 110 Nays 4 Not Voting 1 Excused 25 Absent

Voting Yea - 1

Vitale

Voting Nay - 110

Speaker Busch	Davis	Hershey	McHale	Schulz
Afzali	DeBoy	Hixson	Miller, A.	Serafini
Alston	Donoghue	Hogan	Minnick	Simmons
Anderson	Dumais	Holmes	Morhaim	Smigiel
Arora	Elliott	Hough	Murphy	Sophocleus
Aumann	Feldman	Hucker	Myers	Stein
Barkley	Fisher	Impallaria	Nathan-Pulliam	Stifler
Barve	Frank	Jacobs	Norman	Stukes
Beitzel	Frick	James	O'Donnell	Summers
Bohanan	Frush	Jameson	Oaks	Tarrant
Boteler	Gaines	Jones	Olszewski	Turner, F.
Branch	George	Kach	Otto	Turner, V.
Bromwell	Gilchrist	Kaiser	Parrott	Valderrama
Cane	Glenn	Kelly, A.	Pendergrass	Valentino-Smith
Cardin	Griffith	Kelly, K.	Proctor	Vallario
Carter	Gutierrez	Lafferty	Ready	Vaughn
Claggett	Guzzone	Lee	Reznik	Walker
Clippinger	Haddaway-Riccio	Luedtke	Robinson, B.	Washington
Cluster	Hammen	Malone	Rosenberg	Weir
Conaway	Harrison	McComas	Ross	Wilson
Conway	Haynes	McConkey	Rudolph	Wood
Costa	Healey	McDermott	Schuh	Zucker

Not Voting - 4

Barnes Glass Howard Stocksdale

Excused from Voting - 1

Kramer

Excused (Absent) - 25

Bates	Carr	Ivey	McIntosh	Niemann
Beidle	Cullison	Kipke	McMillan	Pena-Melnyk
Bobo	Dwyer	Krebs	Miller, W.	Robinson, S.
Braveboy	Eckardt	Love	Mitchell	Szeliga
Burns	Hubbard	McDonough	Mizeur	Waldstreicher

Maryland House of Delegates
2012 Special Session 2

Quorum

113 Yeas 0 Nays 3 Not Voting 0 Excused 25 Absent

Voting Yea - 113

Speaker Busch	Davis	Hixson	McHale	Serafini
Afzali	DeBoy	Hogan	Miller, A.	Simmons
Alston	Donoghue	Holmes	Minnick	Smigiel
Anderson	Dumais	Hough	Morhaim	Sophocleus
Arora	Elliott	Howard	Myers	Stein
Aumann	Feldman	Hucker	Nathan-Pulliam	Stifler
Barkley	Fisher	Impallaria	Norman	Stukes
Barnes	Frank	Jacobs	O'Donnell	Summers
Barve	Frick	James	Oaks	Tarrant
Beitzel	Frush	Jameson	Olszewski	Turner, F.
Bohanan	Gaines	Jones	Otto	Turner, V.
Boteler	George	Kach	Parrott	Valderrama
Branch	Gilchrist	Kaiser	Pendergrass	Valentino-Smith
Bromwell	Glenn	Kelly, A.	Proctor	Vallario
Cane	Griffith	Kelly, K.	Ready	Vaughn
Cardin	Gutierrez	Kramer	Reznik	Vitale
Carter	Guzzone	Lafferty	Robinson, B.	Walker
Clagett	Haddaway-Riccio	Lee	Rosenberg	Washington
Clippinger	Hammen	Luedtke	Ross	Weir
Cluster	Harrison	Malone	Rudolph	Wilson
Conaway	Haynes	McComas	Schuh	Wood
Conway	Healey	McConkey	Schulz	Zucker
Costa	Hershey	McDermott		

Voting Nay - 0

Not Voting - 3

Glass Murphy Stocksdale

Excused from Voting - 0

Excused (Absent) - 25

Bates	Carr	Ivey	McIntosh	Niemann
Beidle	Cullison	Kipke	McMillan	Pena-Melnyk
Bobo	Dwyer	Krebs	Miller, W.	Robinson, S.
Braveboy	Eckardt	Love	Mitchell	Szeliga
Burns	Hubbard	McDonough	Mizeur	Waldstreicher

**Maryland House of Delegates
2012 Special Session 2**

Quorum

122 Yeas 0 Nays 3 Not Voting 0 Excused 16 Absent

Voting Yea - 122

Speaker Busch	Davis	Hogan	McDonough	Schuh
Afzali	DeBoy	Holmes	McHale	Schulz
Alston	Donoghue	Hough	McIntosh	Serafini
Anderson	Dumais	Howard	McMillan	Simmons
Arora	Eckardt	Hubbard	Miller, A.	Smigiel
Aumann	Elliott	Impallaria	Miller, W.	Sophocleus
Barkley	Feldman	Ivey	Minnick	Stifler
Barnes	Fisher	Jacobs	Morhaim	Stocksdale
Barve	Frick	Jameson	Murphy	Stukes
Bates	Frush	Jones	Nathan-Pulliam	Summers
Beitzel	Gaines	Kach	Niemann	Szeliga
Bohanan	George	Kaiser	Norman	Tarrant
Boteler	Gilchrist	Kelly, A.	O'Donnell	Turner, F.
Branch	Glass	Kipke	Oaks	Valderrama
Bromwell	Glenn	Kramer	Otto	Valentino-Smith
Burns	Griffith	Krebs	Parrott	Vallario
Cardin	Gutierrez	Lafferty	Pendergrass	Vaughn
Carter	Guzzone	Lee	Ready	Vitale
Clagett	Haddaway-Riccio	Love	Reznik	Walker
Clippinger	Hammen	Luedtke	Robinson, B.	Washington
Cluster	Harrison	Malone	Robinson, S.	Weir
Conaway	Haynes	McComas	Rosenberg	Wilson
Conway	Healey	McConkey	Ross	Wood
Costa	Hershey	McDermott	Rudolph	Zucker
Cullison	Hixson			

Voting Nay - 0

Not Voting - 3

Hucker James Kelly, K.

Excused from Voting - 0

Excused (Absent) - 16

Beidle	Carr	Mitchell	Olszewski	Stein
Bobo	Dwyer	Mizeur	Pena-Melnyk	Turner, V.
Braveboy	Frank	Myers	Proctor	Waldstreicher
Cane				

Maryland House of Delegates
2012 Special Session 2

Quorum

123 Yeas 0 Nays 2 Not Voting 0 Excused 16 Absent

Voting Yea - 123

Speaker Busch	Davis	Hogan	McDonough	Schuh
Afzali	DeBoy	Holmes	McHale	Schulz
Alston	Donoghue	Hough	McIntosh	Serafini
Anderson	Dumais	Howard	McMillan	Simmons
Arora	Eckardt	Hubbard	Miller, A.	Smigiel
Aumann	Elliott	Impallaria	Miller, W.	Sophocleus
Barkley	Feldman	Ivey	Minnick	Stifler
Barnes	Fisher	Jacobs	Morhaim	Stocksdale
Barve	Frick	Jameson	Murphy	Stukes
Bates	Frush	Jones	Nathan-Pulliam	Summers
Beitzel	Gaines	Kach	Niemann	Szeliga
Bohanan	George	Kaiser	Norman	Tarrant
Boteler	Gilchrist	Kelly, A.	O'Donnell	Turner, F.
Branch	Glass	Kelly, K.	Oaks	Valderrama
Bromwell	Glenn	Kipke	Otto	Valentino-Smith
Burns	Griffith	Kramer	Parrott	Vallario
Cardin	Gutierrez	Krebs	Pendergrass	Vaughn
Carter	Guzzone	Lafferty	Ready	Vitale
Clagett	Haddaway-Riccio	Lee	Reznik	Walker
Clippinger	Hammen	Love	Robinson, B.	Washington
Cluster	Harrison	Luedtke	Robinson, S.	Weir
Conaway	Haynes	Malone	Rosenberg	Wilson
Conway	Healey	McComas	Ross	Wood
Costa	Hershey	McConkey	Rudolph	Zucker
Cullison	Hixson	McDermott		

Voting Nay - 0

Not Voting - 2

Hucker James

Excused from Voting - 0

Excused (Absent) - 16

Beidle	Carr	Mitchell	Olszewski	Stein
Bobo	Dwyer	Mizeur	Pena-Melnyk	Turner, V.
Braveboy	Frank	Myers	Proctor	Waldstreicher
Cane				

**Maryland House of Delegates
2012 Special Session 2**

Quorum

124 Yeas 0 Nays 7 Not Voting 0 Excused 10 Absent

Voting Yea - 124

Speaker Busch	Cullison	Holmes	Miller, A.	Serafini
Afzali	Davis	Hough	Miller, W.	Simmons
Alston	DeBoy	Howard	Minnick	Smigiel
Anderson	Dumais	Hubbard	Mizeur	Sophocleus
Arora	Eckardt	Impallaria	Morhaim	Stein
Aumann	Feldman	Ivey	Murphy	Stifler
Barkley	Frank	Jacobs	Myers	Stocksdale
Barnes	Frick	Jameson	Nathan-Pulliam	Stukes
Barve	Frush	Jones	Niemann	Summers
Bates	Gaines	Kach	Norman	Szeliga
Beidle	George	Kaiser	O'Donnell	Tarrant
Beitzel	Gilchrist	Kelly, A.	Olszewski	Turner, F.
Bohanan	Glass	Kelly, K.	Otto	Turner, V.
Boteler	Glenn	Kipke	Parrott	Valderrama
Branch	Griffith	Kramer	Pena-Melnyk	Valentino-Smith
Bromwell	Gutierrez	Lafferty	Pendergrass	Vallario
Burns	Guzzone	Lee	Ready	Vaughn
Cardin	Haddaway-Riccio	Love	Reznik	Vitale
Carter	Hammen	Luedtke	Robinson, B.	Walker
Clagett	Harrison	Malone	Robinson, S.	Washington
Clippinger	Haynes	McComas	Rosenberg	Weir
Cluster	Healey	McDermott	Ross	Wilson
Conaway	Hershey	McDonough	Rudolph	Wood
Conway	Hixson	McHale	Schuh	Zucker
Costa	Hogan	McIntosh	Schulz	

Voting Nay - 0

Not Voting - 7

Donoghue	Fisher	Krebs	McConkey	McMillan
Elliott	James			

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Mitchell	Proctor
Braveboy	Carr	Hucker	Oaks	Waldstreicher

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Gaming Expansion - Video Lottery Terminals and
Table Games
Favorable with amendments adp - ON 2ND RDG
FLA Del. Minnick /633027/2 Motion to Special Order

48 Yeas 79 Nays 4 Not Voting 0 Excused 10 Absent

Voting Yea - 48

Afzali	George	Kipke	Niemann	Serafini
Alston	Glass	Krebs	Norman	Simmons
Aumann	Griffith	McComas	O'Donnell	Smigiel
Bates	Gutierrez	McConkey	Otto	Sophocleus
Boteler	Haddaway-Riccio	McDermott	Parrott	Stifler
Cluster	Hershey	McDonough	Pena-Melnyk	Stocksdale
Eckardt	Hogan	McMillan	Ready	Szeliga
Elliott	Hough	Miller, W.	Schuh	Vitale
Fisher	Jacobs	Morhaim	Schulz	Wood
Frank	Kach	Murphy		

Voting Nay - 79

Speaker Busch	Conway	Healey	Luedtke	Stein
Arora	Costa	Hixson	Malone	Stukes
Barkley	Cullison	Holmes	McHale	Summers
Barnes	Davis	Howard	McIntosh	Tarrant
Barve	DeBoy	Hubbard	Miller, A.	Turner, F.
Beidle	Donoghue	Impallaria	Minnick	Turner, V.
Beitzel	Dumais	Ivey	Myers	Valderrama
Bohanan	Feldman	Jameson	Nathan-Pulliam	Valentino-Smith
Branch	Frick	Jones	Olszewski	Vallario
Bromwell	Frush	Kaiser	Pendergrass	Vaughn
Burns	Gaines	Kelly, A.	Reznik	Walker
Cardin	Gilchrist	Kelly, K.	Robinson, B.	Washington
Carter	Guzzone	Kramer	Robinson, S.	Weir
Clagett	Hammen	Lafferty	Rosenberg	Wilson
Clippinger	Harrison	Lee	Ross	Zucker
Conaway	Haynes	Love	Rudolph	

Not Voting - 4

Anderson	Glenn	James	Mizeur
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Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Mitchell	Proctor
Braveboy	Carr	Hucker	Oaks	Waldstreicher

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Table Games
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FLA Del. Minnick /633027/2 Previous Question

80 Yeas 47 Nays 4 Not Voting 0 Excused 10 Absent

Voting Yea - 80

Speaker Busch	Conway	Haynes	Luedtke	Stein
Anderson	Cullison	Healey	Malone	Stukes
Arora	Davis	Hixson	McHale	Summers
Barkley	DeBoy	Holmes	McIntosh	Tarrant
Barnes	Donoghue	Howard	Miller, A.	Turner, F.
Barve	Dumais	Hubbard	Minnick	Turner, V.
Beidle	Feldman	Ivey	Morhaim	Valderrama
Beitzel	Frick	Jameson	Nathan-Pulliam	Valentino-Smith
Bohanan	Frush	Jones	Olszewski	Vallario
Branch	Gaines	Kaiser	Pendergrass	Vaughn
Bromwell	Gilchrist	Kelly, A.	Reznik	Walker
Burns	Glenn	Kelly, K.	Robinson, B.	Washington
Cardin	Gutierrez	Kramer	Robinson, S.	Weir
Clagett	Guzzone	Lafferty	Rosenberg	Wilson
Clippinger	Hammen	Lee	Ross	Wood
Conaway	Harrison	Love	Rudolph	Zucker

Voting Nay - 47

Afzali	Fisher	Kach	Murphy	Schuh
Alston	Frank	Kipke	Myers	Schulz
Aumann	George	Krebs	Niemann	Serafini
Bates	Glass	McComas	Norman	Smigiel
Boteler	Haddaway-Riccio	McConkey	O'Donnell	Sophocleus
Carter	Hershey	McDermott	Otto	Stifler
Cluster	Hogan	McDonough	Parrott	Stocksdale
Costa	Hough	McMillan	Pena-Melynk	Szeliga
Eckardt	Impallaria	Miller, W.	Ready	Vitale
Elliott	Jacobs			

Not Voting - 4

Griffith	James	Mizeur	Simmons
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Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Mitchell	Proctor
Braveboy	Carr	Hucker	Oaks	Waldstreicher

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FLA Del. George /813123/1

49 Yeas 69 Nays 15 Not Voting 0 Excused 8 Absent

Voting Yea - 49

Afzali	Elliott	Jacobs	McMillan	Schulz
Alston	Frank	Kach	Miller, W.	Serafini
Anderson	George	Kelly, A.	Morhaim	Smigiel
Aumann	Glass	Kipke	Norman	Sophocleus
Barkley	Haddaway-Riccio	Krebs	O'Donnell	Stifler
Bates	Hammen	Lafferty	Otto	Stocksdale
Boteler	Hershey	McComas	Parrott	Szeliga
Cluster	Hogan	McConkey	Ready	Vitale
Costa	Hough	McDermott	Robinson, S.	Wood
Eckardt	Impallaria	McDonough	Schuh	

Voting Nay - 69

Speaker Busch	DeBoy	Hixson	Miller, A.	Summers
Arora	Donoghue	Holmes	Mizeur	Tarrant
Barnes	Dumais	Howard	Murphy	Turner, F.
Barve	Feldman	Hubbard	Nathan-Pulliam	Turner, V.
Beidle	Frick	Ivey	Oaks	Valderrama
Bohanan	Frush	Jameson	Olszewski	Valentino-Smith
Branch	Gaines	Kaiser	Pendergrass	Vallario
Bromwell	Gilchrist	Kramer	Reznik	Vaughn
Clagett	Glenn	Lee	Robinson, B.	Waldstreicher
Clippinger	Gutierrez	Love	Rosenberg	Walker
Conaway	Guzzone	Luedtke	Ross	Washington
Conway	Harrison	Malone	Rudolph	Weir
Cullison	Haynes	McHale	Stein	Zucker
Davis	Healey	McIntosh	Stukes	

Not Voting - 15

Beitzel	Carter	James	Minnick	Pena-Melnyk
Burns	Fisher	Jones	Myers	Simmons
Cardin	Griffith	Kelly, K.	Niemann	Wilson

Excused from Voting - 0

Excused (Absent) - 8

Bobo	Cane	Dwyer	Mitchell	Proctor
Braveboy	Carr	Hucker		

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FLA Del. Simmons /443621/1

33 Yeas 84 Nays 15 Not Voting 0 Excused 9 Absent

Voting Yea - 33

Arora	Fisher	Kipke	Miller, W.	Rudolph
Aumann	Frank	Kramer	Niemann	Simmons
Barkley	George	Krebs	Norman	Stifler
Bates	Haddaway-Riccio	McComas	O'Donnell	Stocksdale
Beitzel	Hammen	McConkey	Otto	Vitale
Eckardt	Jacobs	McIntosh	Robinson, S.	Wilson
Elliott	Kelly, K.	McMillan		

Voting Nay - 84

Speaker Busch	Davis	Hogan	McHale	Smigiel
Afzali	DeBoy	Holmes	Miller, A.	Sophocleus
Barnes	Donoghue	Hough	Minnick	Stein
Barve	Dumais	Howard	Mizeur	Stukes
Beidle	Feldman	Hubbard	Murphy	Summers
Boteler	Frick	Impallaria	Nathan-Pulliam	Szeliga
Branch	Frush	Ivey	Olszewski	Tarrant
Bromwell	Gaines	Jameson	Parrott	Turner, F.
Cardin	Gilchrist	Kach	Pena-Melnyk	Valderrama
Carter	Glass	Kaiser	Pendergrass	Valentino-Smith
Clagett	Glenn	Lafferty	Ready	Vaughn
Clippinger	Griffith	Lee	Reznik	Walker
Cluster	Guzzone	Love	Robinson, B.	Washington
Conaway	Harrison	Luedtke	Rosenberg	Weir
Conway	Haynes	Malone	Ross	Wood
Costa	Healey	McDermott	Schulz	Zucker
Cullison	Hixson	McDonough	Serafini	

Not Voting - 15

Alston	Burns	Jones	Myers	Turner, V.
Anderson	Hershey	Kelly, A.	Oaks	Vallario
Bohanan	James	Morhaim	Schuh	Waldstreicher

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Aumann /703025/1

44 Yeas 68 Nays 20 Not Voting 0 Excused 9 Absent

Voting Yea - 44

Afzali	Eckardt	Jacobs	Murphy	Serafini
Alston	Elliott	Kach	Myers	Smigiel
Aumann	Fisher	Kipke	Norman	Sophocleus
Bates	Frank	Krebs	O'Donnell	Stifler
Beitzel	George	McComas	Otto	Stocksdale
Boteler	Glass	McConkey	Parrott	Szeliga
Cardin*	Haddaway-Riccio	McDonough	Ready	Vitale
Cluster	Hammen	Miller, W.	Schuh	Wood
Costa	Impallaria	Morhaim	Schulz	

Voting Nay - 68

Speaker Busch	Cullison	Hixson	Luedtke	Stein
Anderson	Davis	Holmes	Malone	Stukes
Arora	DeBoy	Hough	McHale	Summers
Barkley	Donoghue	Howard	Miller, A.	Tarrant
Barnes	Dumais	Hubbard	Minnick	Valderrama
Barve	Feldman	Ivey	Mizeur	Valentino-Smith
Beidle	Frick	Jameson	Oaks	Vallario
Bohanan	Frush	Kaiser	Olszewski	Waldstreicher
Branch	Gilchrist	Kelly, A.	Reznik	Walker
Bromwell	Glenn	Kelly, K.	Robinson, B.	Washington
Clagett	Griffith	Kramer	Robinson, S.	Weir
Clippinger	Harrison	Lafferty	Rosenberg	Wilson
Conaway	Haynes	Lee	Ross	Zucker
Conway	Healey	Love		

Not Voting - 20

Burns	Hershey	McDermott	Niemann	Simmons
Carter	Hogan	McIntosh	Pena-Melnyk	Turner, F.
Gaines	James	McMillan	Pendergrass	Turner, V.
Guzzone	Jones	Nathan-Pulliam	Rudolph	Vaughn

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Aumann /503226/1

46 Yeas 61 Nays 25 Not Voting 0 Excused 9 Absent

Voting Yea - 46

Afzali	Elliott	Jacobs	Miller, W.	Schulz
Aumann	Fisher	Kach	Myers	Serafini
Bates	Frank	Kipke	Norman	Smigiel
Beitzel	George	Krebs	O'Donnell	Sophocleus
Boteler	Glass	Lafferty	Olszewski	Stifler
Bromwell	Hershey	McComas	Otto	Stocksdale
Cluster	Hogan	McConkey	Parrott	Szeliga
Costa	Hough	McDermott	Ready	Vitale
DeBoy	Impallaria	McDonough	Schuh	Wood
Eckardt				

Voting Nay - 61

Speaker Busch	Conaway	Hixson	Minnick	Summers
Alston	Conway	Howard	Mizeur	Tarrant
Anderson	Cullison	Hubbard	Murphy	Turner, F.
Arora	Davis	Ivey	Oaks	Valderrama
Barkley	Donoghue	Jameson	Pena-Melnyk	Valentino-Smith
Barnes	Frick	Kaiser	Reznik	Vallario
Barve	Frush	Kelly, K.	Robinson, B.	Waldstreicher
Beidle	Gilchrist	Kramer	Robinson, S.	Walker
Bohanan	Glenn	Lee	Rosenberg	Washington
Branch	Harrison	Love	Ross	Weir
Cardin	Haynes	Luedtke	Stein	Wilson
Carter	Healey	Miller, A.	Stukes	Zucker
Clippinger				

Not Voting - 25

Burns	Griffith	James	McIntosh	Pendergrass
Clagett	Guzzone	Jones	McMillan	Rudolph
Dumais	Haddaway-Riccio	Kelly, A.	Morhaim	Simmons
Feldman	Hammen	Malone	Nathan-Pulliam	Turner, V.
Gaines	Holmes	McHale	Niemann	Vaughn

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Schuh /153927/1

37 Yeas 62 Nays 33 Not Voting 0 Excused 9 Absent

Voting Yea - 37

Aumann	Elliott	Hough	McMillan	Ready
Bates	Fisher	Jacobs	Miller, W.	Schuh
Beidle	Frank	Kach	Myers	Schulz
Beitzel	George	Kipke	Norman	Serafini
Boteler	Glass	Krebs	O'Donnell	Smigiel
Cluster	Haddaway-Riccio	McComas	Otto	Stocksdale
Costa	Hershey	McConkey	Parrott	Vitale
Eckardt	Hogan			

Voting Nay - 62

Speaker Busch	DeBoy	Holmes	Luedtke	Stein
Arora	Donoghue	Howard	Miller, A.	Stukes
Barkley	Dumais	Hubbard	Minnick	Summers
Barnes	Feldman	Ivey	Mizeur	Tarrant
Barve	Frick	Jones	Murphy	Turner, F.
Branch	Frush	Kaiser	Olszewski	Valderrama
Bromwell	Gaines	Kelly, A.	Pendergrass	Vallario
Cardin	Gilchrist	Kelly, K.	Reznik	Waldstreicher
Clippinger	Hammen	Kramer	Robinson, B.	Walker
Conaway	Harrison	Lafferty	Robinson, S.	Washington
Conway	Haynes	Lee	Ross	Weir
Cullison	Healey	Love	Rudolph	Zucker
Davis	Hixson			

Not Voting - 33

Afzali	Glenn	McDermott	Oaks	Szeliga
Alston	Griffith	McDonough	Pena-Melnyk	Turner, V.
Anderson	Guzzone	McHale	Rosenberg	Valentino-Smith
Bohanan	Impallaria	McIntosh	Simmons	Vaughn
Burns	James	Morhaim	Sophocleus	Wilson
Carter	Jameson	Nathan-Pulliam	Stifler	Wood
Clagett	Malone	Niemann		

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Schuh /943721/1

44 Yeas 66 Nays 22 Not Voting 0 Excused 9 Absent

Voting Yea - 44

Aumann	Elliott	Kach	Norman	Serafini
Barkley	Fisher	Kipke	O'Donnell	Smigiel
Bates	Frank	Krebs	Otto	Sophocleus
Beidle	George	McComas	Parrott	Stifter
Beitzel	Glass	McConkey	Ready	Stocksdale
Boteler	Haddaway-Riccio	McDermott	Reznik	Szeliga
Cluster	Hershey	McMillan	Robinson, S.	Vitale
Costa	Hogan	Miller, W.	Schuh	Wood
Eckardt	Jacobs	Myers	Schulz	

Voting Nay - 66

Speaker Busch	DeBoy	Holmes	Luedtke	Rudolph
Arora	Donoghue	Howard	Malone	Stein
Barnes	Dumais	Hubbard	McIntosh	Stukes
Barve	Feldman	Ivey	Miller, A.	Summers
Branch	Frick	Jameson	Minnick	Tarrant
Bromwell	Frush	Jones	Mizeur	Turner, F.
Cardin	Gaines	Kaiser	Nathan-Pulliam	Valderrama
Carter	Gilchrist	Kelly, A.	Oaks	Vallario
Clagett	Guzzone	Kelly, K.	Olszewski	Waldstreicher
Clippinger	Harrison	Kramer	Pendergrass	Walker
Conaway	Haynes	Lafferty	Robinson, B.	Washington
Conway	Healey	Lee	Rosenberg	Weir
Cullison	Hixson	Love	Ross	Zucker
Davis				

Not Voting - 22

Afzali	Glenn	James	Murphy	Turner, V.
Alston	Griffith	McDonough	Niemann	Valentino-Smith
Anderson	Hammen	McHale	Pena-Melnyk	Vaughn
Bohanan	Hough	Morhaim	Simmons	Wilson
Burns	Impallaria			

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Norman /473725/1

42 Yeas 72 Nays 18 Not Voting 0 Excused 9 Absent

Voting Yea - 42

Afzali	Fisher	Jacobs	Miller, W.	Serafini
Aumann	Frank	Kach	Myers	Smigiel
Barkley	George	Krebs	Norman	Sophocleus
Bates	Glass	McComas	O'Donnell	Stifler
Beitzel	Haddaway-Riccio	McConkey	Otto	Stocksdale
Boteler	Hershey	McDermott	Parrott	Szeliga
Cluster	Hogan	McDonough	Schuh	Vitale
Eckardt	Hough	McMillan	Schulz	Wood
Elliott	Impallaria			

Voting Nay - 72

Speaker Busch	Dumais	Howard	McHale	Rudolph
Anderson	Feldman	Hubbard	McIntosh	Stein
Arora	Frick	Ivey	Miller, A.	Stukes
Barnes	Frush	Jameson	Minnick	Summers
Barve	Gaines	Jones	Mizeur	Tarrant
Bohanan	Gilchrist	Kaiser	Morhaim	Turner, F.
Branch	Glenn	Kelly, A.	Murphy	Valderrama
Bromwell	Griffith	Kelly, K.	Nathan-Pulliam	Vallario
Carter	Guzzone	Kramer	Olszewski	Waldstreicher
Clagett	Hammen	Lafferty	Pendergrass	Walker
Conaway	Harrison	Lee	Reznik	Washington
Conway	Haynes	Love	Robinson, B.	Weir
Davis	Healey	Luedtke	Robinson, S.	Wilson
DeBoy	Hixson	Malone	Ross	Zucker
Donoghue	Holmes			

Not Voting - 18

Alston	Clippinger	Kipke	Ready	Turner, V.
Beidle	Costa	Niemann	Rosenberg	Valentino-Smith
Burns	Cullison	Oaks	Simmons	Vaughn
Cardin	James	Pena-Melnyk		

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Norman /313422/1

42 Yeas 75 Nays 15 Not Voting 0 Excused 9 Absent

Voting Yea - 42

Afzali	Fisher	Kach	McMillan	Serafini
Aumann	George	Kipke	Miller, W.	Smigiel
Bates	Glass	Krebs	Myers	Sophocleus
Beidle	Haddaway-Riccio	Lafferty	Norman	Stifter
Beitzel	Hershey	McComas	O'Donnell	Stocksdale
Boteler	Hogan	McConkey	Otto	Szeliga
Costa	Hough	McDermott	Parrott	Vitale
Eckardt	Jacobs	McDonough	Schuh	Wood
Elliott	James			

Voting Nay - 75

Speaker Busch	Conway	Healey	McHale	Stein
Alston	Cullison	Hixson	McIntosh	Stukes
Anderson	Davis	Holmes	Miller, A.	Summers
Arora	DeBoy	Howard	Minnick	Tarrant
Barkley	Donoghue	Hubbard	Mizeur	Turner, F.
Barnes	Feldman	Ivey	Murphy	Valderrama
Barve	Frick	Jones	Oaks	Valentino-Smith
Bohanan	Frush	Kaiser	Olszewski	Vallario
Branch	Gaines	Kelly, A.	Pena-Melnyk	Vaughn
Bromwell	Gilchrist	Kelly, K.	Pendergrass	Waldstreicher
Cardin	Glenn	Kramer	Reznik	Walker
Carter	Griffith	Lee	Robinson, B.	Washington
Clagett	Hammen	Love	Robinson, S.	Weir
Clippinger	Harrison	Luedtke	Ross	Wilson
Conaway	Haynes	Malone	Rudolph	Zucker

Not Voting - 15

Burns	Frank	Jameson	Niemann	Schulz
Cluster	Guzzone	Morhaim	Ready	Simmons
Dumais	Impallaria	Nathan-Pulliam	Rosenberg	Turner, V.

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Bates /493027/1

34 Yeas 77 Nays 21 Not Voting 0 Excused 9 Absent

Voting Yea - 34

Afzali	Frank	Kipke	Myers	Smigiel
Aumann	George	Krebs	Norman	Stifler
Bates	Haddaway-Riccio	McComas	O'Donnell	Stocksdale
Beitzel	Hershey	McConkey	Otto	Szeliga
Boteler	Hough	McDermott	Ready	Vitale
Elliott	Jacobs	McMillan	Schuh	Wood
Fisher	Kach	Miller, W.	Serafini	

Voting Nay - 77

Speaker Busch	Davis	Holmes	McHale	Sophocleus
Alston	DeBoy	Howard	McIntosh	Stein
Anderson	Donoghue	Hubbard	Miller, A.	Stukes
Arora	Dumais	Ivey	Minnick	Summers
Barkley	Feldman	Jameson	Mizeur	Tarrant
Barnes	Frick	Jones	Murphy	Turner, F.
Barve	Frush	Kaiser	Niemann	Valderrama
Beidle	Gaines	Kelly, A.	Oaks	Valentino-Smith
Bohanan	Gilchrist	Kelly, K.	Olszewski	Vallario
Branch	Glenn	Kramer	Pendergrass	Vaughn
Bromwell	Griffith	Lafferty	Reznik	Waldstreicher
Cardin	Hammen	Lee	Robinson, B.	Washington
Clagett	Harrison	Love	Robinson, S.	Weir
Clippinger	Haynes	Luedtke	Ross	Wilson
Conaway	Healey	Malone	Rudolph	Zucker
Cullison	Hixson			

Not Voting - 21

Burns	Eckardt	Impallaria	Nathan-Pulliam	Schulz
Carter	Glass	James	Parrott	Simmons
Cluster	Guzzone	McDonough	Pena-Melnyk	Turner, V.
Conway	Hogan	Morhaim	Rosenberg	Walker
Costa				

Excused from Voting - 0

Excused (Absent) - 9

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	

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FLA Del. Smigiel /893329/1

46 Yeas 67 Nays 18 Not Voting 0 Excused 10 Absent

Voting Yea - 46

Afzali	George	Kipke	Myers	Serafini
Alston	Glass	Krebs	Norman	Smigiel
Aumann	Haddaway-Riccio	McComas	O'Donnell	Stifter
Beitzel	Hershey	McConkey	Otto	Stocksdale
Boteler	Hogan	McDermott	Parrott	Szeliga
Cluster	Hough	McDonough	Ready	Valentino-Smith
Eckardt	Impallaria	McMillan	Rudolph	Vitale
Elliott	Jacobs	Miller, W.	Schuh	Weir
Fisher	Kach	Minnick	Schulz	Wood
Frank				

Voting Nay - 67

Speaker Busch	Cullison	Healey	Luedtke	Sophocleus
Anderson	Davis	Hixson	Malone	Stein
Arora	DeBoy	Holmes	McHale	Stukes
Barnes	Donoghue	Howard	McIntosh	Summers
Barve	Dumais	Hubbard	Murphy	Tarrant
Beidle	Feldman	Ivey	Nathan-Pulliam	Valderrama
Bohanan	Frick	Jameson	Oaks	Vallario
Branch	Frush	Jones	Olszewski	Vaughn
Bromwell	Gaines	Kelly, K.	Pendergrass	Waldstreicher
Cardin	Gilchrist	Kramer	Reznik	Walker
Clagett	Glenn	Lafferty	Robinson, B.	Washington
Clippinger	Guzzone	Lee	Rosenberg	Wilson
Conaway	Hammen	Love	Ross	Zucker
Conway	Harrison			

Not Voting - 18

Barkley	Costa	Kaiser	Morhaim	Robinson, S.
Bates	Griffith	Kelly, A.	Niemann	Simmons
Burns	Haynes	Miller, A.	Pena-Melnyk	Turner, F.
Carter	James	Mizeur		

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

**Maryland House of Delegates
2012 Special Session 2**

SB 1 Ways and Means Report No. 1
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
Favorable with amendments adp - ON 2ND RDG
FLA Del. McComas /113425/1

49 Yeas 64 Nays 18 Not Voting 0 Excused 10 Absent

Voting Yea - 49

Afzali	Fisher	Jacobs	McMillan	Serafini
Alston	Frank	James	Miller, W.	Smigiel
Aumann	George	Kach	Norman	Sophocleus
Bates	Glass	Kelly, K.	O'Donnell	Stifler
Beitzel	Griffith	Kipke	Otto	Stocksdale
Boteler	Haddaway-Riccio	Krebs	Parrott	Szeliga
Cluster	Hershey	McComas	Ready	Vitale
Costa	Hogan	McConkey	Rudolph	Wilson
Eckardt	Hough	McDermott	Schuh	Wood
Elliott	Impallaria	McDonough	Schulz	

Voting Nay - 64

Speaker Busch	Davis	Hixson	Luedtke	Stukes
Arora	Donoghue	Holmes	Malone	Summers
Barve	Dumais	Howard	McHale	Tarrant
Beidle	Feldman	Hubbard	McIntosh	Turner, F.
Bohanan	Frick	Ivey	Murphy	Valderrama
Branch	Frush	Jameson	Nathan-Pulliam	Valentino-Smith
Cardin	Gaines	Jones	Niemann	Vallario
Carter	Gilchrist	Kaiser	Pendergrass	Vaughn
Clagett	Glenn	Kelly, A.	Reznik	Waldstreicher
Clippinger	Guzzone	Kramer	Robinson, B.	Walker
Conaway	Hammen	Lafferty	Rosenberg	Washington
Conway	Haynes	Lee	Ross	Zucker
Cullison	Healey	Love	Stein	

Not Voting - 18

Anderson	Burns	Minnick	Oaks	Robinson, S.
Barkley	DeBoy	Mizeur	Olszewski	Simmons
Barnes	Harrison	Morhaim	Pena-Melnyk	Weir
Bromwell	Miller, A.	Myers		

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

Maryland House of Delegates
2012 Special Session 2

SB 1 Ways and Means Report No. 1
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
Favorable with amendments adp - ON 2ND RDG
FLA Del. Arora /133023/1

52 Yeas 63 Nays 16 Not Voting 0 Excused 10 Absent

Voting Yea - 52

Afzali	Fisher	Jacobs	McMillan	Serafini
Alston	Frank	James	Norman	Simmons
Anderson	George	Kipke	O'Donnell	Smigiel
Arora	Glass	Kramer	Otto	Stiffler
Aumann	Haddaway-Riccio	Krebs	Parrott	Stocksdale
Bates	Hammen	McComas	Pena-Melnyk	Szeliga
Bohanan	Hershey	McConkey	Ready	Valderrama
Boteler	Hogan	McDermott	Rudolph	Valentino-Smith
Cardin	Hough	McDonough	Schuh	Vitale
Cluster	Impallaria	McHale	Schulz	Wilson
Elliott	Ivey			

Voting Nay - 63

Speaker Busch	Davis	Healey	Luedtke	Ross
Barnes	DeBoy	Hixson	Malone	Sophocleus
Barve	Donoghue	Holmes	McIntosh	Stein
Beidle	Dumais	Howard	Murphy	Stukes
Beitzel	Feldman	Hubbard	Niemann	Summers
Branch	Frick	Jameson	Oaks	Tarrant
Bromwell	Frush	Jones	Olszewski	Turner, F.
Carter	Gaines	Kach	Pendergrass	Vaughn
Clagett	Gilchrist	Kaiser	Reznik	Walker
Clippinger	Glenn	Kelly, K.	Robinson, B.	Washington
Conaway	Griffith	Lafferty	Robinson, S.	Weir
Conway	Guzzone	Lee	Rosenberg	Zucker
Costa	Haynes	Love		

Not Voting - 16

Barkley	Harrison	Miller, W.	Morhaim	Vallario
Burns	Kelly, A.	Minnick	Myers	Waldstreicher
Cullison	Miller, A.	Mizeur	Nathan-Pulliam	Wood
Eckardt				

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

Maryland House of Delegates
2012 Special Session 2

SB 1 Ways and Means Report No. 1
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
Favorable with amendments adp - ON 2ND RDG
FLA Del. Alston /923625/1

21 Yeas 82 Nays 28 Not Voting 0 Excused 10 Absent

Voting Yea - 21

Afzali	Carter	Glass	McComas	Parrott
Alston	Cluster	Griffith	McConkey	Smigiel
Anderson	Fisher	Hough	McDonough	Szeliga
Aumann	Frank	Impallaria	Norman	Wilson
Boteler				

Voting Nay - 82

Speaker Busch	DeBoy	Holmes	Malone	Ross
Barkley	Donoghue	Howard	McDermott	Schuh
Barnes	Dumais	Hubbard	McHale	Schulz
Barve	Eckardt	Ivey	McIntosh	Sophocleus
Bates	Elliott	Jameson	McMillan	Stein
Beidle	Feldman	Jones	Murphy	Stifler
Beitzel	Frick	Kach	O'Donnell	Stocksdale
Bohanan	Frush	Kaiser	Oaks	Stukes
Branch	Gaines	Kelly, K.	Olszewski	Summers
Bromwell	George	Kipke	Otto	Tarrant
Cardin	Gilchrist	Kramer	Pendergrass	Turner, F.
Clagett	Glenn	Krebs	Ready	Valderrama
Conaway	Guzzone	Lafferty	Reznik	Walker
Conway	Haddaway-Riccio	Lee	Robinson, B.	Weir
Costa	Haynes	Love	Robinson, S.	Wood
Cullison	Healey	Luedtke	Rosenberg	Zucker
Davis	Hixson			

Not Voting - 28

Arora	Hogan	Minnick	Pena-Melnyk	Vallario
Burns	Jacobs	Mizeur	Rudolph	Vaughn
Clippinger	James	Morhaim	Serafini	Vitale
Hammen	Kelly, A.	Myers	Simmons	Waldstreicher
Harrison	Miller, A.	Nathan-Pulliam	Valentino-Smith	Washington
Hershey	Miller, W.	Niemann		

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

Maryland House of Delegates
2012 Special Session 2

SB 1 Ways and Means Report No. 1
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
Favorable with amendments adp - ON 2ND RDG
FLA Del. Norman /623223/1

33 Yeas 77 Nays 21 Not Voting 0 Excused 10 Absent

Voting Yea - 33

Afzali	Fisher	Impallaria	McDonough	Schulz
Aumann	Frank	Jacobs	Norman	Smigiel
Bates	Glass	Krebs	O'Donnell	Stifter
Beitzel	Haddaway-Riccio	Lafferty	Otto	Stocksdale
Boteler	Hershey	McComas	Parrott	Szeliga
Cluster	Hogan	McConkey	Ready	Vitale
Eckardt	Hough	McDermott		

Voting Nay - 77

Speaker Busch	Cullison	Healey	Malone	Rosenberg
Alston	Davis	Hixson	McHale	Ross
Anderson	DeBoy	Holmes	McIntosh	Sophocleus
Barkley	Donoghue	Howard	McMillan	Stukes
Barnes	Dumais	Hubbard	Miller, A.	Summers
Barve	Elliott	Ivey	Mizeur	Tarrant
Beidle	Feldman	Jameson	Morhaim	Turner, F.
Bohanan	Frick	Jones	Murphy	Valderrama
Branch	Frush	Kaiser	Oaks	Valentino-Smith
Bromwell	Gaines	Kelly, K.	Olszewski	Vallario
Cardin	Gilchrist	Kipke	Pena-Melnyk	Vaughn
Carter	Glenn	Kramer	Pendergrass	Waldstreicher
Clagett	Griffith	Lee	Reznik	Walker
Conaway	Guzzone	Love	Robinson, B.	Weir
Conway	Hammen	Luedtke	Robinson, S.	Wilson
Costa	Haynes			

Not Voting - 21

Arora	James	Minnick	Rudolph	Stein
Burns	Kach	Myers	Schuh	Washington
Clippinger	Kelly, A.	Nathan-Pulliam	Serafini	Wood
George	Miller, W.	Niemann	Simmons	Zucker
Harrison				

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

**Maryland House of Delegates
2012 Special Session 2**

Quorum

126 Yeas 0 Nays 5 Not Voting 0 Excused 10 Absent

Voting Yea - 126

Speaker Busch	DeBoy	Hough	McHale	Schuh
Afzali	Donoghue	Howard	McIntosh	Schulz
Alston	Dumais	Hubbard	McMillan	Simmons
Anderson	Eckardt	Impallaria	Miller, A.	Smigiel
Arora	Elliott	Ivey	Minnick	Sophocleus
Aumann	Feldman	Jacobs	Mizeur	Stein
Barkley	Fisher	James	Morhaim	Stifler
Barnes	Frank	Jameson	Murphy	Stocksdale
Barve	Frick	Jones	Myers	Stukes
Bates	Frush	Kach	Nathan-Pulliam	Summers
Beidle	Gaines	Kaiser	Niemann	Szeliga
Beitzel	George	Kelly, A.	Norman	Tarrant
Bohanan	Gilchrist	Kelly, K.	Oaks	Turner, F.
Boteler	Glass	Kipke	Olszewski	Valderrama
Branch	Glenn	Kramer	Otto	Valentino-Smith
Bromwell	Griffith	Krebs	Parrott	Vallario
Cardin	Guzzone	Lafferty	Pena-Melnyk	Vaughn
Carter	Haddaway-Riccio	Lee	Pendergrass	Vitale
Clagett	Hammen	Love	Ready	Waldstreicher
Clippinger	Haynes	Luedtke	Reznik	Walker
Cluster	Healey	Malone	Robinson, B.	Washington
Conaway	Hershey	McComas	Robinson, S.	Weir
Conway	Hixson	McConkey	Rosenberg	Wilson
Costa	Hogan	McDermott	Ross	Wood
Cullison	Holmes	McDonough	Rudolph	Zucker
Davis				

Voting Nay - 0

Not Voting - 5

Burns	Harrison	Miller, W.	O'Donnell	Serafini
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Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Hucker	Proctor
Braveboy	Carr	Gutierrez	Mitchell	Turner, V.

**Maryland House of Delegates
2012 Special Session 2**

Quorum

127 Yeas 0 Nays 3 Not Voting 0 Excused 11 Absent

Voting Yea - 127

Speaker Busch	DeBoy	Hubbard	McMillan	Schuh
Afzali	Dumais	Impallaria	Miller, A.	Schulz
Alston	Eckardt	Ivey	Miller, W.	Serafini
Anderson	Elliott	Jacobs	Minnick	Simmons
Arora	Feldman	James	Mizeur	Smigiel
Aumann	Fisher	Jameson	Morhaim	Sophocleus
Barkley	Frank	Jones	Murphy	Stein
Barnes	Frick	Kach	Myers	Stiffer
Barve	Frush	Kaiser	Nathan-Pulliam	Stocksdale
Bates	Gaines	Kelly, A.	Niemann	Stukes
Beidle	George	Kelly, K.	Norman	Summers
Beitzel	Gilchrist	Kipke	O'Donnell	Szeliga
Bohanan	Glass	Kramer	Oaks	Tarrant
Boteler	Glenn	Krebs	Olszewski	Valderrama
Branch	Griffith	Lafferty	Otto	Valentino-Smith
Bromwell	Guzzone	Lee	Parrott	Vallario
Cardin	Haddaway-Riccio	Love	Pena-Melnyk	Vaughn
Carter	Hammen	Luedtke	Pendergrass	Vitale
Clagett	Haynes	Malone	Ready	Waldstreicher
Clippingier	Healey	McComas	Reznik	Walker
Cluster	Hershey	McConkey	Robinson, B.	Washington
Conaway	Hixson	McDermott	Robinson, S.	Weir
Conway	Hogan	McDonough	Rosenberg	Wilson
Costa	Holmes	McHale	Ross	Wood
Cullison	Hough	McIntosh	Rudolph	Zucker
Davis	Howard			

Voting Nay - 0

Not Voting - 3

Burns Donoghue Turner, F.

Excused from Voting - 0

Excused (Absent) - 11

Bobo	Carr	Gutierrez	Hucker	Proctor
Braveboy	Dwyer	Harrison	Mitchell	Turner, V.
Cane				

Maryland House of Delegates
2012 Special Session 2

Quorum

128 Yeas 0 Nays 2 Not Voting 0 Excused 11 Absent

Voting Yea - 128

Speaker Busch	DeBoy	Hubbard	Miller, A.	Schulz
Afzali	Dumais	Impallaria	Miller, W.	Serafini
Alston	Eckardt	Ivey	Minnick	Simmons
Anderson	Elliott	Jacobs	Mizeur	Smigel
Arora	Feldman	James	Morhaim	Sophocleus
Aumann	Fisher	Jameson	Murphy	Stein
Barkley	Frank	Jones	Myers	Stifler
Barnes	Frick	Kach	Nathan-Pulliam	Stocksdale
Barve	Frush	Kaiser	Niemann	Stukes
Bates	Gaines	Kelly, A.	Norman	Summers
Beidle	George	Kelly, K.	O'Donnell	Szeliga
Beitzel	Gilchrist	Kipke	Oaks	Tarrant
Bohanan	Glass	Kramer	Olszewski	Turner, F.
Boteler	Glenn	Krebs	Otto	Valderrama
Branch	Griffith	Lafferty	Parrott	Valentino-Smith
Bromwell	Guzzone	Lee	Pena-Melnyk	Vallario
Cardin	Haddaway-Riccio	Love	Pendergrass	Vaughn
Carter	Hammen	Luedtke	Ready	Vitale
Clagett	Haynes	Malone	Reznik	Waldstreicher
Clippinger	Healey	McComas	Robinson, B.	Walker
Cluster	Hershey	McConkey	Robinson, S.	Washington
Conaway	Hixson	McDermott	Rosenberg	Weir
Conway	Hogan	McDonough	Ross	Wilson
Costa	Holmes	McHale	Rudolph	Wood
Cullison	Hough	McIntosh	Schuh	Zucker
Davis	Howard	McMillan		

Voting Nay - 0

Not Voting - 2

Burns Donoghue

Excused from Voting - 0

Excused (Absent) - 11

Bobo	Carr	Gutierrez	Hucker	Proctor
Braveboy	Dwyer	Harrison	Mitchell	Turner, V.
Cane				

Maryland House of Delegates
2012 Special Session 2

SB 2 Third Reading (SB) Calendar No.1
Sen. Frosh et al (JUD)
Civil Actions - Liability for Personal Injury or
Death Caused by Dog
On Third Reading (Emerg/Amend)

127 Yeas 0 Nays 3 Not Voting 0 Excused 11 Absent

Voting Yea - 127

Speaker Busch	DeBoy	Hubbard	McMillan	Schulz
Afzali	Dumais	Impallaria	Miller, A.	Serafini
Alston	Eckardt	Ivey	Miller, W.	Simmons
Anderson	Elliott	Jacobs	Minnick	Smigiel
Arora	Feldman	James	Mizeur	Sophocleus
Aumann	Fisher	Jameson	Morhaim	Stein
Barkley	Frank	Jones	Murphy	Stifler
Barnes	Frick	Kach	Myers	Stocksdale
Barve	Frush	Kaiser	Nathan-Pulliam	Stukes
Bates	Gaines	Kelly, A.	Niemann	Summers
Beidle	George	Kelly, K.	Norman	Szeliga
Beitzel	Gilchrist	Kipke	O'Donnell	Tarrant
Bohanan	Glass	Kramer	Oaks	Turner, F.
Boteler	Glenn	Krebs	Olszewski	Valderrama
Branch	Griffith	Lafferty	Otto	Valentino-Smith
Bromwell	Guzzone	Lee	Parrott	Vallario
Cardin	Haddaway-Riccio	Love	Pena-Melnyk	Vaughn
Carter	Hammen	Luedtke	Pendergrass	Vitale
Clagett	Haynes	Malone	Ready	Waldstreicher
Clippingier	Healey	McComas	Reznik	Walker
Cluster	Hershey	McConkey	Robinson, B.	Washington
Conaway	Hixson	McDermott	Robinson, S.	Weir
Conway	Hogan	McDonough	Rosenberg	Wilson
Costa	Holmes	McHale	Ross	Wood
Cullison	Hough	McIntosh	Schuh	Zucker
Davis	Howard			

Voting Nay - 0

Not Voting - 3

Burns Donoghue Rudolph

Excused from Voting - 0

Excused (Absent) - 11

Bobo	Carr	Gutierrez	Hucker	Proctor
Braveboy	Dwyer	Harrison	Mitchell	Turner, V.
Cane				

Maryland House of Delegates
2012 Special Session 2

SB 1 Third Reading (SB) Calendar No.2
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
On Third Reading (Amend)
FLA Del. Kipke /793424/1

124 Yeas 0 Nays 6 Not Voting 0 Excused 11 Absent

Voting Yea - 124

Speaker Busch	DeBoy	Howard	McIntosh	Serafini
Afzali	Donoghue	Hubbard	McMillan	Simmons
Alston	Dumais	Impallaria	Miller, A.	Smigiel
Anderson	Eckardt	Ivey	Miller, W.	Sophocleus
Arora	Elliott	Jacobs	Minnick	Stein
Aumann	Feldman	James	Mizeur	Stifler
Barkley	Fisher	Jameson	Morhaim	Stocksdale
Barnes	Frank	Jones	Murphy	Stukes
Barve	Frick	Kach	Myers	Summers
Bates	Frush	Kaiser	Nathan-Pulliam	Szeliga
Beidle	Gaines	Kelly, A.	Niemann	Tarrant
Beitzel	George	Kelly, K.	Norman	Turner, F.
Bohanan	Glass	Kipke	O'Donnell	Valderrama
Boteler	Glenn	Kramer	Olszewski	Valentino-Smith
Branch	Griffith	Krebs	Otto	Vallario
Bromwell	Guzzone	Lafferty	Parrott	Vaughn
Cardin	Haddaway-Riccio	Lee	Pena-Melnyk	Vitale
Clagett	Hammen	Love	Pendergrass	Waldstreicher
Clippinger	Haynes	Luedtke	Ready	Walker
Cluster	Healey	Malone	Reznik	Washington
Conaway	Hershey	McComas	Robinson, S.	Weir
Conway	Hixson	McConkey	Ross	Wilson
Costa	Hogan	McDermott	Rudolph	Wood
Cullison	Holmes	McDonough	Schuh	Zucker
Davis	Hough	McHale	Schulz	

Voting Nay - 0

Not Voting - 6

Burns	Gilchrist	Oaks	Robinson, B.	Rosenberg
Carter				

Excused from Voting - 0

Excused (Absent) - 11

Bobo	Carr	Gutierrez	Hucker	Proctor
Braveboy	Dwyer	Harrison	Mitchell	Turner, V.
Cane				

Maryland House of Delegates
2012 Special Session 2

SB 1 Third Reading (SB) Calendar No.2
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
On Third Reading (Amend)
FLA Del. McConkey /503326/2

41 Yeas 81 Nays 8 Not Voting 0 Excused 11 Absent

Voting Yea - 41

Afzali	Eckardt	Hogan	McMillan	Schulz
Alston	Elliott	Hough	Miller, W.	Serafini
Arora	Fisher	Jacobs	Myers	Simmons
Aumann	Frank	Kach	Norman	Smigiel
Bates	George	Kipke	O'Donnell	Stifler
Beitzel	Glass	Krebs	Parrott	Stocksdale
Boteler	Haddaway-Riccio	McComas	Ready	Vitale
Cluster	Hershey	McConkey	Schuh	Wood
Costa				

Voting Nay - 81

Speaker Busch	Dumais	Impallaria	McHale	Stein
Anderson	Feldman	Ivey	Miller, A.	Stukes
Barkley	Frick	James	Minnick	Summers
Barnes	Frush	Jameson	Mizeur	Szeliga
Barve	Gaines	Jones	Morhaim	Tarrant
Beidle	Gilchrist	Kaiser	Murphy	Turner, F.
Bohanan	Glenn	Kelly, A.	Nathan-Pulliam	Valderrama
Branch	Griffith	Kelly, K.	Niemann	Valentino-Smith
Bromwell	Guzzone	Kramer	Olszewski	Vallario
Cardin	Hammen	Lafferty	Otto	Vaughn
Clagett	Haynes	Lee	Pendergrass	Waldstreicher
Clippinger	Healey	Love	Reznik	Walker
Conway	Hixson	Luedtke	Robinson, S.	Washington
Cullison	Holmes	Malone	Ross	Weir
Davis	Howard	McDermott	Rudolph	Wilson
DeBoy	Hubbard	McDonough	Sophocleus	Zucker
Donoghue				

Not Voting - 8

Burns	Conaway	Oaks	Robinson, B.	Rosenberg
Carter	McIntosh	Pena-Melnyk		

Excused from Voting - 0

Excused (Absent) - 11

Bobo	Carr	Gutierrez	Hucker	Proctor
Braveboy	Dwyer	Harrison	Mitchell	Turner, V.
Cane				

Maryland House of Delegates
2012 Special Session 2

SB 1 Third Reading (SB) Calendar No.2
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
On Third Reading (Amend)
FLA Del. Impallaria /813827/1

48 Yeas 73 Nays 10 Not Voting 0 Excused 10 Absent

Voting Yea - 48

Afzali	Frank	Kelly, K.	Myers	Serafini
Aumann	George	Kipke	Norman	Smigiel
Bates	Glass	Krebs	O'Donnell	Sophocleus
Beitzel	Haddaway-Riccio	McComas	Olszewski	Stifter
Boteler	Hershey	McConkey	Otto	Stocksdale
Bromwell	Hogan	McDermott	Parrott	Szeliga
Cluster	Hough	McDonough	Ready	Vitale
Eckardt	Impallaria	McMillan	Schuh	Weir
Elliott	Jacobs	Miller, W.	Schulz	Wood
Fisher	Kach	Minnick		

Voting Nay - 73

Speaker Busch	Dumais	Hubbard	Morhaim	Stein
Arora	Feldman	Ivey	Murphy	Stukes
Barkley	Frick	James	Nathan-Pulliam	Summers
Barnes	Frush	Jameson	Niemann	Tarrant
Barve	Gaines	Jones	Oaks	Turner, F.
Bohanan	Gilchrist	Kaiser	Pena-Melnyk	Turner, V.
Branch	Glenn	Kelly, A.	Pendergrass	Valderrama
Cardin	Griffith	Kramer	Reznik	Valentino-Smith
Carter	Guzzone	Lafferty	Robinson, B.	Vallario
Clagett	Hammen	Lee	Robinson, S.	Waldstreicher
Clippinger	Haynes	Love	Rosenberg	Walker
Conaway	Healey	Luedtke	Ross	Washington
Cullison	Hixson	McHale	Rudolph	Wilson
Davis	Holmes	McIntosh	Simmons	Zucker
Donoghue	Howard	Miller, A.		

Not Voting - 10

Alston	Beidle	Conway	DeBoy	Mizeur
Anderson	Burns	Costa	Malone	Vaughn

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Harrison	Mitchell
Braveboy	Carr	Gutierrez	Hucker	Proctor

**Maryland House of Delegates
2012 Special Session 2**

SB 1	Third Reading (SB) Calendar No.2	
	The President	(W&M)
	Gaming Expansion - Video Lottery Terminals and Table Games	
	On Third Reading	(Amend)
	FLA Del. Fisher /623823/2	

50 Yeas 71 Nays 10 Not Voting 0 Excused 10 Absent

Voting Yea - 50

Afzali	Eckardt	Impallaria	McMillan	Schuh
Arora	Elliott	Jacobs	Miller, W.	Schulz
Aumann	Fisher	Kach	Mizeur	Serafini
Bates	Frank	Kipke	Myers	Smigiel
Boteler	George	Krebs	Nathan-Pulliam	Sophocleus
Bromwell	Glass	Lafferty	Norman	Stifler
Carter	Haddaway-Riccio	McComas	O'Donnell	Stocksdale
Cluster	Hershey	McConkey	Otto	Szeliga
Costa	Hogan	McDermott	Parrott	Vitale
DeBoy	Hough	McDonough	Ready	Wood

Voting Nay - 71

Speaker Busch	Donoghue	Hubbard	Minnick	Stein
Barkley	Dumais	Ivey	Morhaim	Stukes
Barnes	Feldman	Jones	Murphy	Summers
Barve	Frick	Kaiser	Niemann	Tarrant
Beidle	Frush	Kelly, A.	Oaks	Turner, F.
Beitzel	Gaines	Kelly, K.	Olszewski	Turner, V.
Bohanan	Gilchrist	Kramer	Pena-Melnyk	Valderrama
Branch	Glenn	Lee	Pendergrass	Valentino-Smith
Cardin	Hammen	Love	Reznik	Vallario
Clagett	Haynes	Luedtke	Robinson, B.	Waldstreicher
Clippinger	Healey	Malone	Robinson, S.	Washington
Conaway	Hixson	McHale	Rosenberg	Weir
Conway	Holmes	McIntosh	Ross	Wilson
Cullison	Howard	Miller, A.	Rudolph	Zucker
Davis				

Not Voting - 10

Alston	Burns	Guzzone	Jameson	Vaughn
Anderson	Griffith	James	Simmons	Walker

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Harrison	Mitchell
Braveboy	Carr	Gutierrez	Hucker	Proctor

Maryland House of Delegates
2012 Special Session 2

SB 1 Third Reading (SB) Calendar No.2
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
On Third Reading (Amend)
FLA Del. Alston /603924/1

59 Yeas 59 Nays 13 Not Voting 0 Excused 10 Absent

Voting Yea - 59

Afzali	Fisher	James	Morhaim	Schulz
Alston	Frank	Kach	Myers	Serafini
Anderson	George	Kipke	Norman	Simmons
Arora	Glass	Kramer	O'Donnell	Smigiel
Aumann	Griffith	Krebs	Oaks	Sophocleus
Bates	Haddaway-Riccio	Lafferty	Otto	Stifler
Beitzel	Hershey	McComas	Parrott	Stocksdale
Boteler	Hogan	McConkey	Pena-Melnyk	Szeliga
Carter	Hough	McDermott	Ready	Valentino-Smith
Cluster	Howard	McDonough	Robinson, B.	Vitale
Eckardt	Impallaria	McMillan	Rudolph	Wood
Elliott	Jacobs	Miller, W.	Schuh	

Voting Nay - 59

Speaker Busch	Cullison	Healey	McIntosh	Stukes
Barkley	Davis	Hixson	Miller, A.	Summers
Barve	DeBoy	Holmes	Minnick	Tarrant
Beidle	Donoghue	Hubbard	Murphy	Turner, F.
Bohanan	Dumais	Ivey	Niemann	Turner, V.
Branch	Feldman	Jameson	Olszewski	Valderrama
Bromwell	Frick	Jones	Pendergrass	Walker
Clagett	Frush	Kaiser	Reznik	Washington
Clippinger	Gaines	Kelly, K.	Robinson, S.	Weir
Conaway	Gilchrist	Lee	Rosenberg	Wilson
Conway	Glenn	Love	Ross	Zucker
Costa	Guzzone	Luedtke	Stein	

Not Voting - 13

Barnes	Hammen	Malone	Nathan-Pulliam	Vaughn
Burns	Haynes	McHale	Vallario	Waldstreicher
Cardin	Kelly, A.	Mizeur		

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Harrison	Mitchell
Braveboy	Carr	Gutierrez	Hucker	Proctor

Maryland House of Delegates
2012 Special Session 2

SB 1 Third Reading (SB) Calendar No.2
The President (W&M)
Gaming Expansion - Video Lottery Terminals and
Table Games
On Third Reading (Amend)

71 Yeas 59 Nays 1 Not Voting 0 Excused 10 Absent

Voting Yea - 71

Speaker Busch	Cullison	Howard	McHale	Stukes
Anderson	Davis	Hubbard	McIntosh	Summers
Arora	DeBoy	Impallaria	Minnick	Tarrant
Barnes	Donoghue	Ivey	Myers	Turner, F.
Barve	Dumais	Jameson	Nathan-Pulliam	Turner, V.
Beitzel	Feldman	Jones	Oaks	Valderrama
Bohanan	Frick	Kaiser	Olszewski	Valentino-Smith
Branch	Frush	Kelly, K.	Pendergrass	Vallario
Bromwell	Gaines	Kramer	Reznik	Waldstreicher
Cardin	Glenn	Lafferty	Robinson, B.	Walker
Clagett	Guzzone	Love	Rosenberg	Washington
Clippinger	Haynes	Luedtke	Ross	Weir
Conaway	Healey	Malone	Rudolph	Wilson
Conway	Hixson	McDermott	Stein	Zucker
Costa				

Voting Nay - 59

Afzali	Frank	James	Mizeur	Schulz
Alston	George	Kach	Morhaim	Serafini
Aumann	Gilchrist	Kelly, A.	Murphy	Simmons
Barkley	Glass	Kipke	Niemann	Smigiel
Bates	Griffith	Krebs	Norman	Sophocleus
Beidle	Haddaway-Riccio	Lee	O'Donnell	Stifler
Boteler	Hammen	McComas	Otto	Stocksdale
Carter	Hershey	McConkey	Parrott	Szeliga
Cluster	Hogan	McDonough	Pena-Melnyk	Vaughn
Eckardt	Holmes*	McMillan	Ready	Vitale
Elliott	Hough	Miller, A.	Robinson, S.	Wood
Fisher	Jacobs	Miller, W.	Schuh	

Not Voting - 1

Burns

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Harrison	Mitchell
Braveboy	Carr	Gutierrez	Hucker	Proctor

Maryland House of Delegates
2012 Special Session 2

Quorum

128 Yeas 0 Nays 3 Not Voting 0 Excused 10 Absent

Voting Yea - 128

Speaker Busch	Donoghue	Hubbard	Miller, A.	Schulz
Afzali	Dumais	Impallaria	Miller, W.	Serafini
Alston	Eckardt	Ivey	Minnick	Simmons
Anderson	Elliott	Jacobs	Mizeur	Smigiel
Arora	Feldman	James	Morhaim	Sophocleus
Aumann	Fisher	Jameson	Murphy	Stein
Barkley	Frank	Jones	Myers	Stifter
Barnes	Frick	Kach	Nathan-Pulliam	Stocksdale
Barve	Frush	Kaiser	Niemann	Stukes
Bates	Gaines	Kelly, A.	Norman	Summers
Beidle	George	Kelly, K.	O'Donnell	Szeliga
Beitzel	Gilchrist	Kipke	Oaks	Tarrant
Boteler	Glass	Kramer	Olszewski	Turner, F.
Branch	Glenn	Krebs	Otto	Valderrama
Bromwell	Griffith	Lafferty	Parrott	Valentino-Smith
Cardin	Guzzone	Lee	Pena-Melnyk	Vallario
Carter	Haddaway-Riccio	Love	Pendergrass	Vaughn
Clagett	Hammen	Luedtke	Ready	Vitale
Clippinger	Haynes	Malone	Reznik	Waldstreicher
Cluster	Healey	McComas	Robinson, B.	Walker
Conaway	Hershey	McConkey	Robinson, S.	Washington
Conway	Hixson	McDermott	Rosenberg	Weir
Costa	Hogan	McDonough	Ross	Wilson
Cullison	Holmes	McHale	Rudolph	Wood
Davis	Hough	McIntosh	Schuh	Zucker
DeBoy	Howard	McMillan		

Voting Nay - 0

Not Voting - 3

Bohanan Burns Turner, V.

Excused from Voting - 0

Excused (Absent) - 10

Bobo	Cane	Dwyer	Harrison	Mitchell
Braveboy	Carr	Gutierrez	Hucker	Proctor

Appendix V

Exhibits A through C

**HOUSE JOURNAL EXHIBITS
2012 Second Special Session**

EXHIBIT	CONTENTS	PAGE
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The State of Maryland
Executive Department

EXECUTIVE ORDER
01.01.2012.16

Proclamation Convening the General Assembly of Maryland in Extraordinary Session at
Annapolis, Maryland on August 9, 2012

- WHEREAS, Maryland's gaming industry supports thousands of jobs, and when fully implemented, is projected to generate more than \$1 billion in annual revenue, with hundreds of million benefitting the Education Trust Fund;
- WHEREAS, The State of Maryland has the opportunity to create thousands of new construction jobs and more than 2,000 new permanent jobs;
- WHEREAS, By acting now, the State of Maryland has the opportunity to secure additional revenue for Maryland's public schools over the next two years;
- WHEREAS, The proposed legislation will create predictability in the marketplace;
- WHEREAS, The proposed legislation will make Maryland's gaming program competitive with other states;
- WHEREAS, The proposed legislation will provide financial certainty, predictability, and fair treatment to current licensees;
- WHEREAS, The proposed legislation will protect local and city aid being generated at current sites;
- WHEREAS, If a majority of Maryland voters vote in favor of the question to expand gaming on the November 2012 ballot, the State Lottery and Gaming Control Commission shall immediately begin the regulatory process to authorize table games;
- WHEREAS, According to the fiscal analysis provided for the Workgroup to Consider the Expansion of Gaming, table games will likely generate approximately \$45-51 million per year in additional revenues for the Education Trust Fund;



- WHEREAS, If a sixth video lottery terminal facility opens, the State may realize millions of dollars in additional revenues to the Education Trust Fund;
- WHEREAS, Local jurisdictions with facilities will benefit by the proposed legislation through additional local impact grants and table games proceeds upon the opening of a sixth site;
- WHEREAS, In order to protect the State's interest, the proposed legislation would re-constitute the current State Lottery Agency as the State Lottery and Gaming Control Agency, consisting of members with expertise in fiscal matters and economics;
- WHEREAS, The legislation would authorize an additional site in Prince George's County only if: (1) a majority of Maryland voters vote in favor of the question to expand gaming on the November 2012 ballot; and (2) a majority of voters in Prince George's County approve the same question;
- WHEREAS, The Video Lottery Facility Location Commission may not permit the operation of an additional facility before the earlier of July 1, 2016, or 30 months after the Baltimore City facility is open to the public;
- WHEREAS, A transfer of ownership in the video lottery terminals is expected to generate tens of millions of dollars in savings to the State, all of which shall be appropriated to the Education Trust Fund;
- WHEREAS, The proposed legislation would ban political donations from gaming entities in order to restore confidence that important decisions are being made based on expertise and analysis and without unnecessary distractions;
- WHEREAS, The proposed legislation will provide the same level of funding to the racing industry as is currently expected to be generated by the existing VLT program; and
- WHEREAS, By finally resolving this issue of gaming in Maryland, we have an opportunity to provide significant additional funding for our number one ranked public schools, create more than 2,000 additional permanent jobs, and keep Maryland's facilities competitive with surrounding states.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY ARTICLE II, SECTION 16 OF THE MARYLAND CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM AND CONVENE A SPECIAL AND EXTRAORDINARY SESSION OF THE GENERAL ASSEMBLY OF MARYLAND TO COMMENCE ON THURSDAY, AUGUST 9, 2012, IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 8th Day of August, 2012



Martin O'Malley
Governor

ATTEST:

John McDonough
Secretary of State

2012 Vetoed House Bills and Messages

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 51 – *Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs*.

This bill corrects obsolete language relating to certain alcoholic beverages licenses and license fees in Dorchester County.

Senate Bill 33, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 51.

Sincerely,

Governor

House Bill 51

AN ACT concerning

Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs

FOR the purpose of updating certain obsolete language by authorizing a certain organization to obtain a certain license from the County Council of Dorchester County under certain circumstances; updating certain obsolete language by requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the mayor and city council of a city or town under certain circumstances; requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the Finance Department of Dorchester County under certain circumstances; and generally relating to the distribution of Class C beer, wine and liquor license fees paid by organizations in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6-301(a)

Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(k)
Annotated Code of Maryland
(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 56 – *Dorchester County – Alcoholic Beverages – Hours for Sale*.

This bill alters the Sunday sales hours for holders of a Class B (on–sale) beer, wine and liquor license in Dorchester County.

Senate Bill 103, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 56.

Sincerely,

Governor

House Bill 56

AN ACT concerning

Dorchester County – Alcoholic Beverages – Hours for Sale

FOR the purpose of altering the hours for sale on a certain day for holders of a certain alcoholic beverages license in Dorchester County; and generally relating to the hours for sale for alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–510(a)

Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–510(b)(6)
Annotated Code of Maryland
(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 73 – *State Board of Social Work Examiners – Sunset Extension and Program Evaluation*.

This bill continues the State Board of Social Work Examiners in accordance with the provisions of the Maryland Program Evaluation Act by extending it to July 1, 2024. The termination provision relates to specified authorities of the board and requires that an evaluation of the board and the statutes and regulations that relate to the board be performed on or before July 1, 2023. The bill also requires the board to report to specified committees of the General Assembly on or before October 1, 2013.

Senate Bill 95, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 73.

Sincerely,

Governor

House Bill 73

AN ACT concerning

**State Board of Social Work Examiners – Sunset Extension and Program
Evaluation**

FOR the purpose of continuing the State Board of Social Work 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 a report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 19–502
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Government
 Section 8–403(a)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 8–403(b)(64)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 88 – *State Retirement and Pension System – Medical Board Participation*.

This bill authorizes the Board of Trustees of the State Retirement and Pension System to appoint a physician who is a participating employee in the Optional Retirement Program to serve on a medical board if the physician is not eligible for a disability benefit under State pension law.

Senate Bill 357, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 88.

Sincerely,

Governor

House Bill 88

AN ACT concerning

State Retirement and Pension System – Medical Board Participation

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to appoint a physician who is a participating employee in the Optional Retirement Program to serve on a medical board, subject to a certain condition; prohibiting a medical board physician who is a participating employee in the Optional Retirement Program from participating in certain cases under certain circumstances; and generally relating to the appointment of medical boards for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 21–126
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 90 – *Election Law – Baltimore County Republican Party Central Committee – Election of Chairman*.

This bill requires the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large. This bill also alters the number of members of the central committee.

Senate Bill 85, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 90.

Sincerely,

Governor

House Bill 90

AN ACT concerning

Election Law – Baltimore County Republican Party Central Committee – Election of Chairman

FOR the purpose of requiring the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large; altering the number of members of the central committee; and generally relating to the election of the Chairman of the Baltimore County Republican Party Central Committee.

BY repealing and reenacting, with amendments,
 Article – Election Law
 Section 4–202 and 4–203(c)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 97 – *Baltimore City – Hotel Room Tax – Convention Center Promotion*.

This bill extends through fiscal year 2017 the requirement that 40% of the proceeds from a hotel room tax imposed by Baltimore City be appropriated for Convention Center marketing and tourism promotion.

Senate Bill 243, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 97.

Sincerely,

Governor

House Bill 97

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,
 The Charter of Baltimore City
 Article II – General Powers
 Section (40)(e)
 (2007 Replacement Volume, as amended)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 98 – *Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption*.

This bill exempts from a specified offset of a retirement allowance specified retirees of the Teachers’ Retirement System or the Teachers’ Pension System who are employed by the Maryland School for the Deaf; provides that the superintendent of the Maryland School for the Deaf may employ a specified number of specified retirees who will not be subject to a specified offset of a retirement allowance; and requires that the

superintendent of the Maryland School for the Deaf is responsible for specified reimbursements under specified circumstances.

Senate Bill 251, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 98.

Sincerely,

Governor

House Bill 98

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

FOR the purpose of exempting from a certain offset of a retirement allowance certain retirees of the Teachers' Retirement System or the Teachers' Pension System who are employed by the Maryland School for the Deaf; providing that the superintendent of the Maryland School for the Deaf may employ a certain number of certain retirees who will not be subject to a certain offset of a retirement allowance; requiring that the superintendent of the Maryland School for the Deaf is responsible for certain reimbursements under certain circumstances; requiring the superintendent of the Maryland School for the Deaf to submit certain reports to the Board of Trustees for the State Retirement and Pension System and the Superintendent of the State Department of Education in a certain manner and by a certain date; and generally relating to the reemployment of retirees in the teachers' retirement and pension systems.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 22–406(a) and (c)(4)(v) and (vi) and 23–407(a) and (c)(4)(iv) and (v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section ~~22–406(c)(5) and (6) and 23–407(c)(5) and (6)~~ 22–406(c)(5), (6), (8), (9), and (10) and 23–407(c)(5), (6), (8), (9), and (10)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 120 – *Maryland Income Tax Refund – Anne Arundel County – Warrants*.

This bill authorizes a warrant official to certify to the Comptroller the existence of an outstanding warrant; provides that the Comptroller may not pay Maryland income tax refunds to individuals with outstanding warrants under specified circumstances; provides that the requirement applies only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; and requires the Comptroller to withhold and pay required amounts under specified circumstances.

Senate Bill 8, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 120.

Sincerely,

Governor

House Bill 120

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County – Warrants

FOR the purpose of authorizing certain warrant officials to certify to the Comptroller the existence of an outstanding warrant; requiring the Comptroller to withhold the Maryland income tax refunds of certain individuals with outstanding warrants under certain circumstances; providing that certain provisions of law apply only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring a certain certification to contain certain information; requiring the Comptroller, under certain circumstances, to withhold an individual's income tax refund and notify the individual of a certain certification; providing that the Comptroller may not pay a Maryland income tax refund until the warrant official notifies the Comptroller that the warrant is no longer outstanding; requiring the Comptroller to withhold and pay certain required amounts before withholding any part of certain income tax refunds; requiring the Office of the Comptroller to submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain

terms; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to

Article – Tax – General

Section 13–935 through 13–939 to be under the new part “Part VII. Income Tax Refund Withholding – Warrants”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 124 – *Frederick County – Public Facilities Bonds*.

This bill authorizes and empowers the County Commissioners of Frederick County, from time to time, to borrow not more than \$100,000,000 in order to finance the cost of specified public facilities in Frederick County. This bill is to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds.

Senate Bill 300, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 124.

Sincerely,

Governor

House Bill 124

AN ACT concerning

Frederick County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than \$100,000,000 in order to finance the cost of certain public facilities in Frederick County, as herein defined, and to effect such borrowing by the issuance and sale at public

or private sale of its general obligation bonds; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; providing that such borrowing may be undertaken by Frederick County in the form of installment purchase obligations executed and delivered by Frederick County for the purpose of acquiring agricultural land and woodland preservation easements; and generally relating to the issuance and sale of the bonds by Frederick County.

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 129 – *Caroline County – Deer Hunting on Private Property – Sundays*.

This bill authorizes a person in Caroline County to hunt deer on specified Sundays on private property using specified hunting equipment during specified months.

Senate Bill 390, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 129.

Sincerely,

Governor

House Bill 129

AN ACT concerning

Caroline County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Caroline County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 136 – *Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities*.

This bill authorizes the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on specified housing units at independent living retirement communities.

Senate Bill 666, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 136.

Sincerely,

Governor

House Bill 136

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

FOR the purpose of authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain housing units at independent living retirement communities; authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to provide, by law, for certain provisions necessary to carry out the tax credit; specifying that the full benefit of the tax credit be assigned to certain residents; providing for the application of this Act; defining a certain term; and generally relating to a property tax credit in Carroll County for certain housing units in certain independent living retirement communities.

BY adding to

Article – Tax – Property

Section 9–308(f)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 144 – *Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays*.

This bill authorizes a person to hunt turkey on private property on Sundays during the spring turkey hunting season in Caroline County and Dorchester County and makes the Act an emergency measure.

Senate Bill 105, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 144.

Sincerely,

Governor

House Bill 144

AN ACT concerning

Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Caroline County and Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 162 – *State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications*.

This bill alters the timing of a specified reimbursement to specified accumulation funds for specified administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency; and requires the Board of Trustees to send specified certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before February 1 of each year.

Senate Bill 273, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 162.

Sincerely,

Governor

House Bill 162

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

FOR the purpose of altering the timing of a certain reimbursement to certain accumulation funds for certain administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency; requiring that certain reimbursements to certain accumulation funds be done in a certain manner; requiring the Board of Trustees to offset certain reimbursements in a certain manner; requiring the Board of Trustees ~~for the State Retirement and Pension System~~ to send certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before ~~certain dates~~ a certain date; and generally relating to certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 21-303(d) and 21-316
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 170 – *State Employees' Retirement and Pension Systems – Eligible Employees – St. Mary's Nursing Center, Inc.*

This bill authorizes specified employees of the St. Mary's Nursing Center, Inc., to continue to participate in the State employees' retirement and pension systems.

Senate Bill 52, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 170.

Sincerely,

Governor

House Bill 170

AN ACT concerning

State Employees' Retirement and Pension Systems – Eligible Employees – St. Mary's Nursing Center, Inc.

FOR the purpose of authorizing certain employees of the St. Mary's Nursing Center, Inc. to continue to participate in the State employees' retirement and pension systems; updating the name of the St. Mary's County Nursing Home in a certain list of governmental units eligible for participation in the employees' systems; and generally relating to the participation of certain St. Mary's Nursing Center, Inc. employees in the State employees' retirement and pension systems.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 31–102(2)(xvii)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

BY adding to
 Article – State Personnel and Pensions
 Section 31–106.2
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 204 – *Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants*.

This bill alters the residency requirement for applicants for alcoholic beverages licenses in Harford County.

Senate Bill 67, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 204.

Sincerely,

Governor

House Bill 204

AN ACT concerning

Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants

FOR the purpose of altering the residency requirement for applicants for alcoholic beverages licenses in Harford County; and generally relating to alcoholic beverages licenses in Harford County.

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

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 212 – *Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check*.

This bill authorizes a specified officer in Caroline County, Dorchester County, and Talbot County to request a State and national criminal history records check from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services for a prospective county employee or volunteer. This bill also requires that a specified officer submit sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check.

Senate Bill 41, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 212.

Sincerely,

Governor

House Bill 212

AN ACT concerning

Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check

FOR the purpose of authorizing a certain officer in Caroline County, Dorchester County, and Talbot County to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a certain officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective employee or volunteer and a certain officer the prospective employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing bodies of Caroline County, Dorchester County, and Talbot County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks.

BY renumbering

Article – Criminal Procedure

Section 10–236

to be Section 10–234.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to
 Article – Criminal Procedure
 Section 10–231.2, 10–232.1, and 10–234.2
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 223 – *Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License*.

This bill authorizes the holder of a special Class C beer, wine and liquor license in Garrett County to purchase beer and light wine from a wholesale dealer.

Senate Bill 585, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 223.

Sincerely,

Governor

House Bill 223

AN ACT concerning

Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License

FOR the purpose of authorizing in Garrett County the holder of a special Class C beer, wine and liquor license to purchase beer and light wine from a wholesale dealer; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 7–101(d)
 Annotated Code of Maryland

(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 239 – *Frederick County Board of Education – Membership and Employment*.

This bill repeals a prohibition against an individual being elected to the Frederick County Board of Education who is married to an administrator or teacher in the county school system. This bill also repeals a prohibition against hiring someone as a public school teacher or administrator who is married to a member of the county board.

Senate Bill 320, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 239.

Sincerely,

Governor

House Bill 239

AN ACT concerning

Frederick County Board of Education – Membership and Employment

FOR the purpose of repealing a certain provision of law prohibiting certain individuals in Frederick County from being elected to or serving on the county board of education; repealing a certain provision of law prohibiting certain individuals in Frederick County from being hired as an administrator or a teacher under certain circumstances; and generally relating to certain individuals who may serve on and may be hired by the Frederick County Board of Education.

BY repealing and reenacting, without amendments,
Article – Education
Section 3-5B-01(a) and (b)

Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Education

Section 3–5B–02

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY renumbering

Article – Education

Section 3–5B–03, 3–5B–04, and 3–5B–05, respectively

to be Section 3–5B–02, 3–5B–03, and 3–5B–04, respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 251 – *Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants*.

This bill authorizes the Ocean City Police Department to request State and national criminal history records checks for taxi driver applicants in Ocean City from the Criminal Justice Information System Central Repository. This bill requires the Ocean City Police Department to submit sets of fingerprints of taxi driver applicants and pay specified fees to the Central Repository as part of the application for a records check. In addition, the bill requires the Central Repository to forward specified information to specified persons.

Senate Bill 374, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 251.

Sincerely,

Governor

House Bill 251

AN ACT concerning

Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants

FOR the purpose of authorizing the Ocean City Police Department to request State and national criminal history records checks for taxi driver applicants in Ocean City from the Criminal Justice Information System Central Repository; requiring the Police Department to submit sets of fingerprints of taxi driver applicants and pay certain fees to the Central Repository as part of the application for a records check; requiring the Central Repository to forward certain information to certain persons; specifying that certain information be confidential, not be disseminated, and be used only for a certain purpose; authorizing the subject of a criminal history records check to contest the contents of a certain statement in a certain manner; and generally relating to criminal history records checks for taxi driver applicants in Ocean City.

BY repealing and reenacting, without amendments,
 Article – Criminal Procedure
 Section 10–231
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

BY adding to
 Article – Criminal Procedure
 Section 10–234.1 to be under the amended part “Part IV. Criminal History
 Records Check Requests – Counties and Municipalities”
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 306 – *Talbot County – Alcoholic Beverages – Wineries*.

This bill repeals provisions of law that limit the wine sampling privileges of licensed wineries in Talbot County and clarifies that the statewide wine sampling privileges of licensed wineries apply in Talbot County.

Senate Bill 448, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 306.

Sincerely,

Governor

House Bill 306

AN ACT concerning

Talbot County – Alcoholic Beverages – Wineries

FOR the purpose of repealing certain provisions of law that limit the wine sampling privileges of licensed wineries in Talbot County; clarifying that the statewide wine sampling privileges of licensed wineries apply in Talbot County; and generally relating to alcoholic beverages in Talbot County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–204(1) and (2)(v) and 2–205(b)(1), (5)(ii), and (7)(i)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing
Article 2B – Alcoholic Beverages
Section 8–410
Annotated Code of Maryland
(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 363 – *Baltimore City – Police Department – Appointments*.

This bill alters, from Captain to Lieutenant, the rank above which the Police Commissioner of Baltimore City may make an appointment without an examination in the Police Department of Baltimore City.

Senate Bill 409, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 363.

Sincerely,

Governor

House Bill 363

AN ACT concerning

Baltimore City – Police Department – Appointments

FOR the purpose of altering the rank above which the Police Commissioner of Baltimore City may make an appointment without an examination under certain circumstances; and generally relating to appointments in the Police Department of Baltimore City.

BY repealing and reenacting, with amendments,
 The Public Local Laws of Baltimore City
 Section 16–7(3) and 16–10(d)
 Article 4 – Public Local Laws of Maryland
 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 379 – *Frederick County – Alcoholic Beverages – Citations Issued by Inspectors*.

This bill authorizes an alcoholic beverages inspector in Frederick County to carry a firearm in the performance of the inspector's duties.

Senate Bill 439, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 379.

Sincerely,

Governor

House Bill 379

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

FOR the purpose of removing Frederick County from the list of counties whose alcoholic beverages inspectors are prohibited from carrying a weapon when issuing a citation for certain violations; authorizing an alcoholic beverages inspector in Frederick County to carry a firearm under certain circumstances only if the alcoholic beverages inspector is a retired law enforcement officer; clarifying language; and generally relating to alcoholic beverages inspectors in Frederick County.

BY repealing and reenacting, with amendments,
 Article – Criminal Law
 Section 10–119(b)
 Annotated Code of Maryland
 (2002 Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 395 – *State Board of Nursing – Sunset Extension and Revisions*.

This bill continues the State Board of Nursing by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board;

requires that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2022; and requires the Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, to contract with an independent entity for a specified management and personnel study with costs paid from the Board of Nursing Fund.

Senate Bill 921, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 395.

Sincerely,

Governor

House Bill 395

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Nursing 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 annual report to the General Assembly; specifying the data that must be included in a certain annual report; altering a certain requirement related to the application for a license to practice registered nursing or licensed practical nursing; altering a certain requirement related to the application for certification as a certified nursing assistant; altering the membership of a certain advisory committee; requiring a certain advisory committee to meet at least once during a certain time period; requiring the ~~Board~~ Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, to contract with an independent entity to perform a certain management and personnel study to be completed on or before a certain date; requiring the Department of Health and Mental Hygiene and the Department of Budget and Management jointly to develop specifications for a certain solicitation; requiring the Department of Budget and Management to oversee a certain independent entity; requiring that the costs of a certain study be paid from the Board of Nursing Fund; requiring the Department of Budget and Management, on or before a certain date, to report to certain committees of the General Assembly on the results of a certain study; requiring the Board to report to certain committees of the General Assembly on the implementation and use of certain sanctioning guidelines on or before a certain date; requiring the Board to report to certain committees of the General Assembly on the implementation of certain recommendations; requiring the

report to include certain information and a certain plan; making a stylistic change; and generally relating to the State Board of Nursing.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 8–205(a)(8), 8–304, 8–6A–05(c)(2), 8–6A–13, and 8–802
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Government
 Section 8–403(a)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 8–403(b)(40)
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 524 – *Washington County – Sheriffs and Deputy Sheriffs – Practice of Law*.

This bill allows an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County.

Senate Bill 170, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 524.

Sincerely,

Governor

House Bill 524

AN ACT concerning

Washington County – Sheriffs and Deputy Sheriffs – Practice of Law

FOR the purpose of allowing an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County; and generally relating to the practice of law by sheriffs and deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,
 Article – Business Occupations and Professions
 Section 10–603
 Annotated Code of Maryland
 (2010 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 736 – *Garrett County – Animal Control Ordinance – Enabling Authority*.

This bill authorizes the County Commissioners of Garrett County to adopt an animal control ordinance for the county.

Senate Bill 769, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 736.

Sincerely,

Governor

House Bill 736

AN ACT concerning

Garrett County – Animal Control Ordinance – Enabling Authority

FOR the purpose of authorizing the County Commissioners of Garrett County to adopt a certain animal control ordinance; authorizing a certain animal control officer to deliver a certain citation to a person believed to be committing a violation of an animal control ordinance adopted by the county commissioners; establishing the contents of a certain citation; establishing a certain maximum penalty; authorizing the county commissioners to establish certain fines and procedures; authorizing a person who receives a certain citation to elect to stand trial; establishing certain procedures relating to the prosecution and trial of a person who violates an animal control ordinance; providing that a person who commits a violation of an animal control ordinance is liable for court costs under certain circumstances; making certain conforming changes; and generally relating to the adoption of an animal control ordinance in Garrett County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 236A
Annotated Code of Maryland
(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 737 – *Baltimore County – Alcoholic Beverages Licenses*.

This bill alters provisions of law relating to the transfer and issuance of alcoholic beverages licenses within Baltimore County.

Senate Bill 654, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 737.

Sincerely,

Governor

House Bill 737

AN ACT concerning

Baltimore County – Alcoholic Beverages Licenses

FOR the purpose of altering certain minimum percentages of average daily receipts from the sale of food that restaurants must maintain for a certain purpose; prohibiting the Baltimore County Board of Liquor License Commissioners from authorizing the transfer of more than a certain total of certain licenses in existence on a certain date out of a certain election district; authorizing the ~~Baltimore County Board of Liquor License Commissioners~~ to approve the transfer of certain alcoholic beverages licenses in existence in a certain election district on a certain date to certain election districts based on a certain rule; establishing ~~a certain limit~~ certain limits on the number of licenses that may be transferred into a single election district during ~~a certain period~~ certain periods; ~~establishing a certain limit on the number of licenses that may be transferred into a single election district;~~ requiring the Board to create and issue a certain number of Class B Service Bar (SB) beer and wine licenses during certain time periods under certain circumstances; requiring a Class B Service Bar (SB) beer and wine license to comply with certain provisions of law relating to the operation of restaurants; establishing a certain fee; requiring the conversion of a Class D license to a Class B license that is transferred from a certain election district to any other election district and prohibiting its transfer or conversion to another class of license; prohibiting the transfer from a licensed premises or conversion to another class of license of any new license issued by the Board based on a certain increase in population; requiring the issuance of a license for a partnership to be issued to at least two general partners, at least one of whom is a registered voter of any county or Baltimore City and resides in the county or Baltimore City at the time of application; requiring the Board to issue a license to only one partner of a partnership as an individual under certain circumstances; altering the maximum number of certain licenses an individual or a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company may obtain a certain interest in; ~~repealing certain provisions of law relating to minimum seating capacity for dining and;~~ altering the maximum seating capacity for a certain cocktail lounge or bar; altering a maximum percentage of sales in alcoholic beverages; altering a certain residency requirement for certain license applicants to require residency in the State for a certain period of time; repealing a certain provision of law requiring that a certain certificate be signed by a certain number of citizens regarding the length of time each has been acquainted with a certain applicant; requiring the Board to allow a certain reduction of certain square footage requirements applicable to certain buildings under a certain rule; requiring the County Executive for Baltimore County to appoint a certain task force to study certain issues relating to the distribution of alcoholic beverages licenses in Baltimore County; providing for the construction of certain provisions of this Act; providing for the application of certain provisions of this Act; making this Act

an emergency measure; and generally relating to the transfer and issuance of alcoholic beverages licenses in Baltimore County.

BY adding to

Article 2B – Alcoholic Beverages
Section ~~8–204.7 and 8–204.8~~, and 8–204.9
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section ~~8–204.3(d)(1), (2), and (3)~~ 8–204.3(d)(3) and (e), ~~8–204.4(d), 8–204.5(d),~~
9–101(a)(1), 9–102(b–3B)(1) and (2) and (b–3C)(1), and 10–103(b)(4) and
(18)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 8–204.3(d)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing

Article 2B – Alcoholic Beverages
Section 10–104(e)
Annotated Code of Maryland
(2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
Speaker of the House
H–101 State House
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 769 – *Unemployment Insurance – Coverage – Victims of Domestic Violence*.

This bill allows an individual to receive unemployment insurance if the Department of Labor, Licensing, and Regulation determines the individual voluntarily left

employment because the individual or individual's spouse, minor child, or parent was a victim of domestic violence.

Senate Bill 291, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 769.

Sincerely,

Governor

House Bill 769

AN ACT concerning

Unemployment Insurance – Coverage – Victims of Domestic Violence

FOR the purpose of providing that certain information provided to the Secretary of Labor, Licensing, and Regulation related to whether a claimant for unemployment insurance left employment as a result of domestic violence is confidential and not subject to disclosure except under certain circumstances; authorizing the Secretary to notify an employing unit in general terms that a claimant has left employment as a result of domestic violence; prohibiting the Secretary from disclosing certain information to an employing unit unless the employing unit provides certain information; requiring the Secretary to take certain action before disclosing certain information to an employing unit; prohibiting an employing unit from disseminating certain information; specifying that certain information related to the status of a claimant or a claimant's ~~immediate family member~~ spouse, minor child, or parent as a victim of domestic violence is not public information subject to certain disclosure; authorizing the Secretary to adopt certain regulations; prohibiting the Secretary from charging certain unemployment insurance benefits against the earned rating record of an employing unit; authorizing the Secretary to find that a cause of voluntarily leaving employment is good cause if it is directly attributable to the individual or individual's ~~immediate family member~~ spouse, minor child, or parent being a victim of domestic violence and the individual has a certain reasonable belief and provides certain information; providing for the application of this Act; and generally relating to unemployment insurance coverage for victims of domestic violence.

BY adding to

Article – Labor and Employment

Section 8-105.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
 Section 8–611(e) and 8–1001
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 787 – *Frederick County – Alcoholic Beverages – Licensed Restaurants – Removal of Tables and Chairs for Expanded Occupancy*.

This bill authorizes in Frederick County a restaurant for which a Class B beer, wine and liquor license is issued to remove its tables and chairs to accommodate additional patrons at not more than four special events in a calendar year.

Senate Bill 321, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 787.

Sincerely,

Governor

House Bill 787

AN ACT concerning

**Frederick County – Alcoholic Beverages – Licensed Restaurants – Removal of
 Tables and Chairs for Expanded Occupancy**

FOR the purpose of authorizing in Frederick County a restaurant for which a Class B beer, wine and liquor license is issued to remove its tables and chairs to accommodate additional patrons at a certain number of special events in a year; requiring that a restaurant that removes its tables and chairs give notice to the Board of License Commissioners not less than a certain time before the event; requiring the removed tables and chairs to be stored in a certain manner; prohibiting a restaurant from allowing entry to more than the maximum number of occupants that the County Fire Marshal allows; and generally

relating to restaurants for which an alcoholic beverages license is issued in Frederick County.

BY repealing and reenacting, without amendments,
 Article 2B – Alcoholic Beverages
 Section 6–201(a)(1) and (l)(1) and (2)(iii)
 Annotated Code of Maryland
 (2011 Replacement Volume)

BY adding to
 Article 2B – Alcoholic Beverages
 Section 6–201(l)(2)(iv)
 Annotated Code of Maryland
 (2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1006 – *Baltimore County – Public School Employees – Collective Bargaining Units*.

This bill alters the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County. The bill also establishes a collective bargaining unit for administrative and supervisory certificated employees and provides that one of the three units for noncertificated employees be for supervisory employees.

Senate Bill 853, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1006.

Sincerely,

Governor

House Bill 1006

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

FOR the purpose of altering the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a certain unit of certain employees in Baltimore County; ~~establishing a certain unit of certain employees~~ including a unit of certain supervisory employees among certain units authorized in Baltimore County; providing for a delayed effective date; and generally relating to collective bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 6–401(e), 6–404(c), and 6–505(c)
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1095 – *Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor*.

This bill requires an insurer that discovers a material risk factor during the 45–day underwriting period to recalculate the premium for a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance under specified circumstances. This bill also requires the insurer to provide written notice to the insured on a specified form if the insurer recalculates the premium for the policy or binder based on the discovery of a material risk factor. In addition, the bill applies the Act to policies and contracts issued after January 1, 2013.

Senate Bill 531, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1095.

Sincerely,

Governor

House Bill 1095

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

FOR the purpose of requiring an insurer that discovers a certain material risk factor during a certain underwriting period to recalculate the premium for a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance under certain circumstances; requiring the insurer to provide certain *written* notice to the insured *on a certain form* if the insurer recalculates the premium for the policy or binder based on the discovery of a certain material risk factor; *requiring an insurer, at the time of a certain application or when a certain policy or binder is issued, to provide a certain written notice of its ability to recalculate a certain premium during a certain period*; providing that certain provisions of law requiring insurers to send certain notice of a premium increase for a policy of private passenger motor vehicle liability insurance do not apply to an increase in premium made by an insurer during the underwriting period under certain circumstances; defining a certain term; making stylistic changes; providing for the application of this Act; providing for a delayed effective date; and generally relating to the recalculation of the premium for a policy or binder of property and casualty insurance during the underwriting period.

BY repealing and reenacting, with amendments,
 Article – Insurance
 Section 12–106 and 27–614(b)
 Annotated Code of Maryland
 (2011 Replacement Volume)

BY repealing and reenacting, without amendments,
 Article – Insurance
 Section 27–614(a) and (c)(1) and (2)
 Annotated Code of Maryland
 (2011 Replacement Volume)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H–101 State House
 Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1213 – *Harford County Board of Education – Student Member*.

This bill provides that the student member of the Harford County Board of Education has specified rights and privileges and prohibits the student member from voting on or participating in specified matters. This bill also provides that specified provisions of law relating to the payment of specified expenses for members of the Harford County Board of Education do not apply to the student member of the Board.

Senate Bill 816, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1213.

Sincerely,

Governor

House Bill 1213

AN ACT concerning

Harford County Board of Education – Student Member – ~~Voting Rights~~

FOR the purpose of providing that the student member of the Harford County Board of Education has certain rights and privileges; prohibiting the student member from voting on or participating in certain matters; providing that certain provisions of law relating to the payment of certain expenses for members of the Harford County Board of Education do not apply to the student member of the Board; making certain clarifying changes; altering a certain definition; and generally relating to the Harford County Board of Education and student member voting rights and expense allowance.

BY repealing and reenacting, with amendments,
 Article – Education
 Section ~~3-6A-01 and 3-6A-02~~, 3-6A-02, and 3-6A-04
 Annotated Code of Maryland
 (2008 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Michael E. Busch
 Speaker of the House
 H-101 State House

Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1347 – *Wicomico County – Alcoholic Beverages – Class D Licenses*.

This bill establishes a Class D beer, wine and liquor entertainment and amusement license in Wicomico County.

Senate Bill 1044, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1347.

Sincerely,

Governor

House Bill 1347

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – ~~Follow-Up~~ Records Checks

FOR the purpose of clarifying that there is a Class D beer, wine and liquor tavern license in Wicomico County; establishing a Class D beer, wine and liquor entertainment and amusement license in the County; providing for an annual fee and days of sale for the entertainment and amusement license; specifying that the entertainment and amusement license authorizes consumption on the premises only; specifying certain requirements that the premises that is the subject of an entertainment and amusement license application must meet; providing that the entertainment and amusement license holder must purchase certain alcoholic beverages from a county dispensary and may not be charged more than a certain price; prohibiting certain individuals under certain ages from entering or remaining on the licensed premises under certain circumstances; authorizing the Board to adopt certain regulations; ~~requiring the Criminal Justice Information System Central Repository (CJIS) to provide the Board with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the Board with revised printed statements under certain circumstances; defining a certain term;~~ making certain technical and stylistic changes; clarifying language; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages

Section 6-401(a)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6-401(x) ~~and 10-103(b)(13)(vii)~~
Annotated Code of Maryland
(2011 Replacement Volume)

SENATE BILL 1

C7

3lr0251
CF HB 1

By: **The President (By Request – Administration)**

Introduced and read first time: August 9, 2012

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: August 10, 2012

CHAPTER _____

1 AN ACT concerning

2 **Gaming Expansion – Video Lottery Terminals and Table Games**

3 FOR the purpose of establishing the State Lottery and Gaming Control Commission
4 and the State Lottery and Gaming Control Agency with certain powers and
5 duties; transferring the responsibilities of the State Lottery Commission and
6 the State Lottery Agency to the State Lottery and Gaming Control Commission
7 and the State Lottery and Gaming Control Agency, respectively; providing for
8 the membership of the State Lottery and Gaming Control Commission;
9 authorizing the Presiding Officers of the General Assembly to recommend
10 individuals to the Governor for appointment to the State Lottery and Gaming
11 Control Commission; providing for certain qualifications, terms of office,
12 salaries, and reimbursements of expenses for members of the State Lottery and
13 Gaming Control Commission; altering the number of members who must concur
14 before the State Lottery and Gaming Control Commission may act; providing for
15 certain staffing and consultants for the State Lottery and Gaming Control
16 Commission; establishing the Joint Committee on Gaming Oversight; providing
17 for the membership, duties, and staffing of the Committee and the appointment
18 of cochairs; establishing that a member of the Committee may not receive
19 compensation but may receive a certain reimbursement; requiring the Committee
20 to submit a certain annual report; requiring certain video lottery facilities to
21 own or lease certain video lottery terminals and associated equipment and
22 software, subject to a certain exception; requiring that certain savings related to
23 the ownership or leasing of video lottery terminals and associated equipment
24 and software be appropriated to the Education Trust Fund; authorizing certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 counties to impose certain requirements under certain circumstances; altering
2 the distribution of certain proceeds of video lottery terminals; authorizing video
3 lottery operation licensees to retain certain funds; altering the timing for certain
4 transfers of funds; altering the authorized uses of a certain fund; altering the
5 period of time and authorized use for certain local impact grants; extending
6 certain reporting requirements; authorizing the State Racing Commission to use
7 certain accounting services for a certain purpose; requiring certain holders of a
8 license to hold a race meeting to reimburse the State Racing Commission for
9 certain expenditures; altering the authorized use of certain revenues in Prince
10 George's County to require that the revenues be used for public safety projects
11 instead of capital projects; altering the distance from Rosecroft Raceway for
12 purposes of determining the communities within which certain revenues may be
13 used for certain projects; altering the staffing for the Video Lottery Facility
14 Location Commission; repealing certain limitations on a certain video lottery
15 facility; requiring certain applicants for a video lottery operation license to take
16 certain steps before being awarded a license; requiring the Governor's Office of
17 Minority Affairs, in consultation with the Office of the Attorney General, to
18 provide certain assistance; requiring certain proceedings before the Board of
19 Contract Appeals to proceed in a certain manner; authorizing certain petitions
20 for judicial review to be heard in certain circuit courts; requiring that certain
21 proceedings related to certain petitions for judicial review proceed in a certain
22 manner under certain circumstances; exempting certain video lottery terminals,
23 associated equipment and software, and table games from property tax;
24 authorizing certain parties to certain proceedings related to certain petitions for
25 judicial review to appeal the decision of the circuit court in a certain manner;
26 prohibiting certain persons from making certain contributions under certain
27 circumstances; altering a certain provision relating to certain temporary
28 facilities; prohibiting a certain video lottery facility from beginning certain
29 operations in a temporary facility; authorizing, subject to a certain contingency,
30 the use and regulation of table games in the State; authorizing, subject to a
31 certain contingency, an additional license to operate a video lottery facility in
32 the State and additional video lottery terminal devices; authorizing, subject to a
33 certain contingency, a holder of a video lottery facility license to apply for an
34 additional license under certain circumstances and notwithstanding a certain
35 prohibition against an individual or business entity owning an interest in more
36 than one video lottery facility; authorizing, subject to a certain contingency, the
37 State Lottery and Gaming Control Commission to allow an awardee of a video
38 lottery operation license in Prince George's County to commence operations in a
39 permanent facility after a certain date; prohibiting a certain fee under certain
40 circumstances; prohibiting the operation of certain video lottery terminals in a
41 certain location before a certain date; repealing, subject to a certain
42 contingency, a limitation on the hours of operation of a video lottery facility;
43 providing, subject to a certain contingency, for the distribution of proceeds from
44 table games and video lottery terminals; authorizing the State Lottery and
45 Gaming Control Commission to establish a certain annual fee; authorizing the
46 State Lottery and Gaming Control Commission to adjust the distribution of
47 proceeds from video lottery terminals after a certain license is awarded under

1 certain circumstances and subject to a certain reporting requirement; altering,
2 subject to a certain contingency, the distribution of proceeds from video lottery
3 terminals, including certain impact grants; altering, subject to a certain
4 contingency, the distribution of certain local impact grants; requiring a certain
5 percentage of local impact grants to Prince George's County to be used for a
6 certain purpose subject to a certain limitation; authorizing the State to reimburse
7 Prince George's County under certain circumstances; requiring, subject to a
8 certain contingency, the State Lottery and Gaming Control Commission to take
9 certain actions; declaring the intent of the General Assembly; requiring that
10 certain persons submit certain campaign finance statements in a certain
11 manner; requiring the State Board of Elections to take certain actions;
12 authorizing the State Prosecutor to assess a certain penalty against a person who
13 fails to submit a certain campaign finance statement or campaign finance report
14 in a timely manner; requiring a regulated lobbyist that sought to influence
15 executive or legislative action related to gaming issues in a certain special session
16 of the General Assembly to submit a report including certain information to the
17 State Ethics Commission on or before a certain date; providing for the expiration
18 of the terms of the members of the State Lottery Commission and for the
19 staggering of the terms of the initial members of the State Lottery and Gaming
20 Control Commission; ~~authorizing the applicant for a video lottery operation~~
21 ~~license in Prince George's County to request that the Video Lottery Facility~~
22 ~~Location Commission authorize a temporary table games facility upon the~~
23 ~~award of a video lottery operation license;~~ stating the intent of the General
24 Assembly that video lottery operation licensees partner with certain institutions
25 of higher education to offer job training programs in the gaming and hospitality
26 industries; requiring the State Lottery and Gaming Control Commission to
27 make certain recommendations and prepare certain reports; requiring certain
28 holders of a license to hold a race meeting in the State to submit capital
29 improvement plans to the State Racing Commission that contain certain
30 information on or before a certain date and to submit a certain formal funding
31 request; providing for forfeiture of certain funds under certain circumstances;
32 providing for the transfer of certain functions, powers, duties, equipment,
33 assets, liabilities, employees, and appropriations under certain circumstances;
34 providing for certain employee rights if transferred; providing for the continuity
35 of certain transactions, rights, duties, and interests; providing for the continuity
36 of certain laws, rules and regulations, standards and guidelines, policies, orders
37 and other directives, forms, plans, contracts, property, investigations,
38 administrative and judicial responsibilities, rights, duties, and responsibilities;
39 specifying that the publisher of the Annotated Code of Maryland, in
40 consultation with the Department of Legislative Services, shall correct certain
41 cross-references and terminology; defining certain terms; altering certain
42 definitions; submitting certain provisions of this Act to a referendum of the
43 qualified voters of the State; providing for the effective dates of this Act; making
44 certain provisions of this Act subject to certain contingencies; and generally
45 relating to authorizing and regulating gaming in the State.

46 BY repealing and reenacting, without amendments,

1 Article – State Government
 2 Section 9–101(a) ~~and 9–1A–01(a)~~, 9–1A–01(a), and 9–1A–29(a)
 3 Annotated Code of Maryland
 4 (2009 Replacement Volume and 2011 Supplement)

5 BY repealing and reenacting, with amendments,
 6 Article – State Government
 7 Section 9–101(b) and (c), 9–103, 9–104, 9–105, 9–108, 9–109, 9–1A–01(k), (r),
 8 and (u)(2), 9–1A–02(c)(1) and (d), 9–1A–04(d), 9–1A–05(a), (c), and ~~(d)(4)~~
 9 (d), 9–1A–06(a), 9–1A–10, ~~9–1A–11(c)(1)~~ 9–1A–11(b), (c)(1), and (d)(2)(i),
 10 9–1A–15(a) and (d), 9–1A–18(a), 9–1A–21(a), 9–1A–23(a), 9–1A–24(c),
 11 9–1A–26, 9–1A–27, ~~9–1A–29(k)~~ 9–1A–29(b) and (k), 9–1A–30(c),
 12 9–1A–31(a) and (b), 9–1A–33(a), and 9–1A–36(e), (f), (h)(1) and (3), (i)(1)
 13 and (3), and (l) through (s)
 14 Annotated Code of Maryland
 15 (2009 Replacement Volume and 2011 Supplement)

16 BY adding to
 17 Article – State Government
 18 Section 9–1A–01(w–1) and (w–2), 9–1A–02(b)(3), 9–1A–11(c)(3), 9–1A–36(l), ~~and~~
 19 9–1A–37, and 9–1A–38
 20 Annotated Code of Maryland
 21 (2009 Replacement Volume and 2011 Supplement)

22 BY adding to
 23 Article – Courts and Judicial Proceedings
 24 Section 12–309
 25 Annotated Code of Maryland
 26 (2006 Replacement Volume and 2011 Supplement)

27 BY adding to
 28 Article – Election Law
 29 Section 13–237
 30 Annotated Code of Maryland
 31 (2010 Replacement Volume and 2011 Supplement)

32 BY repealing and reenacting, with amendments,
 33 Article – Tax – Property
 34 Section 7–244
 35 Annotated Code of Maryland
 36 (2007 Replacement Volume and 2011 Supplement)

37 BY repealing and reenacting, with amendments,
 38 Article – State Government
 39 Section 9–1A–01(u), 9–1A–04, 9–1A–11(c)(1), 9–1A–26, 9–1A–27, 9–1A–31(a)
 40 and (b), and 9–1A–36(r)
 41 Annotated Code of Maryland

1 (2009 Replacement Volume and 2011 Supplement)
 2 (As enacted by Section 1 of this Act)

3 BY repealing and reenacting, with amendments,
 4 Article – Tax – Property
 5 Section 7-244
 6 Annotated Code of Maryland
 7 (2007 Replacement Volume and 2011 Supplement)
 8 (As enacted by Section 1 of this Act)

9 ~~BY repealing and reenacting, with amendments,~~
 10 ~~Article – Election Law~~
 11 ~~Section 13-237(a)(2), (6), and (7)~~
 12 ~~Annotated Code of Maryland~~
 13 ~~(2010 Replacement Volume and 2011 Supplement)~~
 14 ~~(As enacted by Section 1 of this Act)~~

15 ~~BY adding to~~
 16 ~~Article – Election Law~~
 17 ~~Section 13-237(a)(6)~~
 18 ~~Annotated Code of Maryland~~
 19 ~~(2010 Replacement Volume and 2011 Supplement)~~
 20 ~~(As enacted by Section 1 of this Act)~~

21 BY repealing and reenacting, with amendments,
 22 Article – State Government
 23 Section 9-1A-27
 24 Annotated Code of Maryland
 25 (2009 Replacement Volume and 2011 Supplement)
 26 (As enacted by Section 2 of this Act)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 28 MARYLAND, That the Laws of Maryland read as follows:

29 **Article – State Government**

30 9-101.

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

32 (b) “Agency” means the State Lottery AND GAMING CONTROL Agency.

33 (c) “Commission” means the State Lottery AND GAMING CONTROL
 34 Commission.

35 9-103.

1 There is a State Lottery AND GAMING CONTROL Agency.

2 9–104.

3 There is a State Lottery AND GAMING CONTROL Commission in the Agency.

4 9–105.

5 (a) **(1)** The Commission consists of [nine] SEVEN members appointed by
6 the Governor with the advice and consent of the Senate.

7 **(2)** **THE PRESIDING OFFICER OF EITHER HOUSE OF THE GENERAL**
8 **ASSEMBLY MAY RECOMMEND TO THE GOVERNOR A LIST OF INDIVIDUALS FOR**
9 **APPOINTMENT TO THE COMMISSION.**

10 (b) (1) At the time of appointment, each member of the Commission shall
11 be:

12 (i) at least 25 years old;

13 (ii) a resident of the State who has resided in the State for at
14 least 5 years;

15 (iii) a qualified voter of the State; [and]

16 (iv) an individual who has not been convicted of or granted
17 probation before judgment for a serious crime or a crime that involves moral turpitude
18 or gambling; AND

19 **(V) KNOWLEDGEABLE AND EXPERIENCED IN FISCAL**
20 **MATTERS AND SHALL HAVE SUBSTANTIAL EXPERIENCE:**

21 **1. AS AN EXECUTIVE WITH FIDUCIARY**
22 **RESPONSIBILITIES IN CHARGE OF A LARGE ORGANIZATION OR FOUNDATION;**

23 **2. IN AN ACADEMIC FIELD RELATING TO FINANCE OR**
24 **ECONOMICS; OR**

25 **3. AS AN ACCOUNTANT, ECONOMIST, OR FINANCIAL**
26 **ANALYST, OR AS A PROFESSIONAL IN A SIMILAR PROFESSION RELATING TO**
27 **FISCAL MATTERS OR ECONOMICS.**

28 (2) A member of the Commission may not:

1 (i) have a direct or indirect financial interest, **OWNERSHIP, OR**
 2 **MANAGEMENT, INCLUDING HOLDING ANY STOCKS, BONDS, OR OTHER SIMILAR**
 3 **FINANCIAL INTERESTS IN ANY GAMING ACTIVITIES, INCLUDING [in] HORSE**
 4 **RACING, video lottery terminals, TABLE GAMES, OR LOTTERY;**

5 (ii) have an official relationship to a person who holds a license
 6 under Subtitle 1A of this title;

7 [(iii) hold any stocks, bonds, or other financial interest in a
 8 person holding a license under Subtitle 1A of this title; or]

9 [(iv)] **(III)** be an elected official of State or local government;

10 **(IV) RECEIVE OR SHARE IN, DIRECTLY OR INDIRECTLY, THE**
 11 **RECEIPTS OR PROCEEDS OF ANY GAMING ACTIVITIES, INCLUDING HORSE**
 12 **RACING, VIDEO LOTTERY TERMINALS, TABLE GAMES, OR LOTTERY; OR**

13 **(V) HAVE A BENEFICIAL INTEREST IN ANY CONTRACT FOR**
 14 **THE MANUFACTURE OR SALE OF GAMING DEVICES, THE CONDUCT OF ANY**
 15 **GAMING ACTIVITY, OR THE PROVISION OF ANY INDEPENDENT CONSULTING**
 16 **SERVICES IN CONNECTION WITH ANY GAMING ESTABLISHMENT OR GAMING**
 17 **ACTIVITY.**

18 (3) No more than [six] **FIVE** members may be of the same political
 19 party.

20 (4) The members of the Commission shall reflect the geographic,
 21 racial, and gender makeup of the State.

22 **(5) A MEMBER OF THE COMMISSION SHALL FILE A FINANCIAL**
 23 **DISCLOSURE STATEMENT WITH THE STATE ETHICS COMMISSION IN**
 24 **ACCORDANCE WITH TITLE 15, SUBTITLE 6 OF THIS ARTICLE.**

25 [(c) The Commission shall include:

26 (1) one member with experience in law enforcement;

27 (2) one member with experience in a field relating to finance or
 28 investments;

29 (3) one member who is a certified public accountant; and

30 (4) one member with experience in a field of information technology.]

31 [(d)] **(C)** (1) The term of a member is [4] **5** years.

1 (2) The terms of members are staggered **AS REQUIRED BY THE**
 2 **TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2012.**

3 (3) At the end of a term, a member continues to serve until a
 4 successor is appointed and qualifies.

5 (4) A member who is appointed after a term has begun serves
 6 only for the rest of the term and until a successor is appointed and qualifies.

7 **(5) A MEMBER MAY NOT SERVE FOR MORE THAN TWO FULL**
 8 **TERMS.**

9 **[(e)] (D)** (1) Subject to the hearing requirements of this subsection, the
 10 Governor may remove a member for cause.

11 (2) Before the Governor removes a member, the Governor shall give
 12 the member notice and an opportunity for a public hearing.

13 **[(f)] (E)** The Governor shall appoint one member of the Commission to
 14 serve as a liaison to the State Racing Commission established under Title 11 of the
 15 Business Regulation Article.

16 **(F) THE COMMISSION SHALL INCLUDE AT LEAST ONE MEMBER WHO**
 17 **RESIDES IN A LOCAL JURISDICTION IN WHICH A VIDEO LOTTERY FACILITY IS**
 18 **LOCATED.**

19 9–108.

20 (a) (1) A majority of the full authorized membership of the Commission is
 21 a quorum.

22 (2) The Commission may not act unless at least ~~3~~ **4** members concur.

23 (b) The Commission shall determine the times and places of its meetings.

24 (c) (1) The secretary of the Commission promptly shall send the Governor
 25 a certified copy of the minutes of each meeting of the Commission.

26 (2) The minutes shall include a copy of each regulation of the Agency
 27 that is adopted.

28 (d) **[As provided in the State budget, a member of the Commission:**

29 (1) may receive compensation; and

1 (2) is entitled to reimbursement for reasonable expenses incurred in
2 the performance of the duties as a member.]

3 **(1) EACH MEMBER OF THE COMMISSION IS ENTITLED TO:**

4 **(I) THE SALARY PROVIDED IN THE BUDGET OF THE**
5 **COMMISSION; AND**

6 **(II) REIMBURSEMENT FOR REASONABLE EXPENSES:**

7 **1. INCURRED IN THE PERFORMANCE OF THE**
8 **COMMISSION MEMBER'S DUTIES; AND**

9 **2. AS PROVIDED IN THE BUDGET OF THE**
10 **COMMISSION.**

11 **(2) EACH MEMBER OF THE COMMISSION SHALL BE PAID**
12 **BIWEEKLY.**

13 **(3) EACH MEMBER IS ENTITLED TO REIMBURSEMENT FOR**
14 **EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED**
15 **IN THE BUDGET OF THE COMMISSION.**

16 (e) (1) With the advice of the Commission, the Director may employ
17 deputy directors and other staff in accordance with the State budget.

18 (2) Except as provided in paragraph (3) of this subsection or otherwise
19 by law, the staff of the Commission is in the State Personnel Management System.

20 (3) A deputy director is in the executive service of the State Personnel
21 Management System. However, a deputy director may be removed only for cause after
22 being given notice and an opportunity for a hearing.

23 **(4) (I) THE GOVERNOR SHALL INCLUDE IN THE STATE**
24 **BUDGET SUFFICIENT MONEY FOR THE COMMISSION TO HIRE, DEVELOP, AND**
25 **ORGANIZE A STAFF TO PERFORM THE FUNCTIONS OF THE COMMISSION.**

26 **(II) AS DEEMED NECESSARY BY THE COMMISSION, THE**
27 **COMMISSION SHALL HIRE EXPERTS INCLUDING ECONOMISTS, GAMING**
28 **SPECIALISTS, AND LAWYERS.**

29 **(III) 1. THE COMMISSION SHALL CONTRACT WITH AN**
30 **OUTSIDE CONSULTANT TO PROVIDE CONTINUAL ANALYSIS OF THE GAMING**
31 **INDUSTRY BOTH WITHIN AND OUTSIDE THE STATE AND SUPPORT THE**

1 LICENSING ACTIVITIES OF THE COMMISSION AND THE VIDEO LOTTERY
2 FACILITY LOCATION COMMISSION.

3 2. THE COST OF THE CONSULTANT REQUIRED
4 UNDER THIS SUBPARAGRAPH MAY BE DIVIDED PROPORTIONALLY AMONG THE
5 VIDEO LOTTERY OPERATION LICENSEES AS DETERMINED BY THE COMMISSION.

6 9–109.

7 (a) In addition to the specific powers granted and duties imposed by this
8 subtitle, the Commission has the powers and duties set forth in this section.

9 (b) (1) The Commission [may] **SHALL** conduct studies of the State lottery
10 **AND GAMING PROGRAM** to:

11 (i) identify any defect in this subtitle, **SUBTITLE 1A OF THIS**
12 **TITLE**, or the regulations of the Agency that may allow abuses in the operation and
13 administration of the State lottery **OR GAMING PROGRAM** or any evasion of this
14 subtitle, **SUBTITLE 1A OF THIS TITLE**, or the regulations;

15 (ii) guard against the use of this subtitle, **SUBTITLE 1A OF**
16 **THIS TITLE**, and the regulations of the Agency as a means of conducting organized
17 crime; [and]

18 (iii) ensure that the regulations of the Agency are proper and
19 that this subtitle, **SUBTITLE 1A OF THIS TITLE**, and the regulations are
20 administered to serve the purpose of this subtitle; **AND**

21 **(IV) ANALYZE THE GAMING INDUSTRY WITHIN AND OUTSIDE**
22 **THE STATE TO DETERMINE WHETHER MARYLAND’S GAMING PROGRAM IS**
23 **COMPETITIVE AND MAXIMIZING REVENUES FOR THE STATE.**

24 (2) The Commission [may] **SHALL** conduct studies of:

25 (i) the operation and administration of similar laws in other
26 states or countries;

27 (ii) federal laws that may affect the operation of the State
28 lottery **OR GAMING ACTIVITIES**;

29 (iii) literature on lotteries **AND GAMING ACTIVITIES**,
30 **INCLUDING PROBLEM GAMBLING PROGRAMS**; and

31 (iv) the reaction of citizens of the State to existing and potential
32 features of the State lottery **AND GAMING PROGRAM**.

1 (c) (1) The Commission shall submit to the Governor and, subject to §
2 2-1246 of this article, to the General Assembly the reports required under this
3 subsection.

4 (2) The Commission shall submit monthly a report that states the
5 total State lottery **AND GAMING** revenues and the total prize disbursements and other
6 expenses for the preceding month.

7 (3) The Commission shall submit annually a report that states the
8 total State lottery **AND GAMING** revenues and the total prize disbursements and other
9 expenses for the preceding year.

10 (4) The Commission shall submit a report whenever a matter requires
11 an immediate change in a State law to:

12 (i) prevent an abuse or evasion of this subtitle, **SUBTITLE 1A**
13 **OF THIS TITLE**, or a regulation of the Agency; or

14 (ii) rectify an undesirable condition in the operation or
15 administration of the State lottery **OR GAMING PROGRAM**.

16 9-1A-01.

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

18 (k) "Commission" means the State Lottery **AND GAMING CONTROL**
19 Commission.

20 (u) (2) (i) Subject to subparagraph (ii) of this paragraph, "proceeds"
21 does not include money given away by a video lottery operation licensee as free
22 promotional play and used by players to bet in a video lottery terminal.

23 (ii) After the first fiscal year of operations, the exclusion
24 specified in subparagraph (i) of this paragraph may not exceed a percentage
25 established by the Commission by regulation of the proceeds received **FROM VIDEO**
26 **LOTTERY TERMINALS** in the prior fiscal year by the video lottery operation licensee
27 under § 9-1A-27(a)(2) and **[(b)(1)(ii)] (C)(1)(II)** of this subtitle.

28 9-1A-02.

29 (c) (1) This subtitle authorizes the operation of video lottery terminals
30 **[owned or leased by the State]** that are connected to a central monitor and control
31 system owned or leased by the State that allows the Commission to monitor a video
32 lottery terminal.

1 9-1A-04.

2 (d) The Commission shall adopt regulations that include the following
3 specific provisions in accordance with this subtitle:

4 (1) establishing the methods and forms of application that an
5 applicant for any license required under this subtitle shall follow and complete before
6 consideration of the application by the Commission;

7 (2) establishing the methods, procedures, and form for delivery of
8 information from an applicant or licensee concerning any person's family, habits,
9 character, associates, criminal record, business activities, and financial affairs;

10 (3) establishing the procedures for the fingerprinting of an applicant
11 for any license required under this subtitle or other methods of identification that may
12 be necessary in the judgment of the Commission to accomplish effective enforcement of
13 the provisions of this subtitle;

14 (4) establishing the manner and procedure of hearings conducted by
15 the Commission;

16 (5) establishing the manner and method of collection of taxes, fees,
17 and civil penalties;

18 (6) defining and limiting the areas of operation for video lottery
19 terminals, rules of video lottery terminals, odds for video lottery terminals, the types
20 and values of promotional items that may be given away to encourage play of video
21 lottery terminals, and the method of operation of the video lottery terminals;

22 (7) regulating the practice and procedures for negotiable transactions
23 involving players, including limitations on the circumstances and amounts of
24 negotiable transactions and the establishment of forms and procedures for negotiable
25 instrument transactions, redemptions, and consolidations;

26 (8) prescribing the grounds and procedures for reprimands of licensees
27 or the revocation or suspension of licenses issued under this subtitle;

28 (9) governing the manufacture, distribution, sale, and servicing of
29 video lottery terminals;

30 (10) establishing the procedures, forms, and methods of management
31 controls;

32 (11) providing for minimum uniform standards of accountancy
33 methods, procedures, and forms as are necessary to assure consistency, comparability,
34 and effective disclosure of all financial information, including percentages of profit for
35 video lottery terminals;

1 (12) establishing periodic financial reports and the form of the reports,
 2 including an annual audit prepared by a certified public accountant licensed to do
 3 business in the State, disclosing whether the accounts, records, and control procedures
 4 examined are maintained by the video lottery operation licensee as required by this
 5 subtitle and the regulations that shall be issued under this subtitle;

6 (13) requiring licensees under this subtitle to demonstrate and
 7 maintain financial viability;

8 (14) ensuring that the operation of video lottery terminals and video
 9 lottery facilities is conducted legally;

10 **(15) ESTABLISHING PROCEDURES FOR THE REMOVAL OF VIDEO**
 11 **LOTTERY TERMINALS FROM A VIDEO LOTTERY FACILITY; and**

12 ~~[(15)]~~ **(16)** otherwise carrying out the provisions of this subtitle.

13 9-1A-05.

14 (c) A video lottery operation license issued under this subtitle is not valid at
 15 a geographic location other than the geographic location authorized in the license
 16 awarded by the Video Lottery Facility Location Commission and issued by the State
 17 Lottery **AND GAMING CONTROL** Commission.

18 ~~(d) (4) Notwithstanding paragraphs (1) and (2) of this subsection, an~~
 19 ~~individual or business entity may enter into a management agreement to operate a~~
 20 ~~facility located in Allegany County that it does not own, subject to the approval of the~~
 21 ~~Video Lottery Facility Location Commission and the State Lottery **AND GAMING**~~
 22 ~~**CONTROL** Commission.~~

23 9-1A-10.

24 (a) (1) For the construction and procurement, **INCLUDING THE**
 25 **PROCUREMENT OF EQUIPMENT AND ONGOING SERVICES,** related to the operation
 26 of video lottery terminals, the applicant or licensee shall at a minimum meet the same
 27 requirements of a designated unit for minority business participation as described
 28 under Title 14, Subtitle 3 of the State Finance and Procurement Article.

29 (2) If the county in which a video lottery facility will be located has
 30 higher minority business participation requirements than the State as described in
 31 paragraph (1) of this subsection, the applicant shall meet the county's minority
 32 business participation requirements to the extent possible.

33 **(3) A COUNTY IN WHICH A VIDEO LOTTERY FACILITY WILL BE**
 34 **LOCATED MAY IMPOSE LOCAL BUSINESS, LOCAL MINORITY BUSINESS**

1 **PARTICIPATION, AND LOCAL HIRING REQUIREMENTS TO THE EXTENT**
2 **AUTHORIZED BY LOCAL LAW AND PERMITTED BY THE UNITED STATES**
3 **CONSTITUTION.**

4 ~~[(3)]~~ (4) Any collective bargaining agreement or agreements,
5 including a project labor agreement or a neutrality agreement, entered into by an
6 applicant or licensee may not negate the requirements of this subsection.

7 ~~[(4)]~~ (5) If an applicant for employment at a video lottery facility
8 believes that the applicant has been discriminated against in the employment process,
9 the applicant may appeal the employment decision to the local human relations board
10 in the county where the facility is located.

11 ~~[(5)]~~ (6) Notwithstanding any collective bargaining agreement or
12 agreements, a licensee shall:

13 (i) provide health insurance coverage for its employees; and

14 (ii) give a preference to hiring qualified employees from the
15 communities within 10 miles of the video lottery facility.

16 ~~[(6)]~~ (7) A licensee shall:

17 (i) provide retirement benefits for its employees; and

18 (ii) if the licensee is a racetrack licensee, provide retirement
19 benefits to its video lottery operation employees that are equivalent to the level of
20 benefits provided to the racetrack employees who are eligible under the Maryland
21 Racetrack Employees Pension Fund.

22 ~~[(7)]~~ (8) Notwithstanding any collective bargaining agreement or
23 agreements, if the licensee is a racetrack location, the licensee shall provide health
24 insurance coverage to all employees of the racetrack, including the employees of the
25 racetrack on the backstretch of the racetrack.

26 (b) (1) The Commission shall ensure that a video lottery operation
27 licensee complies with the requirements of subsection (a)(1) and (2) of this section as a
28 condition of holding the video lottery operation license.

29 (2) The Governor's Office of Minority Affairs shall monitor a licensee's
30 compliance with subsection (a)(1) and (2) of this section.

31 (3) The Governor's Office of Minority Affairs shall report to the
32 Commission at least every 6 months on the compliance of licensees with subsection
33 (a)(1) and (2) of this section.

1 (4) If the Governor's Office of Minority Affairs reports that a licensee
 2 is not in compliance with subsection (a)(1) and (2) of this section, the Commission may
 3 take immediate action to ensure the compliance of the licensee.

4 (c) On or after July 1, 2018, the provisions of subsections (a)(1) and (2) and
 5 (b) of this section and any regulations adopted under subsections (a)(1) and (2) and (b)
 6 of this section shall be of no effect and may not be enforced.

7 9-1A-11.

8 (c) (1) Nothing in this subtitle may be construed to prohibit a video
 9 lottery operation licensee that is issued a license from beginning video lottery terminal
 10 operations in a temporary facility that meets the minimum requirements established
 11 in regulations adopted by the State Lottery AND GAMING CONTROL Commission.

12 (d) (2) (i) Subject to subparagraph (ii) of this paragraph, for a location
 13 in Allegany County, if video lottery terminals are permanently located in the Rocky
 14 Gap Lodge and Resort and existing meeting space is eliminated as a result of the video
 15 lottery terminals, the licensee shall provide for meeting space that is accessible from
 16 the Rocky Gap Lodge and Resort within 36 months after issuance of the video lottery
 17 operation license, subject to the approval of the Video Lottery Facility Location
 18 Commission and the State Lottery AND GAMING CONTROL Commission.

19 9-1A-21.

20 (a) (1) [Each video lottery terminal device, the] **THE** central monitor and
 21 control [system,] **SYSTEM** and the associated equipment and software shall be:

22 [(1)] (I) owned or leased by the Commission; and

23 [(2)] (II) under the control of the Commission.

24 (2) (I) **EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III)**
 25 **OF THIS PARAGRAPH, EACH VIDEO LOTTERY TERMINAL DEVICE AND THE**
 26 **ASSOCIATED EQUIPMENT AND SOFTWARE SHALL BE OWNED OR LEASED BY THE**
 27 **VIDEO LOTTERY FACILITY.**

28 (II) **1. FOR SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS**
 29 **SUBPARAGRAPH, FOR A VIDEO LOTTERY FACILITY LOCATED IN ALLEGANY**
 30 **COUNTY OR WORCESTER COUNTY, EACH VIDEO LOTTERY TERMINAL DEVICE**
 31 **AND THE ASSOCIATED EQUIPMENT AND SOFTWARE SHALL BE OWNED OR**
 32 **LEASED BY THE COMMISSION.**

33 **2. A VIDEO LOTTERY FACILITY LOCATED IN**
 34 **ALLEGANY COUNTY OR WORCESTER COUNTY MAY APPLY TO THE COMMISSION**

1 FOR PERMISSION TO ASSUME OWNERSHIP OR THE RIGHT TO LEASE EACH VIDEO
 2 LOTTERY TERMINAL DEVICE USED BY THE FACILITY.

3 (III) FOR A VIDEO LOTTERY FACILITY LOCATED IN ANNE
 4 ARUNDEL COUNTY OR CECIL COUNTY, THE COMMISSION SHALL OWN EACH
 5 VIDEO LOTTERY TERMINAL DEVICE AND THE ASSOCIATED EQUIPMENT AND
 6 SOFTWARE THROUGH MARCH 31, 2015.

7 (3) THE SAVINGS THAT ARE ATTRIBUTABLE TO REQUIRING VIDEO
 8 LOTTERY FACILITIES TO OWN OR LEASE THE VIDEO LOTTERY TERMINALS AND
 9 ASSOCIATED EQUIPMENT AND SOFTWARE SHALL BE APPROPRIATED TO THE
 10 EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THIS SUBTITLE
 11 IN THE YEAR IN WHICH THE SPENDING WOULD HAVE OTHERWISE OCCURRED.

12 9-1A-26.

13 (a) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3)
 14 of this subsection, all proceeds from the operation of video lottery terminals shall be
 15 electronically transferred daily into the State Lottery Fund established under Subtitle 1
 16 of this title and distributed as provided under § 9-1A-27 of this subtitle.

17 (2) The requirement under paragraph (1) of this subsection does not
 18 apply on a day when State government is closed.

19 (3) THE AMOUNT FROM THE PROCEEDS OF VIDEO LOTTERY
 20 TERMINALS TO BE PAID TO VIDEO LOTTERY OPERATION LICENSEES UNDER §
 21 9-1A-27(A)(2) AND (7), (B), AND (C)(1)(II) AND (2) OF THIS SUBTITLE SHALL BE
 22 RETAINED BY THE LICENSEE.

23 (b) (1) The Commission shall account to the Comptroller for all of the
 24 revenue under this subtitle.

25 (2) The proceeds from video lottery terminals shall be under the control
 26 of the Comptroller and shall be distributed as provided under § 9-1A-27 of this
 27 subtitle.

28 (c) The admissions and amusement tax may not be imposed on any proceeds
 29 from the operation of video lottery terminals.

30 9-1A-27.

31 (a) Except as provided in [subsection (b)] SUBSECTIONS (B) AND (C) of this
 32 section AND § 9-1A-26(A)(3) OF THIS SUBTITLE, on a properly approved

1 transmittal prepared by the Commission, the Comptroller shall pay the following
2 amounts from the proceeds of video lottery terminals at each video lottery facility:

3 (1) (I) **ON OR BEFORE MARCH 31, 2015**, 2% to the State Lottery
4 **AND GAMING CONTROL** Agency for costs as defined in § 9-1A-01 of this subtitle;
5 **AND**

6 (II) **BEGINNING APRIL 1, 2015, 1% TO THE STATE LOTTERY**
7 **AND GAMING CONTROL AGENCY FOR COSTS AS DEFINED IN § 9-1A-01 OF THIS**
8 **SUBTITLE;**

9 (2) to the video lottery operation licensee, the percentage stated in the
10 accepted application for the location, not to exceed, **EXCEPT AS PROVIDED IN**
11 **SUBSECTION (B) OF THIS SECTION, 33%;**

12 (3) 5.5% in local impact grants, in accordance with § 9-1A-31 of this
13 subtitle;

14 (4) 7% to the Purse Dedication Account established under § 9-1A-28
15 of this subtitle, not to exceed a total of \$100,000,000 to the Account annually;

16 (5) (I) **UNTIL THE ISSUANCE OF A VIDEO LOTTERY OPERATION**
17 **LICENSE IN BALTIMORE CITY, 1.75% TO THE RACETRACK FACILITY RENEWAL**
18 **ACCOUNT ESTABLISHED UNDER § 9-1A-29 OF THIS SUBTITLE AND**
19 **DISTRIBUTED IN ACCORDANCE WITH THAT SECTION; AND**

20 (II) **ON OR AFTER THE ISSUANCE OF A VIDEO LOTTERY**
21 **OPERATION LICENSE IN BALTIMORE CITY, for the first [8] 16 years of operations at**
22 **a video lottery facility, [2.5%] 1% to the Racetrack Facility Renewal Account**
23 **established under § 9-1A-29 of this subtitle** **AND DISTRIBUTED IN ACCORDANCE**
24 **WITH THAT SECTION, not to exceed a total of [\$40,000,000] \$20,000,000 to the**
25 **Account annually;**

26 (6) 1.5% to the Small, Minority, and Women-Owned Businesses
27 Account established under § 9-1A-35 of this subtitle; [and]

28 (7) (I) **EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM, 6% TO**
29 **THE VIDEO LOTTERY OPERATION LICENSEE IF THE VIDEO LOTTERY OPERATION**
30 **LICENSEE OWNS OR LEASES EACH VIDEO LOTTERY TERMINAL DEVICE AND THE**
31 **ASSOCIATED EQUIPMENT AND SOFTWARE; AND**

32 (II) **8% TO THE VIDEO LOTTERY OPERATION LICENSEE IN**
33 **ANNE ARUNDEL COUNTY; AND**

1 **(8)** the remainder to the Education Trust Fund established under §
2 9–1A–30 of this subtitle.

3 **(B) (1) BEGINNING JULY 1, 2013, FOR A VIDEO LOTTERY FACILITY IN**
4 **WORCESTER COUNTY WITH LESS THAN 1,000 VIDEO LOTTERY TERMINALS, THE**
5 **PERCENTAGE IN SUBSECTION (A)(2) OF THIS SECTION IS EQUAL TO 43%**
6 **PROVIDED THAT EACH YEAR AN AMOUNT EQUIVALENT TO 2.5% OF THE**
7 **PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY**
8 **IS SPENT ON CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY.**

9 **(2) (I) AFTER 1 YEAR OF OPERATIONS AT A VIDEO LOTTERY**
10 **FACILITY IN ALLEGANY COUNTY, THE PERCENTAGE IN SUBSECTION (C)(1)(II)**
11 **OF THIS SECTION IS EQUAL TO 50%, PROVIDED THAT EACH YEAR AN AMOUNT**
12 **EQUIVALENT TO 0.5% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT**
13 **THE VIDEO LOTTERY FACILITY IS SPENT ON CAPITAL IMPROVEMENTS AT THE**
14 **VIDEO LOTTERY FACILITY; OR**

15 **(II) AFTER THE FIRST 10 YEARS OF OPERATIONS AT A VIDEO**
16 **LOTTERY FACILITY IN ALLEGANY COUNTY, THE PERCENTAGE:**

17 ~~(H)~~ **1. IN SUBSECTION (A)(2) OF THIS SECTION IS EQUAL**
18 **TO 43% PROVIDED THAT EACH YEAR AN AMOUNT EQUIVALENT TO 2.5% OF THE**
19 **PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY**
20 **IS SPENT ON CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY; AND**

21 ~~(H)~~ **2. IN SUBSECTION (A)(1) OF THIS SECTION IS EQUAL**
22 **TO 2%.**

23 **[(b)] (C) (1)** For the first 10 years of operations at a video lottery facility
24 in Allegany County, on a properly approved transmittal prepared by the Commission,
25 the Comptroller shall pay the following amounts from the proceeds of video lottery
26 terminals at a video lottery facility in Allegany County:

27 (i) 2% to the State Lottery AND GAMING CONTROL Agency for
28 costs as defined in § 9–1A–01 of this subtitle;

29 (ii) to the video lottery operation licensee, the percentage stated
30 in the accepted application for the location, not to exceed 50%;

31 (iii) 2.75% in local impact grants, in accordance with § 9–1A–31
32 of this subtitle;

33 (iv) 2.5% to the Purse Dedication Account established under §
34 9–1A–28 of this subtitle;

1 (v) 0.75% to the Small, Minority, and Women-Owned
2 Businesses Account established under § 9-1A-35 of this subtitle; and

3 (vi) the remainder to the Education Trust Fund established
4 under § 9-1A-30 of this subtitle.

5 (2) After the first 10 years of operations at a video lottery facility in
6 Allegany County, the proceeds generated at the facility in Allegany County shall be
7 allocated as provided in [subsection (a)] **SUBSECTIONS (A) AND (B)** of this section.

8 **[(c)] (D)** (1) If the costs of the State Lottery **AND GAMING CONTROL**
9 Agency are less than the proceeds specified in subsection (a)(1) of this section, any
10 amount not distributed to the State Lottery **AND GAMING CONTROL** Agency shall be
11 paid to the Education Trust Fund established under § 9-1A-30 of this subtitle.

12 (2) The costs of the Commission shall be as provided in the State
13 budget.

14 9-1A-29.

15 (a) There is a Racetrack Facility Renewal Account under the authority of the
16 State Racing Commission.

17 (b) (1) The Account shall receive money as required under § 9-1A-27 of
18 this subtitle **FOR THE FIRST 16 YEARS OF OPERATIONS AT EACH VIDEO LOTTERY**
19 **FACILITY.**

20 (2) Money in the Account shall be invested and reinvested by the
21 Treasurer and interest and earnings shall accrue to the Account.

22 (3) The Comptroller shall:

23 (i) account for the Account; and

24 (ii) on a properly approved transmittal prepared by the State
25 Racing Commission, issue a warrant to pay out money from the Account in the manner
26 provided under this section.

27 (4) The Account is a special, nonlapsing fund that is not subject to §
28 7-302 of the State Finance and Procurement Article.

29 (5) Expenditures from the Account shall only be made on a properly
30 approved transmittal prepared by the State Racing Commission as provided under
31 subsection (c) of this section.

1 **(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
 2 **THE STATE RACING COMMISSION MAY USE THE SERVICES OF A CERTIFIED**
 3 **PUBLIC ACCOUNTANT TO REVIEW AN ELIGIBLE REQUEST FOR A GRANT UNDER**
 4 **THIS SECTION.**

5 **(II) THE HOLDER OF A LICENSE TO HOLD A RACE MEETING**
 6 **IN THE STATE THAT HAS REQUESTED A GRANT UNDER THIS SECTION SHALL**
 7 **REIMBURSE THE STATE RACING COMMISSION FOR ANY EXPENDITURES FOR**
 8 **SERVICES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

9 (k) Any unencumbered funds remaining in the Racetrack Facility Renewal
 10 Account ~~on July 1, [2018,] 2026,~~ **AFTER A VIDEO LOTTERY FACILITY HAS BEEN IN**
 11 **OPERATION FOR 16 YEARS** shall be paid to the Education Trust Fund established
 12 under § 9-1A-30 of this subtitle.

13 9-1A-30.

14 (c) Money in the Education Trust Fund shall be used to:

15 (1) provide funding for public elementary and secondary education,
 16 through continuation of the funding and formulas established under the programs
 17 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by
 18 Chapter 288 of the Acts of the General Assembly of 2002, including the funding for
 19 regional differences in the cost of education under § 5-202(f) of the Education Article;

20 (2) provide funds to construct public school buildings and provide
 21 public school capital improvements in accordance with §§ 5-301 through 5-303 of the
 22 Education Article; [and]

23 (3) provide funds for capital projects at community colleges and public
 24 senior higher education institutions; AND

25 **(4) PROVIDE FUNDS TO EXPAND PUBLIC EARLY CHILDHOOD**
 26 **EDUCATION PROGRAMS IN THE STATE.**

27 9-1A-31.

28 (a) (1) The local impact grants provided under § 9-1A-27 of this subtitle
 29 shall be distributed in the following manner:

30 (i) 82% to the local jurisdictions with video lottery facilities,
 31 based on each jurisdiction's percentage of overall gross revenues from video lottery
 32 terminals; and

33 (ii) except as provided in paragraph (2) of this subsection, for
 34 operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal

1 year [2027] **2032**, 18% to Baltimore City with the Pimlico Community Development
 2 Authority acting as the local development council in accordance with subsection (d) of
 3 this section, to be distributed primarily for capital projects benefiting economic and
 4 community development in the following manner:

5 1. at least 75% in a manner that is consistent with the
 6 Park Heights Master Plan; and

7 2. the remainder dedicated to the needs of:

8 A. any census blockgroup that Baltimore City identifies
 9 as being located partly or entirely within 1 mile of Pimlico Race Course but not within
 10 the boundaries of the Park Heights Master Plan; and

11 B. any neighborhood included in the Northwest
 12 Community Planning Forum Strategic Neighborhood Action Plan.

13 (2) (i) Of the amount specified under paragraph (1)(ii) of this
 14 subsection, \$1,000,000 shall be provided annually to Prince George's County to be used
 15 for ~~capital~~ **PUBLIC SAFETY** projects in the community within ~~10~~ 5 miles surrounding
 16 Rosecroft Raceway.

17 (ii) The Legislative Policy Committee shall report its findings
 18 and recommendations concerning the advisability of the continuation of the
 19 distribution of funds after fiscal year [2027] **2032** to the Comptroller and, in
 20 accordance with § 2-1246 of this article, the General Assembly, on or before November
 21 1, [2025] **2030**.

22 (3) Baltimore City and Prince George's County shall report to the
 23 Legislative Policy Committee by December 31 of each year as to the distribution of the
 24 funds provided under this section.

25 (b) (1) Except as otherwise provided in ~~paragraph (2)~~ **PARAGRAPHS (2)**
 26 **AND (3)** of this subsection, local impact grants provided under subsection (a)(1)(i) of
 27 this section shall be used for improvements **PRIMARILY** in the communities in
 28 immediate proximity to the video lottery facilities and may be used for the following
 29 purposes:

30 (i) infrastructure improvements;

31 (ii) facilities;

32 (iii) public safety;

33 (iv) sanitation;

1 (v) economic and community development, including housing;
2 and

3 (vi) other public services and improvements.

4 (2) In Allegany County, local impact grants provided under subsection
5 (a)(1)(i) of this section may be used:

6 (i) for purposes listed in paragraph (1) of this subsection
7 throughout the county; and

8 (ii) to pay down the debt incurred by the county in the
9 construction and related costs for the golf course, lodge, and other improvements in
10 Rocky Gap State Park.

11 **(3) IN BALTIMORE CITY, LOCAL IMPACT GRANTS PROVIDED**
12 **UNDER SUBSECTION (A)(1)(I) OF THIS SECTION SHALL BE USED FOR**
13 **IMPROVEMENTS IN THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE VIDEO**
14 **LOTTERY FACILITY AND MAY BE USED FOR THE FOLLOWING PURPOSES:**

15 **(I) INFRASTRUCTURE IMPROVEMENTS;**

16 **(II) FACILITIES;**

17 **(III) PUBLIC SAFETY;**

18 **(IV) SANITATION;**

19 **(V) ECONOMIC AND COMMUNITY DEVELOPMENT,**
20 **INCLUDING HOUSING; AND**

21 **(VI) OTHER PUBLIC SERVICES AND IMPROVEMENTS.**

22 9-1A-36.

23 (e) [(1)] The STATE LOTTERY AND GAMING CONTROL Commission [and
24 the Department of Legislative Services] shall provide staff to the Video Lottery
25 Facility Location Commission.

26 [(2)] The Department of Legislative Services shall contract with an
27 independent consultant that has at least 10 years substantial experience in consulting
28 on matters relating to the gaming industry to assist and advise the Video Lottery
29 Facility Location Commission in the review and analysis of applications submitted
30 under this section.]

1 (h) (3) (i) With respect to a video lottery operation license awarded to
2 a location under paragraph (1)(iv) of this subsection, the holder of the video lottery
3 operation license or any other person with a direct or indirect legal or financial
4 interest in the Ocean Downs racetrack or video lottery facility may not:

5 1. build any type of hotel, motel, or other public lodging
6 accommodation on or within 10 miles of the property owned by the holder of the
7 license on which a video lottery facility is operated;

8 2. convert an existing facility on or within 10 miles of
9 the property described in item 1 of this subparagraph into any type of hotel, motel, or
10 other public lodging accommodation; **OR**

11 3. build or operate a conference center or convention
12 center, amusement park, ~~amusement rides,~~ arcade, or miniature golf course on or
13 within 10 miles of the property described in item 1 of this subparagraph]; or

14 4. offer to patrons of the video lottery facility the playing
15 of live music, floor shows, dancing, dancing exhibitions, performances, or any other
16 form of live entertainment in or near the video lottery facility, provided that the holder
17 of the video lottery operation license for the location under paragraph (1)(iv) of this
18 subsection or another person with a direct or indirect legal or financial interest in the
19 Ocean Downs racetrack or the video lottery facility may allow:

20 A. live fireworks displays to be conducted on the
21 property; and

22 B. a single piano that is played by an individual].

23 (ii) The prohibitions under subparagraph (i) of this paragraph
24 apply to any subsequent holder of a video lottery operation license awarded under
25 paragraph (1)(iv) of this subsection.

26 (i) (3) (i) Beginning with the termination date for the Video Lottery
27 Facility Location Commission and every 3 years thereafter, if all of the video lottery
28 terminals authorized under this subtitle are not allocated or have been allocated but
29 are not in regular operation, the State Lottery **AND GAMING CONTROL** Commission
30 may allocate or reallocate video lottery terminals to video lottery operation licensees in
31 a manner that ensures that the highest potential revenues are achieved.

32 (ii) In determining the highest potential revenues to be achieved
33 by additional video lottery terminals at each potential location, the State Lottery **AND**
34 **GAMING CONTROL** Commission shall consider the market performance of the
35 existing video lottery terminals at each location.

1 **(L) (1) IF AN APPLICANT IS SEEKING INVESTORS IN THE ENTITY**
2 **APPLYING FOR A VIDEO LOTTERY OPERATION LICENSE, IT SHALL TAKE THE**
3 **FOLLOWING STEPS BEFORE BEING AWARDED A LICENSE BY THE VIDEO**
4 **LOTTERY FACILITY LOCATION COMMISSION:**

5 **(I) MAKE SERIOUS, GOOD-FAITH EFFORTS TO SOLICIT AND**
6 **INTERVIEW A REASONABLE NUMBER OF MINORITY INVESTORS;**

7 **(II) AS PART OF THE APPLICATION, SUBMIT A STATEMENT**
8 **THAT LISTS THE NAMES AND ADDRESSES OF ALL MINORITY INVESTORS**
9 **INTERVIEWED AND WHETHER OR NOT ANY OF THOSE INVESTORS HAVE**
10 **PURCHASED AN EQUITY SHARE IN THE ENTITY SUBMITTING AN APPLICATION;**
11 **AND**

12 **(III) IF AN APPLICANT IS AWARDED A LICENSE BY THE VIDEO**
13 **LOTTERY FACILITY LOCATION COMMISSION, THE APPLICANT SHALL SIGN A**
14 **MEMORANDUM OF UNDERSTANDING WITH THE VIDEO LOTTERY FACILITY**
15 **LOCATION COMMISSION THAT REQUIRES THE AWARDEE TO AGAIN MAKE**
16 **SERIOUS, GOOD-FAITH EFFORTS TO INTERVIEW MINORITY INVESTORS IN ANY**
17 **FUTURE ATTEMPTS TO RAISE VENTURE CAPITAL OR ATTRACT NEW INVESTORS**
18 **TO THE ENTITY AWARDED THE LICENSE.**

19 **(2) THE GOVERNOR'S OFFICE OF MINORITY AFFAIRS, IN**
20 **CONSULTATION WITH THE OFFICE OF THE ATTORNEY GENERAL, SHALL**
21 **PROVIDE ASSISTANCE TO ALL POTENTIAL APPLICANTS AND POTENTIAL**
22 **MINORITY INVESTORS TO SATISFY THE REQUIREMENTS UNDER PARAGRAPH**
23 **(1)(I) AND (III) OF THIS SUBSECTION.**

24 **[(l)] (M)** The Video Lottery Facility Location Commission may not award a
25 video lottery operation license to a person that is not qualified under this section or
26 this subtitle.

27 **[(m)] (N) (1)** The Video Lottery Facility Location Commission shall refer
28 to the State Lottery **AND GAMING CONTROL** Commission the name and all relevant
29 information concerning a person that makes an application under this section.

30 **(2)** On receipt of the information in paragraph (1) of this subsection,
31 the State Lottery **AND GAMING CONTROL** Commission shall evaluate whether an
32 applicant is qualified to hold a video lottery operation license under this subtitle.

33 **(3)** On completion of its determination, the State Lottery **AND**
34 **GAMING CONTROL** Commission shall notify the Video Lottery Facility Location
35 Commission of its evaluation as to whether an applicant is qualified to hold a video
36 lottery operation license under this subtitle.

1 **[(n)] (O)** After an award of a video lottery operation license under this
2 section, the Video Lottery Facility Location Commission shall notify the State Lottery
3 **AND GAMING CONTROL** Commission of the successful applicants.

4 **[(o)] (P)** After an award of a video lottery operation license under this
5 section, the State Lottery **AND GAMING CONTROL** Commission shall:

6 (1) issue the video lottery operation license; and

7 (2) be responsible for all matters relating to regulation of the licensee.

8 **[(p)] (Q)** **(1)** An unsuccessful applicant for a video lottery operation
9 license under this section may seek, under Title 15 of the State Finance and
10 Procurement Article, review by the State Board of Contract Appeals of the awarding of
11 the video lottery operation license by the Video Lottery Facility Location Commission.

12 **(2)** **A PROCEEDING UNDER THIS SUBSECTION SHALL:**

13 **(I)** **TAKE PRECEDENCE ON THE BOARD'S DOCKET;**

14 **(II)** **BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND**

15 **(III)** **BE EXPEDITED IN EVERY WAY.**

16 **[(q)] (R)** (1) Nothing in this subtitle may be construed to require the
17 Video Lottery Facility Location Commission to award all five video lottery operation
18 licenses authorized under this subtitle.

19 (2) Notwithstanding any of the provisions of this subtitle, the Video
20 Lottery Facility Location Commission may not award a video lottery operation license
21 under this subtitle unless the Video Lottery Facility Location Commission determines
22 and declares that an applicant selected for award of the license is in the public interest
23 and is consistent with the purposes of this subtitle.

24 **[(r)] (S)** The Video Lottery Facility Location Commission may award a
25 video lottery operation license that is revoked or surrendered utilizing the criteria
26 established in this subtitle.

27 **[(s)] (T)** (1) Except as provided in paragraph (2) of this subsection, the
28 Video Lottery Facility Location Commission shall terminate on January 1, 2015.

29 (2) The Governor may reconstitute the Video Lottery Facility Location
30 Commission, which shall include the appointment of new members based on the
31 criteria established under subsections (b) and (c) of this section:

1 (i) one year prior to the expiration of a video lottery operation
2 license; or

3 (ii) following the revocation or surrender of a video lottery
4 operation license.

5 **9-1A-37.**

6 (A) (1) THE COMMISSION MAY CONSIDER AND MAKE
7 RECOMMENDATIONS ON PROPOSED CHANGES TO THIS SUBTITLE, SUBTITLE 1
8 OF THIS TITLE, AND ANY PROVISIONS OF ARTICLE 2B OF THE CODE THAT
9 RELATE TO THE REGULATION OF ALCOHOLIC BEVERAGES AT VIDEO LOTTERY
10 FACILITIES.

11 (2) ON REQUEST OF THE GOVERNOR OR THE PRESIDING OFFICER
12 OF EITHER HOUSE OF THE GENERAL ASSEMBLY, THE COMMISSION SHALL
13 CONSIDER AND MAKE RECOMMENDATIONS ON PROPOSED CHANGES TO THIS
14 SUBTITLE, SUBTITLE 1 OF THIS TITLE, AND ANY PROVISIONS OF ARTICLE 2B OF
15 THE CODE THAT RELATE TO THE REGULATION OF ALCOHOLIC BEVERAGES AT
16 VIDEO LOTTERY FACILITIES.

17 (3) A VIDEO LOTTERY FACILITY MAY REQUEST THAT THE
18 COMMISSION CONSIDER AND MAKE RECOMMENDATIONS ON PROPOSED
19 CHANGES TO THIS SUBTITLE AND ANY PROVISIONS OF ARTICLE 2B OF THE
20 CODE THAT RELATE TO THE REGULATION OF ALCOHOLIC BEVERAGES AT VIDEO
21 LOTTERY FACILITIES.

22 (B) (1) THE COMMISSION MAY RECOMMEND OR PROPOSE
23 LEGISLATION ON ANY MATTER WITHIN OR RELATED TO THE JURISDICTION OF
24 THE COMMISSION.

25 (2) THE COMMISSION SHALL REVIEW AND COMMENT ON ANY
26 LEGISLATION INTRODUCED DURING A SESSION OF THE GENERAL ASSEMBLY
27 THAT RELATES TO A MATTER WITHIN THE JURISDICTION OF THE COMMISSION.

28 **9-1A-38.**

29 (A) **THERE IS A JOINT COMMITTEE ON GAMING OVERSIGHT.**

30 (B) **THE COMMITTEE CONSISTS OF THE FOLLOWING EIGHT MEMBERS:**

31 (1) **FOUR MEMBERS OF THE SENATE, APPOINTED BY THE**
32 **PRESIDENT OF THE SENATE; AND**

1 **(2) FOUR MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED**
 2 **BY THE SPEAKER OF THE HOUSE.**

3 **(C) THE MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF**
 4 **THE PRESIDING OFFICER WHO APPOINTED THEM.**

5 **(D) THE PRESIDENT AND THE SPEAKER OF THE HOUSE SHALL APPOINT**
 6 **A SENATOR AND A DELEGATE, RESPECTIVELY, TO SERVE AS COCHAIRS.**

7 **(E) (1) THE COMMITTEE SHALL EXAMINE:**

8 **(I) THE STATUS OF THE STATE'S GAMING PROGRAM; AND**

9 **(II) THE IMPLEMENTATION OF NEW LAWS RELATING TO**
 10 **GAMING.**

11 **(2) THE COMMITTEE SHALL MAKE RECOMMENDATIONS FOR**
 12 **POTENTIAL IMPROVEMENTS TO THE STATE'S GAMING PROGRAM.**

13 **(F) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PROVIDE**
 14 **STAFFING FOR THE COMMITTEE.**

15 **(G) A MEMBER OF THE COMMITTEE MAY NOT RECEIVE COMPENSATION**
 16 **FOR SERVING ON THE COMMITTEE, BUT IS ENTITLED TO REIMBURSEMENT FOR**
 17 **EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED**
 18 **IN THE STATE BUDGET.**

19 **(H) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE COMMITTEE**
 20 **SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND,**
 21 **IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY.**

22 **Article – Courts and Judicial Proceedings**

23 **12-309.**

24 **(A) A PETITION FOR JUDICIAL REVIEW OF A FINAL DECISION BY THE**
 25 **STATE BOARD OF CONTRACT APPEALS IN AN APPEAL FROM THE AWARD OF A**
 26 **VIDEO LOTTERY OPERATION LICENSE BY THE VIDEO LOTTERY FACILITY**
 27 **LOCATION COMMISSION MAY BE HEARD IN THE CIRCUIT COURT OF ANY**
 28 **COUNTY IN WHICH VENUE WOULD BE APPROPRIATE UNDER § 6-201 OF THIS**
 29 **ARTICLE.**

1 (B) EXCEPT FOR CASES THAT THE COURT CONSIDERS TO REQUIRE A
 2 HIGHER PRIORITY, A PROCEEDING UNDER THIS SECTION, INCLUDING ANY
 3 SUBSEQUENT APPELLATE JUDICIAL REVIEW, SHALL:

4 (1) TAKE PRECEDENCE ON THE COURT'S DOCKET;

5 (2) BE HEARD AT THE EARLIEST PRACTICABLE DATE; AND

6 (3) BE EXPEDITED IN EVERY WAY.

7 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PARTY TO A
 8 PROCEEDING UNDER THIS SECTION MAY APPEAL THE DECISION OF THE
 9 CIRCUIT COURT ONLY BY A PETITION TO THE COURT OF APPEALS FOR THE
 10 ISSUANCE OF A WRIT OF CERTIORARI.

11 Article – Election Law

12 13-237.

13 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
 14 MEANINGS INDICATED.

15 ~~(2) “GAMING ACTIVITY” MEANS VIDEO LOTTERY AUTHORIZED BY~~
 16 ~~THIS STATE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT~~
 17 ~~ARTICLE.~~

18 ~~(3) “KEY EMPLOYEE” MEANS AN INDIVIDUAL WHO, ACTING AS AN~~
 19 ~~AGENT OR EMPLOYEE OF A PERSON OR LICENSEE, SUPERVISES MORE THAN TWO~~
 20 ~~AGENTS OR EMPLOYEES OF THE PERSON OR LICENSEE AUTHORIZED TO ENGAGE~~
 21 ~~IN GAMING ACTIVITY IN THIS STATE.~~

22 ~~(4) “LICENSEE” HAS THE MEANING STATED IN § 9-1A-01 OF THE~~
 23 ~~STATE GOVERNMENT ARTICLE.~~

24 ~~(5) (2)~~ “OWN” HAS THE MEANING STATED IN § 9-1A-01 OF THE
 25 STATE GOVERNMENT ARTICLE.

26 ~~(6) (3)~~ “VIDEO LOTTERY FACILITY” HAS THE MEANING STATED
 27 IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

28 ~~(7) (4)~~ “VIDEO LOTTERY ~~TERMINAL~~ OPERATION LICENSE” HAS
 29 THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.

30 (B) THIS SECTION APPLIES TO THE FOLLOWING PERSONS:

1 (1) AN APPLICANT FOR A VIDEO LOTTERY OPERATION LICENSE
2 ~~TO ENGAGE IN GAMING ACTIVITY IN THIS STATE;~~ AND

3 (2) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE; OR

4 ~~(2) A LICENSEE OR OTHER PERSON AUTHORIZED TO ENGAGE IN~~
5 ~~GAMING ACTIVITY IN THIS STATE;~~

6 ~~(3) A HOLDING COMPANY, INTERMEDIARY COMPANY, OR A~~
7 ~~SUBSIDIARY COMPANY OF;~~

8 ~~(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING~~
9 ~~ACTIVITY IN THIS STATE; OR~~

10 ~~(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO~~
11 ~~ENGAGE IN GAMING ACTIVITY IN THIS STATE;~~

12 ~~(4) A KEY EMPLOYEE OF, OR PERSON OR AGENT ON BEHALF OF;~~

13 ~~(I) AN APPLICANT FOR A LICENSE TO ENGAGE IN GAMING~~
14 ~~ACTIVITY IN THIS STATE; OR~~

15 ~~(II) A LICENSEE OR OTHER PERSON AUTHORIZED TO~~
16 ~~ENGAGE IN GAMING ACTIVITY IN THIS STATE; OR~~

17 ~~(5) (2) (3)~~ A PERSON WHO OWNS AN INTEREST IN THE OPERATION
18 OF A VIDEO LOTTERY ~~TERMINAL OR OTHER GAMING ACTIVITY~~ FACILITY IN THIS
19 STATE.

20 (C) THIS SECTION DOES NOT APPLY TO GAMING ACTIVITY THAT AN
21 ELIGIBLE ORGANIZATION IS AUTHORIZED TO CONDUCT UNDER THE CRIMINAL
22 LAW ARTICLE.

23 (D) A PERSON SUBJECT TO THIS SECTION MAY NOT, DIRECTLY OR
24 INDIRECTLY, MAKE A CONTRIBUTION TO:

25 (1) THE CAMPAIGN FINANCE ENTITY OF A CANDIDATE FOR ANY
26 NONFEDERAL PUBLIC OFFICE IN THE STATE; OR

27 ~~(2) THE CAMPAIGN FINANCE ENTITY OF A POLITICAL PARTY IN~~
28 ~~THE STATE; OR~~

29 ~~(3)~~ ANY OTHER CAMPAIGN FINANCE ENTITY ORGANIZED IN
30 SUPPORT OF;

1 system, video lottery terminals, associated equipment or software, or the cabinet in
2 which a video lottery terminal is housed;

3 ~~[(2)]~~ **(II)** that produces a product that is intended for sale, lease, or
4 other assignment to the Commission or a licensee; and

5 ~~[(3)]~~ **(III)** that contracts with the Commission or a licensee for the
6 sale, lease, or other assignment of a product described in ~~[paragraph (1) of this~~
7 ~~subsection]~~ **ITEM (I) OF THIS ITEM; OR**

8 **(2) (I) THAT IS ENGAGED IN THE BUSINESS OF DESIGNING,**
9 **BUILDING, CONSTRUCTING, ASSEMBLING, MANUFACTURING, OR DISTRIBUTING**
10 **TABLE GAMES OR TABLE GAME EQUIPMENT;**

11 **(II) THAT PRODUCES A PRODUCT RELATED TO TABLE**
12 **GAMES THAT IS INTENDED FOR SALE, LEASE, OR OTHER ASSIGNMENT TO A**
13 **LICENSEE; AND**

14 **(III) THAT CONTRACTS WITH A LICENSEE FOR THE SALE,**
15 **LEASE, OR OTHER ASSIGNMENT OF A PRODUCT DESCRIBED IN ITEM (I) OF THIS**
16 **ITEM.**

17 (u) (1) “Proceeds” means the part of the amount of money bet through
18 video lottery terminals **AND TABLE GAMES** that is not returned to successful players
19 but is otherwise allocated under this subtitle.

20 (2) (i) Subject to subparagraph (ii) of this paragraph, “proceeds”
21 does not include money given away by a video lottery operation licensee as free
22 promotional play and used by players to bet in a video lottery terminal.

23 (ii) After the first fiscal year of operations, the exclusion
24 specified in subparagraph (i) of this paragraph may not exceed a percentage
25 established by the Commission by regulation of the proceeds received from video
26 lottery terminals in the prior fiscal year by the video lottery operation licensee under §
27 9–1A–27(a)(2) and (c)(1)(ii) of this subtitle.

28 **(W-1) “TABLE GAME EQUIPMENT” MEANS EQUIPMENT THAT IS RELATED**
29 **TO THE OPERATION OF TABLE GAMES AND THAT IS OWNED OR LEASED BY THE**
30 **VIDEO LOTTERY FACILITY AND LOCATED ON THE VIDEO LOTTERY FACILITY’S**
31 **PREMISES.**

32 **(W-2) “TABLE GAMES” MEANS:**

1 **(1) ROULETTE, BACCARAT, BLACKJACK, CRAPS, BIG SIX WHEEL,**
2 **MINIBACCARAT, POKER, PAI GOW POKER, AND SIC BO, OR ANY VARIATION AND**
3 **COMPOSITES OF SUCH GAMES; AND**

4 **(2) GAMING TOURNAMENTS IN WHICH PLAYERS COMPETE**
5 **AGAINST ONE ANOTHER IN ONE OR MORE OF THE GAMES AUTHORIZED UNDER**
6 **ITEM (1) OF THIS SUBSECTION.**

7 9-1A-02.

8 **(b) (3) THE COMMISSION SHALL REGULATE THE OPERATION OF**
9 **TABLE GAMES IN ACCORDANCE WITH THIS SUBTITLE.**

10 (d) Only a person with a video lottery operation license issued under this
11 subtitle may offer a video lottery terminal **AND TABLE GAMES** for public use in the
12 State under this subtitle.

13 9-1A-04.

14 (a) The Commission shall:

15 (1) promptly and in reasonable order, make a determination on license
16 applications and causes affecting the granting or renewal of licenses under this
17 subtitle;

18 (2) issue licenses in accordance with this subtitle;

19 (3) after a hearing, promptly and in reasonable order, make a
20 determination on the suspension or revocation of licenses under this subtitle;

21 (4) after a hearing, suspend or revoke as applicable the license of a
22 licensee who has a license suspended or revoked in another state;

23 (5) conduct hearings concerning civil violations of this subtitle or
24 regulations issued under this subtitle;

25 (6) collect application, license, and other fees to cover the
26 administrative costs of this subtitle related to licensing;

27 (7) deposit application, license, and other fees to a bank account that
28 the State Treasurer designates to the credit of the State Lottery Fund to cover the
29 administrative costs of this subtitle related to licensing;

30 (8) levy and collect civil penalties for civil violations of the provisions
31 of this subtitle or regulations issued under this subtitle;

1 (9) be present at a video lottery operation through its employees and
2 agents at any time during the operation of any video lottery terminal **OR TABLE**
3 **GAME** for the purpose of certifying revenue from the video lottery terminals **OR**
4 **TABLE GAMES**, receiving complaints from the public, and conducting any other
5 investigation into the operation of the video lottery terminals **OR TABLE GAMES** and
6 the maintenance of the video lottery terminals and associated equipment and software
7 **AND TABLE GAMES AND TABLE GAME EQUIPMENT** as the Commission may deem
8 necessary and proper; [and]

9 (10) review and rule on any complaint by a licensee regarding any
10 investigative procedures of the Commission that are unnecessarily disruptive of video
11 lottery **AND TABLE GAMES** operations; **AND**

12 **(11) AUTHORIZE A HOLDER OF A VIDEO LOTTERY OPERATION**
13 **LICENSE UNDER THIS SUBTITLE TO OFFER TABLE GAMES TO THE PUBLIC IN THE**
14 **STATE.**

15 (b) The Commission may:

16 (1) issue subpoenas to compel the attendance of witnesses at any place
17 within the State in the course of any investigation or hearing under this subtitle;

18 (2) administer oaths and require testimony under oath before the
19 Commission in the course of any investigation or hearing conducted under this
20 subtitle;

21 (3) serve or cause to be served its process or notices in a manner
22 provided for service of process in civil actions under the Maryland Rules; and

23 (4) propound written interrogatories.

24 (c) Except as otherwise provided in this subtitle, the Commission shall
25 conduct a hearing in the same manner as specified in Title 10, Subtitle 2 of this
26 article.

27 (d) The Commission shall adopt regulations that include the following
28 specific provisions in accordance with this subtitle:

29 (1) establishing the methods and forms of application that an
30 applicant for any license required under this subtitle shall follow and complete before
31 consideration of the application by the Commission;

32 (2) establishing the methods, procedures, and form for delivery of
33 information from an applicant or licensee concerning any person's family, habits,
34 character, associates, criminal record, business activities, and financial affairs;

- 1 (3) establishing the procedures for the fingerprinting of an applicant
2 for any license required under this subtitle or other methods of identification that may
3 be necessary in the judgment of the Commission to accomplish effective enforcement of
4 the provisions of this subtitle;
- 5 (4) establishing the manner and procedure of hearings conducted by
6 the Commission;
- 7 (5) establishing the manner and method of collection of taxes, fees,
8 and civil penalties;
- 9 (6) defining and limiting the areas of operation for video lottery
10 terminals **AND TABLE GAMES**, rules of video lottery terminals **AND TABLE GAMES**,
11 odds for video lottery terminals **AND TABLE GAMES**, the types and values of
12 promotional items that may be given away to encourage play of video lottery terminals
13 **AND TABLE GAMES**, [and] the method of operation of the video lottery terminals **AND**
14 **TABLE GAMES, AND THE NUMBER AND TYPES OF TABLE GAMES**;
- 15 (7) regulating the practice and procedures for negotiable transactions
16 involving players, including limitations on the circumstances and amounts of
17 negotiable transactions and the establishment of forms and procedures for negotiable
18 instrument transactions, redemptions, and consolidations;
- 19 (8) prescribing the grounds and procedures for reprimands of licensees
20 or the revocation or suspension of licenses issued under this subtitle;
- 21 (9) governing the manufacture, distribution, sale, and servicing of
22 video lottery terminals **AND TABLE GAMES**;
- 23 (10) establishing the procedures, forms, and methods of management
24 controls;
- 25 (11) providing for minimum uniform standards of accountancy
26 methods, procedures, and forms as are necessary to assure consistency, comparability,
27 and effective disclosure of all financial information, including percentages of profit for
28 video lottery terminals **AND TABLE GAMES**;
- 29 (12) establishing periodic financial reports and the form of the reports,
30 including an annual audit prepared by a certified public accountant licensed to do
31 business in the State, disclosing whether the accounts, records, and control procedures
32 examined are maintained by the video lottery operation licensee as required by this
33 subtitle and the regulations that shall be issued under this subtitle;
- 34 (13) requiring licensees under this subtitle to demonstrate and
35 maintain financial viability;

1 (14) ensuring that the operation of video lottery terminals, **TABLE**
2 **GAMES**, and video lottery facilities is conducted legally;

3 (15) establishing procedures for the removal of video lottery terminals
4 from a video lottery facility; [and]

5 **(16) DETERMINING THE SUITABILITY OF:**

6 **(I) THE USE OF ANY VARIATIONS OR COMPOSITES OF THE**
7 **TABLE GAMES AUTHORIZED UNDER THIS SUBTITLE AFTER AN APPROPRIATE**
8 **TEST OR EXPERIMENTAL PERIOD UNDER TERMS AND CONDITIONS THAT THE**
9 **COMMISSION MAY DEEM APPROPRIATE; AND**

10 **(II) ANY OTHER GAME THAT IS COMPATIBLE WITH THE**
11 **PUBLIC INTEREST AND SUITABLE FOR CASINO USE AFTER AN APPROPRIATE**
12 **TEST OR EXPERIMENTAL PERIOD DEEMED APPROPRIATE BY THE COMMISSION;**

13 **(17) ESTABLISHING PROCEDURES FOR ACCOUNTING FOR ALL**
14 **MONEY EXCHANGED AT EACH TABLE GAME;**

15 **(18) ESTABLISHING THE NUMBER OF VIDEO LOTTERY TERMINALS**
16 **THAT MAY BE REMOVED FROM A VIDEO LOTTERY FACILITY TO ACCOMMODATE**
17 **TABLE GAMES; AND**

18 ~~[(16)]~~ **(19)** otherwise carrying out the provisions of this subtitle.

19 (e) (1) The Commission shall by regulation require an applicant or
20 licensee to file a bond for the benefit of the State for the faithful performance of the
21 requirements imposed by this subtitle and any regulations issued under this subtitle.

22 (2) An applicant or licensee shall obtain and submit satisfactory proof
23 of the bond to the Commission before a license is issued or reissued.

24 (3) The bonds furnished may be applied by the Commission to the
25 payment of an unpaid liability of the licensee.

26 (4) The Commission by regulation may exempt categories of video
27 lottery **AND TABLE GAME** employees who are not directly involved in the video lottery
28 **AND TABLE GAME** operations from the requirements of this subsection if the
29 Commission determines that the requirement is not necessary in order to protect the
30 public interest or accomplish the policies established under this subtitle.

31 (f) (1) The Commission shall promptly and thoroughly investigate all
32 applications and enforce this subtitle and regulations that are adopted under this
33 subtitle.

1 (2) The Commission and its employees and agents shall have the
2 authority, without notice and without warrant, to:

3 (i) inspect and examine all premises in which video lottery **AND**
4 **TABLE GAME** operations under this subtitle are conducted or any authorized **TABLE**
5 **GAMES, TABLE GAME EQUIPMENT**, video lottery terminals, central monitor and
6 control system, or associated equipment and software designed, built, constructed,
7 assembled, manufactured, sold, distributed, or serviced, or in which records of those
8 activities are prepared or maintained;

9 (ii) inspect any **TABLE GAMES, TABLE GAME EQUIPMENT**,
10 video lottery terminals, central monitor and control system, or associated equipment
11 and software in, about, on, or around those premises;

12 (iii) seize summarily and remove from those premises and
13 impound, or assume physical control of, any **TABLE GAMES, TABLE GAME**
14 **EQUIPMENT**, video lottery terminals, central monitor and control system, or
15 associated equipment and software for the purposes of examination and inspection;

16 (iv) inspect, examine, and audit books, records, and documents
17 concerning a licensee's video lottery **AND TABLE GAME** operations, including the
18 financial records of a parent corporation, subsidiary corporation, or similar business
19 entity; and

20 (v) seize, impound, or assume physical control of books, records,
21 ledgers, cash boxes and their contents, a counting room or its equipment, or other
22 physical objects relating to video lottery **OR TABLE GAME** operations.

23 (3) A licensee shall authorize any other person having financial
24 records relating to the licensee to provide those records to the Commission.

25 **(G) THE COMMISSION MAY NOT CHARGE A VIDEO LOTTERY FACILITY A**
26 **FEE TO OFFER TABLE GAMES.**

27 **(H) THE COMMISSION MAY NOT PERMIT THE OPERATION OF VIDEO**
28 **LOTTERY TERMINALS IN PRINCE GEORGE'S COUNTY BEFORE THE EARLIER OF**
29 **JULY 1, 2016, OR 30 MONTHS AFTER THE VIDEO LOTTERY FACILITY IN**
30 **BALTIMORE CITY IS OPEN TO THE PUBLIC.**

31 9-1A-05.

32 (a) The Video Lottery Facility Location Commission established under §
33 9-1A-36 of this subtitle may not:

34 (1) award more than [five] **SIX** video lottery operation licenses;

1 (2) award more than [15,000] **16,500** video lottery terminals for
2 operation at video lottery facilities in the State;

3 (3) subject to the requirements of § 9–1A–36(h) and (i) of this subtitle,
4 award more than 4,750 terminals for operation at any video lottery facility; and

5 (4) for a location in Allegany County:

6 (i) award a video lottery operation license to an applicant that
7 does not agree to purchase the Rocky Gap Lodge and Resort; and

8 (ii) notwithstanding § 9–1A–36(i)(2) of this subtitle, award more
9 than [1,000] **1,500** video lottery terminals for operation at a video lottery facility in
10 Allegany County.

11 (d) (1) In this subsection, “owner” includes any type of owner or beneficiary
12 of a business entity, including an officer, director, principal employee, partner, investor,
13 stockholder, or beneficial owner of the business entity and, notwithstanding any other
14 provisions of this subtitle, including a person having any ownership interest regardless
15 of the percentage of ownership interest.

16 (2) An individual or business entity may not own an interest in more
17 than one video lottery facility.

18 (3) A member of the Senate of Maryland or the House of Delegates may
19 not be an owner or an employee of any business entity that holds a video lottery
20 operation license.

21 (4) Notwithstanding paragraphs (1) and (2) of this subsection[.]:

22 (I) an individual or business entity may enter into a
23 management agreement to operate a facility located in Allegany County that it does not
24 own, subject to the approval of the Video Lottery Facility Location Commission and the
25 State Lottery AND GAMING CONTROL Commission; AND

26 (II) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE
27 MAY APPLY TO THE VIDEO LOTTERY FACILITY LOCATION COMMISSION FOR AN
28 ADDITIONAL LICENSE PROVIDED THAT THE APPLICATION REQUIRED UNDER §
29 9–1A–36 OF THIS SUBTITLE INCLUDES A PLAN FOR DIVESTING FROM THE VIDEO
30 LOTTERY OPERATION LICENSE HELD ON THE DATE OF THE APPLICATION.

31 9–1A–06.

32 (a) The following persons shall be licensed under this subtitle:

- 1 (1) a video lottery operator;
- 2 (2) a manufacturer;
- 3 (3) a person not licensed under item (1) or (2) of this subsection who
4 manages, operates, supplies, provides security for, or provides service, maintenance, or
5 repairs for video lottery terminals **OR TABLE GAMES**; and
- 6 (4) a video lottery employee.

7 9-1A-11.

8 (b) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3)
9 of this subsection, a licensee shall commence operation of video lottery terminals in a
10 permanent facility at the location for which the video lottery operation license has been
11 awarded within 18 months after the license is awarded.

12 (2) (i) On a determination by the Commission that extenuating
13 circumstances exist that are beyond the control of an awardee and have prevented the
14 awardee from complying with the requirements of paragraph (1) of this subsection, the
15 Commission may allow the awardee an extension of 6 months to comply with the
16 requirements.

17 (ii) The Commission may not grant more than two extensions to
18 an awardee under this paragraph.

19 (3) NOTWITHSTANDING PARAGRAPHS (1) AND (2) OF THIS
20 SUBSECTION, THE COMMISSION MAY ALLOW AN AWARDEE OF A VIDEO LOTTERY
21 OPERATION LICENSE IN PRINCE GEORGE'S COUNTY TO COMMENCE OPERATION
22 IN A PERMANENT FACILITY MORE THAN 18 MONTHS, BUT NOT MORE THAN 30
23 MONTHS, AFTER THE LICENSE IS AWARDED.

24 ~~[(3)]~~ (4) If a video lottery operation awardee fails to comply with the
25 requirements of this subsection, the license awarded to the awardee shall be revoked
26 and shall automatically revert to the State.

27 (c) (1) Nothing in this subtitle may be construed to prohibit a video lottery
28 operation licensee that is issued a license from beginning video lottery terminal **OR**
29 **TABLE GAME** operations in a temporary facility that meets the minimum requirements
30 established in regulations adopted by the State Lottery and Gaming Control
31 Commission.

32 (3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A
33 VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S COUNTY MAY NOT BEGIN VIDEO
34 LOTTERY TERMINAL OR TABLE GAME OPERATIONS IN A TEMPORARY FACILITY OR

1 IN A STRUCTURE, INCLUDING A HOTEL OR CONFERENCE CENTER, THAT EXISTS
2 ON AUGUST 15, 2012.

3 9-1A-15.

4 (a) (1) Unless a manufacturer holds a valid manufacturer's license issued
5 by the Commission before conducting business with a licensee or the State, the
6 manufacturer may not offer any video lottery terminal, central monitor and control
7 system, associated equipment or software, or goods or services that directly relate to
8 the operation of video lottery terminals under this subtitle.

9 (2) UNLESS A MANUFACTURER HOLDS A VALID MANUFACTURER'S
10 LICENSE ISSUED BY THE COMMISSION BEFORE CONDUCTING BUSINESS WITH A
11 LICENSEE, THE MANUFACTURER MAY NOT OFFER ANY TABLE GAMES OR TABLE
12 GAME EQUIPMENT UNDER THIS SUBTITLE.

13 (d) (1) A manufacturer of the video lottery terminals, central monitor and
14 control system, and associated equipment and software shall manufacture or
15 distribute the video lottery terminals, central monitor and control system, and
16 associated equipment and software that meet specifications and procedures
17 established by the Commission.

18 (2) A MANUFACTURER OF TABLE GAMES AND TABLE GAME
19 EQUIPMENT SHALL MANUFACTURE OR DISTRIBUTE THE TABLE GAMES AND
20 TABLE GAME EQUIPMENT THAT MEET SPECIFICATIONS AND PROCEDURES
21 ESTABLISHED BY THE COMMISSION.

22 9-1A-18.

23 (a) Because the public has a vital interest in video lottery AND TABLE GAME
24 operations and has established a limited exception to the policy of the State concerning
25 gambling for private gain, participation in video lottery AND TABLE GAME operations
26 by a licensee under this subtitle shall be deemed a revocable privilege conditioned on
27 the proper and continued qualification of the licensee and on the discharge of the
28 affirmative responsibility of each licensee to provide to the regulatory and
29 investigatory authorities under this subtitle or any other provision of law, any
30 assistance and information necessary to assure that the policies declared by this
31 subtitle are achieved.

32 9-1A-23.

33 (a) [(1) Except as provided in paragraph (2) of this subsection, a video
34 lottery facility may operate daily from 8 a.m. to 2 a.m.

1 (2) A video lottery facility may extend operations until 4 a.m. on
 2 Saturday and 4 a.m. on Sunday.] **A VIDEO LOTTERY FACILITY MAY OPERATE 24**
 3 **HOURS A DAY.**

4 9-1A-24.

5 (c) A video lottery operation licensee shall ensure that intoxicated
 6 individuals and individuals under the age of 21 years are not allowed to play video
 7 lottery terminals **OR TABLE GAMES** and are not allowed in areas of the video lottery
 8 facility where video lottery terminals **OR TABLE GAMES** are located.

9 9-1A-26.

10 (a) (1) Except as provided in ~~paragraph (2)~~ paragraphs (2) and (3) of this
 11 subsection, all proceeds from the operation of video lottery terminals **AND TABLE**
 12 **GAMES** shall be electronically transferred daily into the State Lottery Fund
 13 established under Subtitle 1 of this title and distributed as provided under § 9-1A-27
 14 of this subtitle.

15 (2) The requirement under paragraph (1) of this subsection does not
 16 apply on a day when State government is closed.

17 (3) The amount from the proceeds of video lottery terminals to be paid
 18 to video lottery operation licensees under § 9-1A-27(a)(2) and (7), (b), and (c)(1)(ii) and
 19 (2) of this subtitle shall be retained by the licensee.

20 (b) (1) The Commission shall account to the Comptroller for all of the
 21 revenue under this subtitle.

22 (2) The proceeds from video lottery terminals **AND TABLE GAMES**
 23 shall be under the control of the Comptroller and shall be distributed as provided
 24 under § 9-1A-27 of this subtitle.

25 (c) The admissions and amusement tax may not be imposed on any proceeds
 26 from the operation of video lottery terminals **AND TABLE GAMES**.

27 9-1A-27.

28 (a) Except as provided in subsections (b) and (c) of this section and §
 29 9-1A-26(a)(3) of this subtitle, on a properly approved transmittal prepared by the
 30 Commission, the Comptroller shall pay the following amounts from the proceeds of
 31 video lottery terminals at each video lottery facility:

32 (1) (i) on or before March 31, 2015, 2% to the State Lottery and
 33 Gaming Control Agency for costs as defined in § 9-1A-01 of this subtitle; and

1 (ii) beginning April 1, 2015, 1% to the State Lottery and Gaming
2 Control Agency for costs as defined in § 9-1A-01 of this subtitle;

3 (2) to the video lottery operation licensee, the percentage stated in the
4 accepted application for the location, not to exceed, except as provided in subsection (b)
5 of this section, 33%;

6 (3) 5.5% in local impact grants, in accordance with § 9-1A-31 of this
7 subtitle;

8 (4) 7% to the Purse Dedication Account established under § 9-1A-28
9 of this subtitle, not to exceed a total of \$100,000,000 to the Account annually;

10 (5) (i) until the issuance of a video lottery operation license in
11 Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under §
12 9-1A-29 of this subtitle and distributed in accordance with that section; and

13 (ii) on or after the issuance of a video lottery operation license in
14 Baltimore City, for the first 16 years of operations at a video lottery facility, 1% to the
15 Racetrack Facility Renewal Account established under § 9-1A-29 of this subtitle, not
16 to exceed a total of \$20,000,000 to the Account annually;

17 (6) 1.5% to the Small, Minority, and Women-Owned Businesses
18 Account established under § 9-1A-35 of this subtitle;

19 (7) (i) except as provided in item (ii) of this item, 6% to the video
20 lottery operation licensee if the video lottery operation licensee owns or leases each
21 video lottery terminal device and the associated equipment and software; and

22 (ii) 8% to the video lottery operation licensee in Anne Arundel
23 County; [and]

24 (8) **BEGINNING AFTER THE ISSUANCE OF A VIDEO LOTTERY**
25 **OPERATION LICENSE FOR A VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S**
26 **COUNTY, ~~5%~~ 8% TO THE VIDEO LOTTERY OPERATION LICENSEE IN ANNE**
27 **ARUNDEL COUNTY AND 7% TO THE LICENSEE IN BALTIMORE CITY FOR:**

28 (I) **MARKETING, ADVERTISING, AND PROMOTIONAL COSTS**
29 **REQUIRED UNDER § 9-1A-23 OF THIS SUBTITLE; AND**

30 (II) **CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY**
31 **FACILITIES; AND**

32 **[(8)] (9)** the remainder to the Education Trust Fund established
33 under § 9-1A-30 of this subtitle.

1 (b) (1) Beginning July 1, 2013, for a video lottery facility in Worcester
 2 County with less than 1,000 video lottery terminals, the percentage in subsection
 3 (a)(2) of this section is equal to 43% provided that each year an amount equivalent to
 4 2.5% of the proceeds from video lottery terminals at the video lottery facility is spent
 5 on capital improvements at the video lottery facility.

6 (2) (i) After 1 year of operations at a video lottery facility in
 7 Allegany County, the percentage in subsection (c)(1)(ii) of this section is equal to 50%,
 8 provided that each year an amount equivalent to 0.5% of the proceeds from video
 9 lottery terminals at the video lottery facility is spent on capital improvements at the
 10 video lottery facility; or

11 (ii) after the first 10 years of operations at a video lottery
 12 facility in Allegany County, the percentage:

13 ~~(i)~~ **1.** in subsection (a)(2) of this section is equal to 43%
 14 provided that each year an amount equivalent to 2.5% of the proceeds from video
 15 lottery terminals at the video lottery facility is spent on capital improvements at the
 16 video lottery facility; and

17 ~~(ii)~~ **2.** in subsection (a)(1) of this section is equal to 2%.

18 **(3) FOR A VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S**
 19 **COUNTY, THE PERCENTAGE IN SUBSECTION (A)(2) OF THIS SECTION STATED IN**
 20 **THE ACCEPTED APPLICATION FOR THE LOCATION MAY NOT EXCEED 38%.**

21 (c) (1) For the first 10 years of operations at a video lottery facility in
 22 Allegany County, on a properly approved transmittal prepared by the Commission, the
 23 Comptroller shall pay the following amounts from the proceeds of video lottery
 24 terminals at a video lottery facility in Allegany County:

25 (i) 2% to the State Lottery and Gaming Control Agency for
 26 costs as defined in § 9-1A-01 of this subtitle;

27 (ii) to the video lottery operation licensee, the percentage stated
 28 in the accepted application for the location, not to exceed 50%;

29 (iii) 2.75% in local impact grants, in accordance with § 9-1A-31
 30 of this subtitle;

31 (iv) 2.5% to the Purse Dedication Account established under §
 32 9-1A-28 of this subtitle;

33 (v) 0.75% to the Small, Minority, and Women-Owned
 34 Businesses Account established under § 9-1A-35 of this subtitle; and

1 (vi) the remainder to the Education Trust Fund established
2 under § 9-1A-30 of this subtitle.

3 (2) After the first 10 years of operations at a video lottery facility in
4 Allegany County, the proceeds generated at the facility in Allegany County shall be
5 allocated as provided in subsections (a) and (b) of this section.

6 **(D) (1) EACH VIDEO LOTTERY OPERATION LICENSEE SHALL RETAIN**
7 **80% OF THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY.**

8 **(2) ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE**
9 **COMMISSION, THE COMPTROLLER SHALL PAY ~~80% OF THE PROCEEDS OF~~**
10 **~~TABLE GAMES AT EACH VIDEO LOTTERY FACILITY TO THE VIDEO LOTTERY~~**
11 **~~OPERATION LICENSEE AND THE REMAINDER~~ 20% OF THE PROCEEDS OF TABLE**
12 **GAMES AT THE VIDEO LOTTERY FACILITY TO THE EDUCATION TRUST FUND**
13 **ESTABLISHED UNDER § 9-1A-30 OF THIS SUBTITLE.**

14 **[(d)] (E) (1)** If the costs of the State Lottery and Gaming Control Agency
15 are less than the proceeds specified in subsection (a)(1) of this section, any amount not
16 distributed to the State Lottery and Gaming Control Agency shall be paid to the
17 Education Trust Fund established under § 9-1A-30 of this subtitle.

18 (2) The costs of the Commission shall be as provided in the State
19 budget.

20 9-1A-33.

21 (a) **(1) The Commission shall:**

22 **[(1)] (I) establish an annual fee of \$425, to be paid by each video**
23 **lottery operation licensee, for each video lottery terminal operated by the licensee**
24 **during the year, based on the maximum number of terminal positions in use during**
25 **the year; and**

26 **[(2)] (II) distribute the fees collected under item [(1)](I) of this**
27 **[subsection] PARAGRAPH to the Problem Gambling Fund established in subsection**
28 **(b) of this section.**

29 **(2) THE COMMISSION MAY ESTABLISH AN ANNUAL FEE OF UP TO**
30 **\$500 FOR EACH TABLE GAME TO BE PAID BY EACH VIDEO LOTTERY OPERATION**
31 **LICENSEE AND DISTRIBUTED TO THE PROBLEM GAMBLING FUND UNDER**
32 **SUBSECTION (B) OF THIS SECTION IN ORDER TO ENSURE SUFFICIENT FUNDS**
33 **ARE AVAILABLE TO PROVIDE REQUESTED SERVICES.**

34 9-1A-36.

1 (f) The Video Lottery Facility Location Commission may award not more
 2 than ~~[five]~~ **SIX** video lottery operation licenses to qualified applicants, through a
 3 competitive process consistent with the process for competitive sealed proposals under
 4 Title 13 of the State Finance and Procurement Article.

5 (h) (1) In order to qualify for a video lottery operation license under this
 6 section, a proposed video lottery facility shall be located in one of the following
 7 counties:

8 (i) a location in Anne Arundel County, within 2 miles of MD
 9 Route 295;

10 (ii) a location in Cecil County, within 2 miles of Interstate 95;

11 (iii) a location on State property associated with the Rocky Gap
 12 State Park in Allegany County;

13 (iv) a location in Worcester County, within 1 mile of the
 14 intersection of Route 50 and Route 589; [or]

15 (v) a location in Baltimore City that is:

16 1. located:

17 A. in a nonresidential area;

18 B. within one-half mile of Interstate 95;

19 C. within one-half mile of MD Route 295; and

20 D. on property that is owned by Baltimore City on the
 21 date on which the application for a video lottery operation license is submitted; and

22 2. not adjacent to or within one-quarter mile of property
 23 that is:

24 A. zoned for residential use; and

25 B. used for a residential dwelling on the date the
 26 application for a video lottery operation license is submitted; **OR**

27 **(VI) A LOCATION IN PRINCE GEORGE'S COUNTY WITHIN 4**
 28 **~~MILES~~ A 4-MILE RADIUS OF THE INTERSECTION OF BOCK ROAD AND ST.**
 29 **BARNABAS ROAD.**

1 (i) (1) Except as provided in paragraphs (2) and (3) of this subsection, the
 2 Video Lottery Facility Location Commission may not allocate more than the following
 3 number of video lottery terminals for:

4 (i) a location in Anne Arundel County – 4,750 video lottery
 5 terminals;

6 (ii) a location in Baltimore City – 3,750 video lottery terminals;

7 (iii) a location in Cecil County – 2,500 video lottery terminals;

8 **(IV) A LOCATION IN PRINCE GEORGE’S COUNTY – 3,000**
 9 **VIDEO LOTTERY TERMINALS;**

10 ~~[(iv)]~~ **(V)** a location in Rocky Gap State Park (Allegany County)
 11 ~~–[1,000]~~ **1,500** video lottery terminals; and

12 ~~[(v)]~~ **(VI)** a location in Worcester County – 2,500 video lottery
 13 terminals.

14 (r) (1) Nothing in this subtitle may be construed to require the Video
 15 Lottery Facility Location Commission to award all ~~[five]~~ **SIX** video lottery operation
 16 licenses authorized under this subtitle.

17 (2) Notwithstanding any of the provisions of this subtitle, the Video
 18 Lottery Facility Location Commission may not award a video lottery operation license
 19 under this subtitle unless the Video Lottery Facility Location Commission determines
 20 and declares that an applicant selected for award of the license is in the public interest
 21 and is consistent with the purposes of this subtitle.

22 9–1A–37.

23 **(C) (1) SUBJECT TO PARAGRAPHS (2) ~~AND (3)~~ THROUGH (5) OF THIS**
 24 **SUBSECTION, IF A VIDEO LOTTERY OPERATION LICENSE IS AWARDED TO A**
 25 **VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY, THE COMMISSION**
 26 **MAY INCREASE FOR A VIDEO LOTTERY FACILITY LOCATED IN ~~ANNE ARUNDEL~~**
 27 **~~COUNTY OR BALTIMORE CITY, BY NOT MORE THAN 5% OF THE PROCEEDS FROM~~**
 28 **~~VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE~~**
 29 **~~PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE.:~~**

30 **(I) ANNE ARUNDEL COUNTY, BY NOT MORE THAN 2% OF**
 31 **THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY**
 32 **FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE; AND**

1 (II) BALTIMORE CITY, BY NOT MORE THAN 3% OF THE
 2 PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY,
 3 THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE.

4 (2) IF THE COMMISSION INCREASES THE PERCENTAGE OF
 5 PROCEEDS FROM VIDEO LOTTERY TERMINALS FOR THE VIDEO LOTTERY
 6 FACILITY IN ANNE ARUNDEL COUNTY UNDER PARAGRAPH (1) OF THIS
 7 SUBSECTION, THE COMMISSION SHALL INCREASE THE PERCENTAGE OF
 8 PROCEEDS FOR THE VIDEO LOTTERY FACILITY IN BALTIMORE CITY BY AT LEAST
 9 THE SAME PERCENTAGE POINT INCREASE AS FOR ANNE ARUNDEL COUNTY.

10 (3) (I) IF A VIDEO LOTTERY OPERATION LICENSE IS AWARDED
 11 TO A VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S COUNTY, THE
 12 COMMISSION MAY INCREASE FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY,
 13 BY NOT MORE THAN 5% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT
 14 THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(2) OF
 15 THIS SUBTITLE.

16 (II) ANY INCREASED DISTRIBUTION OF VIDEO LOTTERY
 17 TERMINAL PROCEEDS UNDER THIS PARAGRAPH FOR A VIDEO LOTTERY FACILITY
 18 IN CECIL COUNTY SHALL BE USED FOR:

19 1. MARKETING, ADVERTISING, AND PROMOTIONAL
 20 COSTS REQUIRED UNDER § 9-1A-23 OF THIS SUBTITLE; AND

21 2. CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY
 22 FACILITY.

23 ~~(2)~~ (4) (I) ON OR BEFORE JANUARY 1, ~~2015~~ 2019, THE
 24 COMMISSION SHALL DETERMINE ANY ADJUSTMENT AUTHORIZED UNDER
 25 PARAGRAPH (1) OF THIS SUBSECTION TO THE PERCENTAGE UNDER §
 26 9-1A-27(A)(8) OF THIS SUBTITLE OR UNDER PARAGRAPH (3) OF THIS
 27 SUBSECTION.

28 (II) ANY ADJUSTMENT AUTHORIZED UNDER THIS
 29 SUBSECTION MAY NOT TAKE EFFECT:

30 1. UNTIL A VIDEO LOTTERY OPERATION LICENSE IS
 31 ISSUED TO A VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S COUNTY; AND

32 2. ~~NO~~ EARLIER THAN JULY 1, ~~2016~~ 2019.

1 ~~(3)~~ (5) BEFORE THE COMMISSION MAY MAKE A
 2 DETERMINATION ON ANY ADJUSTMENT UNDER THIS SUBSECTION, THE
 3 COMMISSION SHALL REPORT TO THE GOVERNOR AND THE GENERAL
 4 ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, ON:

5 (I) THE IMPACT ON EXISTING FACILITIES FROM A VIDEO
 6 LOTTERY FACILITY LOCATED IN PRINCE GEORGE'S COUNTY;

7 (II) UNEXPECTED MONETARY GAINS TO LICENSEES FROM
 8 FACTORS INCLUDING THE DELAYED OPENING OF OTHER FACILITIES;

9 (III) THE MONETARY BENEFIT TO EXISTING LICENSEES
 10 FROM THE REMOVAL OF STATUTORY OR REGULATORY RESTRICTIONS ON VIDEO
 11 LOTTERY OPERATIONS;

12 (IV) INCREASED REVENUE TO LICENSEES FROM THE
 13 AUTHORIZATION OF TABLE GAMES;

14 (V) THE IMPACT OF ANY ADJUSTMENTS TO THE EDUCATION
 15 TRUST FUND;

16 (VI) THE TAX IMPLICATIONS, IF ANY, AND COST OF THE
 17 OWNERSHIP OF THE VIDEO LOTTERY TERMINALS BY VIDEO LOTTERY
 18 FACILITIES; AND

19 (VII) ANY OTHER FACTORS RELATED TO THE GAMING
 20 MARKET IN MARYLAND AND THE ABILITY OF THE STATE GAMING PROGRAM TO
 21 COMPETE WITH SURROUNDING STATES.

22 Article - Tax - Property

23 7-244.

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

25 (2) "Associated equipment" has the meaning stated in § 9-1A-01 of the
 26 State Government Article.

27 (3) "TABLE GAMES" HAS THE MEANING STATED IN § 9-1A-01 OF
 28 THE STATE GOVERNMENT ARTICLE.

29 [(3)] (4) "Video lottery operation license" has the meaning stated in §
 30 9-1A-01 of the State Government Article.

1 [(4)] (5) "Video lottery terminal" has the meaning stated in §
 2 9-1A-01 of the State Government Article.

3 (b) Video lottery terminals and any associated equipment or software leased
 4 by the State Lottery and Gaming Control Commission as provided in § 9-1A-21 of the
 5 State Government Article are not subject to property tax.

6 (c) An interest of a person in video lottery terminals and any associated
 7 equipment or software owned by the State Lottery and Gaming Control Commission as
 8 provided in § 9-1A-21 of the State Government Article is not subject to property tax.

9 (d) Video lottery terminals [and], any associated equipment and software,
 10 AND TABLE GAMES owned or leased by a holder of a video lottery operation license are
 11 not subject to property tax.

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

14 **Article – State Government**

15 9-1A-27.

16 (a) Except as provided in subsections (b) and (c) of this section, on a properly
 17 approved transmittal prepared by the Commission, the Comptroller shall pay the
 18 following amounts from the proceeds of video lottery terminals at each video lottery
 19 facility:

20 (1) (i) on or before March 31, 2015, 2% to the State Lottery and
 21 Gaming Control Agency for costs as defined in § 9-1A-01 of this subtitle; and

22 (ii) beginning April 1, 2015, 1% to the State Lottery and Gaming
 23 Control Agency for costs as defined in § 9-1A-01 of this subtitle;

24 (2) to the video lottery operation licensee, the percentage stated in the
 25 accepted application for the location, not to exceed, except as provided in subsection (b)
 26 of this section, 33%;

27 (3) 5.5% in local impact grants, in accordance with § 9-1A-31 of this
 28 subtitle;

29 (4) [7%] 6% to the Purse Dedication Account established under §
 30 9-1A-28 of this subtitle, not to exceed a total of \$100,000,000 to the Account annually;

31 (5) (i) until the issuance of a video lottery operation license in
 32 Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under §
 33 9-1A-29 of this subtitle and distributed in accordance with that section; and

1 (ii) on or after the issuance of a video lottery operation license in
 2 Baltimore City, for the first 16 years of operations at a video lottery facility, 1% to the
 3 Racetrack Facility Renewal Account established under § 9-1A-29 of this subtitle, not
 4 to exceed a total of \$20,000,000 to the Account annually;

5 (6) 1.5% to the Small, Minority, and Women-Owned Businesses
 6 Account established under § 9-1A-35 of this subtitle;

7 (7) (i) except as provided in item (ii) of this item, 6% to the video
 8 lottery operation licensee if the video lottery operation licensee owns or leases each
 9 video lottery terminal device and the associated equipment and software; and

10 (ii) 8% to the video lottery operation licensee in Anne Arundel
 11 County;

12 (8) beginning after the issuance of a video lottery operation license for
 13 a video lottery facility in Prince George's County, ~~5%~~ 8% to the video lottery operation
 14 licensee in Anne Arundel County and 7% to the licensee in Baltimore City for:

15 (i) marketing, advertising, and promotional costs required
 16 under § 9-1A-23 of this subtitle; and

17 (ii) capital improvements at the video lottery facilities; and

18 (9) the remainder to the Education Trust Fund established under §
 19 9-1A-30 of this subtitle.

20 (b) (1) Beginning July 1, 2013, for a video lottery facility in Worcester
 21 County with less than 1,000 video lottery terminals, the percentage in subsection
 22 (a)(2) of this section is equal to 43% provided that each year an amount equivalent to
 23 2.5% of the proceeds from video lottery terminals at the video lottery facility is spent
 24 on capital improvements at the video lottery facility.

25 (2) (i) After 1 year of operations at a video lottery facility in
 26 Allegany County, the percentage in subsection (c)(1)(ii) of this section is equal to 50%,
 27 provided that each year an amount equivalent to 0.5% of the proceeds from video
 28 lottery terminals at the video lottery facility is spent on capital improvements at the
 29 video lottery facility; or

30 (ii) after the first 10 years of operations at a video lottery
 31 facility in Allegany County, the percentage:

32 1. in subsection (a)(2) of this section is equal to 43%
 33 provided that each year an amount equivalent to 2.5% of the proceeds from video
 34 lottery terminals at the video lottery facility is spent on capital improvements at the
 35 video lottery facility; and

1 2. in subsection (a)(1) of this section is equal to 2%.

2 (3) For a video lottery facility in Prince George's County, the
3 percentage in subsection (a)(2) of this section stated in the accepted application for the
4 location may not exceed 38%.

5 (c) (1) For the first 10 years of operations at a video lottery facility in
6 Allegany County, on a properly approved transmittal prepared by the Commission, the
7 Comptroller shall pay the following amounts from the proceeds of video lottery
8 terminals at a video lottery facility in Allegany County:

9 (i) 2% to the State Lottery and Gaming Control Agency for
10 costs as defined in § 9-1A-01 of this subtitle;

11 (ii) to the video lottery operation licensee, the percentage stated
12 in the accepted application for the location, not to exceed 50%;

13 (iii) 2.75% in local impact grants, in accordance with § 9-1A-31
14 of this subtitle;

15 (iv) 2.5% to the Purse Dedication Account established under §
16 9-1A-28 of this subtitle;

17 (v) 0.75% to the Small, Minority, and Women-Owned
18 Businesses Account established under § 9-1A-35 of this subtitle; and

19 (vi) the remainder to the Education Trust Fund established
20 under § 9-1A-30 of this subtitle.

21 (2) After the first 10 years of operations at a video lottery facility in
22 Allegany County, the proceeds generated at the facility in Allegany County shall be
23 allocated as provided in subsections (a) and (b) of this section.

24 ~~†~~(d) (1) Each video lottery operation licensee shall retain 80% of the
25 proceeds of table games at the video lottery facility.

26 (2) On a properly approved transmittal prepared by the Commission,
27 the Comptroller shall pay ~~80% of the proceeds of table games at each video lottery~~
28 ~~facility to the video lottery operation licensee and the remainder~~ [20% of the proceeds
29 of table games of the video lottery facility to the Education Trust Fund established
30 under § 9-1A-30 of this subtitle.]

31 ~~(D) ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE~~
32 ~~COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM~~
33 ~~THE PROCEEDS OF TABLE GAMES AT EACH VIDEO LOTTERY FACILITY:~~

1 ~~(H) (1)~~ **(I)** 5% TO THE LOCAL JURISDICTION IN WHICH THE
2 VIDEO LOTTERY FACILITY IS LOCATED, PROVIDED THAT:

3 **1. 50% OF THE PROCEEDS PAID TO BALTIMORE**
4 **CITY SHALL BE USED TO FUND SCHOOL CONSTRUCTION PROJECTS; AND**

5 **2. 50% OF THE PROCEEDS PAID TO BALTIMORE CITY**
6 **SHALL BE USED TO FUND THE MAINTENANCE, OPERATION, AND CONSTRUCTION**
7 **OF RECREATIONAL FACILITIES; AND**

8 ~~(H) (2)~~ ~~80% TO THE VIDEO LOTTERY OPERATION~~
9 ~~LICENSEE; AND~~

10 ~~(H) (3)~~ **(II)** ~~THE REMAINDER~~ **15%** TO THE EDUCATION
11 TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THIS SUBTITLE.

12 (e) (1) If the costs of the State Lottery and Gaming Control Agency are
13 less than the proceeds specified in subsection (a)(1) of this section, any amount not
14 distributed to the State Lottery and Gaming Control Agency shall be paid to the
15 Education Trust Fund established under § 9-1A-30 of this subtitle.

16 (2) The costs of the Commission shall be as provided in the State
17 budget.

18 **(F) ON OR BEFORE DECEMBER 1, 2019, AND EVERY YEAR THEREAFTER,**
19 **THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL REPORT TO**
20 **THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE**
21 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE DISTRIBUTION OF**
22 **PROCEEDS OF VIDEO LOTTERY TERMINALS TO LICENSEES FOR THE**
23 **PROCUREMENT OF VIDEO LOTTERY TERMINALS; MARKETING, ADVERTISING, AND**
24 **PROMOTIONAL COSTS; AND CAPITAL IMPROVEMENTS AND THE DISTRIBUTIONS**
25 **OF LOCAL IMPACT GRANTS TO JURISDICTIONS UNDER § 9-1A-31 OF THIS**
26 **SUBTITLE.**

27 **(G) BALTIMORE CITY SHALL REPORT TO THE BALTIMORE CITY SENATE**
28 **AND HOUSE DELEGATIONS BY DECEMBER 31 OF EACH YEAR AS TO THE**
29 **DISTRIBUTION AND USE OF THE FUNDS PROVIDED UNDER SUBSECTION (D) OF**
30 **THIS SECTION.**

31 9-1A-31.

32 (a) (1) The local impact grants provided under § 9-1A-27 of this subtitle
33 shall be distributed [in the following manner:] **AS PROVIDED IN THIS SUBSECTION.**

1 **(2) THE FOLLOWING AMOUNTS SHALL BE DISTRIBUTED TO THE**
 2 **FOLLOWING JURISDICTIONS:**

3 **(I) ALLEGANY COUNTY – \$200,000;**

4 **(II) CECIL COUNTY – ~~\$200,000~~ \$130,000; AND**

5 **(III) TOWN OF PERRYVILLE – \$70,000; AND**

6 ~~**(III)**~~ **(IV) WORCESTER COUNTY – \$200,000.**

7 **(3) THE REMAINING FUNDS FOR LOCAL IMPACT GRANTS SHALL**
 8 **BE DISTRIBUTED IN THE FOLLOWING MANNER:**

9 (i) 82% to the local jurisdictions with video lottery facilities,
 10 based on each jurisdiction's percentage of overall gross revenues from video lottery
 11 terminals; and

12 (ii) except as provided in paragraph ~~[(2)]~~ **(4)** of this subsection,
 13 for operations at a video lottery facility starting in fiscal year 2012 and ending in fiscal
 14 year 2032, 18% to Baltimore City with the Pimlico Community Development Authority
 15 acting as the local development council in accordance with subsection (d) of this
 16 section, to be distributed primarily for capital projects benefiting economic and
 17 community development in the following manner:

18 1. at least 75% in a manner that is consistent with the
 19 Park Heights Master Plan; and

20 2. the remainder dedicated to the needs of:

21 A. any census blockgroup that Baltimore City identifies
 22 as being located partly or entirely within 1 mile of Pimlico Race Course but not within
 23 the boundaries of the Park Heights Master Plan; and

24 B. any neighborhood included in the Northwest
 25 Community Planning Forum Strategic Neighborhood Action Plan.

26 ~~[(2)]~~ **(4)** (i) Of the amount specified under paragraph ~~[(1)(ii)]~~
 27 **(3)(II)** of this subsection, \$1,000,000 shall be provided annually to Prince George's
 28 County to be used for ~~capital~~ public safety projects in the community within ~~10~~ 5 miles
 29 surrounding Rosecroft Raceway.

30 (ii) The Legislative Policy Committee shall report its findings
 31 and recommendations concerning the advisability of the continuation of the
 32 distribution of funds after fiscal year 2032 to the Comptroller and, in accordance with
 33 § 2–1246 of this article, the General Assembly, on or before November 1, 2030.

1 **[(3)] (5)** Baltimore City and Prince George's County shall report to
 2 the Legislative Policy Committee by December 31 of each year as to the distribution of
 3 the funds provided under this section.

4 **(6) (I) THE DISTRIBUTION UNDER PARAGRAPH (3)(I) OF THIS**
 5 **SUBSECTION TO ANNE ARUNDEL COUNTY, BALTIMORE CITY, AND PRINCE**
 6 **GEORGE'S COUNTY EQUALS THE SUM OF THE AMOUNTS TO BE DISTRIBUTED TO**
 7 **ANNE ARUNDEL COUNTY, BALTIMORE CITY, AND PRINCE GEORGE'S COUNTY**
 8 **DIVIDED BY THREE.**

9 **(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS**
 10 **PARAGRAPH, THE AMOUNT DISTRIBUTED TO ANNE ARUNDEL COUNTY AND**
 11 **BALTIMORE CITY UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION MAY NOT BE**
 12 **LESS THAN THE AMOUNT RECEIVED IN THE FISCAL YEAR BEFORE THE VIDEO**
 13 **LOTTERY OPERATION LICENSE FOR A VIDEO LOTTERY FACILITY IN PRINCE**
 14 **GEORGE'S COUNTY WAS ISSUED.**

15 (b) (1) Except as otherwise provided in ~~paragraph (2)~~ *paragraphs (2) and*
 16 *(3) of this subsection* **AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION**, local
 17 impact grants provided under subsection **[(a)(1)(i)] (A)(3)(I)** of this section shall be
 18 used for improvements primarily in the communities in immediate proximity to the
 19 video lottery facilities and may be used for the following purposes:

20 (i) infrastructure improvements;

21 (ii) facilities;

22 (iii) public safety;

23 (iv) sanitation;

24 (v) economic and community development, including housing;

25 and

26 (vi) other public services and improvements.

27 (2) In Allegany County, local impact grants provided under subsection
 28 **[(a)(1)(i)] (A)(3)(I)** of this section may be used:

29 (i) for purposes listed in paragraph (1) of this subsection
 30 throughout the county; and

31 (ii) to pay down the debt incurred by the county in the
 32 construction and related costs for the golf course, lodge, and other improvements in
 33 Rocky Gap State Park.

1 SECTION 4. AND BE IT FURTHER ENACTED, That, if a majority of the
2 voters in Maryland voting on the question approve the question required under
3 Section 6 of this Act, the State Lottery and Gaming Control Commission shall
4 immediately begin the regulatory process for table games.

5 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the
6 General Assembly that the Video Lottery Facility Location Commission may not
7 award a video lottery operation license for a video lottery facility in Prince George's
8 County unless the question provided for in Section 6 of this Act is approved by a
9 majority of the voters in Prince George's County voting on the question.

10 SECTION 6. AND BE IT FURTHER ENACTED, That:

11 (1) In accordance with Article XIX, § 1(e) of the Maryland
12 Constitution, before Section 2 of this Act which authorizes additional forms or
13 expansion of commercial gaming becomes effective, a question substantially similar to
14 the following shall be submitted to a referendum of the qualified voters of the State at
15 the general election to be held in November of 2012:

16 "Do you favor the expansion of commercial gaming in the State of
17 Maryland for the primary purpose of raising revenue for education to authorize video
18 lottery operation licensees to operate "table games" as defined by law; to increase from
19 15,000 to 16,500 the maximum number of video lottery terminals that may be
20 operated in the State; and to increase from 5 to 6 the maximum number of video
21 lottery operation licenses that may be awarded in the State and allow a video lottery
22 facility to operate in Prince George's County?"

23 (2) The State Board of Elections shall do those things necessary and
24 proper to provide for and hold the referendum required by this section. If a majority of
25 the votes cast on the question are "For the additional forms and expansion of
26 commercial gaming", Section 2 of this Act shall become effective on the 30th day
27 following the official canvass of votes for the referendum, but if a majority of the votes
28 cast on the question are "Against the additional forms and expansion of commercial
29 gaming", Section 2 of this Act is of no effect and null and void.

30 SECTION 7. AND BE IT FURTHER ENACTED, That:

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

32 (2) "Ballot issue committee" has the meaning stated in § 1-101(f) of
33 the Election Law Article.

34 (3) "Campaign finance report" has the meaning stated in § 1-101(i) of
35 the Election Law Article.

1 (4) "Campaign finance statement" means an electronic filing
2 statement submitted to the State Board of contributions, expenditures, and
3 outstanding obligations.

4 (5) "State Board" has the meaning stated in § 1-101(rr) of the Election
5 Law Article.

6 (b) This section applies to:

7 (1) a ballot issue committee formed to support or oppose the question
8 relating to this Act;

9 (2) a person required to file an independent expenditure report under
10 § 13-306 of the Election Law Article as a result of independent expenditures to
11 support or oppose the question relating to this Act; and

12 (3) a person required to file an electioneering communications report
13 under § 13-307 of the Election Law Article as a result of electioneering
14 communications to support or oppose the question relating to this Act.

15 ~~(e) (1) From the enactment of this Act through October 21, 2012 (the~~
16 ~~transactions end date for the campaign finance report due on the second Friday,~~
17 ~~October 26, 2012, immediately preceding the November 6, 2012 general election), a~~
18 ~~person subject to this section shall submit a campaign finance statement within 48~~
19 ~~hours for any contribution of \$10,000 or more that is received and any expenditure of~~
20 ~~\$10,000 or more that is made or obligated to be made.~~

21 ~~(2) From October 22, 2012 (the day following the transactions end date~~
22 ~~for the campaign finance report due on the second Friday, October 26, 2012,~~
23 ~~immediately preceding the November 6, 2012 general election) through November 9,~~
24 ~~2012 (the first Friday after the November 6, 2012 general election), a person subject to~~
25 ~~this section shall submit a campaign finance statement within 48 hours for any~~
26 ~~contribution of \$5,000 or more that is received and any expenditure of \$5,000 or more~~
27 ~~that is made or obligated to be made.~~

28 (c) (1) This subsection applies from the enactment of this Act through
29 October 21, 2012, (the transactions end date for the campaign finance report due on the
30 second Friday, October 26, 2012, immediately preceding the November 6, 2012 general
31 election).

32 (2) A person subject to this section shall submit a campaign finance
33 statement within 48 hours after:

34 (i) receiving aggregate contributions of \$10,000 or more from
35 any single contributor subsequent to the enactment of this Act or subsequent to the
36 closing date for the person's most recent campaign finance statement or campaign
37 finance report; or

1 (ii) making aggregate expenditures or becoming obligated to
2 make aggregate expenditures of \$10,000 or more subsequent to the enactment of this Act
3 or subsequent to the closing date for the person's most recent campaign finance
4 statement or campaign finance report.

5 (3) A campaign finance statement submitted under this subsection
6 shall include only:

7 (i) the identity of the contributor who made aggregate
8 contributions of \$10,000 or more and the total amount of contributions the contributor
9 made subsequent to the enactment of this Act or subsequent to the closing date for the
10 most recent campaign finance statement or campaign finance report; or

11 (ii) the total amount of aggregate expenditures of \$10,000 or
12 more made or obligated to be made subsequent to the enactment of this Act or
13 subsequent to the closing date for the most recent campaign finance statement or
14 campaign finance report.

15 (d) (1) This subsection applies from October 22, 2012 (the day following
16 the transactions end date for the campaign finance report due on the second Friday,
17 October 26, 2012, immediately preceding the November 6, 2012 general election)
18 through November 9, 2012, (the first Friday after the November 6, 2012 general
19 election).

20 (2) A person subject to this section shall submit a campaign finance
21 statement within 48 hours after:

22 (i) receiving aggregate contributions of \$5,000 or more from any
23 single contributor on or after October 22, 2012 or subsequent to the closing date for the
24 person's most recent campaign finance statement; or

25 (ii) making aggregate expenditures or becoming obligated to
26 make aggregate expenditures of \$5,000 or more on or after October 22, 2012 or
27 subsequent to the closing date for the person's most recent campaign finance statement.

28 (3) A campaign finance statement submitted under this subsection
29 shall include only:

30 (i) the identity of the contributor who made aggregate
31 contributions of \$5,000 or more and the total amount of contributions the contributor
32 made on or after October 22, 2012 or subsequent to the closing date for the most recent
33 campaign finance statement; or

34 (ii) the total amount of aggregate expenditures of \$5,000 or more
35 made or obligated to be made on or after October 22, 2012 or subsequent to the closing
36 date for the most recent campaign finance statement.

1 ~~(d)~~ (e) The State Board shall:

2 (1) establish procedures and filing requirements as necessary to
3 implement this Act; and

4 (2) post on its Web site any campaign finance statement filed with it
5 under this section ~~within 24 hours~~ on the next business day after its receipt.

6 ~~(e) (1) The State Board shall assess a late filing fee against any person
7 required to file a campaign finance statement under subsection (e) of this section who
8 fails to do so in a timely manner.~~

9 ~~(2) The late filing fee is \$500 for each day or part of a day that the
10 campaign finance statement is overdue.~~

11 (f) (1) The State Prosecutor may assess a penalty against any person
12 subject to this section who fails to file a campaign finance statement or campaign
13 finance report in a timely manner.

14 (2) A penalty under this subsection shall equal the greater of:

15 (i) \$1,000 for each day or part of a day that a campaign finance
16 statement or campaign finance report is overdue; or

17 (ii) 10% of the amount of contributions or expenditures that were
18 not reported in a timely manner.

19 (3) Except as otherwise provided in this subsection, a penalty under
20 this subsection shall be assessed in accordance with § 13-604(b) through (f) of the
21 Election Law Article.

22 SECTION 8. AND BE IT FURTHER ENACTED, That the terms of the current
23 State Lottery Commission expire on October 1, 2012, and the terms of the initial
24 members of the State Lottery and Gaming Control Commission shall expire as follows:

25 (1) one member in 2013;

26 (2) one member in 2014;

27 (3) one member in 2015;

28 (4) two members in 2016; and

29 (5) two members in 2017.

30 SECTION 8A. AND BE IT FURTHER ENACTED, That:

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

2 (2) “Own” has the meaning stated in § 9-1A-01 of the State
3 Government Article.

4 (3) “Regulated lobbyist” has the meaning stated in § 15-701 of the
5 State Government Article.

6 (4) “Video lottery facility” has the meaning stated in § 9-1A-01 of the
7 State Government Article.

8 (5) “Video lottery operation license” has the meaning stated in §
9 9-1A-01 of the State Government Article.

10 (b) In addition to any report required under § 15-704 of the State Government
11 Article, a regulated lobbyist that sought to influence executive or legislative action
12 related to gaming issues in the General Assembly’s Second Special Session of 2012
13 shall submit a report on or before September 17, 2012, to the State Ethics Commission
14 on a form prepared by the Commission that details:

15 (1) all amounts expended for the purpose of influencing executive or
16 legislative action in the special session and the nature of the expenditures by categories,
17 as determined by the Commission;

18 (2) all amounts disbursed to any third-party groups or entities for
19 purposes of influencing executive or legislative action in the special session and the
20 dates of the disbursements; and

21 (3) any contributions, loans, transfers, in-kind contributions, or other
22 transfers of value to a campaign finance entity from an applicant for a video lottery
23 operation license, a holder of a video lottery operation license, or a person who owns an
24 interest in the operation of a video lottery facility during the prior 6 months, including
25 the dates and amounts of the contributions, loans, transfers, in-kind contributions, or
26 other transfers of value.

27 (c) A person who violates this section is subject to enforcement provisions set
28 forth in Title 15, Subtitle 9 of the State Government Article.

29 ~~SECTION 9. AND BE IT FURTHER ENACTED, That an applicant for a video~~
30 ~~lottery operation license in Prince George’s County may request that the Video Lottery~~
31 ~~Facility Location Commission authorize a temporary table games facility on the award~~
32 ~~of a video lottery operation license.~~

33 SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1,
34 2013, the holder of a license to hold a race meeting in the State that is eligible to receive
35 funds from the Racetrack Facility Renewal Account under § 9-1A-29 of the State

1 Government Article shall submit a preliminary capital improvement plan to the State
2 Racing Commission and the Department of Budget and Management. The preliminary
3 capital improvement plan shall include a description of the racing licensee's planned
4 capital improvements, a preliminary project schedule, and an estimate of the funding to
5 be requested from the Account. If the preliminary report is not submitted by the date
6 required in this section, the racing licensee shall forfeit any right to funds in the
7 Account and, notwithstanding any other provision of law, any unencumbered funds
8 remaining in the Account that would otherwise be available to the racing licensee shall
9 be paid to the Education Trust Fund established under § 9-1A-30 of the State
10 Government Article. The racing licensee shall submit a formal funding request as
11 provided under § 9-1A-29 of the State Government Article and regulations adopted by
12 the State Racing Commission.

13 SECTION 9A. AND BE IT FURTHER ENACTED, That it is the intent of the
14 General Assembly that video lottery operation licensees partner with Maryland
15 institutions of higher education, such as Morgan State University and Prince George's
16 Community College, to offer job training programs in the gaming and hospitality
17 industries.

18 SECTION 10. AND BE IT FURTHER ENACTED, That, on or before December
19 1, 2022, the State Lottery and Gaming Control Commission shall report and make
20 recommendations to the Governor and, in accordance with § 2-1246 of the State
21 Government Article, the General Assembly on the tax structure and competitiveness
22 of the Maryland gaming market.

23 SECTION 11. AND BE IT FURTHER ENACTED, That, on October 1, 2012, all
24 the functions, powers, duties, equipment, assets, liabilities, and employees of the State
25 Lottery Commission and State Lottery Agency under Title 9, Subtitles 1 and 1A of the
26 State Government Article shall be transferred to the State Lottery and Gaming
27 Control Commission and State Lottery and Gaming Control Agency.

28 SECTION 12. AND BE IT FURTHER ENACTED, That all appropriations held
29 by the State Lottery Commission and State Lottery Agency to carry out the functions
30 and programs transferred under this Act to the State Lottery and Gaming Control
31 Commission and State Lottery and Gaming Control Agency shall be transferred to the
32 State Lottery and Gaming Control Commission and State Lottery and Gaming Control
33 Agency on October 1, 2012.

34 SECTION 13. AND BE IT FURTHER ENACTED, That an employee
35 transferred under this Act shall be appointed without further examination or
36 qualification. The employee shall be placed in a classification that is comparable in
37 duties and responsibilities to the employee's former position. The employee may not
38 suffer a diminution of salary or wages, accrued leave, whether earned or granted, or
39 seniority rights.

40 SECTION 14. AND BE IT FURTHER ENACTED, That, except as expressly
41 provided to the contrary in this Act, any transaction affected by or flowing from any

1 statute amended, repealed, or transferred under this Act, and validly entered into
2 before October 1, 2012, and every right, duty, or interest flowing from the transaction,
3 remains valid on or after October 1, 2012, and may be terminated, completed,
4 consummated, or enforced pursuant to law.

5 SECTION 15. AND BE IT FURTHER ENACTED, That, except as otherwise
6 provided by law, all existing laws, rules and regulations, proposed rules and
7 regulations, standards and guidelines, policies, orders and other directives, forms,
8 plans, contracts, property, investigations, administrative and judicial responsibilities,
9 rights to sue and be sued, and all other duties and responsibilities associated with the
10 functions of the State Lottery Commission and State Lottery Agency under Title 9,
11 Subtitles 1 and 1A of the State Government Article prior to October 1, 2012, shall
12 continue in effect under the State Lottery and Gaming Control Commission and State
13 Lottery and Gaming Control Agency until completed, withdrawn, canceled, modified,
14 or otherwise changed pursuant to law.

15 SECTION 16. AND BE IT FURTHER ENACTED, That the publisher of the
16 Annotated Code of Maryland, in consultation with and subject to the approval of the
17 Department of Legislative Services, shall correct, with no further action required by
18 the General Assembly, cross-references and terminology rendered incorrect by this
19 Act or by any other Act of the General Assembly of the Second Special Session of 2012
20 that affects provisions enacted by this Act. The publishers shall adequately describe
21 any such correction in an editor's note following the section affected.

22 SECTION 17. AND BE IT FURTHER ENACTED, That Section 3 of this Act
23 shall take effect contingent on the issuance of a video lottery operation license for a
24 video lottery facility in Prince George's County by the State Lottery and Gaming
25 Control Commission.

26 SECTION 18. AND BE IT FURTHER ENACTED, That, subject to the
27 provisions of Section 6 of this Act and for the sole purpose of providing for the
28 referendum required by Section 6 of this Act, this Act shall take effect August 15,
29 2012.

30 SECTION 19. AND BE IT FURTHER ENACTED, That the provisions of §
31 12-309 of the Courts Article, as amended by Section 1 of this Act, shall take effect
32 August 15, 2012, and shall apply to any appeal pending as of that date.

33 SECTION ~~19~~ 20. AND BE IT FURTHER ENACTED, That, except as otherwise
34 provided in this Act, this Act shall take effect October 1, 2012.

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Establishing that, in a civil action for damages for serious personal injury or death caused by a dog, an owner of the dog is liable regardless of specified circumstances; providing that the common law that applied on January 1, 2012, shall be retained under specified circumstances; stating the intent of the General Assembly to abrogate under specified circumstances the holding by the Court of Appeals in a specified case; and making the Act an emergency measure. 66

4 – ***Civil Action – Liability for Damages Caused by Dog Bite*** – Establishing that, in a civil action for damages caused by a dog bite, the common law that applied on January 1, 2012, to a civil action for damages caused by a dog bite shall be retained; stating the intent of the General Assembly to abrogate the holding by the Court of Appeals in a specified case; applying the Act prospectively; making the Act an emergency measure; and providing for the termination of the Act. 67

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See also Vetoed Bills HB 769; HB 1347

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School Construction –see– **Public Schools**
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Senate –see– **General Assembly**

Senate Bills —

1 – ***Gaming Expansion – Video Lottery Terminals and Table Games – Lottery Machines – Veterans’ Organizations*** – Establishing the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency; authorizing, subject to a specified contingency, the use and regulation of specified table games in the State, one additional license for a video lottery facility, and additional video lottery terminals; authorizing the Director of the Agency to issue to specified veterans’ organizations a license for instant ticket lottery machines; submitting provisions of the Act to a referendum of qualified voters in the State; etc. 77
93(8–23), 176(28–33)

2 – ***Civil Actions – Liability for Personal Injury or Death Caused by Dog*** – Establishing that the owner of a dog is liable for damages for personal injury or death caused by the dog, regardless of whether the dog has shown any vicious or dangerous propensities or whether the owner knew or should have known of the dog’s propensities; establishing exceptions; retaining specified common law as to owners of real property and other persons who have the right to control the presence of a dog on property; stating the intent of the General Assembly to abrogate a specified decision; etc. 80
89, 176(27)

10 – ***Dorchester County – Restriction on Sunday Gaming – Repeal*** – Repealing a restriction that prohibits specified gaming licensees in Dorchester County from holding gaming events or carnivals on a Sunday. 81

19 – ***Carroll County and Harford County – Gaming*** – Authorizing specified organizations in Carroll County to conduct a card game, card tournament, or casino night under specified circumstances; requiring an organization to obtain a permit from the Board of County Commissioners of Carroll County before conducting a card

game, card tournament, or casino night; requiring an organization that seeks a permit to meet specified requirements; creating in Harford County a permit to be issued by the Sheriff that authorizes specified nonprofit organizations to conduct a gaming contest; etc.....

Senior Citizens –see– Elderly Persons

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Criminal Law – Fourth Degree Sexual Offense – School Employees – See HB 15

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Carroll County and Harford County – Gaming – See SB 19

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Criminal Law – Fourth Degree Sexual Offense – School Employees – See
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See also Vetoed Bills HB 73; HB 120; HB 395

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See Vetoed House Bills HB 212; HB 306

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See Vetoed House Bills HB 136

Taxes –see– Revenue and Taxes**Taxicabs —**

See Vetoed House Bills HB 251

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See also Vetoed Bills HB 98; HB 239; HB 1006

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See also Electronic Government

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See also Airports; Boats and Ships; Mass Transit; Motor Vehicles; Taxicabs

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See Vetoed House Bills HB 769

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See also Vetoed Bills HB 51

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Vetoed 2012 House Bills, vetoes sustained 62 (3)

Vetoed House Bills and Messages – 2012 Regular Session (Exhibit B, Appendix V–6)..... 62

Vetoed House Bills —

51 – ***Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs*** – Updating obsolete language by authorizing a specified organization to obtain a specified license from the County Council of Dorchester County under specified circumstances; updating obsolete language by requiring the County Council of Dorchester County to pay a license fee for a Class C beer, wine and liquor license to the mayor and city council of a city or town, or requiring the Council to pay the fee to the Finance Department of Dorchester County, depending on where the organization is located; etc..... 62(3)

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56 – <i>Dorchester County – Alcoholic Beverages – Hours for Sale</i> – Altering the Sunday sales hours for holders of a Class B (on-sale) beer, wine and liquor license in Dorchester County.	62(3)
73 – <i>State Board of Social Work Examiners – Sunset Extension and Program Evaluation</i> – Continuing the State Board of Social Work Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to July 1, 2024, the termination provisions relating to specified 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 July 1, 2023; and requiring the board to report to specified committees of the General Assembly on or before October 1, 2013.	62(3)
88 – <i>State Retirement and Pension System – Medical Board Participation</i> – Authorizing the Board of Trustees of the State Retirement and Pension System to appoint a physician who is a participating employee in the Optional Retirement Program to serve on a medical board, subject to a specified condition; and prohibiting a medical board physician who is a participating employee in the Optional Retirement Program from participating in specified cases under specified circumstances.	62(3)
90 – <i>Election Law – Baltimore County Republican Party Central Committee – Election of Chairman</i> – Requiring the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large; and altering the number of members of the central committee.	62(3)
97 – <i>Baltimore City – Hotel Room Tax – Convention Center Promotion</i> – Extending through fiscal year 2017, provisions requiring that 40% of the proceeds from a hotel room tax imposed by Baltimore City be appropriated specifically for Convention Center marketing and tourism promotion.....	62(3)
98 – <i>Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption</i> – Exempting from a specified offset of a retirement allowance specified retirees of the Teachers’ Retirement System or the Teachers’ Pension System who are employed by the Maryland School for the Deaf; providing that the superintendent of the Maryland School for the Deaf may employ a specified number of specified retirees who will not be subject to a specified offset of a	

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retirement allowance; requiring that the superintendent of the Maryland School for the Deaf is responsible for specified reimbursements under specified circumstances; etc.....	62(3)
120 – <i>Maryland Income Tax Refund – Anne Arundel County – Warrants</i> – Authorizing a warrant official to certify to the Comptroller the existence of an outstanding warrant; providing that the Comptroller may not pay Maryland income tax refunds to individuals with outstanding warrants under specified circumstances; providing that the requirement applies only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring the Comptroller to withhold and pay required amounts under specified circumstances; etc.	62(3)
124 – <i>Frederick County – Public Facilities Bonds</i> – Authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than \$100,000,000 in order to finance the cost of specified public facilities in Frederick County and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc.	62(3)
129 – <i>Caroline County – Deer Hunting on Private Property – Sundays</i> – Authorizing a person in Caroline County to hunt deer on specified Sundays on private property using specified hunting equipment during specified months.....	62(3)
136 – <i>Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities</i> – Authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on specified housing units at independent living retirement communities; etc.	62(3)
144 – <i>Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays</i> – Authorizing a person to hunt turkey on private property on Sundays during the spring turkey hunting season in Caroline County and Dorchester County; and making the Act an emergency measure.....	62(3)
162 – <i>State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications</i> – Altering the timing of a specified reimbursement to specified accumulation funds for specified administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency; requiring the	

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Board of Trustees to send specified certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before February 1 of each year; etc.	62(3)
170 – <i>State Employees’ Retirement and Pension Systems – Eligible Employees – St. Mary’s Nursing Center, Inc.</i> – Authorizing specified employees of the St. Mary’s Nursing Center, Inc. to continue to participate in the State employees’ retirement and pension systems; and updating the name of the St. Mary’s County Nursing Home in a specified list of governmental units eligible for participation in the State employees’ retirement and pension systems.....	62(3)
204 – <i>Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants</i> – Altering the residency requirement for applicants for alcoholic beverages licenses in Harford County.....	62(3)
212 – <i>Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check</i> – Authorizing a specified officer in Caroline County, Dorchester County, and Talbot County to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a specified officer submit sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; etc.	62(3)
223 – <i>Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License</i> – Authorizing in Garrett County the holder of a special Class C beer, wine and liquor license to purchase beer and light wine from a wholesale dealer....	62(3)
239 – <i>Frederick County Board of Education – Membership and Employment</i> – Repealing a provision of law prohibiting specified individuals in Frederick County from being elected to or serving on the county board of education; and repealing a provision of law prohibiting specified individuals in Frederick County from being hired as an administrator or a teacher under specified circumstances.....	62(3)
251 – <i>Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants</i> – Authorizing the Ocean City Police Department to request State and national criminal history	

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records checks for taxi driver applicants in Ocean City from the Criminal Justice Information System Central Repository; requiring the Ocean City Police Department to submit sets of fingerprints of taxi driver applicants and pay specified fees to the Central Repository as part of the application for a records check; requiring the Central Repository to forward specified information to specified persons; etc.	62(3)
306 – Talbot County – Alcoholic Beverages – Wineries – Repealing specified provisions of law that limit the wine sampling privileges of licensed wineries in Talbot County; and clarifying that the statewide wine sampling privileges of licensed wineries apply in Talbot County by repealing a specified inconsistent provision relating to Talbot County.	62(3)
363 – Baltimore City – Police Department – Appointments – Altering, from Captain to Lieutenant, the rank above which the Police Commissioner of Baltimore City may make an appointment without an examination in the Police Department of Baltimore City.	62(3)
379 – Frederick County – Alcoholic Beverages – Citations Issued by Inspectors – Removing Frederick County from the list of counties whose alcoholic beverages inspectors are prohibited from carrying a weapon when issuing a citation for specified violations; and authorizing an alcoholic beverages inspector in Frederick County to carry a firearm under specified circumstances only if the alcoholic beverages inspector is a retired law enforcement officer.	62(3)
395 – State Board of Nursing – Sunset Extension and Revisions – Continuing the State Board of Nursing by extending to July 1, 2023, 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 July 1, 2022; requiring the Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management, to contract with an independent entity for a specified management and personnel study with costs paid from the Board of Nursing Fund; etc.	62(3)
524 – Washington County – Sheriffs and Deputy Sheriffs – Practice of Law – Allowing an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County.	62(3)

- 736 – ***Garrett County – Animal Control Ordinance – Enabling Authority*** – Authorizing the County Commissioners of Garrett County to adopt an animal control ordinance; authorizing a specified animal control officer to deliver a citation to a person believed to be committing a violation of an animal control ordinance adopted by the county commissioners; establishing the contents of the citation; establishing a maximum penalty; authorizing the county commissioners to establish specified fines and procedures; authorizing a person who receives a specified citation to elect to stand trial; etc. 62(3)
- 737 – ***Baltimore County – Alcoholic Beverages Licenses*** – Altering minimum percentages of average daily receipts from the sale of food that Baltimore County restaurants must maintain for a specified purpose; authorizing the Baltimore County Board of Liquor License Commissioners to approve the transfer of specified licenses in existence in a specified election district on a specified date to specified election districts based on a specified rule; establishing specified limits on the number of licenses that may be transferred into a single election district; etc. 62(3)
- 769 – ***Unemployment Insurance – Coverage – Victims of Domestic Violence*** – Prohibiting the Secretary of Labor, Licensing, and Regulation from charging specified unemployment insurance benefits against the earned rating record of an employing unit; authorizing the Secretary to find that a cause of voluntarily leaving employment is good cause if it is directly attributable to the individual or individual’s spouse, minor child, or parent being a victim of domestic violence and the individual provides specified information; providing that specified information provided to the Secretary is confidential; etc. 62(3)
- 787 – ***Frederick County – Alcoholic Beverages – Licensed Restaurants – Removal of Tables and Chairs for Expanded Occupancy*** – Authorizing in Frederick County a restaurant for which a Class B beer, wine and liquor license is issued to remove its tables and chairs to accommodate additional patrons at not more than four special events in a calendar year; requiring that a restaurant that removes its tables and chairs give notice to the Board of License Commissioners not less than 1 week before the event; and prohibiting a restaurant from allowing entry to more than the maximum number of occupants that the County Fire Marshal allows..... 62(3)

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1006 – <i>Baltimore County – Public School Employees – Collective Bargaining Units</i> – Altering the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a unit of employees in Baltimore County; and including a unit of supervisory employees among specified units authorized in Baltimore County.....	62(3)
1095 – <i>Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor</i> – Requiring an insurer that discovers a material risk factor during the 45–day underwriting period to recalculate the premium for a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance under specified circumstances; requiring the insurer to provide written notice to the insured on a specified form if the insurer recalculates the premium for the policy or binder based on the discovery of a material risk factor; applying the Act to policies and contracts issued after January 1, 2013; etc.	62(3)
1213 – <i>Harford County Board of Education – Student Member</i> – Providing that the student member of the Harford County Board of Education has specified rights and privileges; prohibiting the student member from voting on or participating in specified matters; providing that specified provisions of law relating to the payment of specified expenses for members of the Harford County Board of Education do not apply to the student member of the Board; making clarifying changes; and altering the definition of “elected member”.	62(3)
1347 – <i>Wicomico County – Alcoholic Beverages – Class D Licenses</i> – Clarifying that there is a Class D beer, wine and liquor tavern license in Wicomico County; establishing a Class D beer, wine and liquor entertainment and amusement license in the County; specifying requirements that the premises that is the subject of a license application must meet; etc.	62(3)
Victims — See Vetoed House Bills HB 769	
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