

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 1
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 7, after "MEMBER" insert "FROM THE SAME LEGISLATIVE DISTRICT".

AMENDMENT NO. 2

On page 3, in line 16, before "PUBLIC" insert "(A)"; and after line 17, insert:

"(B) THIS SECTION DOES NOT PROHIBIT INCIDENTAL USE OF PUBLIC RESOURCES FOR NONPUBLIC PURPOSES."

AMENDMENT NO. 3

On page 2, after line 16, insert:

"BY repealing and reenacting, without amendments,
Article - State Government
Section 15-102(s)
Annotated Code of Maryland
(1995 Replacement Volume and 1998 Supplement)".

On page 5, after line 26, insert:

"(s) "Immediate family" means an individual's spouse and dependent children."

AMENDMENT NO. 4

On page 1, strike beginning with "authorizing" in line 8 down through "Ethics;" in line 9.

(Over)

On page 4, strike in their entirety lines 18 through 23, inclusive, and substitute:

“(A) (1) THE COMMITTEE MAY PROPOSE THE ADOPTION, AMENDMENT, OR REPEAL OF RULES OF LEGISLATIVE ETHICS.

(2) CHANGES TO THE RULES SHALL BE PRESENTED IN THE FORM OF A JOINT RESOLUTION AND SHALL BECOME EFFECTIVE AFTER ADOPTION OF THE JOINT RESOLUTION BY A CONSTITUTIONAL MAJORITY OF EACH HOUSE VOTING SEPARATELY.

(3) BEFORE PRESENTING A CHANGE TO THE RULES, THE COMMITTEE SHALL CONDUCT A PUBLIC HEARING.”;

in line 24, strike “(1)”; and strike in their entirety lines 27 and 28.

AMENDMENT NO. 5

On page 5, in line 19, after “UNDER” insert “THE ATTORNEY-CLIENT PRIVILEGE AND UNDER”.

AMENDMENT NO. 6

On page 6, in lines 15 and 29, in each instance, after “HEARINGS” insert “, OR A MATTER PRELIMINARY, INCIDENTAL, OR COLLATERAL TO A JUDICIAL OR QUASI-JUDICIAL PROCEEDING”; after line 26, insert:

“(II) IN MATTERS INVOLVING THE MEMBER’S REGULAR BUSINESS, EMPLOYMENT, OR PROFESSION, IN WHICH CONTACT WITH A GOVERNMENTAL UNIT:

1. IS AN INCIDENTAL PART OF THE BUSINESS, EMPLOYMENT, OR PROFESSION; AND

2. IS MADE IN THE MANNER THAT IS CUSTOMARY FOR PERSONS IN THAT BUSINESS, EMPLOYMENT, OR PROFESSION;”;

and in lines 27, 30, and 33, strike “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(III)”, “(IV)”, and “(V)”, respectively.

AMENDMENT NO. 7

On page 9, in line 1, strike “RECEPTION” and substitute “MEAL OR RECEPTION,”.

On page 30, in line 9, strike “RECEPTION” and substitute “MEAL OR RECEPTION”.

On page 32, in line 33, strike “RECEPTION” and substitute “MEAL OR RECEPTION”.

AMENDMENT NO. 8

On page 11, in line 2, strike “INCLUDES” and substitute “MEANS”; and in line 17, strike “INCLUDE” and substitute “MEAN”.

AMENDMENT NO. 9

On page 12, in line 4, strike “, or from the facts is presumed to know,”.

AMENDMENT NO. 10

On page 12, in line 22, after “LOAN” insert “, OTHER THAN A LOAN FROM A COMMERCIAL LENDER IN THE NORMAL COURSE OF BUSINESS”.

AMENDMENT NO. 11

On page 12, in line 26, after “(1)” insert “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH”; in lines 28, 29, and 30, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “1.”, “2.”, and “3.”, respectively; and after line 30, insert:

“(II) THIS PARAGRAPH DOES NOT APPLY TO A VOTE ON:

1. THE ANNUAL OPERATING BUDGET BILL, IN ITS ENTIRETY; OR

2. THE ANNUAL CAPITAL BUDGET BILL, IN ITS ENTIRETY.”.

AMENDMENT NO. 12

On page 1, in lines 19 and 20, strike “requiring the Joint Committee to make certain information and documents publicly available on the Internet;”.

On page 13, strike in their entirety lines 17 through 19, inclusive.

On page 15, strike in their entirety lines 20 through 24, inclusive.

AMENDMENT NO. 13

On page 14, in line 5, strike the second “OR”; after line 5, insert:

“(II) A POSITION THAT IS SUBJECT TO A MERIT SYSTEM HIRING PROCESS;

“(III) A HUMAN SERVICES POSITION; OR”;

and in line 6, strike “(II)” and substitute “(IV)”.

AMENDMENT NO. 14

On page 15, strike in their entirety lines 14 and 15.

AMENDMENT NO. 15

On page 19, in line 4, strike “TWO-THIRDS” and substitute “THREE-FOURTHS”.

AMENDMENT NO. 16

On page 20, after line 9, insert:

“(D) AFTER REVIEW OF A COMPLAINT, THE JOINT ETHICS COMMITTEE SHALL PROVIDE A STATEMENT OF ITS FINDINGS TO THE LEGISLATOR AGAINST WHOM THE COMPLAINT HAS BEEN FILED.”.

AMENDMENT NO. 17

On page 24, in line 1, after “(1)” insert “(I)”; and after line 6, insert:

“(II) IF THE JOINT ETHICS COMMITTEE EXERCISES SUBPOENA POWERS UNDER THIS PARAGRAPH, THE LEGISLATOR WHO IS THE SUBJECT OF THE INVESTIGATION MAY REQUIRE THE JOINT ETHICS COMMITTEE TO ISSUE ONE OR MORE SUBPOENAS ON THAT LEGISLATOR’S BEHALF.”.

AMENDMENT NO. 18

On page 1, strike beginning with “altering” in line 25 down through “statements;” in line 26 and substitute “requiring a member of the General Assembly to file a certain preliminary financial disclosure under certain circumstances;”.

On page 26, in line 4, strike the first “(1)”; strike in their entirety lines 7 through 10, inclusive; after line 10, insert:

“(C) (1) IN ADDITION TO THE STATEMENT FILED UNDER § 15-601 OF THIS SUBTITLE, A MEMBER OF THE GENERAL ASSEMBLY SHALL FILE A PRELIMINARY DISCLOSURE ON OR BEFORE THE SEVENTH DAY OF THE REGULAR LEGISLATIVE SESSION IF THERE WILL BE A SUBSTANTIAL CHANGE IN THE STATEMENT COVERING THE CALENDAR IMMEDIATELY PRECEDING THE YEAR OF FILING, AS COMPARED TO THE NEXT PRECEDING CALENDAR YEAR.

(2) A MEMBER OF THE GENERAL ASSEMBLY WHOSE STATEMENT UNDER § 15-601 OF THIS SUBTITLE WILL NOT CONTAIN A SUBSTANTIAL CHANGE IS NOT REQUIRED TO FILE A PRELIMINARY DISCLOSURE UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) THE JOINT ETHICS COMMITTEE SHALL:

(I) PRESCRIBE THE FORM OF A PRELIMINARY DISCLOSURE UNDER THIS SUBSECTION; AND

(II) DETERMINE WHICH ASPECTS OF FINANCIAL DISCLOSURE ARE SUBJECT TO THIS SUBSECTION.

(4) A PRELIMINARY DISCLOSURE SHALL BE FILED AND MAINTAINED, AND MAY BE DISCLOSED, IN THE SAME MANNER PRESCRIBED FOR A STATEMENT FILED UNDER § 15-601 OF THIS SUBTITLE.”;

(Over)

and in line 11, strike “(C)” and substitute “(D)”.

On page 36, strike in their entirety lines 7 through 10, inclusive.

AMENDMENT NO. 19

On page 1, at the top of the page, strike “EMERGENCY BILL”; and in lines 29 and 30, strike “making this Act an emergency measure;”.

On page 36, strike in their entirety lines 11 through 15, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.”.

AMENDMENT NO. 20

On page 8, in line 35, strike “OR EMPLOYEE”.

On page 19, in line 14, strike “statement” and substitute “COMPLAINT”.

On page 30, in lines 12 and 19, in each instance, after “BRANCH” insert “BY THE PERSON SPONSORING OR CONDUCTING THE EVENT”; and in line 14, after “EVENT” insert a comma.

On page 32, in line 28, strike “EXCEPT AS TO OFFICIALS OF THE LEGISLATIVE BRANCH,”.

On page 33, in line 9, after “BRANCH” insert “BY THE PERSON SPONSORING OR CONDUCTING THE EVENT”.

On page 34, strike beginning with “and” in line 22 down through “paragraph” in line 23.