

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 254

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Public” insert “Access to”; strike beginning with “Confidentiality” in line 2 down through “Information” in line 3 and substitute “Permissible Denials”; in line 5, before “part” insert “any”; strike beginning with “commercial” in line 5 down through “of” in line 6 and substitute “stevedoring or terminal services or facility use rates, proposals for use of stevedoring or terminal services or facilities, or research or analysis related to maritime commerce and vessels for”; in line 7, strike “it;” and substitute “the Maryland Port Administration; prohibiting a custodian of a public record from denying inspection of any part of a public record by a certain exclusive representative of certain State employees at the Maryland Port Administration under certain circumstances; requiring a certain exclusive representative to enter into a nondisclosure agreement with the Maryland Port Administration under certain circumstances;”; and strike beginning with “or” in line 8 down through “it” in line 9.

AMENDMENT NO. 2

On page 1, in line 19, after “(J)” insert “(1)”; in the same line, strike “THAT” and substitute “ANY”; in lines 21 and 25, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 21, before the first “RATES” insert “STEVEDORING OR TERMINAL SERVICES OR FACILITY USE”; in lines 23 and 27, in each instance, strike “IT” and substitute “THE MARYLAND PORT ADMINISTRATION”; strike beginning with the comma in line 23 down through “CONTRACTS” in line 24; and strike beginning with “A” in line 27 down through “STATE” in line 28 and substitute “USE OF STEVEDORING OR TERMINAL SERVICES OR FACILITIES TO INCREASE WATERBORNE COMMERCE THROUGH THE PORTS OF THE STATE”.

AMENDMENT NO. 3

On page 2, in line 1, strike “(3)” and substitute “(III) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,”; in the same line, strike “DATA” and substitute

(Over)

“ANALYSIS RELATED TO MARITIME COMMERCE AND VESSELS”; in line 2, strike “IT” and substitute “THE MARYLAND PORT ADMINISTRATION”; in the same line, strike “ASSESS” and substitute “EVALUATE”; and after line 3, insert:

“(2) (I) A CUSTODIAN MAY NOT DENY INSPECTION OF ANY PART OF A PUBLIC RECORD UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION BY THE EXCLUSIVE REPRESENTATIVE IDENTIFIED IN SECTION 1 OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES DATED JUNE 28, 2000 OR THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE AND THE MARYLAND PROFESSIONAL EMPLOYEES COUNCIL DATED AUGUST 18, 2000 IF THE PART OF THE PUBLIC RECORD:

1. IS RELATED TO STATE EMPLOYEES; AND
2. WOULD OTHERWISE BE AVAILABLE TO THE EXCLUSIVE REPRESENTATIVE UNDER ARTICLE 4, SECTION 12 OF THE MEMORANDUM OF UNDERSTANDING OR ANY IDENTICAL SECTION OF A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE EXCLUSIVE REPRESENTATIVE AND THE STATE.

(II) BEFORE THE INSPECTION OF ANY PART OF A PUBLIC RECORD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE EXCLUSIVE REPRESENTATIVE SHALL ENTER INTO A NONDISCLOSURE AGREEMENT WITH THE MARYLAND PORT ADMINISTRATION TO ENSURE THE CONFIDENTIALITY OF THE INFORMATION PROVIDED.”.