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Senate
of
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Volume V

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Annapolis, Maryland
Legislative Day: April 6, 2010
Calendar Day: Saturday, April 10, 2010
10:00 A.M. Session

The Senate met at 10:14 A.M.

Prayer by Senator Nathaniel Exum.

The Journal of April 5, 2010 was read and approved.

QUORUM CALL

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

(See Roll Call No. 1146)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 38 – Delegate Frush

AN ACT concerning

Motor Vehicles – Disposal Under Indemnity Agreement – Repeal

FOR the purpose of repealing a provision of law that authorizes certain persons to transfer certain inoperable motor vehicles to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling certain notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require certain motor vehicle transferors to execute an indemnity agreement; and generally relating to the disposal of inoperable motor vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 25–209
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing

Article – Transportation

Section 25–210

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 359 – Delegates James, Riley, Ali, Barkley, Boteler, Burns, DeBoy, Elmore, Hixson, Kach, Kipke, Lafferty, Love, McDonough, Minnick, Mizeur, Montgomery, Robinson, Rudolph, Shewell, Sophocleus, Sossi, Stocksdales, Stukes, F. Turner, ~~and Wood~~ Wood, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Jenkins, Krebs, Kullen, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Reznik, Tarrant, and V. Turner

AN ACT concerning

**Procurement – ~~Service Disabled Veteran~~ Veteran-Owned Small Business
Enterprise Participation**

FOR the purpose of establishing a certain participation goal for certain ~~certified service-disabled-veteran~~ veteran-owned small business enterprises for certain procurement contracts; requiring certain solicitation documents to establish the degree of participation based on certain information; providing that certain provisions of this Act do not apply in certain circumstances; requiring a unit to award certain procurement contracts to certain bidders or offerors under certain circumstances; requiring the Board of Public Works to adopt certain regulations to implement this Act; requiring the Board to establish certain tracking and reporting procedures; requiring the Board to report annually on a certain program to the Legislative Policy Committee; establishing certain prohibited acts and certain penalties for certain violations; providing that certain provisions of law relating to protests do not apply to certain acts or omissions by certain procurement agencies under certain circumstances; ~~requiring the Department of Business and Economic Development to use certain resources to implement a certain program;~~ and generally relating to procurement participation by ~~service-disabled-veteran~~ veteran-owned small business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–601 through 14–605 to be under the new subtitle “Subtitle 6.

~~Service Disabled Veteran~~ Veteran-Owned Small Business Enterprise
Participation”

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 15–202
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 475 – The Speaker (By Request – Administration) and Delegates Bartlett, Bobo, Bronrott, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Eckardt, Elmore, Frush, Gaines, Haddaway, Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Rice, ~~and Stein~~ Stein, Barve, Cardin, Frick, George, Gilchrist, Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Olszewski, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Smart, Green, and Growing – The Sustainable Communities Act of 2010

FOR the purpose of stating certain findings and the intent of the General Assembly concerning sustainable communities; providing for the designation of certain areas as sustainable communities eligible for certain programs; altering the criteria to consider a sustainable community area; authorizing the Smart Growth Subcabinet to designate sustainable communities ~~and approve sustainable community plans~~; abolishing certain boards; authorizing the Secretary of Housing and Community Development to administer the Community Legacy Program and to take certain actions; repealing certain authority for certain political subdivisions to approve a designated neighborhood for certain purposes under certain circumstances; requiring the Department of Transportation to consider sustainable communities during the revisions to the Consolidated Transportation Program; requiring the Department of Transportation to consult with the Smart Growth Subcabinet concerning sustainable communities; altering certain authority of the Secretary of Transportation to designate certain facilities, structures, and uses as transit-oriented development for certain purposes; authorizing the Department of Transportation to exercise certain powers with respect to sustainable communities; requiring the Secretary of Business and Economic Development to receive a recommendation of the Smart Growth Subcabinet prior to designating a BRAC Revitalization and Incentive Zone; altering the membership of the Smart Growth Subcabinet; authorizing the Smart Growth Subcabinet to work on sustainable communities, make certain recommendations, and certify certain local jurisdictions for certain purposes; ~~reestablishing~~ extending and altering the Maryland Heritage Structure Rehabilitation Tax Credit Program to be the Sustainable Communities Tax Credit Program; ~~providing a certain tax credit for rehabilitation of certain properties;~~ making certain rehabilitation projects eligible for a certain tax credit under certain circumstances; requiring the

Director of the Maryland Historical Trust to adopt certain regulations; ~~providing limits on the amount of tax credits for certain purposes; providing for an additional credit if a certain rehabilitation meets a certain high performance building standard; providing for the issuance of credit certificates for certain rehabilitations, subject to certain requirements and limitations; providing certain limits on the amount of the credit percentage of the initial credit certificates issued for any fiscal year that may be claimed issued for certain rehabilitations; authorizing the Director to charge a certain fee for certain purposes; prohibiting the Director from issuing credit certificates that exceed a certain amount; prohibiting the Director from issuing certain credit certificates before a certain date or after a certain date; establishing the Maryland Department of Planning Sustainable Communities Tax Credit Administration Fund; providing for amended tax returns under certain circumstances; authorizing the allocation of the credit in a certain manner; providing for certain determinations by the Comptroller; providing for the expiration of certain initial credit certificates under certain circumstances; establishing certain requirements for certain rehabilitation projects to be eligible for the tax credit; altering the percentage of qualified rehabilitation expenditures for which the credit is allowed for certain projects; altering the name of a certain reserve fund; authorizing the Governor to include an appropriation to a certain reserve fund for certain fiscal years; extending through a certain fiscal year certain authority for the Director to issue certain initial credit certificates; providing for altering certain reporting requirements; providing for the recapture of the credit under certain circumstances; providing for the termination of the Sustainable Communities Tax Credit Program; requiring certain funds in the Heritage Structure Rehabilitation Tax Credit Reserve Fund to revert to the General Fund on a certain date; providing for the application of certain provisions of this Act~~ consideration of certain community legacy areas and certain designated neighborhoods as sustainable communities under certain circumstances; requiring a sponsor of a community legacy area or a designated neighborhood to submit a certain application under certain circumstances; ~~providing for the retroactive application of a certain provision of this Act; authorizing the Comptroller to make certain determinations and adopt certain regulations;~~ defining certain terms; altering certain definitions; and generally relating to sustainable communities.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–1304

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY adding to

Article – Housing and Community Development

Section 6–104

Annotated Code of Maryland

(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–201, 6–202, 6–204 through 6–211, 6–213, 6–301, 6–303, 6–304, and
6–306
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY repealing
Article – Housing and Community Development
Section 6–203, 6–212, and 6–305
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 5–901 through 5–911 to be under the new subtitle “Subtitle 9.~~
~~Sustainable Communities Tax Credit Program”~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1406(b)(12) and (13) and (h)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–1406(b)(14) through(16)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Transportation
Section 2–701 through 2–703 to be under the new subtitle “Subtitle 7.
Sustainable Communities”
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–101(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

~~Article—Insurance
Section 6—105.2
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article—Tax—General
Section 10—704.5
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)~~

BY repealing and reenacting, with amendments, ~~and transferring to the Session Laws~~
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 635 – Delegates Frush, Barnes, and Pena–Melnik

AN ACT concerning

Judges’ Retirement System – Reemployment of Retirees

FOR the purpose of repealing certain exceptions under which certain retirees of the Judges’ Retirement System may be reemployed without being subject to a certain earnings offset to their retirement allowance; repealing a certain earnings offset of a retirement allowance for certain retired judges of the Judges’ Retirement System who are reemployed by the State; repealing a certain requirement to reduce certain retirement benefits of certain retirees of the Judges’ Retirement System by a certain amount if the retirees earn an additional retirement benefit under certain circumstances; prohibiting certain retirees of the Judges’ Retirement System from being rehired within a certain period of time under certain circumstances; requiring the Chief Judge of the Court of Appeals to submit a report to the Joint Committee by a certain date each year; providing for the termination of this Act; and generally relating to the reemployment of retirees of the Judges’ Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 654 – Delegates Impallaria, Jennings, McComas, and McDonough

AN ACT concerning

Harford County – Towing and Removing Vehicles

FOR the purpose of establishing that a vehicle may not be towed or removed from private property in Harford County unless the owner of the property has posted certain signs and makes a request for the towing or removal of the specific vehicle; providing that an owner of private property may not contract with a person for the towing or removal of a vehicle from the property under certain circumstances; requiring the owner of property in Harford County to maintain certain records and keep certain ~~receipts~~ documentation relating to towed vehicles; prohibiting a person who undertakes the towing or removal of a vehicle in Harford County from charging more than certain amounts for fees or charges; requiring a person who tows or removes a vehicle in Harford County to notify the Harford County Sheriff's Office about the towing or removal and provide certain information, register with the Harford County Sheriff's Office, and obtain certain liability insurance ~~and a certain surety bond~~; requiring the Harford County Sheriff's Office to specify certain requirements concerning the posting of certain signs; authorizing the Harford County Sheriff's Office to charge a certain fee; requiring a person in possession of a vehicle towed or removed from property in Harford County to take certain actions; establishing that a person who undertakes the towing or removal of a vehicle from private property in Harford County in violation of this Act must take certain actions and is subject to certain liabilities and a certain civil penalty; establishing that a person who requests that a vehicle be towed or removed from private property in Harford County in violation of this Act is subject to a certain civil penalty; providing for the application of this Act; providing that this Act does not apply to the towing or removal of a vehicle from real property where a private residence is located; defining a certain term; and generally relating to the towing and removing of vehicles from private property in Harford County.

BY adding to

Article – Transportation

Section 21–10B–01 through 21–10B–06 to be under the new subtitle “Subtitle 10B. Towing or Removal of Vehicles in Harford County”

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 879 – Delegates Kramer, Barkley, Barnes, Bates, Carr, Conaway, Feldman, Frank, Hecht, Heller, Ivey, Jenkins, Kaiser, Kelly, Lee, Manno, McConkey, Miller, Murphy, Reznik, Rice, Shank, and Smigiel

AN ACT concerning

Assisted Living and Nursing Home Residents Protection Act of 2010

FOR the purpose of ~~requiring that, during a certain application process, nursing homes and assisted living facilities apply for a State criminal history records check of certain residents and check a certain registry; requiring certain facilities to require a State criminal history records check for certain residents on or before a certain date; requiring certain facilities to place certain residents in private rooms, provide certain notice to certain employees, and develop certain care plans; requiring certain facilities to provide certain individuals with a certain notice and a certain signed statement; requiring certain facilities to require certain individuals to sign a certain statement; requiring certain facilities to file certain statements for certain periods of time; requiring certain facilities to place prominently a certain notice in the facility; defining certain terms; requiring local law enforcement units to send a certain notice to certain facilities under certain circumstances; expanding the duties of the Sexual Offender Advisory Board to include reviewing certain policies, procedures, impacts, and laws and making certain recommendations relating to protecting residents and employees of nursing homes and assisted living facilities and the family members of residents from sexual offenders; requiring the Sexual Offender Advisory Board to submit a certain report on or before a certain date; providing for the termination of this Act; and generally relating to the protection of residents in assisted living facilities and nursing home facilities.~~

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

~~Article – Criminal Procedure~~

~~Section 11-709~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2009 Supplement)~~

~~BY adding to~~

~~Article – Health – General~~

~~Section 19-2401 through 19-2404 to be under the new subtitle “Subtitle 24.~~

~~Criminal Background Check and Notice Requirements for Residents of Assisted Living Programs or Related Institutions”~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume)~~

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1-401(a)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1-401(g)

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1523 – ~~Delegate Minnick~~ Delegates Minnick and McHale

AN ACT concerning

**Elevator Safety – Elevator Units in ~~Churches~~ Places of Worship – Exemption
from Third-Party Inspections**

FOR the purpose of requiring a State inspector to make certain periodic annual inspections of elevator units in ~~churches, synagogues, mosques, and other buildings used for public religious worship~~ any building used primarily for public religious worship that has a single level platform lift or stairway chairlift; altering a requirement that third-party qualified elevator inspectors be hired to conduct certain elevator inspections by requiring that certain elevator inspections be made by a State inspector under certain circumstances; making a certain conforming change; and generally relating to inspections of elevator units.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-809 and 12-812
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

FOR the purpose of prohibiting a person from selling certain heating oil in the State with a sulfur content exceeding a certain proportion to a consumer for a certain use on or after a certain date; defining a certain term; and generally relating to the sulfur content of heating oil sold in the State.

BY adding to
Article – Environment
Section 2-701 and 2-702 to be under the new subtitle “Subtitle 7. Heating Oil”
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

SPECIAL ORDERS

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

House Bill 582 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George’s County – Issuance of Alcoholic Beverages Licenses and Park Permits – Notification

PG/MC 112–10

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1147)

The Bill was then sent to the House of Delegates.

House Bill 391 – Delegates Lafferty, Frank, and Aumann

AN ACT concerning

Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages Licenses – Restaurants

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 620 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Condominiums and Homeowners Associations – Common Elements and Common Areas – Implied Warranties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0620/328879/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 620
(Third Reading File Bill)

On page 2, in line 35, strike “MULTIFAMILY RESIDENTIAL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0620/633427/1

BY: Senator Kramer

AMENDMENTS TO HOUSE BILL 620
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “do not”; in the same line, after “apply” insert “only”; in line 7, strike “occupied” and substitute “sold, occupied,”; and in the same line, strike “nonresidential” and substitute “residential”.

AMENDMENT NO. 2

On page 2, in line 34, strike “**THIS**” and substitute “**SUBJECT TO SUBSUBPARAGRAPH B OF THIS SUBPARAGRAPH, THIS**”.

On page 3, in line 3, strike “**DOES NOT APPLY**” and substitute “**APPLIES ONLY**”; in line 4, strike “**OCCUPIED**” and substitute “**SOLD, OCCUPIED,**”; and in the same line, strike “**NONRESIDENTIAL**” and substitute “**RESIDENTIAL**”.

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

Affirmative – 26 Negative – 21 (See Roll Call No. 1148)

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: SB 0135

SPONSOR: Sen Kelley

SUBJECT: Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Gladden, Chair

Senator Haines

Senator Raskin

The House appoints: Delegate Anderson, Chairman

Delegate Barnes, and

Delegate Carter.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0252

SPONSOR: Sen Frosh, et al

SUBJECT: Child Support Guidelines – Revision

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Frosh, Chair
Senator Forehand
Senator Gladden

The House appoints: Delegate Simmons, Chairman
Delegate Dumais, and
Delegate Levi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0193

SPONSOR: Del Rosenberg

SUBJECT: Civil Predngs – Forgn Dfmtn Judgts – Recognition, Enforceability, and Bases of Prsnl Jurisd

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Waldstreicher, Chairman
Delegate Conaway, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0193

SPONSOR: Del Rosenberg

SUBJECT: Civil Prcdngs – Forgn Dfmtn Judgts – Recognition, Enforceability, and
Bases of Prsnl Jurisd

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Waldstreicher, Chair
Delegate Conaway
Delegate McConkey

The Senate appoints:
Senator Raskin, Chairman
Senator Muse
Senator Simonaire.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0304

SPONSOR: Del Jones, et al

SUBJECT: Education – Maintenance of Effort Requirement – Process and Factors

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Olszewski, Chairman
Delegate Rice, and
Delegate Kaiser.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0304

SPONSOR: Del Jones, et al

SUBJECT: Education – Maintenance of Effort Requirement – Process and Factors

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Olszewski, Chair
Delegate Rice
Delegate Kaiser

The Senate appoints:

Senator Kasemeyer, Chairman
Senator Robey
Senator Brinkley.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0283

SPONSOR: Del Waldstreicher, et al

SUBJECT: Criminal Law – Human Trafficking – Prohibitions

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Lee, Chairman
Delegate Valderrama, and
Delegate Dwyer.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Frosh moved that the Senate recede on its amendments.

The motion was adopted.

HB0283/738571/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 283
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Human” insert “Sexual Solicitation of a Minor and”; in line 3, after “Prohibitions” insert “and Proof”; in line 10, after “prohibitions;” insert “providing that the State need only prove that a reasonable person, based on certain criteria, should have known that a certain minor had not attained a certain age under certain circumstances;”; and in line 21, before “human” insert “sexual solicitation of a minor and”.

On page 2, in line 3, strike “11-301” and substitute “3-324, 11-301,”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“3-324.

(a) In this section, “solicit” means to command, authorize, urge, entice, request, or advise a person by any means, including:

- (1) in person;
- (2) through an agent or agency;
- (3) over the telephone;
- (4) through any print medium;
- (5) by mail;
- (6) by computer or Internet; or
- (7) by any other electronic means.

(b) A person may not, with the intent to commit a violation of § 3-304, § 3-306, or § 3-307 of this subtitle or § 11-304, § 11-305, or § 11-306 of this article, knowingly solicit a minor, or a law enforcement officer posing as a minor, to engage in activities that would be unlawful for the person to engage in under § 3-304, § 3-306, or § 3-307 of this subtitle or § 11-304, § 11-305, or § 11-306 of this article.

(c) A violation of this section is considered to be committed in the State for purposes of determining jurisdiction if the solicitation:

(1) originated in the State; or

(2) is received in the State.

(d) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$25,000 or both.

(E) IN A PROSECUTION UNDER THIS SECTION, THE STATE NEED ONLY PROVE THAT A REASONABLE PERSON, BASED ON THE TOTALITY OF THE CIRCUMSTANCES, SHOULD HAVE KNOWN THAT THE MINOR HAD NOT ATTAINED THE AGE OF 18 YEARS.”.

On page 4, in line 19, after “(1)” insert “(I)”; and before line 25, insert:

“(II) IN A PROSECUTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE NEED ONLY PROVE THAT A REASONABLE PERSON, BASED ON THE TOTALITY OF THE CIRCUMSTANCES, SHOULD HAVE KNOWN THAT THE MINOR HAD NOT ATTAINED THE AGE OF 18 YEARS.”.

Senate receded and the amendment was removed.

House Bill 283 – Delegates Waldstreicher, Dumais, Ali, Anderson, Barkley, Barnes, Barve, Carr, Dwyer, Eckardt, Feldman, Frush, Haddaway, Hecht, Hubbard, Hucker, Kullen, McComas, McDonough, Montgomery, Morhaim, O'Donnell, Ramirez, Rosenberg, Shank, Shewell, Smigiel, and Vaughn

AN ACT concerning

**Criminal Law – ~~Sexual Solicitation of a Minor and~~ Human Trafficking –
Prohibitions ~~and Proof~~**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1149)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0283

SPONSOR: Del Waldstreicher, et al

SUBJECT: Criminal Law – Human Trafficking – Prohibitions

The Senate recedes from its position on HB 0283.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #18

AMENDED IN THE HOUSE

Senate Bill 411 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Della, Edwards, Garagiola, Glassman, Jacobs, Kasemeyer, Kittleman, Klausmeier, Mooney, Munson, Peters, Raskin, ~~and Stone~~ Stone, Brochin, Forehand, Haines, and Simonaire

AN ACT concerning

Defense of Dwelling or Place of Business – Civil Immunity

Senator Frosh moved that the Senate concur in the House amendments.

SB0411/622813/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 411

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “requiring the” and substitute “authorizing a”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“(C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO A PERSON WHO IS CONVICTED OF A CRIME OF VIOLENCE UNDER § 14-101 OF THE CRIMINAL LAW ARTICLE, ASSAULT IN THE SECOND DEGREE, OR RECKLESS ENDANGERMENT ARISING OUT OF THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (B) OF THIS SECTION.”;

and in lines 10 and 12, strike “(C)” and “(D)”, respectively, and substitute “**(D)**” and “**(E)**”, respectively.

AMENDMENT NO. 3

On page 2, in line 10, strike “SHALL” and substitute “**MAY**”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1150)

AMENDED IN THE HOUSE

Senate Bill 560 – Senators Forehand, King, ~~and Madaleno~~ Madaleno, Frosh, Gladden, Brochin, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone

AN ACT concerning

Vehicle Laws – Traffic Citations – Option to Request Trial

Senator Frosh moved that the Senate concur in the House amendments.

SB0560/442316/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 560
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “periods;” insert “establishing requirements for certain copies of a citation form;”; and in the same line, after “changes;” insert “declaring the intent of the General Assembly; providing for the effective dates of this Act;”.

AMENDMENT NO. 2

On page 1, in line 17, after “26–201(c)” insert “, (d), and (e)”; and after line 19, insert:

“BY adding to

Article – Transportation

Section 26–201(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 3

On page 2, in line 7, strike “AT LEAST 14 POINT”.

AMENDMENT NO. 4

On page 3, after line 10, insert:

“**(D) IF A CITATION IS MARKED “YOU HAVE THE RIGHT TO STAND TRIAL”:**

(1) THE FORM OF THE DEFENDANT’S COPY OF THE CITATION SHALL INCLUDE IN BOLDFACE TYPE A DESCRIPTION OF THE FOLLOWING OPTIONS:

(I) PAYMENT OF THE FINE;

(II) REQUEST A TRIAL; AND

(III) REQUEST A “GUILTY WITH AN EXPLANATION” HEARING REGARDING SENTENCING AND DISPOSITION IN LIEU OF A TRIAL; AND

(2) THE FORM OF THE “RETURN TO COURT” COPY OF THE CITATION SHALL INCLUDE IN BOLDFACE TYPE A CHECK-OFF BOX FOR EACH OF THE OPTIONS DESCRIBED IN ITEM (1) OF THIS SUBSECTION.

[(d)] (E) A police officer who discovers a vehicle stopped, standing, or parked in violation of § 21-1003 or § 21-1010 of this article shall:

(1) Deliver a copy of a citation to the driver or, if the vehicle is unattended, attach a copy of a citation to the vehicle in a conspicuous place; and

(2) Keep a written or electronic copy of the citation, bearing the police officer’s certification under penalty of perjury that the facts stated in the citation are true.

[(e)] (F) (1) A police officer who discovers a motor vehicle parked in violation of § 13-402 of this article shall:

(i) Deliver a copy of a citation to the driver or, if the motor vehicle is unattended, attach a copy of a citation to the motor vehicle in a conspicuous place; and

(ii) Keep a written or electronic copy of the citation, bearing the law enforcement officer’s certification under penalty of perjury that the facts stated in the citation are true.

(2) In the absence of the driver, the owner of the motor vehicle is presumed to be the person receiving the copy of a citation or warning.”.

AMENDMENT NO. 5

On page 5, strike in their entirety lines 11 and 12 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that funding of up to \$250,000 be provided to the Judicial Branch in fiscal 2011 by the Governor’s Office of Crime Control and Prevention to the Administrative Office of the Courts for computer programming changes to the case management system and written and electronic citations.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect January 1, 2011.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect July 1, 2010.”.

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1151)

AMENDED IN THE HOUSE

Senate Bill 602 – Senators Raskin, Brochin, ~~and Pinsky~~ Pinsky, Forehand, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

~~Vehicle Laws~~ **High Occupancy Vehicle (HOV) Lanes – Use by Plug-In Vehicles**

Senator Frosh moved that the Senate concur in the House amendments.

SB0602/450711/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 602

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “the” insert “Motor Vehicle Administration, on the recommendation of the”; and in the same line, after “Administration” insert a comma.

AMENDMENT NO. 2

On page 3, in line 27, after “**THE**” insert “**ADMINISTRATION, ON THE RECOMMENDATION OF THE**”; and in the same line, after “**ADMINISTRATION**” insert a comma.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1152)

CONCURRENCE CALENDAR #19

MESSAGE TO THE SENATE

BILL: SB 0261

SPONSOR: Sen Forehand, et al

SUBJECT: Criminal Law – Sexual Solicitation of a Minor and Human Trafficking – Prohibitions and Proof

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Forehand, Chair
Senator Mooney
Senator Muse

The House appoints: Delegate Lee, Chairman
Delegate Valderrama, and
Delegate Dwyer.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Frosh moved that the Senate recede from its position.

The motion was adopted.

Senator Frosh moved that the Senate concur in the House amendment.

SB0261/402110/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 261
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sexual Solicitation of a Minor and”; in line 3, strike “and Proof”; strike beginning with “providing” in line 10 down through “circumstances;” in line 12; and strike beginning with “sexual” in line 20 down through “and” in line 21.

On page 2, in line 1, strike “3–324, 11–301,” and substitute “11–301”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 2 on page 3, inclusive.

On page 4, in line 16, strike “(I)”; and strike in their entirety lines 18 through 21, inclusive.

The preceding 2 amendments were read and concurred in.

Senate Bill 261 – Senators Forehand, Raskin, ~~and Gladden~~ Gladden, Brochin, Haines, Jacobs, Simonaire, and Stone

AN ACT concerning

**Criminal Law – Sexual Solicitation of a Minor and Human Trafficking –
Prohibitions and Proof**

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1153)

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0261

SPONSOR: Sen Forehand, et al

SUBJECT: Criminal Law – Sexual Solicitation of a Minor and Human Trafficking – Prohibitions and Proof

The Senate recedes in its non-concurrence and agrees to concur in the House amendments.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #20

AMENDED IN THE HOUSE

Senate Bill 317 – Senators McFadden, Kasemeyer, Astle, Conway, Currie, DeGrange, Dyson, Exum, Forehand, Frosh, Garagiola, Harrington, Jones, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Munson, Peters, Pinsky, Pugh, Raskin, Robey, and Stone

EMERGENCY BILL

AN ACT concerning

**State Retirement and Pension System – Retirees and Beneficiaries of
Retirees – Annual Retirement Allowance Adjustments**

Senator Currie moved that the Senate concur in the House amendments.

SB0317/434367/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 317

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the semicolon insert “requiring that certain annual retirement allowances be reduced by a certain amount under certain circumstances;”; in line 11, after “of” insert “certain provisions of”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 24–401(e), 29–406, 29–407, 29–412, 29–418, and 29–427

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 15, strike “, notwithstanding any other provision of law” and substitute “the Laws of Maryland read as follows”.

On pages 1 through 4, strike in their entirety the lines beginning with line 16 on page 1 through line 4 on page 4, inclusive.

AMENDMENT NO. 3

On page 4, after line 4, insert:

“Article – State Personnel and Pensions

24–401.

(e) (1) Subject to paragraph (2) of this subsection, a retiree, or a beneficiary of a retiree, who retires on or before June 30, 1999 with a service retirement allowance, shall receive an annual retirement allowance adjustment as of July 1, 1999, as follows:

(i) for a retiree who has been retired not more than 5 years, \$1,200;

(ii) for a retiree who has been retired more than 5 years but not more than 10 years, \$1,500;

(iii) for a retiree who has been retired more than 10 years but not more than 15 years, \$1,800; and

(iv) for a retiree who has been retired more than 15 years, \$2,100.

(2) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, EACH fiscal year, the Board of Trustees shall increase the adjustment received by the retiree or the beneficiary as of July 1, 1999, by multiplying the adjustment by a fraction that has:

(i) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(ii) as its denominator, the Consumer Price Index for the calendar year ending December 31, 1998.

(3) (I) FOR FISCAL YEAR 2011, IF THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THAT IS ADJUSTED AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION IS LESS THAN THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT PAYABLE FOR FISCAL YEAR 2010, THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT PAYABLE FOR FISCAL YEAR 2011 SHALL EQUAL THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT PAYABLE FOR FISCAL YEAR 2010.

(II) FOR FISCAL YEAR 2012, THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THAT IS ADJUSTED AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT PAYABLE FOR FISCAL YEAR 2010 AND THE ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THAT WOULD HAVE BEEN PAYABLE FOR FISCAL YEAR 2011 IF IT HAD BEEN ADJUSTED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

29-406.

(a) (1) [Subject] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT to subsection (c) of this section, the cost-of-living adjustment made under this Part II equals the initial allowance multiplied by a fraction that has:

[(1)] (I) as its numerator, the amount obtained by subtracting the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year from the base year Consumer Price Index described in subsection (b) of this section; and

[(2)] (II) as its denominator, the base year Consumer Price Index described in subsection (b) of this section.

(2) IF THE COST-OF-LIVING ADJUSTMENT DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FISCAL YEAR 2011 WOULD RESULT IN AN ALLOWANCE PAYABLE FOR FISCAL YEAR 2011 THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010, THE ANNUAL COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2011 SHALL EQUAL \$0.00.

(b) The base year Consumer Price Index referred to in subsection (a) of this section equals the later of:

(1) the Consumer Price Index for the calendar year ending December 31 of the fiscal year that preceded the last adjustment; or

(2) (i) for a retiree, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree was last employed as a member; or

(ii) for a former member who elected a vested allowance in accordance with § 29-303 of this title, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member became 62 years old.

(c) The cost-of-living adjustment under this section may not exceed 3% of the initial allowance.

29-407.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE total allowance payable in any fiscal year shall be the sum of:

(1) the initial allowance;

(2) all prior cost-of-living adjustments;

(3) the cost-of-living adjustment provided for under § 29-406 of this subtitle; and

(4) any additional annuity.

(B) FOR FISCAL YEAR 2012, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010 AND THE ALLOWANCE THAT WOULD HAVE BEEN PAID FOR FISCAL YEAR 2011 IF THE COST-OF-LIVING ADJUSTMENT HAD BEEN CALCULATED AS PROVIDED UNDER § 29-406(A) OF THIS SUBTITLE.

29-412.

(A) [Subject] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND SUBJECT to § 29-413 of this subtitle, each fiscal year, the Board of Trustees shall adjust an initial allowance by multiplying the initial allowance by the fraction that has:

(1) as its numerator, the Consumer Price Index for the calendar year ending December 31 of the preceding fiscal year; and

(2) as its denominator:

(i) for a retiree, the beneficiary of a retiree, or the surviving spouse of a member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the retiree or member was last employed; or

(ii) for a former member or the beneficiary of a former member, the Consumer Price Index for the calendar year ending December 31 of the fiscal year in which the former member reaches normal retirement age.

(B) FOR FISCAL YEAR 2011, IF THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION IS LESS THAN THE ALLOWANCE

PAYABLE FOR FISCAL YEAR 2010, THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2011 SHALL EQUAL THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010.

(C) FOR FISCAL YEAR 2012, THE ALLOWANCE ADJUSTED AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010 AND THE ALLOWANCE THAT WOULD HAVE BEEN PAYABLE FOR FISCAL YEAR 2011 IF IT HAD BEEN ADJUSTED UNDER SUBSECTION (A) OF THIS SECTION.

29-418.

(a) (1) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 5%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31, in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

(2) IF THE ADJUSTMENT DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FISCAL YEAR 2011 WOULD RESULT IN AN ALLOWANCE PAYABLE FOR FISCAL YEAR 2011 THAT IS LESS THAN THE ALLOWANCE FOR FISCAL YEAR 2010, THE ADJUSTMENT FOR FISCAL YEAR 2011 SHALL EQUAL \$0.00.

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE total allowance payable in each fiscal year shall be the sum of:

[(1)] (I) the annual rate of allowance paid during the preceding fiscal year;

[(2)] (II) the adjustment in allowance provided for under this section;
and

~~[(3)] (III)~~ any additional annuity.

(2) FOR FISCAL YEAR 2012, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010 AND THE ALLOWANCE THAT WOULD HAVE BEEN PAID FOR FISCAL YEAR 2011 IF THE ADJUSTMENT HAD BEEN CALCULATED AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.

29-427.

(a) (1) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH fiscal year, the Board of Trustees shall adjust an allowance by multiplying the allowance for the preceding fiscal year, exclusive of any additional voluntary annuity, by a rate not exceeding 3%, that is obtained by dividing the Consumer Price Index for the calendar year ending December 31 in the preceding fiscal year by the Consumer Price Index for the calendar year ending December 31 in the second preceding fiscal year.

(2) IF THE ADJUSTMENT DETERMINED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR FISCAL YEAR 2011 WOULD RESULT IN AN ALLOWANCE PAYABLE FOR FISCAL YEAR 2011 THAT IS LESS THAN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010, THE ADJUSTMENT FOR FISCAL YEAR 2011 SHALL EQUAL \$0.00.

(b) The adjustment under subsection (a) of this section shall begin the second July 1 after the day preceding the retiree's date of retirement or the former member's effective date for receipt of a vested allowance.

(c) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE total allowance payable in each fiscal year shall be the sum of:

[(1)] (I) the annual rate of allowance paid during the preceding fiscal year;

[(2)] (II) the adjustment in allowance provided for under this section;
and

~~[(3)] (III)~~ any additional annuity.

(2) FOR FISCAL YEAR 2012, THE ALLOWANCE PAYABLE AS PROVIDED IN SUBSECTION (A) OF THIS SECTION SHALL BE REDUCED BY THE DIFFERENCE BETWEEN THE ALLOWANCE PAYABLE FOR FISCAL YEAR 2010 AND THE ALLOWANCE THAT WOULD HAVE BEEN PAID FOR FISCAL YEAR 2011 IF THE ADJUSTMENT HAD BEEN CALCULATED AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That:”.

AMENDMENT NO. 4

On page 4, in line 5, strike “(h) (1)” and substitute “(a)”; in lines 7 and 12, strike “(i)” and “(ii)”, respectively, and substitute “(1)” and “(2)”, respectively; in line 17, strike “(2)” and substitute “(b)”; in lines 21 and 23, strike “(i)” and “(ii)”, respectively, and substitute “(1)” and “(2)”, respectively; after line 26, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall remain effective through December 31, 2010, and, at the end of December 31, 2010, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall remain effective through December 31, 2014, and, at the end of December 31, 2014, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect.”;

in line 27, strike “2.” and substitute “5.”; and strike beginning with “It” in line 31 down through “effect.” in line 33.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1154)

AMENDED IN THE HOUSE

Senate Bill 550 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Eligible Governmental Units

Senator Currie moved that the Senate concur in the House amendments.

SB0550/534463/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 550

(Third Reading File Bill)

On page 4, in line 23, after the first “system” insert “OR STATE SYSTEM”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1155)

CONCURRENCE CALENDAR #21

AMENDED IN THE HOUSE

Senate Bill 508 – Senator McFadden (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Retirement and Pension Systems – Maryland School for the Deaf
Retirees – Overpayment of Benefits**

Senator Currie moved that the Senate not concur in the House amendments.

SB0508/684163/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “requiring” insert “the Board of Trustees of the State Retirement and Pension System to reduce the retirement allowance of certain retirees by a certain amount beginning on a certain date and continuing the reduction until the retirement allowance equals a certain amount; requiring”; and in line 22, strike “29-402” and substitute “21-113(c)”.

AMENDMENT NO. 2

On page 2, in line 6, strike “§ 29-402 OF THIS ARTICLE” and substitute “SUBSECTION (C) OF THIS SECTION”; strike in its entirety line 14; in line 15, strike “(A)” and substitute “(C) (1)”; in the same line, strike “SECTION” and substitute “SUBSECTION”; in lines 17, 19, and 21, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 20, strike “AND”; and in line 23, after “EMPLOYEE” insert “; AND”

(IV) ON JULY 1, 2010, IS RECEIVING A RETIREMENT ALLOWANCE THAT IS GREATER THAN THE RETIREMENT ALLOWANCE THAT THE RETIREE IS ENTITLED TO RECEIVE”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 24 on page 2 through line 26 on page 3, inclusive, and substitute:

“(2) (I) BEGINNING JULY 1, 2010, AND EVERY 6 MONTHS THEREAFTER, THE BOARD OF TRUSTEES SHALL REDUCE A RETIREE’S MONTHLY RETIREMENT ALLOWANCE BY 10% OF THE AMOUNT BY WHICH THE MONTHLY RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING AS OF JUNE 30, 2010, EXCEEDS THE MONTHLY RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE AS OF JUNE 30, 2010.

(II) THE BOARD OF TRUSTEES SHALL REDUCE A RETIREE’S MONTHLY RETIREMENT ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH UNTIL THE MONTHLY RETIREMENT ALLOWANCE THAT THE RETIREE IS RECEIVING EQUALS THE MONTHLY RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE AS OF JUNE 30, 2010.

(3) (I) BEGINNING JULY 1, 2010, AND EACH SUBSEQUENT JULY 1, THE BOARD OF TRUSTEES SHALL SUSPEND ANY ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THE RETIREE IS ENTITLED TO RECEIVE UNDER TITLE 29, SUBTITLE 4 OF THIS ARTICLE UNTIL THE RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING EQUALS THE AMOUNT THE RETIREE IS ENTITLED TO RECEIVE AS OF JUNE 30, 2010.

(II) BEGINNING ON THE JULY 1 IMMEDIATELY FOLLOWING THE LAST REDUCTION MADE TO A RETIREE'S MONTHLY RETIREMENT ALLOWANCE BY THE BOARD OF TRUSTEES UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD OF TRUSTEES SHALL:

1. REINSTATE THE APPLICATION OF ANY ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THAT THE RETIREE IS ENTITLED TO RECEIVE UNDER TITLE 29, SUBTITLE 4 OF THIS ARTICLE; AND

2. ADJUST THE RETIREE'S ALLOWANCE TO INCLUDE ANY ACCUMULATED COST-OF-LIVING ADJUSTMENTS FROM THE DATE THE COST-OF-LIVING ADJUSTMENTS WERE SUSPENDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

On page 3, in line 27, strike “(C)” and substitute “(4)”; in the same line, strike “TOTAL AMOUNT OF” and substitute “MONTHLY”; strike beginning with the comma in line 28 down through the comma in line 29; in line 30, strike “TOTAL AMOUNT OF” and substitute “MONTHLY”; and strike beginning with “WAS” in line 30 down through “2010” in line 31 and substitute “IS RECEIVING AT THE TIME OF THE RETIREE’S DEATH”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0508**

SPONSOR: Sen McFadden (Chr Jt Com on Pnsns)

SUBJECT: Employees' Ret and Pension Systems – Md School for the Deaf Retirees – Overpayment of Benefits

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator McFadden, Chairman
Senator Kasemeyer
Senator Munson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

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

Senate Bill 517 – Senators Stone and Jacobs

AN ACT concerning

Criminal Law – Criminal Gangs – Offenses and Membership

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0517/248170/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Jacobs” and substitute “, Jacobs, Forehand, Mooney, and Simonaire”; in line 5, after “ongoing” insert “, to repeal the requirement that members have the commission of certain crimes as a primary objective or activity, and to clarify that a criminal gang may include certain otherwise lawful entities or associations”; strike beginning with “defining” in line 6 down through “purposes,” in line 7; and strike beginning with “prohibiting” in line 10 down through “gang;” in line 11.

AMENDMENT NO. 2

On page 2, strike beginning with the first “or” in line 3 down through “members” in line 4 and substitute “OR ASSOCIATION OF THREE OR MORE PERSONS, INCLUDING OTHERWISE LAWFUL ENTITIES OR ASSOCIATIONS, WHETHER PUBLIC OR PRIVATE, SECULAR OR RELIGIOUS, OR INCORPORATED OR UNINCORPORATED, WHOSE MEMBERS”; in line 10, strike “primary”; and in line 18, after “INITIATION” insert “, HAZING, OR ADMISSIONS”.

AMENDMENT NO. 3

On page 3, in line 28, strike “or”; and in line 30, after “Article” insert “; OR”

(5) A FELONY VIOLATION OF TITLE 8 OF THIS ARTICLE”.

AMENDMENT NO. 4

On page 2, in line 15, strike “OVERT OR COVERT”; strike beginning with “A” in line 17 down through “(IV)” in line 18; in line 18, after “RITUAL” insert “THAT IS ITSELF A CRIMINAL OFFENSE”; in line 19, strike “(V)” and substitute “(IV)”; and in the same line, strike “METHOD OF OPERATION OR”.

On pages 2 and 3, strike in their entirety the lines beginning with line 24 on page 2 through line 10 on page 3, inclusive.

On page 3, in lines 11 and 12, strike “(e)” and “(f)”, respectively, and substitute “(D)” and “(E)”, respectively; and in line 32, strike the colon.

On page 4, in line 1, strike “(1)”; and strike beginning with the semicolon in line 6 down through “GANG” in line 8.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 1156)

FLOOR AMENDMENT

SB0517/733022/3

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 517, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Committee Amendments (SB0517/248170/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in the sponsor line, strike “and Jacobs” and substitute “Jacobs, Forehand, Mooney, and Simonaire”; strike line 2 in its entirety and substitute “Maryland Gang Prosecution Act of 2010”; in line 5, strike “a”; in the same line, strike “list of”; strike beginning with “defining” in line 6 down through “purposes,” in line 7; strike beginning with “provide” in line 9 down through “crime” in line 14 and substitute “repeal the requirement that a pattern of criminal gang activity be ongoing; requiring a sentence imposed for a second or subsequent offense of participation in criminal gang activity to be separate from and consecutive to a certain other sentence; requiring a sentence imposed for participation in criminal gang activity that results in the death of a victim to be separate from and consecutive to a sentence for a certain other sentence; specifying that a certain consecutive sentence shall not be mandatory unless the State makes a certain notification at a certain time; prohibiting a person from organizing, supervising, financing, or managing a criminal gang; establishing penalties; requiring a certain sentence to be separate from and consecutive to a certain other sentence; providing that a certain provision of law may not be construed inconsistently with certain other provisions of law; making clarifying changes”; and after line 20, insert:

“BY adding to

Article – Criminal Law

Section 9–805 and 9–806
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)”.

AMENDMENT NO. 3

On page 2 of the bill, in lines 5, 6, 20, and 23, in each instance, strike the bracket; strike beginning with “**COMMIT**,” in line 6 down through “**INCIDENT**” in line 9; strike beginning with the colon in line 13 down through “**(II)**” in line 15; and strike beginning with the semicolon in line 16 down through “**ENTERPRISE**” in line 19.

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 24 on page 2 through line 10 on page 3, inclusive.

On page 3 of the bill, strike beginning with “**§ 3–701**” in line 14 down through “**WEAPONS**),” in line 15; in line 16, strike “**§ 6–301 (MALICIOUS DESTRUCTION)**,”; in line 19, after “**JUROR**),” insert “**§ 11–303 (HUMAN TRAFFICKING)**,”; in the same line, after “**PROSTITUTE**),” insert “**OR**”; in the same line, after “**§ 11–306**” insert “**(A)(2), (3), OR (4)**”; in line 20, strike “**, OR § 12–102 (GAMBLING)**”; in line 21, after the second closing bracket, insert “**§ 3–701 (EXTORTION)**,”; strike beginning with the comma in line 24 down through “**PROPERTY**” in line 25; in line 29, strike the second set of brackets; and in the same line, strike “**(B) OR (C)**”.

AMENDMENT NO. 4

On page 4 of the bill, in lines 1 and 3, in each instance, strike the bracket; in line 1, strike “**ACTIVELY**”; in line 2, strike “an ongoing” and substitute “**A**”; in line 3, strike “the commission of”; strike beginning with the semicolon in line 6 down through “**GANG**” in line 8; in line 9, strike “commit a violation of” and substitute “**VIOLATE**”; in line 10, strike “involving the commission of an underlying crime”; in line 17, after “**(2)**” insert “**(I)**”; in the same line, after “under” insert “**PARAGRAPH (1)(I) OF THIS SUBSECTION**”; in the same line, after “section” insert “**FOR A FIRST OFFENSE**”; in the same line, strike the brackets; in the same line, strike “**SHALL**”; in line 18, strike the brackets; and after line 19, insert:

“(II) A SENTENCE IMPOSED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION FOR A SECOND OR SUBSEQUENT OFFENSE, OR PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE SEPARATE FROM AND CONSECUTIVE TO A

SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SECTION.

(III) A CONSECUTIVE SENTENCE FOR A SECOND OR SUBSEQUENT OFFENSE SHALL NOT BE MANDATORY UNLESS THE STATE NOTIFIES THE PERSON IN WRITING OF THE STATE'S INTENTION TO PROCEED AGAINST THE PERSON AS A SECOND OR SUBSEQUENT OFFENDER AT LEAST 30 DAYS BEFORE TRIAL."

AMENDMENT NO. 5

On page 5 of the bill, after line 5, insert:

"9-805.

(A) A PERSON MAY NOT ORGANIZE, SUPERVISE, FINANCE, OR MANAGE A CRIMINAL GANG.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH.

(C) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SECTION.

9-806.

NOTHING IN THIS SUBTITLE MAY BE CONSTRUED INCONSISTENTLY WITH THE PROVISIONS RELATING TO JURISDICTION OVER JUVENILE CAUSES CONTAINED IN TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE."

The preceding 5 amendments were read only.

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

The motion was adopted.

Senate Bill 990 – Senators Forehand, Madaleno, Pinsky, and Raskin

AN ACT concerning

Courts and Judicial Proceedings – Strategic Lawsuits Against Public Participation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0990/228373/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 990
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 4 down through “term;” in line 13 and substitute “modifying a certain definition of a strategic lawsuit against public participation (SLAPP suit); providing that a defendant in a SLAPP suit is not civilly liable under certain circumstances;”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–807(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)”;

and in line 17, strike “5–807” and substitute “5–807(b) and (c)”.

AMENDMENT NO. 3

On page 2, in line 2, strike the brackets; in line 7, strike “AND”; in lines 8 and 11, in each instance, strike the bracket; and in line 9, after “inhibit” insert “OR INHIBITS”.

AMENDMENT NO. 4

On page 2, in line 17, after “body” insert “OR ANY ISSUE OF PUBLIC CONCERN”.

AMENDMENT NO. 5

On pages 2 through 4, strike in their entirety the lines beginning with line 18 on page 2 through line 9 on page 4, inclusive.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1091 – Senator Mooney

AN ACT concerning

~~Frederick County – Religious Corporations – Retention of Assets by Local Churches~~ Laws Governing Assets of United Methodist Church – Repeal

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

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

Affirmative – 29 Negative – 18 (See Roll Call No. 1157)

The Bill was then sent to the House of Delegates.

House Bill 551 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed Establishments

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

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

Affirmative – 44 Negative – 3 (See Roll Call No. 1158)

The Bill was then sent to the House of Delegates.

House Bill 282 – ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk and Bobo

AN ACT concerning

Transportation Projects – Bicycle and Pedestrian Access – Funding and Reporting

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

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

Affirmative – 37 Negative – 10 (See Roll Call No. 1159)

The Bill was then sent to the House of Delegates.

House Bill 473 – The Speaker (By Request – Administration) and Delegates Busch, Vallario, Rosenberg, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Branch, Bromwell, Cardin, Carr, Conway, Davis, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Hixson, Holmes, Howard, Hubbard, Ivey, Jennings, Jones, Kaiser, Kelly, King, Kirk, Kramer, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, McHale, McIntosh, Miller, Montgomery, Morhaim, Murphy, Niemann, O'Donnell, Oaks, Olszewski, Pena-Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Rudolph, Shewell, Smigiel, Stein, Stifler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, ~~and Walker~~ Walker, and Conaway

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

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

FLOOR AMENDMENT

HB0473/213820/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 473, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, strike beginning with “prohibiting” in line 7 down through “petitions;” in line 12 and substitute “repealing a requirement that the Maryland

Parole Commission hear and adjudicate a certain petition for discharge from extended lifetime sexual offender supervision; repealing the authorization for a registrant to file a petition for discharge from extended sexual offender supervision;”.

AMENDMENT NO. 2

On page 5 of the Judicial Proceedings Committee Amendments (HB0473/848976/1), in line 8 of Amendment No. 4, strike “**(G)**”; and strike beginning with “no” in line 9 down through “safety” in line 10.

AMENDMENT NO. 3

On page 12 of the bill, strike in their entirety lines 7 through 31, inclusive.

On page 13 of the bill, in lines 1 and 5, in each instance, strike the bracket; and in lines 1 and 5, strike “(e)” and “(f)”, respectively, and substitute “**(G)**” and “**(H)**”, respectively.

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

Affirmative – 22 Negative – 23 (See Roll Call No. 1160)

FLOOR AMENDMENT

HB0473/453726/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 473

(Third Reading File Bill)

On page 1, in line 2, strike “Lifetime”.

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

Affirmative – 11 Negative – 35 (See Roll Call No. 1161)

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1162)

The Bill was then sent to the House of Delegates.

House Bill 936 – The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, ~~and Vaughn~~ Vaughn, Frank, Aumann, George, Jennings, McComas, Olszewski, Shank, Smigiel, Stifler, McConkey, Barnes, Conaway, Dumais, Kramer, Rosenberg, Anderson, Dwyer, Levi, Ramirez, Hecht, Bobo, Carr, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, and Rudolph

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (5) OFFERED FROM THE FLOOR BY SENATOR COLBURN.

FLOOR AMENDMENT

HB0936/903422/1

BY: Senator Colburn

AMENDMENTS TO HOUSE BILL 936, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0936/418870/1), in line 3 of Amendment No. 1, strike “and”; and in the same line, after “Procedures” insert “, and Notation on Driver’s License”.

AMENDMENT NO. 2

On page 2 of the bill, in line 44, after “information,” insert “requiring the Department of Public Safety and Correctional Services, within a certain period of time after receiving a sexual offender registration statement, to send a copy of the registration statement to the Motor Vehicle Administration,”.

AMENDMENT NO. 3

On page 3 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 1, after “Code,” insert “requiring the Motor Vehicle Administration, on receipt of a certain notice, to place a prominent notation on the driver’s license or identification card issued to the individual who is the subject of the notice indicating that the individual is a sexual offender registrant; prohibiting the removal of a certain notation unless the Department provides a certain written notice to the

Administration”; in line 8, strike “and”; in line 9, after “procedures” insert “, and notations on drivers’ licenses”; and in line 19, after “Supplement)” insert:

“BY adding to

Article – Transportation

Section 12-303.2

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 4

On page 32 of the bill, in line 24, strike “AND”; and in line 27, after “REGISTRATION” insert “; AND

(7) SHALL, WITHIN 5 WORKING DAYS AFTER RECEIVING A REGISTRATION STATEMENT UNDER THIS SUBTITLE, SEND A COPY OF THE REGISTRATION STATEMENT TO THE MOTOR VEHICLE ADMINISTRATION”.

AMENDMENT NO. 5

On page 17 of the Judicial Proceedings Committee Amendments, in the second line from the bottom of Amendment No. 4, after “ARTICLE.” insert:

“Article – Transportation

12-303.2.

(A) ON RECEIPT OF NOTICE FROM THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IN ACCORDANCE WITH § 11-713 OF THE CRIMINAL PROCEDURE ARTICLE THAT AN INDIVIDUAL WHO IS A HOLDER OF OR AN APPLICANT FOR A DRIVER’S LICENSE HAS REGISTERED UNDER § 11-704 OF THE CRIMINAL PROCEDURE ARTICLE, THE ADMINISTRATION SHALL PLACE ON A DRIVER’S LICENSE OR IDENTIFICATION CARD ISSUED OR REISSUED TO THE INDIVIDUAL, A PROMINENT NOTATION INDICATING THAT THE INDIVIDUAL IS A SEXUAL OFFENDER REGISTRANT.

(B) A NOTATION PLACED IN ACCORDANCE WITH THIS SECTION MAY BE REMOVED FROM A DRIVER’S LICENSE ONLY IF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES PROVIDES WRITTEN NOTICE TO THE

ADMINISTRATION THAT THE INDIVIDUAL IS NO LONGER SUBJECT TO REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE.”.

The preceding 5 amendments were withdrawn.

FLOOR AMENDMENT

HB0936/153023/1

BY: Senators Colburn and Stoltzfus

AMENDMENTS TO HOUSE BILL 936, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0936/418870/1), in line 3 of Amendment No. 1, strike “and”; and in the same line, after “Procedures” insert “, and Notation on Driver’s License”.

AMENDMENT NO. 2

On page 2 of the bill, in line 44, after “information,” insert “requiring the Department of Public Safety and Correctional Services, within a certain period of time after receiving a sexual offender registration statement, to send a copy of the registration statement to the Motor Vehicle Administration;”.

AMENDMENT NO. 3

On page 3 of the Judicial Proceedings Committee Amendments, in line 4 of Amendment No. 1, after “Code;” insert “requiring the Motor Vehicle Administration, on receipt of a certain notice, to place a notation in a code known to law enforcement on the driver’s license or identification card issued to the individual who is the subject of the notice indicating that the individual is a certain sexual offender registrant; prohibiting the removal of a certain notation unless the Department provides a certain written notice to the Administration;”; in line 8, strike “and”; in line 9, after “procedures” insert “, and notations on drivers’ licenses”; and in line 19, after “Supplement)” insert:

“BY adding to

Article – Transportation

Section 12–303.2

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 4

On page 32 of the bill, in line 24, strike "AND"; and in line 27, after "REGISTRATION" insert "AND

(7) SHALL, WITHIN 5 WORKING DAYS AFTER RECEIVING A REGISTRATION STATEMENT UNDER THIS SUBTITLE, SEND A COPY OF THE REGISTRATION STATEMENT OF A TIER II SEX OFFENDER OR A TIER III SEX OFFENDER TO THE MOTOR VEHICLE ADMINISTRATION".

AMENDMENT NO. 5

On page 17 of the Judicial Proceedings Committee Amendments, in the second line from the bottom of Amendment No. 4, after "ARTICLE." insert:

"Article – Transportation

12-303.2.

(A) ON RECEIPT OF NOTICE FROM THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES IN ACCORDANCE WITH § 11-713 OF THE CRIMINAL PROCEDURE ARTICLE THAT AN INDIVIDUAL WHO IS A HOLDER OF OR AN APPLICANT FOR A DRIVER'S LICENSE HAS REGISTERED UNDER § 11-704 OF THE CRIMINAL PROCEDURE ARTICLE AS A TIER II SEX OFFENDER OR A TIER III SEX OFFENDER, THE ADMINISTRATION SHALL PLACE ON A DRIVER'S LICENSE OR IDENTIFICATION CARD ISSUED OR REISSUED TO THE INDIVIDUAL, A NOTATION IN A CODE KNOWN TO LAW ENFORCEMENT INDICATING THAT THE INDIVIDUAL IS A SEXUAL OFFENDER REGISTRANT.

(B) A NOTATION PLACED IN ACCORDANCE WITH THIS SECTION MAY BE REMOVED FROM A DRIVER'S LICENSE ONLY IF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES PROVIDES WRITTEN NOTICE TO THE ADMINISTRATION THAT THE INDIVIDUAL IS NO LONGER SUBJECT TO REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE."

The preceding 5 amendments were read and adopted.

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

Affirmative – 45 Negative – 1 (See Roll Call No. 1163)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 67	Ch., Jud. Proceed.	Vehicle Laws – Issnce of Temp Registr Plates by Dealers – Transmission of Info and Record Keeping
SB 85	Ch., Jud. Proceed.	Vehicle Laws – Electronic Transmission of Title Information by Dealers
SB 241	Sen. Conway	State Bd of Nursing – Changes to the Electrology Practice Committee and Licensing Requirements
SB 247	Sen. Glassman	Hazardous Matl Response Team Empls – Death Benefits and Funeral Expenses – Loc Govt Agencies
SB 266	Sen. Conway	St Bd of Nursing and Certd Nursing Asst Advry Com – Mbrshp – Noms for Vacancies
SB 279	The President	Maryland False Health Claims Act of 2010
SB 305	Sen. Munson	Public Saf – Emer Medical Services Prvdr Killed in Performance of Duty – Flag Benefit for Family
SB 321	Sen. Stone	The Delegate John Arnick Electronic Communications Traffic Safety Act of 2010
SB 325	Sen. Conway	State Board of Dental Examiners – Sunset Extension and Revisions
SB 444	Sen. Kasemeyer	Blue Ribbon Comm to Stdy Retiree Hlth Care Fndg

SB 454	Sen. Pinsky	Options – Ext of Reporting and Termin Dates St Licensing Agencies – Justification Statements Required for Fee Increases Proposed by Regs
SB 480	Sen. Robey	State Contributory Law Enforcement Officers' Pension System – Transfer of Service Credit
SB 495	Sen. McFadden	State Police Retirement System – Deferred Vested Members – Survivor Benefits
SB 496	Sen. McFadden	Law Enforcement Officers' Pension System – Deferred Retirement Option Program – Participation
SB 498	Sen. McFadden	State Retirement and Pension System – Reemployment Earnings Limitation – Exemptions
SB 567	Sen. McFadden	State Ret and Pension System – Noncontributory Former Vested Mbrs – Vested Ret Allowance
SB 715	Sen. Dyson	State Government – Commemorative Days – Fire, Rescue, and Emergency Services Workers
SB 732	Cecil Co. Senators	Cecil County – Public Facilities Bond Bill
SB 777	Sen. DeGrange	Local Government Funds – Redeposit into Insured Accounts

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

THE COMMITTEE ON RULES REPORT #15

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

House Bill 180 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

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

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

House Bill 1117 – Delegates Riley and James

AN ACT concerning

**Harford County Property Tax Credit – Homes near a Refuse Disposal System
– Extension to Additional Properties**

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

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

House Bill 1164 – Delegate Niemann

AN ACT concerning

Green Maryland Act of 2010

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

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

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

AN ACT concerning

State Government – Access to Public Records – Electronic Documents

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

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

House Bill 1407 – Delegate Conaway

AN ACT concerning

Financial Institutions – Mortgage Loan Originators – Prohibited Acts

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #46**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 34 – ~~Delegate Waldstreicher~~ Delegates Waldstreicher, Ramirez, Gutierrez, Pena-Melnyk, Ali, Anderson, Barkley, Barnes, Barve, Benson, Bobo, Branch, Bronrott, Burns, Cane, Carr, Carter, Conaway, Davis, Doory, Dumais, Eckardt, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hucker, Ivey, Jameson, Jones, Kaiser, Kelly, Kipke, Kirk, Kramer, Krysiak, Lafferty, Lee, Levi, Levy, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Murphy, Nathan-Pulliam, Niemann, Oaks, Pendergrass, Proctor, Reznik, Rice, Riley, Robinson, Rosenberg, Ross, Simmons, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, and Walker

AN ACT concerning

State Government – Commemorative Month – Hispanic Heritage Month

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**House Bill 85 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

SECOND PRINTING

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

HB0085/314632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 85
(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 9 down through “inspection;” in line 10; and in line 17, strike “12–911”.

AMENDMENT NO. 2

On page 12, strike in their entirety the lines beginning with line 28 on page 12 through line 3 on page 14, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 372 – Delegates Barnes, Frush, Manno, and Pena–Melnik

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

HB0372/684632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 372
(Third Reading File Bill)

On page 2, in line 10, strike “**EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION,**”; in line 11, strike the colon; strike in their entirety lines 12 and 13; in line 14, strike “**(II)**”; in line 15, strike “**AND**”; after line 15, insert:

“(3) CONTAINING A PERCENTAGE OF LEAD FOR PLUMBING FITTINGS AND FIXTURES THAT IS IN COMPLIANCE WITH STANDARDS ESTABLISHED UNDER 42 U.S.C.A. § 300G-6(E) OF THE FEDERAL SAFE DRINKING WATER ACT; AND”;

and in line 16, strike “(3)” and substitute “(4)”.

On page 3, in line 2, after “COMPONENT” insert “THAT COMES INTO CONTACT WITH WATER”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 531 – Delegates Reznik, Morhaim, and Pena–Melnyk

AN ACT concerning

Task Force to Study the Procurement of Health, Education, and Social Services by State Agencies – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 624 – Delegates Nathan–Pulliam, Eckardt, Costa, Donoghue, Elmore, Hubbard, Kullen, ~~and Montgomery~~ Montgomery, and V. Turner

AN ACT concerning

Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and Medication Technicians – Changes to Licensure Requirements

HB0624/144738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 624

(Third Reading File Bill)

On page 6, in line 2, strike “**2013**” and substitute “**2012**”; and strike in their entirety lines 5 through 7, inclusive, and substitute:

“(2) ON OR AFTER JANUARY 1, 2013, A LICENSE EXPIRES ON THE DATE SET BY THE BOARD AND MAY NOT BE RENEWED FOR A TERM LONGER THAN 2 YEARS.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 647 – Delegates Reznik ~~and Hammen~~, Hammen, Donoghue, Pena-Melnyk, Riley, and V. Turner

EMERGENCY BILL

AN ACT concerning

**Department of Natural Resources – Conservation Service Opportunities –
Procurement Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 956 – Delegate Myers

AN ACT concerning

**Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of
Licenses and License Numbers**

HB0956/634134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 956
(Third Reading File Bill)

On page 2, strike in their entirety lines 21 through 24, inclusive; in line 25, strike “(D)” and substitute “(C)”; and after line 27, insert:

“(D) A COUNTY OR MUNICIPAL CORPORATION MAY NOT ADOPT A RESOLUTION OR ENACT A LAW THAT REQUIRES A PERSON LICENSED UNDER THIS SUBTITLE WHO IS COMPLIANT WITH SUBSECTION (C) OF THIS SECTION TO DISPLAY ADDITIONAL LICENSE NUMBERS ON EACH VEHICLE USED ON THE JOB FOR PROVIDING ELECTRICAL SERVICES.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1064 – ~~Delegate Hubbard~~ Delegates Hubbard, Montgomery, Pena-Melnyk, Pendergrass, and V. Turner

AN ACT concerning

State Board of Examiners of Psychologists – Criminal History Records Check

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1464 – Delegates Myers, Beitzel, Kelly, Lafferty, Norman, Serafini, Stein, and Stull

AN ACT concerning

Land Bank Authorities – Establishment by Municipal Corporations

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

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #47**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1128 – Senator Colburn**EMERGENCY BILL**

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

SB1128/224137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1128

(First Reading File Bill)

On page 2, in lines 12, 16, and 21, in each instance, strike “AT” and substitute “**TO EXPAND**”; strike beginning with “PRINCIPAL” in line 16 down through “PROJECT” in line 17 and substitute “**EXISTING OR EXPANDED MARINA**”; in line 17, after “IS” insert “**USED**”; in line 18, strike “AT THE MARINA”; in line 19, after “(B)” insert “**(1)**”; in line 21, strike “WITH A” and substitute “**THAT IS LOCATED IN AN AREA WHERE THE**”; in the same line, strike “OF” and substitute “**IS**”; strike beginning with “, NO” in line 21 down through “THE” in line 23 and substitute “**AT MEAN LOW WATER AND ON A WATERWAY WITHOUT STRONG FLUSHING IF THE**”; and in line 29, strike “SIGNIFICANTLY”.

On page 3, in line 2, strike “; OR” and substitute a period; and in line 3, strike “WILL” and substitute “AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 178 – ~~Delegates McConkey, Barnes, Costa, Dwyer, George, King, Kipke, Pena-Melnik, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

**Anne Arundel County Public Schools – Office Discipline Referrals
– ~~Accountability~~ Policy**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 320 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Mineral Interests Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 356 – Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

AN ACT concerning

Forest Product Operators – Standards, Procedures, and Enforcement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 466 – The Speaker (By Request – Administration) and Delegates Hixson and Conway

AN ACT concerning

Governor's P-20 Leadership Council of Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 527 – Delegate V. Clagett

AN ACT concerning

Natural Resources – Abandoned Vessel – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 789 – Delegates Howard, Walker, Carter, Hucker, Stein, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, and F. Turner F. Turner, Krebs, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, V. Turner, Anderson, Carr, Dumais, Love, McComas, Oaks, Pena-Melnyk, Shank, Simmons, Taylor, and Cardin

AN ACT concerning

~~Elementary and Secondary Education – Health Curriculum – Diabetes~~
~~Education~~

**Education – Children and Youth – Implementation of Programs and
Reporting of Information Concerning Student Health, Well-Being, and
Growth**

Favorable report adopted.

Senator Muse moved, duly seconded, to make the Bill a Special Order for April 12, 2010.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

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

AN ACT concerning

Recreational Fishing Licenses – Licensing and Registration

Favorable report adopted.

FLOOR AMENDMENT

HB1345/973522/1

BY: Senator Simonaire

AMENDMENT TO HOUSE BILL 1345
(Third Reading File Bill)

On page 6 in line 27, on page 10 in line 20, and on page 13 in line 33, in each instance, after the first “THE” insert “**MANDATORY**”.

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

Affirmative – 17 Negative – 27 (See Roll Call No. 1164)

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

AN ACT concerning

Forest Conservation Fund – Contribution Rates – Priority Funding Areas

HB1352/394332/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1352

(Third Reading File Bill)

On page 2, in lines 33 and 34, strike “(I) OF THIS PARAGRAPH” and substitute “1 OF THIS SUBPARAGRAPH”.

On page 3, strike beginning with “IF” in line 1 down through “PARAGRAPH” in line 5 and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF A LOCAL JURISDICTION ESTABLISHES RATES FOR PROJECTS THAT ARE HIGHER THAN THE MINIMUM RATES ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION, THE LOCAL AUTHORITY MAY USE A RATE FOR A PROJECT:

1. INSIDE A PRIORITY FUNDING AREA THAT IS 20% LOWER THAN THE RATE CALCULATED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH; OR

2. OUTSIDE A PRIORITY FUNDING AREA THAT IS 20% HIGHER THAN THE RATE CALCULATED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.

(III) THE RATE ESTABLISHED UNDER SUBPARAGRAPH (II)1 OF THIS PARAGRAPH FOR A PROJECT INSIDE A PRIORITY FUNDING AREA MAY NOT BE LOWER THAN THE RATE ESTABLISHED FOR THE STATE FOREST CONSERVATION FUND UNDER SUBSECTION (C) OF THIS SECTION”.

The preceding amendment was read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1425 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Consolidation and Administration of Environmental Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #48

CONSENT CALENDAR #73

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 451 – Delegate Elmore

AN ACT concerning

Somerset County – Alcoholic Beverages – Sales to Underage Drinkers – Local Caterer’s License Created

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 558 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Entertainment Permit**PG 315–10**Favorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 571 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages Licenses – Waterfront
Entertainment Retail Complex****PG 316–10**Favorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 837 – Washington County Delegation

AN ACT concerning

Washington County – Procurement of Professional or Technical ServicesFavorable report adopted.Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1531 – Delegates Busch, V. Clagett, and George**EMERGENCY BILL**

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Renewal of Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1109 – Caroline County Delegation

AN ACT concerning

Caroline County – Bay Restoration Fee – Lien Against Property

HB1109/154132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1109

(Third Reading File Bill)

On page 1, in line 4, strike “on which” and substitute “served by”; and in line 5, strike “is located”.

On page 2, in line 14, strike “ON WHICH THE” and substitute “SERVED BY A”; and in line 15, strike “IS LOCATED”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #49**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1007 – Senator Pugh

AN ACT concerning

Public Schools – Law Enforcement Officers – Cultural Competency Training Program

SB1007/564936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1007

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Competency” insert “Model”; in line 3, strike “Program” and substitute “Curriculum”; in line 4, strike “State Department of Education” and substitute “Maryland Police Training Commission”; in line 5, strike “Maryland Police Training Commission” and substitute “State Department of Education”; in the same line, strike “and implement”; in lines 6, 7, 9, and 10, in each instance, after “competency” insert “model”; in the same lines, in each instance, strike “program” and substitute “curriculum”; in line 7, strike “requiring” and substitute “encouraging”; and in line 8, strike “employed by a county board of education” and substitute “assigned to public schools”.

AMENDMENT NO. 2

On page 1, in line 21, strike “DEPARTMENT” and substitute “MARYLAND POLICE TRAINING COMMISSION”; in lines 21 and 22, strike “MARYLAND POLICE TRAINING COMMISSION” and substitute “DEPARTMENT”; in line 22, strike “AND IMPLEMENT”; in line 23, after “COMPETENCY” insert “MODEL”; in the same line, strike “PROGRAM” and substitute “CURRICULUM”; and in line 24, strike “EMPLOYED BY COUNTY BOARDS FOR ASSIGNMENT IN” and substitute “ASSIGNED TO”.

AMENDMENT NO. 3

On page 2, in lines 1, 7, and 15, in each instance, after “COMPETENCY” insert “MODEL”; in the same lines, in each instance, strike “PROGRAM” and substitute “CURRICULUM”; in lines 13 and 14, strike “EMPLOYED BY A COUNTY BOARD AND IS”; and in line 15, strike “SHALL” and substitute “IS ENCOURAGED TO”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 983 – Delegates Rice, Ivey, Levi, Ross, and Walker

AN ACT concerning

**Public Schools – Law Enforcement Officers – Cultural Competency Model
Training ~~Program~~ Curriculum**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #50**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 323 – Delegates Morhaim and Hammen

AN ACT concerning

Health Occupations – Licensure of Physician Assistants

HB0323/364130/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 323
(Third Reading File Bill)

On page 1, in line 15, after “Health” insert “and Mental Hygiene”.

On page 3, in line 22, after “15–305.” insert “15–314.”.

On page 5, in line 15, strike “**3B**” and substitute “**3A**”.

On page 25, in line 27, strike the bracket.

On page 36, in line 25, strike “**TITLE**” and substitute “**ARTICLE**”.

On page 39, in line 20, strike “**SUBTITLE**” and substitute “**ARTICLE**”.

On page 42, in line 16, strike the first “**PHYSICIAN**” and substitute “**PHYSICIANS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 559 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Winery Special Event Permits – Farmers’ Markets

PG 304–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers’ Markets

MC 9–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1110 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Annual Financial Report – Filing Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1472 – Dorchester County Delegation, Somerset County Delegation, and Wicomico County Delegation

AN ACT concerning

Hunting Wild Waterfowl – Dorchester, Somerset, and Wicomico Counties

HB1472/824839/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1472
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 4, 7, and 8, in each instance, after “Dorchester,” insert “St. Mary’s.”

AMENDMENT NO. 2

On page 2, in line 27, strike “and” and substitute a comma; and in the same line, after “Baltimore” insert “, AND ST. MARY’S”.

On page 3, in line 24, strike “and” and substitute a comma; and in the same line, after “Baltimore” insert “, AND ST. MARY’S”.

On page 4, in line 4, strike “and” and substitute a comma; and in the same line, after “Baltimore” insert “, AND ST. MARY’S”.

On page 5, in line 14, strike “and” and substitute a comma; and in the same line, after “Baltimore” insert “, AND ST. MARY’S”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #34

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 121 – Delegates Anderson, Barnes, Cardin, Glenn, Olszewski, Ramirez, Ross, Schuler, Smigiel, Stukes, Tarrant, Vallario, and Waldstreicher

AN ACT concerning

Office of the Public Defender – Eligibility for Services – ~~Authorization to Access Agency Records~~ Requests for Employment Status and Income Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 168 – Delegates Rosenberg, Anderson, and Dumais

AN ACT concerning

Architectural ~~or~~, Engineering, Inspecting, or Surveying Services – ~~Construction Industry~~ – Indemnity Agreements – Void

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

HB0192/808977/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “text” and substitute “certain”.

AMENDMENT NO. 2

On page 2, in line 8, after “text” insert “OR ELECTRONIC”.

The preceding 2 amendments were read only.

Senator Harris moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

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

Affirmative – 27 Negative – 16 (See Roll Call No. 1165)

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdales, Stull, ~~and Walkup~~ Walkup, McDonough, Ali, Anderson, Barnes, Bartlett,

Beidle, Bohanan, Burns, Cane, G. Clagett, Conway, Donoghue, Elliott, Feldman, Frush, Harrison, Healey, Impallaria, Ivey, Jameson, Jenkins, Kaiser, King, Kipke, Krysiak, Kullen, Levi, Levy, Love, Malone, Manno, McConkey, Montgomery, Murphy, Myers, Nathan-Pulliam, Niemann, O'Donnell, Oaks, Pena-Melnyk, Ramirez, Reznik, Robinson, Rudolph, Stein, Stifler, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Wood

AN ACT concerning

**Correctional Services – Child Sexual Offenders – Diminution Credits ~~and~~
~~Parole~~**

HB0289/438479/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 289
(Third Reading File Bill)

On page 2, in line 19, after “FOR” insert “A”.

On page 3, in line 1, after “FOR” insert “A”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 327 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

**Estates – Disqualification – Conviction for Unlawfully Obtaining Property of
Vulnerable Adult or Elderly Individual**

HB0327/298579/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 327

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “person;” insert “prohibiting certain persons from being held personally liable under certain circumstances;”.

AMENDMENT NO. 2

On page 4, after line 14, insert:

“(D) A FIDUCIARY OR OTHER PERSON WHO DISTRIBUTES PROPERTY IN GOOD FAITH AND WITHOUT ACTUAL KNOWLEDGE OF A CONVICTION UNDER § 8-801 OF THE CRIMINAL LAW ARTICLE IS NOT PERSONALLY LIABLE FOR THE DISTRIBUTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 456 – Delegates Ramirez, Barnes, Anderson, Carr, Dumais, Levi, Niemann, Schuler, Simmons, Vaughn, and Waldstreicher

AN ACT concerning

~~**Mortgage Foreclosure Bankruptcy Exemption**~~
Homestead Exemption – Bankruptcy

HB0456/438472/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 456

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 15, strike “**\$20,200**” and substitute “**THE AMOUNT UNDER 11 U.S.C. § 522(D)(1), ADJUSTED IN ACCORDANCE WITH 11 U.S.C. § 104**”.

AMENDMENT NO. 2

On page 3, in lines 21 and 26, in each instance, strike “**THE PRIOR**”; and in the same lines, in each instance, after “**YEARS**” insert “**PRIOR TO THE FILING OF THE BANKRUPTCY PROCEEDING IN WHICH THE EXEMPTION UNDER THIS SUBSECTION IS CLAIMED**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 472 – ~~The Delegate Niemann and the~~ Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Benson, Bobo, Carr, DeBoy, Doory, Dumais, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Kaiser, King, Kirk, Kramer, Lafferty, Levy, Love, Manno, Mathias, Mizeur, Montgomery, Morhaim, Oaks, Pena-Melnyk, Proctor, Reznik, Rice, Rosenberg, Rudolph, Shewell, Stein, Tarrant, Taylor, V. Turner, Vaughn, and Walker

~~EMERGENCY BILL~~

AN ACT concerning

**Real Property – Residential Property Foreclosure Procedures – Foreclosure
Mediation**

HB0472/288573/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 472

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 14, strike “PROVIDES” and substitute “IF DENIED, PROVIDES”.

AMENDMENT NO. 2

On page 4, in line 24, after “NONPROFIT” insert “AND GOVERNMENTAL”.

On page 7, in line 25, strike “STATE”.

AMENDMENT NO. 3

On page 5, in line 17, strike “OF THE UNITS” and substitute “UNIT”.

AMENDMENT NO. 4

On page 9, in line 5, after “ANALYSIS” insert “ON BEHALF OF THE SECURED PARTY”.

On page 19, in line 6, after “WITH” insert “YOU,”; in the same line, after “LENDER” insert a comma; and in line 11, before “FORECLOSURE” insert “LENDER’S”.

On page 20, in line 18, strike “FOR” and substitute “ONLY FOR”.

On page 22, in line 25, after the second “THE” insert “SECURED PARTY’S”.

AMENDMENT NO. 5

On page 23, in line 15, strike “FORWARD” and substitute “TRANSMIT”; in line 17, after “(2)” insert “(I)”; in the same line, strike “RECEIPT” and substitute “TRANSMITTAL”; and after line 19, insert:

“(II) FOR GOOD CAUSE, THE OFFICE OF ADMINISTRATIVE HEARINGS MAY EXTEND THE TIME FOR COMPLETING THE FORECLOSURE MEDIATION FOR A PERIOD NOT EXCEEDING 30 DAYS.”

On page 24, in line 14, after “MEDIATION” insert “WITHIN THE EARLIER OF”; in line 15, strike “WITHIN”; and in line 17, strike “AT THE” and substitute “THE”.

AMENDMENT NO. 6

On page 27, in lines 15 and 24, in each instance, after “HOMEOWNERS” insert “OR OCCUPANTS”; and in line 24, after “DIFFICULTY” insert “OR FORECLOSURE”.

AMENDMENT NO. 7

On page 29, after line 1, insert:

“(3) Notice accompanying order to docket or complaint to foreclose;”;

in lines 2 and 3, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 10, strike “exacted” and substitute “enacted”; in the same line, strike “and”; after line 10, insert:

“(2) the notice accompanying the order to docket or complaint to foreclose required under § 7–105.1(d)(ix) of the Real Property Article, as enacted by Section 1 of this Act, shall be deemed in compliance with § 7–105.1(d)(ix) of the Real Property Article, as enacted by Section 1 of this Act, if the language in the notice is substantially similar to the language in that section; and”;

and in line 11, strike “(2)” and substitute “(3)”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

Senator Conway moved, duly seconded, to make the Bill and Report a Special Order for April 12, 2010.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 566 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – Community Association Property Management
Services – Registration**

PG 419–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 667 – Delegates Elmore, Cane, Conway, Mathias, and Rudolph

AN ACT concerning

~~**Somerset, Wicomico, and Worcester Counties**~~ **Vehicle Laws – Exceptional
Hauling Permits – Validity in Select Eastern Shore Counties**

HB0667/968774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 667

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “fees;” insert “codifying certain provisions of law concerning the authority of the State Highway Administrator with respect to issuing or renewing exceptional hauling permits; codifying a certain provision of law requiring the Administrator to report to the General Assembly in a certain manner regarding any decision to stop issuing or renewing exceptional hauling permits;”.

AMENDMENT NO. 2

On page 4, after line 26, insert:

“(K) (1) AN EXCEPTIONAL HAULING PERMIT IS ISSUED UNDER THIS SECTION AT THE DISCRETION OF THE STATE HIGHWAY ADMINISTRATOR.”

(2) THE STATE HIGHWAY ADMINISTRATOR MAY STOP ISSUING OR RENEWING EXCEPTIONAL HAULING PERMITS UNDER THIS SECTION IF THE ADMINISTRATOR DETERMINES THAT THE USE OF THE PERMITS IS ADVERSELY AFFECTING ANY PART OF THE STATE HIGHWAY SYSTEM.

(3) THE STATE HIGHWAY ADMINISTRATOR SHALL PROMPTLY REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, REGARDING ANY DECISION TO STOP ISSUING OR RENEWING EXCEPTIONAL HAULING PERMITS UNDER THIS SECTION AND THE REASON FOR THE DECISION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 829 – Delegates Jameson, G. Clagett, Barkley, Bates, Beitzel, Bohanan, Bronrott, Conway, DeBoy, Donoghue, Eckardt, Elliott, Elmore, Gilchrist, Guzzone, Haddaway, Hecht, Jenkins, Kach, Kelly, King, Kramer, Kullen, Levy, Love, Miller, Murphy, Myers, Rudolph, Serafini, Sossi, Stull, ~~and Wood~~ Wood, Norman, Frank, Harrison, McComas, Riley, Shewell, Stifler, and Stukes

AN ACT concerning

Vehicle Laws – Traffic Citations – Option to Request Trial

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 963 – Delegates G. Clagett, Benson, DeBoy, Hecht, Heller, Shewell, Sossi, and Stocksdale

AN ACT concerning

Child Support Enforcement – Interception of Abandoned Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

HB0975/868273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 975

(Third Reading File Bill)

On page 3, strike beginning with the second “a” in line 2 down through “crossing” in line 3 and substitute “AN AUTHORITY HIGHWAY”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1043 – Delegates Conway, Dumais, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, DeBoy, Eckardt, Elmore, Frush, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jones, Levy, Mathias, Mizeur, Robinson, Rudolph, Schuh, Shewell, Sophocleus, Sossi, Stocksdale, and Wood

AN ACT concerning

Criminal Procedure – Child Advocacy Centers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1051 – Delegates Benson, Burns, Cane, Costa, Frush, Gaines, Glenn, Holmes, Kach, Nathan–Pulliam, Niemann, Robinson, and Ross

AN ACT concerning

Crimes – Prohibition on Sale of Drug Paraphernalia to a Minor – Local Law

HB1051/398572/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1051

(Third Reading File Bill)

On page 4, in line 12, strike “**180**” and substitute “**90**”; and in line 15, strike “**2 YEARS**” and substitute “**1 YEAR**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1149 – Delegates Carter, Anderson, Bates, Simmons, and Walker

AN ACT concerning

Denial or Dismissal of Domestic Violence Peace Order or Protective Order
Petition – Expungement Shielding of Records

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

AN ACT concerning

Correctional Services – Division of Parole and Probation – Supervision Fee

HB1222/658774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1222

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 8 down through “to” in line 11 and substitute “requiring the Department of Public Safety and Correctional Services to explain and provide certain information to a releasee; and generally relating to providing information on exemption from”; in line 13, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 15, strike “7-702” and substitute “7-702(j)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 1 on page 2 through line 8 on page 4, inclusive, and substitute:

“(J) THE DEPARTMENT SHALL EXPLAIN AND PROVIDE IN WRITING TO EACH RELEASEE:

(1) THE EXEMPTION CRITERIA LISTED IN SUBSECTION (D) OF THIS SECTION; AND

(2) INFORMATION ON HOW TO APPLY FOR AN EXEMPTION FROM THE FEE ASSESSED UNDER SUBSECTION (B) OF THIS SECTION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1335 – Delegates Ramirez, Anderson, Kullen, Pendergrass, Simmons, Smigiel, Valderrama, ~~and Vallario~~ Vallario, Hammen, Benson, Costa, Kipke, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #35

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 892 – Senator Kelley

AN ACT concerning

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

SB0892/808279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 892
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “a registrant on a sexual offender registry” and substitute “registered on the offender registry based on the commission of an offense against a child”.

AMENDMENT NO. 2

On page 2, strike beginning with “SUBJECT” in line 22 down through “ARTICLE” in line 23 and substitute “REGISTERED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE BASED ON THE COMMISSION OF AN OFFENSE AGAINST A CHILD”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 935 – Senators Zirkin and Stone

AN ACT concerning

Denial or Dismissal of Domestic Violence Petition – Expungement of Records

SB0935/358178/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 935

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Domestic Violence” and substitute “Peace Order or Protective Order”; in the same line, strike “Expungement” and substitute “Shielding”; in line 3, strike “domestic violence” and substitute “peace order or protective order”; in line 4, strike “expunge” and substitute “shield”; in lines 5 and 9, in each instance, strike “expungement” and substitute “shielding”; in line 12, strike “expunged” and substitute “shielded”; in line 13, after “circumstances;” insert “requiring the court to review certain court records before granting, denying, or modifying a final protective order; establishing that the failure to review certain records does not affect the validity of a final protective order;”; strike beginning with “domestic” in line 13 down through “expungement” in line 14 and substitute “the shielding and review”; after line 14, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 3–1510

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Family Law

Section 4–506(e) through (j), respectively

to be Section 4–506(f) through (k), respectively

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)”;

and in line 17, after “Section” insert “4–506(e) and”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Article – Courts and Judicial Proceedings

3–1510.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “COURT RECORD” MEANS AN OFFICIAL RECORD OF A COURT ABOUT A PROCEEDING THAT THE CLERK OF A COURT OR OTHER COURT PERSONNEL KEEPS.

(II) “COURT RECORD” INCLUDES:

1. AN INDEX, A DOCKET ENTRY, A PETITION, A MEMORANDUM, A TRANSCRIPTION OF PROCEEDINGS, AN ELECTRONIC RECORDING, AN ORDER, AND A JUDGMENT; AND

2. ANY ELECTRONIC INFORMATION ABOUT A PROCEEDING ON THE WEBSITE MAINTAINED BY THE MARYLAND JUDICIARY.

(3) “SHIELD” MEANS TO REMOVE INFORMATION FROM PUBLIC INSPECTION IN ACCORDANCE WITH THIS SECTION.

(4) “SHIELDING” MEANS:

(I) WITH RESPECT TO A RECORD KEPT IN A COURTHOUSE, REMOVING TO A SEPARATE SECURE AREA TO WHICH PERSONS WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED ACCESS; AND

(II) WITH RESPECT TO ELECTRONIC INFORMATION ABOUT A PROCEEDING ON THE WEBSITE MAINTAINED BY THE MARYLAND JUDICIARY, REMOVING THE INFORMATION FROM THE PUBLIC WEBSITE.

(5) “VICTIM SERVICES PROVIDER” MEANS A NONPROFIT ORGANIZATION THAT HAS BEEN AUTHORIZED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION OR THE DEPARTMENT OF HUMAN SERVICES TO HAVE ACCESS TO RECORDS OF SHIELDED PEACE ORDERS IN ORDER TO ASSIST VICTIMS OF ABUSE.

(B) IF A PETITION FILED UNDER THIS SUBTITLE IS DENIED OR DISMISSED AT THE INTERIM, TEMPORARY, OR FINAL PEACE ORDER STAGE OF A PROCEEDING UNDER THIS SUBTITLE, THE RESPONDENT MAY FILE A WRITTEN REQUEST TO SHIELD ALL COURT RECORDS RELATING TO THE PROCEEDING.

(C) A REQUEST FOR SHIELDING UNDER THIS SECTION MAY NOT BE FILED WITHIN 3 YEARS AFTER THE DENIAL OR DISMISSAL OF THE PETITION UNLESS THE RESPONDENT FILES WITH THE REQUEST A GENERAL WAIVER AND RELEASE OF ALL THE RESPONDENT'S TORT CLAIMS RELATED TO THE PROCEEDING UNDER THIS SUBTITLE.

(D) (1) ON THE FILING OF A REQUEST FOR SHIELDING UNDER THIS SECTION, THE COURT SHALL SCHEDULE A HEARING ON THE REQUEST.

(2) THE COURT SHALL GIVE NOTICE OF THE HEARING TO THE PETITIONER OR THE PETITIONER'S COUNSEL OF RECORD.

(3) EXCEPT AS PROVIDED IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, AFTER THE HEARING, THE COURT SHALL ORDER THE SHIELDING OF ALL COURT RECORDS RELATING TO THE PROCEEDING IF THE COURT FINDS:

(I) THAT THE PETITION WAS DENIED OR DISMISSED AT THE INTERIM, TEMPORARY, OR FINAL PEACE ORDER STAGE OF THE PROCEEDING;

(II) THAT A FINAL PEACE ORDER OR PROTECTIVE ORDER HAS NOT BEEN PREVIOUSLY ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; AND

(III) THAT NONE OF THE FOLLOWING ARE PENDING AT THE TIME OF THE HEARING:

1. AN INTERIM OR TEMPORARY PEACE ORDER OR PROTECTIVE ORDER ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; OR

2. A CRIMINAL CHARGE AGAINST THE RESPONDENT ARISING FROM AN ALLEGED ACT DESCRIBED IN § 3-1503(A) OF THIS ARTICLE AGAINST THE PETITIONER.

(4) (I) IF THE PETITIONER APPEARS AT THE SHIELDING HEARING AND OBJECTS TO THE SHIELDING, THE COURT MAY, FOR GOOD CAUSE, DENY THE SHIELDING.

(II) IN DETERMINING WHETHER THERE IS GOOD CAUSE TO GRANT THE REQUEST TO SHIELD COURT RECORDS, THE COURT SHALL BALANCE THE PRIVACY OF THE RESPONDENT AND POTENTIAL DANGER OF ADVERSE CONSEQUENCES TO THE RESPONDENT AGAINST THE POTENTIAL RISK OF FUTURE HARM AND DANGER TO THE PETITIONER AND THE COMMUNITY.

(5) INFORMATION ABOUT THE PROCEEDING MAY NOT BE REMOVED FROM THE DOMESTIC VIOLENCE CENTRAL REPOSITORY.

(E) (1) THIS SECTION DOES NOT PRECLUDE THE FOLLOWING PERSONS FROM ACCESSING A SHIELDED RECORD FOR A LEGITIMATE PURPOSE:

(I) A LAW ENFORCEMENT OFFICER;

(II) AN ATTORNEY WHO REPRESENTS OR HAS REPRESENTED THE PETITIONER OR THE RESPONDENT IN A PROCEEDING;

(III) A STATE'S ATTORNEY;

(IV) AN EMPLOYEE OF A LOCAL DEPARTMENT OF SOCIAL SERVICES; OR

(V) A VICTIM SERVICES PROVIDER.

(2) (I) A PERSON NOT LISTED IN PARAGRAPH (1) OF THIS SUBSECTION MAY SUBPOENA, OR FILE A MOTION FOR ACCESS TO, A RECORD SHIELDED UNDER THIS SECTION.

(II) IF THE COURT FINDS THAT THE PERSON HAS A LEGITIMATE REASON FOR ACCESS, THE COURT MAY GRANT THE PERSON ACCESS TO THE SHIELDED RECORD UNDER THE TERMS AND CONDITIONS THAT THE COURT DETERMINES.

(III) IN RULING ON A MOTION UNDER THIS PARAGRAPH, THE COURT SHALL BALANCE THE PERSON’S NEED FOR ACCESS TO THE RECORD WITH THE RESPONDENT’S RIGHT TO PRIVACY AND THE POTENTIAL HARM OF UNWARRANTED ADVERSE CONSEQUENCES TO THE RESPONDENT THAT THE DISCLOSURE MAY CREATE.

(F) WITHIN 60 DAYS AFTER ENTRY OF AN ORDER UNDER SUBSECTION (D)(3) OF THIS SECTION, EACH CUSTODIAN OF COURT RECORDS THAT ARE SUBJECT TO THE ORDER OF SHIELDING SHALL ADVISE IN WRITING THE COURT AND THE RESPONDENT OF COMPLIANCE WITH THE ORDER.”.

AMENDMENT NO. 3

On page 1, after line 22, insert:

“4–506.

(E) (1) BEFORE GRANTING, DENYING, OR MODIFYING A FINAL PROTECTIVE ORDER UNDER THIS SECTION, THE COURT SHALL REVIEW ALL OPEN AND SHIELDED COURT RECORDS INVOLVING THE PERSON ELIGIBLE FOR RELIEF AND THE RESPONDENT, INCLUDING RECORDS OF PROCEEDINGS UNDER:

(I) THE CRIMINAL LAW ARTICLE;

(II) TITLE 3, SUBTITLE 15 OF THE COURTS ARTICLE; OR

(III) THIS ARTICLE.

(2) THE COURT’S FAILURE TO REVIEW RECORDS UNDER THIS SUBSECTION DOES NOT AFFECT THE VALIDITY OF AN ORDER ISSUED UNDER THIS SECTION.”.

AMENDMENT NO. 4

On page 2, in line 10, strike “**EXPUNGE**” and substitute “**SHIELD**”; in line 12, strike “**EXPUNGEMENT**” and substitute “**SHIELDING**”; in line 22, strike “**EXPUNGE**” and substitute “**SHIELD**”; in lines 24 and 29, in each instance, strike “**EXPUNGEMENT**” and substitute “**SHIELDING**”; in line 14, strike “**REMOVAL**” and

substitute “REMOVING”; in line 18, strike “REMOVAL OF” and substitute “REMOVING”; and in the same line, after the second “THE” insert “PUBLIC”.

On page 3, in lines 3, 12, 13, and 14, in each instance, strike “EXPUNGEMENT” and substitute “SHIELDING”; and in lines 25 and 29, in each instance, strike “EXPUNGED” and substitute “SHIELDED”.

On page 4, in line 3, strike “EXPUNGEMENT” and substitute “SHIELDING”.

AMENDMENT NO. 5

On page 2, after line 18, insert:

“(5) “VICTIM SERVICES PROVIDER” MEANS A NONPROFIT ORGANIZATION THAT HAS BEEN AUTHORIZED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION OR THE DEPARTMENT OF HUMAN SERVICES TO HAVE ACCESS TO RECORDS OF SHIELDED PEACE ORDERS IN ORDER TO ASSIST VICTIMS OF ABUSE.”.

On page 3, strike beginning with “A” in line 21 down through “RECORD” in line 23 and substitute “THE FOLLOWING PERSONS FROM ACCESSING A SHIELDED RECORD FOR A LEGITIMATE REASON:

(I) A LAW ENFORCEMENT OFFICER;

(II) AN ATTORNEY WHO REPRESENTS OR HAS REPRESENTED THE PETITIONER OR THE RESPONDENT IN A PROCEEDING;

(III) A STATE’S ATTORNEY;

(IV) AN EMPLOYEE OF A LOCAL DEPARTMENT OF SOCIAL SERVICES; OR

(V) A VICTIM SERVICES PROVIDER”;

in line 25, after “MAY” insert “SUBPOENA, OR”; in the same line, after “TO” insert a comma; and strike beginning with the second “AND” in line 33 down through “DANGER” in line 34.

AMENDMENT NO. 6

On page 3, in line 7, strike “AND”; strike beginning with “AND” in line 9 down through “HEARING” in line 11 and substitute “; AND”

(III) THAT NONE OF THE FOLLOWING ARE PENDING AT THE TIME OF THE HEARING:

1. AN INTERIM OR TEMPORARY PEACE ORDER OR PROTECTIVE ORDER ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; OR

2. A CRIMINAL CHARGE AGAINST THE RESPONDENT ARISING FROM AN ALLEGED ACT DESCRIBED IN § 3-1503(A) OF THIS ARTICLE AGAINST THE PETITIONER.”;

and strike in their entirety lines 15 through 18, inclusive, and substitute:

“(II) IN DETERMINING WHETHER THERE IS GOOD CAUSE TO GRANT THE REQUEST TO SHIELD COURT RECORDS, THE COURT SHALL BALANCE THE PRIVACY OF THE RESPONDENT AND POTENTIAL DANGER OF ADVERSE CONSEQUENCES TO THE RESPONDENT AGAINST THE POTENTIAL RISK OF FUTURE HARM AND DANGER TO THE PETITIONER AND THE COMMUNITY.”.

AMENDMENT NO. 7

On page 1, in line 21, after “That” insert “Section(s) 4-506(e) through (j), respectively, of Article – Family Law of the Annotated Code of Maryland be renumbered to be Section(s) 4-506(f) through (k), respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

On page 4, in line 5, strike “2.” and substitute “3.”.

The preceding 7 amendments were withdrawn.

Favorable report, as amended, withdrawn.

BY: Judicial Proceedings Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL 935

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Domestic Violence” and substitute “Peace Order or Protective Order”; in the same line, strike “Expungement” and substitute “Shielding”; in line 3, strike “domestic violence” and substitute “peace order or protective order”; in line 4, strike “expunge” and substitute “shield”; in lines 5 and 9, in each instance, strike “expungement” and substitute “shielding”; in line 12, strike “expunged” and substitute “shielded”; in line 13, after “circumstances,” insert “requiring the court to review certain court records before granting, denying, or modifying a final protective order; establishing that the failure to review certain records does not affect the validity of a final protective order;”; strike beginning with “domestic” in line 13 down through “expungement” in line 14 and substitute “the shielding and review”; after line 14, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 3–1510

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Family Law

Section 4–506(e) through (j), respectively

to be Section 4–506(f) through (k), respectively

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)”;

and in line 17, after “Section” insert “4–506(e) and”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“Article – Courts and Judicial Proceedings

3-1510.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “COURT RECORD” MEANS AN OFFICIAL RECORD OF A COURT ABOUT A PROCEEDING THAT THE CLERK OF A COURT OR OTHER COURT PERSONNEL KEEPS.

(II) “COURT RECORD” INCLUDES:

1. AN INDEX, A DOCKET ENTRY, A PETITION, A MEMORANDUM, A TRANSCRIPTION OF PROCEEDINGS, AN ELECTRONIC RECORDING, AN ORDER, AND A JUDGMENT; AND

2. ANY ELECTRONIC INFORMATION ABOUT A PROCEEDING ON THE WEBSITE MAINTAINED BY THE MARYLAND JUDICIARY.

(3) “SHIELD” MEANS TO REMOVE INFORMATION FROM PUBLIC INSPECTION IN ACCORDANCE WITH THIS SECTION.

(4) “SHIELDING” MEANS:

(I) WITH RESPECT TO A RECORD KEPT IN A COURTHOUSE, REMOVING TO A SEPARATE SECURE AREA TO WHICH PERSONS WHO DO NOT HAVE A LEGITIMATE REASON FOR ACCESS ARE DENIED ACCESS; AND

(II) WITH RESPECT TO ELECTRONIC INFORMATION ABOUT A PROCEEDING ON THE WEBSITE MAINTAINED BY THE MARYLAND JUDICIARY, REMOVING THE INFORMATION FROM THE PUBLIC WEBSITE.

(5) “VICTIM SERVICES PROVIDER” MEANS A NONPROFIT ORGANIZATION THAT HAS BEEN AUTHORIZED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION OR THE DEPARTMENT OF HUMAN SERVICES TO HAVE ACCESS TO RECORDS OF SHIELDED PEACE ORDERS IN ORDER TO ASSIST VICTIMS OF ABUSE.

(B) IF A PETITION FILED UNDER THIS SUBTITLE IS DENIED OR DISMISSED AT THE INTERIM, TEMPORARY, OR FINAL PEACE ORDER STAGE OF A PROCEEDING UNDER THIS SUBTITLE, THE RESPONDENT MAY FILE A WRITTEN REQUEST TO SHIELD ALL COURT RECORDS RELATING TO THE PROCEEDING.

(C) A REQUEST FOR SHIELDING UNDER THIS SECTION MAY NOT BE FILED WITHIN 3 YEARS AFTER THE DENIAL OR DISMISSAL OF THE PETITION UNLESS THE RESPONDENT FILES WITH THE REQUEST A GENERAL WAIVER AND RELEASE OF ALL THE RESPONDENT'S TORT CLAIMS RELATED TO THE PROCEEDING UNDER THIS SUBTITLE.

(D) (1) ON THE FILING OF A REQUEST FOR SHIELDING UNDER THIS SECTION, THE COURT SHALL SCHEDULE A HEARING ON THE REQUEST.

(2) THE COURT SHALL GIVE NOTICE OF THE HEARING TO THE PETITIONER OR THE PETITIONER'S COUNSEL OF RECORD.

(3) EXCEPT AS PROVIDED IN PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, AFTER THE HEARING, THE COURT SHALL ORDER THE SHIELDING OF ALL COURT RECORDS RELATING TO THE PROCEEDING IF THE COURT FINDS:

(I) THAT THE PETITION WAS DENIED OR DISMISSED AT THE INTERIM, TEMPORARY, OR FINAL PEACE ORDER STAGE OF THE PROCEEDING;

(II) THAT A FINAL PEACE ORDER OR PROTECTIVE ORDER HAS NOT BEEN PREVIOUSLY ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; AND

(III) THAT NONE OF THE FOLLOWING ARE PENDING AT THE TIME OF THE HEARING:

1. AN INTERIM OR TEMPORARY PEACE ORDER OR PROTECTIVE ORDER ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; OR

2. A CRIMINAL CHARGE AGAINST THE RESPONDENT ARISING FROM AN ALLEGED ACT DESCRIBED IN § 3-1503(A) OF THIS ARTICLE AGAINST THE PETITIONER.

(4) (I) IF THE PETITIONER APPEARS AT THE SHIELDING HEARING AND OBJECTS TO THE SHIELDING, THE COURT MAY, FOR GOOD CAUSE, DENY THE SHIELDING.

(II) IN DETERMINING WHETHER THERE IS GOOD CAUSE TO GRANT THE REQUEST TO SHIELD COURT RECORDS, THE COURT SHALL BALANCE THE PRIVACY OF THE RESPONDENT AND POTENTIAL DANGER OF ADVERSE CONSEQUENCES TO THE RESPONDENT AGAINST THE POTENTIAL RISK OF FUTURE HARM AND DANGER TO THE PETITIONER AND THE COMMUNITY.

(5) INFORMATION ABOUT THE PROCEEDING MAY NOT BE REMOVED FROM THE DOMESTIC VIOLENCE CENTRAL REPOSITORY.

(E) (1) THIS SECTION DOES NOT PRECLUDE THE FOLLOWING PERSONS FROM ACCESSING A SHIELDED RECORD FOR A LEGITIMATE REASON:

(I) A LAW ENFORCEMENT OFFICER;

(II) AN ATTORNEY WHO REPRESENTS OR HAS REPRESENTED THE PETITIONER OR THE RESPONDENT IN A PROCEEDING;

(III) A STATE'S ATTORNEY;

(IV) AN EMPLOYEE OF A LOCAL DEPARTMENT OF SOCIAL SERVICES; OR

(V) A VICTIM SERVICES PROVIDER.

(2) (I) A PERSON NOT LISTED IN PARAGRAPH (1) OF THIS SUBSECTION MAY SUBPOENA, OR FILE A MOTION FOR ACCESS TO, A RECORD SHIELDED UNDER THIS SECTION.

(II) IF THE COURT FINDS THAT THE PERSON HAS A LEGITIMATE REASON FOR ACCESS, THE COURT MAY GRANT THE PERSON ACCESS TO THE SHIELDED RECORD UNDER THE TERMS AND CONDITIONS THAT THE COURT DETERMINES.

(III) IN RULING ON A MOTION UNDER THIS PARAGRAPH, THE COURT SHALL BALANCE THE PERSON'S NEED FOR ACCESS TO THE RECORD WITH THE RESPONDENT'S RIGHT TO PRIVACY AND THE POTENTIAL HARM OF UNWARRANTED ADVERSE CONSEQUENCES TO THE RESPONDENT THAT THE DISCLOSURE MAY CREATE.

(F) WITHIN 60 DAYS AFTER ENTRY OF AN ORDER UNDER SUBSECTION (D)(3) OF THIS SECTION, EACH CUSTODIAN OF COURT RECORDS THAT ARE SUBJECT TO THE ORDER OF SHIELDING SHALL ADVISE IN WRITING THE COURT AND THE RESPONDENT OF COMPLIANCE WITH THE ORDER."

AMENDMENT NO. 3

On page 1, after line 22, insert:

"4-506.

(E) (1) BEFORE GRANTING, DENYING, OR MODIFYING A FINAL PROTECTIVE ORDER UNDER THIS SECTION, THE COURT SHALL REVIEW ALL OPEN AND SHIELDED COURT RECORDS INVOLVING THE PERSON ELIGIBLE FOR RELIEF AND THE RESPONDENT, INCLUDING RECORDS OF PROCEEDINGS UNDER:

(I) THE CRIMINAL LAW ARTICLE;

(II) TITLE 3, SUBTITLE 15 OF THE COURTS ARTICLE; AND

(III) THIS ARTICLE.

(2) THE COURT'S FAILURE TO REVIEW RECORDS UNDER THIS SUBSECTION DOES NOT AFFECT THE VALIDITY OF AN ORDER ISSUED UNDER THIS SECTION."

AMENDMENT NO. 4

On page 2, in line 10, strike “EXPUNGE” and substitute “SHIELD”; in line 12, strike “EXPUNGEMENT” and substitute “SHIELDING”; in line 22, strike “EXPUNGE” and substitute “SHIELD”; in lines 24 and 29, in each instance, strike “EXPUNGEMENT” and substitute “SHIELDING”; in line 14, strike “REMOVAL” and substitute “REMOVING”; in line 18, strike “REMOVAL OF” and substitute “REMOVING”; and in the same line, after the second “THE” insert “PUBLIC”.

On page 3, in lines 3, 12, 13, and 14, in each instance, strike “EXPUNGEMENT” and substitute “SHIELDING”; and in lines 25 and 29, in each instance, strike “EXPUNGED” and substitute “SHIELDED”.

On page 4, in line 3, strike “EXPUNGEMENT” and substitute “SHIELDING”.

AMENDMENT NO. 5

On page 2, after line 18, insert:

“(5) “VICTIM SERVICES PROVIDER” MEANS A NONPROFIT ORGANIZATION THAT HAS BEEN AUTHORIZED BY THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION OR THE DEPARTMENT OF HUMAN SERVICES TO HAVE ACCESS TO RECORDS OF SHIELDED PROTECTIVE ORDERS IN ORDER TO ASSIST VICTIMS OF ABUSE.”.

On page 3, strike beginning with “A” in line 21 down through “RECORD” in line 23 and substitute **“THE FOLLOWING PERSONS FROM ACCESSING A SHIELDED RECORD FOR A LEGITIMATE REASON:**

(I) A LAW ENFORCEMENT OFFICER;

(II) AN ATTORNEY WHO REPRESENTS OR HAS REPRESENTED THE PETITIONER OR THE RESPONDENT IN A PROCEEDING;

(III) A STATE’S ATTORNEY;

(IV) AN EMPLOYEE OF A LOCAL DEPARTMENT; OR

(V) A VICTIM SERVICES PROVIDER”;

in line 25, after “MAY” insert “SUBPOENA, OR”; in the same line, after “TO” insert a comma; and strike beginning with the second “AND” in line 33 down through “DANGER” in line 34.

AMENDMENT NO. 6

On page 3, in line 7, strike “AND”; in line 8, after “ORDER” insert “OR PEACE ORDER”; in line 9, strike “AGAINST THE RESPONDENT” and substitute “IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT”; strike beginning with “AND” in line 9 down through “HEARING” in line 11 and substitute “;
AND

(III) THAT NONE OF THE FOLLOWING ARE PENDING AT THE TIME OF THE HEARING:

1. AN INTERIM OR TEMPORARY PROTECTIVE ORDER OR PEACE ORDER ISSUED IN A PROCEEDING BETWEEN THE PETITIONER AND THE RESPONDENT; OR

2. A CRIMINAL CHARGE AGAINST THE RESPONDENT ARISING FROM ALLEGED ABUSE AGAINST THE PETITIONER”;

and strike in their entirety lines 15 through 18, inclusive, and substitute:

“(II) IN DETERMINING WHETHER THERE IS GOOD CAUSE TO GRANT THE REQUEST TO SHIELD COURT RECORDS, THE COURT SHALL BALANCE THE PRIVACY OF THE RESPONDENT AND POTENTIAL DANGER OF ADVERSE CONSEQUENCES TO THE RESPONDENT AGAINST THE POTENTIAL RISK OF FUTURE HARM AND DANGER TO THE PETITIONER AND THE COMMUNITY.”.

AMENDMENT NO. 7

On page 1, in line 21, after “That” insert “Section(s) 4–506(e) through (j), respectively, of Article – Family Law of the Annotated Code of Maryland be renumbered to be Section(s) 4–506(f) through (k), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That”.

On page 4, in line 5, strike “2.” and substitute “3.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #36

CONSENT CALENDAR #74

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

<u>BILL NO.</u>	<u>REPORT</u>	<u>SPONSOR</u>	<u>CONTENT</u>
HB 711	FAV	Dels Healey and Lafferty	Real Property – Tenants in Foreclosure – Conforming to Federal Law
HB 907	FAV	Del Valderrama, et al	Civil Actions – Limitation of Actions – Land Surveyors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 1018 SPONSOR: Senator DeGrange

**SUBJECT: Prior Authorizations of State Debt to Fund
Capital Projects – Alterations**

THIRD READING CALENDAR HOUSE NO. 22 SENATE NO. 64

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Appropriations Committee Amendments (SB1018/174861/1) be adopted.

(2) That the attached Conference Committee Amendments (SB 1018/523621/1) be adopted.

SB1018/174861/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1018

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “Act;” insert “amending the Program Open Space Acquisition Opportunity Loan of 2009 to provide that the bonds authorized under the Act may be special or general obligation bonds and clarifying the method of issuance, sale, and delivery of the bonds;”.

AMENDMENT NO. 2

On page 2, in line 32, after “(BZ-1)” insert “and (BZ-2)”; and in line 39, after “(AR)” insert “and (BM)”.

AMENDMENT NO. 3

On page 3, in line 14, after “(AF),” insert “(AG)”; in the same line, after “(BG),” insert “(BY), and”; in line 15, after “(X),” insert “(AA)”; in the same line, after “(BC),” insert “(BI)”; and in the same line, after “(BM),” insert “(BQ)”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Chapter 419 of the Acts of the General Assembly of 2009

Section 2(1) and 4”;

in line 22, after “1(3)” insert “Item ZA00(AB)”; in the same line, before “(M)” insert “(C)”; in the same line, after “(AH),” insert a comma; and in line 23, before “(AE)” insert “(C)”.

AMENDMENT NO. 4

On page 8, in lines 16 and 24, strike “**\$100,000**” and “**100,000**”, respectively, and substitute “**\$0**” and “**0**”, respectively; in lines 26 and 35, strike “**\$150,000**” and “**150,000**”, respectively, and substitute “**\$125,000**” and “**125,000**”, respectively; and after line 35, insert:

“(BZ-2) CEDAR LANE APARTMENT RENOVATIONS. PROVIDE A GRANT EQUAL TO THE LESSER OF (I) \$125,000 OR (II) THE AMOUNT OF THE MATCHING FUND PROVIDED, TO THE BOARD OF DIRECTORS OF THE FRIENDS OF CEDAR LANE, INC., FOR THE RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF THE CEDAR LANE APARTMENTS, INCLUDING REPLACEMENT OF THE ROOF, ROOFTOP HVAC UNIT, AND EMERGENCY GENERATOR, LOCATED IN LEONARDTOWN. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (ST. MARY’S COUNTY) 125,000”.

AMENDMENT NO. 5

On page 10, after line 26, insert:

“(BM) [St. Mary’s College Amphitheater.] ST. MARY’S COUNTY FAIRGROUNDS. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the St. Mary’s College of Maryland Foundation, Inc.] BOARD OF DIRECTORS OF THE ST. MARY’S COUNTY FAIR ASSOCIATION, INC. for the [planning, design,] construction, REPAIR, RENOVATION, RECONSTRUCTION, and capital equipping of the [St. Mary’s College Amphitheater,] ST. MARY’S COUNTY FAIRGROUNDS, located in St. Mary’s City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, IN KIND CONTRIBUTIONS, or funds expended prior to the effective date of this Act AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (St. Mary’s County) .. 75,000”.

AMENDMENT NO. 6

On page 13, after line 39, insert:

“(AG) Family Life Intergenerational Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching

fund provided, to the Board of Directors of the We Are Family Community Development, Inc. for the planning, design, construction, renovation, and capital equipping of the Family Life Intergenerational Center, located in Randallstown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended [prior to the effective date of this Act] **ON OR AFTER JANUARY 1, 2005, AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Baltimore County) 250,000”.

AMENDMENT NO. 7

On page 14, after line 14, insert:

“(BY) Forest Heights Municipal Building. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Forest Heights for the repair, renovation, reconstruction, and capital equipping of the Forest Heights Municipal Building, located in Forest Heights. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, AND FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Prince George’s County) 100,000”.

AMENDMENT NO. 8

On page 15, after line 27, insert:

“(AA) Youth Sports Program Facility. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Youth Sports Program, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Youth Sports Program Facility, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN**

KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Baltimore City) 100,000”.

AMENDMENT NO. 9

On page 17, after line 1, insert:

“(BI) Forest Heights Municipal Building. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Forest Heights for the repair, renovation, reconstruction, and capital equipping of the Forest Heights Municipal Building, located in Forest Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 100,000”;

and after line 23, insert:

“(BQ) Rosaryville Conservancy Tack House and Stables. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Rosaryville Conservancy, Inc. for the repair, renovation, and restoration of the tack house and stables located in the conservancy area on the grounds of the Mount Airy Mansion, located in Upper Marlboro. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions AND FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) _____ 100,000”.

AMENDMENT NO. 10

On pages 17 and 18, strike in their entirety the lines beginning with line 34 on page 17 through line 4 on page 18, inclusive, and substitute:

“(BV-1) BAY DISTRICT VFD. PROVIDE A GRANT EQUAL TO THE LESSER OF (I) \$150,000 OR (II) THE AMOUNT OF THE MATCHING FUND PROVIDED, TO THE BAY DISTRICT VFD FOR CAPITAL PROJECTS OF THE BAY DISTRICT VOLUNTEER FIRE DEPARTMENT, LOCATED IN ST. MARY’S COUNTY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2012, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (ST. MARY’S COUNTY)..... 150,000”.

AMENDMENT NO. 11

On page 18, after line 40, insert:

“Chapter 419 of the Acts of 2009

SECTION 2. AND BE IT FURTHER ENACTED, That:

(1) On request of the Governor, the Board of Public Works may borrow money and incur [special obligation] indebtedness through a special OR GENERAL obligation loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 in the total principal amount up to \$70,000,000. This loan shall be evidenced by the issuance, sale, and delivery of SPECIAL OR GENERAL OBLIGATION Maryland Program Open Space bonds authorized, issued[, sold, and delivered in accordance with] BY a resolution adopted by the Board of Public Works AND ISSUED, SOLD, AND DELIVERED IN ACCORDANCE WITH §§ 8-117 THROUGH 8-124 OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND ARTICLE 31, § 22 OF THE CODE.

SECTION 4. AND BE IT FURTHER ENACTED, That the Comptroller may, upon the request of the Governor, advance funds for land acquisition opportunity purposes under this Act, provided that if [special obligation] bonds have not been issued under the authority of this Act, the Board of Public Works shall within 1 year issue Program Open Space bonds under the authority of this Act in an amount at least equivalent to the amount of the funds so advanced.”.

AMENDMENT NO. 12

On page 19, after line 10, insert:

“ZA00 MISCELLANEOUS GRANT PROGRAMS

(AB) Anne Arundel Community College. Provide a grant [equal to the lesser of (i)] OF \$1,000,000 [or (ii) the amount of the matching fund provided.] to the Anne Arundel Community College for the design and construction of a turf field, ATHLETIC TRACK, AND SCOREBOARD, located in Arnold (Anne Arundel County) 1,000,000”;

and after line 18, insert:

“(C) Easter Seals Inter-Generational Center. Provide a grant equal to [the lesser of (i)] \$35,000 [or (ii) the amount of the matching fund provided.] to the Board of Directors of Easter Seals Greater Washington-Baltimore Region, Inc. for the construction, repair, and capital equipping of the Easter Seals Inter-Generational Center, located in Silver Spring (Statewide) 35,000”.

AMENDMENT NO. 13

On page 20, after line 26, insert:

“(C) Easter Seals Inter-Generational Center. Provide a grant equal to [the lesser of (i)] \$35,000 [or (ii) the amount of the matching fund provided.] to the Board of Directors of Easter Seals Greater Washington-Baltimore Region, Inc. for the construction, repair, and capital equipping of the Easter Seals Inter-Generational Center, located in Silver Spring (Statewide) 35,000”.

Senate Members:

House Members:

Chair, **James E. DeGrange, Sr.**

Chair, **Adrienne A. Jones**

Ulysses Currie

Melony G. Griffith

Nathaniel J. McFadden

James E. Proctor, Jr.

Edward J. Kasemeyer

Norman H. Conway

Donald F. Munson

Wendell R. Beitzel

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1166)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 280** SPONSOR: **The President****SUBJECT: Criminal Procedure – Sexual Offenders –
Lifetime Supervision****THIRD READING CALENDAR HOUSE NO. 17 SENATE NO. 57**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0280/612011/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0280/733423/1) be adopted.

SB0280/733423/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 280
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “crime” insert “or act”; and in lines 15, 17, and 19, in each instance, after “court” insert “or juvenile court”.

On page 2, strike beginning with “requiring” in line 3 down through “petitions,” in line 4.

AMENDMENT NO. 2

On page 9, strike beginning with “FOR” in line 22 down through the first “OF” in line 23 and substitute “INVOLVING”; in line 23, strike “AND” and substitute:

“(5) A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE; AND”;

in line 24, strike “(5)” and substitute “(6)”; in line 32, strike “The” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; and in line 34, strike “August 1, 2006” and substitute “**OCTOBER 1, 2010**”.

On page 10, in lines 1 and 2, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; after line 3, insert:

“(2) FOR A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE, THE TERM OF LIFETIME SEXUAL OFFENDER SUPERVISION IMPOSED FOR AN ACT COMMITTED ON OR AFTER OCTOBER 1, 2010, SHALL:

(I) COMMENCE WHEN THE PERSON’S OBLIGATION TO REGISTER COMMENCES; AND

(II) EXPIRE WHEN THE PERSON'S OBLIGATION TO REGISTER EXPIRES, UNLESS THE JUVENILE COURT:

1. FINDS AFTER A HEARING THAT THERE IS A COMPELLING REASON FOR THE SUPERVISION TO CONTINUE; AND

2. ORDERS THE SUPERVISION TO CONTINUE FOR A SPECIFIED PERIOD OF TIME.”;

in line 5, after “COURT” insert “, OR JUVENILE COURT IN THE CASE OF A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE,”; in line 7, after “SENTENCING” insert “, OR IMPOSITION OF THE REGISTRATION REQUIREMENT IN JUVENILE COURT,”; in line 10, after “COURT” insert “OR JUVENILE COURT”; and in line 27, strike “CERTIFIED”.

On page 11, in lines 9 and 10, in each instance, after “COURT” insert “OR JUVENILE COURT”.

AMENDMENT NO. 3

On page 12, in line 30, strike “(G)” and substitute “(F)”.

On page 13, strike beginning with “ON” in line 1 down through “(2)” in line 9; in line 11, strike “THE” and substitute “A”; in the same line, after “CHARGE” insert “OF VIOLATION OF A CONDITION OF LIFETIME SEXUAL OFFENDER SUPERVISION”; in line 12, strike “(3)” and substitute “(2)”; in the same line, strike “AT THE HEARING”; in line 13, strike “VIOLATED” and substitute “COMMITTED A VIOLATION OF”; strike in their entirety lines 15 through 20, inclusive; in line 21, strike “(G)” and substitute “(F)”; and in line 25, strike “3” and substitute “5”.

On page 14, strike beginning with “no” in line 5 down through “safety” in line 6 and substitute “IS NO LONGER A DANGER TO OTHERS”.

On page 15, in line 12, after “COURT” insert “, OR JUVENILE COURT IN THE CASE OF A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE,”.

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Larry E. Haines

Jeff Waldstreicher

Jamie Raskin

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1167)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: **SB 0235**

SPONSOR: Sen Robey, et al

SUBJECT: Real Property – Mobile Home Parks – Plans for Dislocated Residents

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Raskin, Chair

Senator Gladden

Senator Muse

The House appoints: Delegate Holmes, Chairman

Delegate Glenn, and

Delegate Sossi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0856

SPONSOR: The Pres (Admin), et al

SUBJECT: Public Safety – Sexual Offender Advisory Board

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Brochin, Chair
Senator Raskin
Senator Haines

The House appoints: Delegate Dumais, Chairman
Delegate Waldstreicher, and
Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0886

SPONSOR: Sens Klausmeier and Middleton

SUBJECT: Financial Instns – Credit Unions and Depository Instns – Auth to Conduct Savings Promotion Raffles

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Klausmeier, Chair
Senator Della
Senator Kittleman

The House appoints: Delegate Feldman, Chairman
Delegate Miller, and
Delegate Vaughn.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0128

SPONSOR: Del Rosenberg, et al

SUBJECT: Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Anderson, Chairman
Delegate Barnes, and
Delegate Carter.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0128

SPONSOR: Del Rosenberg, et al

SUBJECT: Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Anderson, Chair

Delegate Barnes

Delegate Carter

The Senate appoints:

Senator Gladden, Chairman

Senator Haines

Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0931

SPONSOR: The Spkr (Admin), et al

SUBJECT: Public Safety – Sexual Offender Advisory Board

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Dumais, Chairman
Delegate Waldstreicher, and
Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0931

SPONSOR: The Spkr (Admin), et al

SUBJECT: Public Safety – Sexual Offender Advisory Board

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Dumais, Chair
Delegate Waldstreicher
Delegate Frank

The Senate appoints:
Senator Brochin, Chairman
Senator Haines
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #27

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

Senate Bill 396 – Senator Middleton

AN ACT concerning

Maryland Estate Tax – Payment Deferral for Qualified Agricultural Property

SB0396/109434/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 396

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Garagiola, Currie, Kasemeyer, Brinkley, DeGrange, Edwards, Jones, King, Kramer, Madaleno, McFadden, Munson, Peters, Robey, Stoltzfus, and Zirkin”; in line 2, before “Payment” insert “Pilot Program for”; in line 6, after “circumstances,” insert “providing that certain Maryland estate tax subject to a payment deferral shall be paid without interest in accordance with a certain schedule over a certain period; requiring the Comptroller to submit a certain report to the General Assembly and the Maryland Agricultural Land Preservation Foundation by a certain date;”; in line 7, after “Act,” insert “providing for the termination of this Act;”; and in the same line, after “a” insert “pilot program for a”.

AMENDMENT NO. 2

On page 2, in line 9, strike “5” and substitute “**3**”; in line 13, after “**(3)**” insert “**(1)**”; in the same line, strike “**THE**” and substitute “**SUBJECT TO SUBPARAGRAPH**”.

“(II) OF THIS PARAGRAPH, THE”; in lines 16 and 19, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 20, insert:

“(II) THE AMOUNT OF TAX DEFERRED UNDER THIS SECTION MAY NOT EXCEED \$375,000 AS TO ANY DECEDENT.”;

after line 30, insert:

“(6) IF A PAYMENT DEFERRAL IS ALLOWED UNDER THIS SUBSECTION, A QUALIFIED RECIPIENT SHALL PAY THE DEFERRED MARYLAND ESTATE TAX, WITHOUT INTEREST, IN ACCORDANCE WITH A PAYMENT SCHEDULE PRESCRIBED BY THE COMPTROLLER OVER A 3-YEAR PERIOD BEGINNING IN THE 4TH YEAR AFTER THE DUE DATE.”;

and in line 31, strike “(6)” and substitute “(7)”.

AMENDMENT NO. 3

On page 3, after line 5, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Comptroller shall submit a report to the General Assembly, in accordance with § 2-1246 of the State Government Article, and the Maryland Agricultural Land Preservation Foundation on:

(1) the number of approved applications for Maryland estate tax payment deferral;

(2) the number of agricultural acres in which a Maryland estate tax payment deferral was approved under the payment deferral pilot program;

(3) the number of qualified agricultural properties approved for Maryland estate tax payment deferral that apply to preserve agricultural land under the Maryland Agricultural Land Preservation Foundation;

(4) the aggregate value of Maryland estate tax payment deferrals approved under the payment deferral pilot program;

(5) the aggregate amount of Maryland estate taxes paid due to exceeding the maximum amount eligible for payment deferral under the payment deferral pilot program; and

(6) recommendations for implementing a Maryland estate tax payment deferral program in the State.”;

in line 6, strike “2.” and substitute “3.”; and in line 7, after “2010.” insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0396/763226/3

BY: Senator Glassman

AMENDMENT TO SENATE BILL 396, AS AMENDED

On page 1 of the Budget and Taxation Committee Amendments (SB0396/109434/1), in lines 3 and 4 of Amendment No. 1, strike “and Zirkin” and substitute “Zirkin, Glassman, Kittleman, and Dyson”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 760 – Senators Pugh and Harrington

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and
Selection of Proposed Capital Projects**

SB0760/989235/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 760

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 7 down through “elements;” in line 9 and substitute “certain criteria, and a certain statement that describes the purpose and need for each major capital project; requiring an entity that proposes a major capital project to submit a request and a certain statement justifying the project to the Secretary of Transportation;”; strike beginning with “a” in line 11 down through “criteria” in line 13 and substitute “certain goals and criteria; requiring that certain indicators or benchmarks acknowledge the difference between urban and rural transportation needs”; and in line 15, after “projects;” insert “requiring the Department and a certain advisory committee to consider certain factors when establishing certain transportation goals, benchmarks, and indicators; requiring the Department to include certain information concerning the cost effectiveness of transportation investments in a certain report;”.

AMENDMENT NO. 2

On page 2, in line 28, after “A” insert “BRIEF”.

On page 3, in line 21, strike “**THE**” and substitute “**FOR PROJECTS IN THE CONSTRUCTION PHASE, THE**”.

On page 5, strike beginning with “, **STATE**” in line 22 down through “**GOALS,**” in line 23; and in line 29, strike “**THE PROJECT RANK, BASED ON**” and substitute “**A SUMMARY OF HOW THE PROJECT MEETS**”.

On page 6, in line 6, after “**THE**” insert “**CONSTRUCTION PROGRAM OF THE**”; in line 11, strike “**AND**”; strike in their entirety lines 12 through 27, inclusive, and substitute:

“(II) THE NEED FOR THE PROJECT; AND

(III) A DISCUSSION OF HOW THE PROJECT:

1. ADDRESSES STATE TRANSPORTATION GOALS;
AND
2. SUPPORTS LOCAL GOVERNMENT LAND USE PLANS
AND GOALS.”;

in line 28, after “(6)” insert “(I)”; in line 29, after “AND” insert “, AS APPROPRIATE,”; and after line 31, insert:

“(II) AS PART OF THE EVALUATION UNDER THIS
PARAGRAPH, THE DEPARTMENT SHALL ACKNOWLEDGE THE DIFFERENCE
BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”.

AMENDMENT NO. 3

On page 8, after line 9, insert:

“(3) THE PERFORMANCE INDICATORS OR BENCHMARKS
DESCRIBED IN THIS SUBSECTION SHALL ACKNOWLEDGE THE DIFFERENCE
BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”;

and strike beginning with the first “THAT” in line 13 down through “PROGRAM” in line 14.

AMENDMENT NO. 4

On page 9, in line 28, strike “AND”; and strike beginning with “THE” in line 29 down through “INVESTMENT” in line 30 and substitute “THE IMPACT OF
TRANSPORTATION INVESTMENT ON:

1. THE ENVIRONMENT;
2. ENVIRONMENTAL JUSTICE AS DEFINED IN § 1-701
OF THE ENVIRONMENT ARTICLE;
3. COMMUNITIES; AND
4. ECONOMIC DEVELOPMENT; AND

(IX) THE CLIMATE ACTION PLAN GOALS REQUIRED BY THE GREENHOUSE GAS EMISSIONS REDUCTION ACT OF 2009 UNDER § 2-1205(B) OF THE ENVIRONMENT ARTICLE.

On page 10, strike beginning with “TO” in line 23 down through “BENEFITS” in line 24; and strike beginning with “COST” in line 26 down through “PROJECT” in line 27 and substitute “**ESTIMATED ANNUAL COST OF MAINTENANCE AND OPERATIONS**”.

The preceding 4 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

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

House Bill 774 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

**State Retirement and Pension System – Reemployment Earnings
Limitation – Exemptions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 926 – Delegates Proctor and Vallario

AN ACT concerning

**State Retirement and Pension System – Retiree ~~Organizations~~ Organization –
Direct Mailings**

HB0926/369233/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 926
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike “authorizing” and substitute “requiring”; and in line 21, after “circumstances;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, in line 28, strike “MAY” and substitute “SHALL”.

On page 4, in line 22, after “2010.” insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1155 – Delegates Lafferty, Ali, Anderson, Beidle, Bobo, Bronrott, Cardin, Carr, Frush, Gilchrist, Hecht, Hucker, Lee, Manno, Montgomery, Morhaim, Niemann, Reznik, Rosenberg, Schuh, Schuler, Stein, and Waldstreicher

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and
Selection of Proposed Capital Projects**

HB1155/879830/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1155
(Third Reading File Bill)

On page 10, in line 26, strike “AND”; and after line 27, insert:

“4. ECONOMIC DEVELOPMENT; AND”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #34

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

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

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1323 – ~~Delegate Jennings~~ Delegates Jennings, Barkley, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Minnick, Rudolph, Stifler, Taylor, Vaughn, and Walkup

AN ACT concerning

Civil Air Patrol Leave Act of 2010

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #35

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

Senate Bill 507 – Senator Middleton

AN ACT concerning

Injured Workers' Insurance Fund – Status and Renaming

SB0507/487975/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 507

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and” and substitute a comma; in the same line, after “Renaming” insert “, and Study”; in line 4, strike “Mutual”; strike beginning with “requiring” in line 4 down through “employees;” in line 29 and substitute “providing that employees are not subject to certain laws, regulations, or executive orders governing State compensation;”; and in line 31, after “Company;” insert “authorizing the Company to trade under the name of the Fund for a certain period of time; requiring the Maryland Insurance Administration to conduct a certain two-part study; requiring the Administration to consult with certain persons; allowing the Administration to retain certain expert consultants; requiring the Administration to report certain findings and recommendations to the General Assembly on or before a certain date; requiring the Department of Budget and Management, in consultation with the State Retirement Agency, to conduct a certain study; requiring the Department to consult with certain persons; requiring the Department to report certain findings and recommendations to the General Assembly on or before a certain date; providing for the applicability of a certain provision;”.

On page 2, strike beginning with “altering” in line 3 down through “date;” in line 4; strike in their entirety lines 18 through 22, inclusive; and strike in their entirety lines 33 through 41, inclusive.

On page 3, strike in their entirety lines 1 and 2.

AMENDMENT NO. 2

On page 3 in lines 9, 12, and 17, on page 5 in line 8, on page 15 in line 25, on page 16 in line 29, and on page 17 in line 21, in each instance, strike “**MUTUAL**”.

On page 17 in line 33 and on page 18 in lines 8, 9, and 11, in each instance, strike “Mutual”.

On page 2, in line 15, after “10–138” insert “to be under the amended subtitle “Subtitle 1. Chesapeake Employers’ Insurance Company””.

On page 3, after line 5, insert:

“Subtitle 1. [Injured Workers’ Insurance Fund] CHESAPEAKE EMPLOYERS’
INSURANCE COMPANY.”

On page 3, in line 16, strike “(A)”; strike in their entirety lines 18 through 22, inclusive; in lines 24, 25, 28, and 31, in each instance, strike the bracket; strike beginning with “§§” in line 24 down through “**3–123.1**,” in the line 25; and in lines 28 and 30, in each instance, strike “Fund” and substitute “COMPANY”.

On page 4, in line 3, in each instance, strike the brackets; in the same line, strike “AS”; strike beginning with “IS” in line 13 down through “AND” in line 15; in line 17, in each instance, strike the bracket; in the same line, strike “OTHERWISE SPECIFICALLY”; in line 18, strike the first bracket; in the same line, strike “LAW”; in line 21, strike “Fund” and substitute “COMPANY”; in the same line, strike the bracket; and in line 28, strike the bracket.

On page 5, in line 17, strike “Fund” and substitute “COMPANY”; in lines 16 and 26, in each instance, strike the bracket; in line 21, before “Fund” insert “I”; strike beginning with “EXCEPT” in line 22 down through “COMPENSATION” in line 25 and substitute “COMPANY”; in line 26, strike “Except as otherwise provided by law, the” and substitute “THE”; and strike beginning with “To” in line 28 down through “plan” in line 29 and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN EMPLOYEE OF THE COMPANY IS NOT SUBJECT TO ANY LAW, REGULATION, OR EXECUTIVE ORDER GOVERNING STATE COMPENSATION, INCLUDING FURLOUGHS, PAY CUTS, OR ANY OTHER GENERAL FUND COST SAVINGS MEASURE”.

On page 6, in line 1, strike “Fund” and substitute “COMPANY”; in line 6, strike the bracket; in lines 24 and 25, strike “**ALL REVENUE RECEIVED BY THE COMPANY INCLUDING**”; and strike beginning with “**EARNINGS**” in line 27 down through “**ACTIVITIES;**” in line 28.

On page 7, in line 1, strike “**(3)**”; in the same line, strike “**AND**”; in line 2, in each instance, strike the brackets; in the same line, strike “**(4)**”; in line 3, after “Fund” insert “1 COMPANY”; in line 5, strike the bracket; and in the same line, strike “**COMPANY**”.

On pages 7 and 8, strike beginning with line 11 on page 7 through line 23 on page 8, inclusive.

On page 9, in line 26, strike the first set of brackets; in lines 28 and 30, in each instance, strike the bracket.

On page 11, in line 4, strike “, **AT LEAST ONCE EVERY 5 YEARS,**”; in line 26, in each instance, strike the brackets; and strike beginning with “**IN**” in line 26 down through “**ARTICLE**” in line 27.

On page 12, in line 1, in each instance, strike the brackets; in the same line, strike “**PURSUE**”; in the same line, strike “**OF**”; in lines 3 and 27, in each instance, strike the bracket; in line 28, strike “[**(d)**] (**C**)” and substitute “(D)”; in line 29, strike “[is” and substitute “IS”; in line 30, strike the bracket; and in the same line, strike “**THE COMPANY IS PURSUING FOR**”.

On page 13, in lines 9, 16, and 28, in each instance, strike the bracket; in line 9, before “the” insert “[”; and strike beginning with “**IN**” in line 10 down through “**ARTICLE,**” in line 11.

On page 14, in line 23, after “Fund” insert “1 CHESAPEAKE EMPLOYERS’ INSURANCE COMPANY”; in lines 24, 25, and 26, in each instance, strike the bracket; and in lines 25 and 26, strike “**(III)**” and “**(IV)**”, respectively.

On page 15, in lines 1, 2, 3, 4, 5, 7, 9, and 10, in each instance, strike the bracket; and in lines 1, 2, 3, 4, 5, 7, 9, and 10, strike “**(V)**”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, “**(XI)**”, and “**(XII)**”, respectively.

On pages 15 through 18, strike in their entirety the lines beginning with line 11 on page 15 through line 6 on page 18, inclusive.

AMENDMENT NO. 3

On page 18, in line 7, strike “3.” and substitute “2.”; in the same line, strike “, as” and substitute “:

(a) As”;

after line 15, insert:

“(b) Notwithstanding any other provision of this Act, the Chesapeake Employers’ Insurance Company may trade under the name Injured Workers’ Insurance Fund for up to one year after the effective date of this Act.”;

strike in their entirety lines 16 through 19, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) The Maryland Insurance Administration shall conduct a two-part study of the Chesapeake Employers’ Insurance Company. The first part of the study shall determine the extent to which the Company should be subject to the premium tax, as specified under subsection (2) of this section. The second part of the study shall determine the extent to which the State has an interest in the assets of the Company.

(2) The premium tax part of the study shall evaluate whether the Company should be subject to the 2% tax or a lesser amount in light of the Chesapeake Employers’ Insurance Company’s role under § 10–106 of the Labor and Employment Article. The Maryland Insurance Administration shall consider the impact on Maryland businesses and local government, the premium rates for employers who cannot obtain workers’ compensation insurance from any insurer other than the Chesapeake Employers’ Insurance Company, and on the Chesapeake Employers’ Insurance Company ability to fulfill its statutory mission as an insurer of last resort and a competitive insurer. The Maryland Insurance Administration shall also consider the fact that the Company is exempt from being a member of a workers’ compensation rating organization and is limited to engaging in one line of business and in only one state.

(3) In conducting the two-part study, the Maryland Insurance Administration:

(i) shall consult with the Chesapeake Employers' Insurance Company, other insurers offering workers' compensation insurance in the State, the business community, and State and local governments; and

(ii) may retain expert consultants at the Chesapeake Employers' Insurance Company's expense.

(4) On or before December 1, 2010, the Maryland Insurance Administration shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(1) The Department of Budget and Management, in consultation with the State Retirement Agency, shall conduct a study to determine the fairest and most effective way to phase out the Chesapeake Employers' Insurance Company's participation in the Maryland State Retirement and Pension System.

(2) The study shall consider whether it is feasible to allow current employees who have vested rights to remain in the system while excluding newly hired employees from participating in the system.

(3) In conducting the study, the Department of Budget and Management shall consult with the Chesapeake Employers' Insurance Company and may consult with any other appropriate entity.

(4) On or before December 1, 2010, the Department of Budget and Management shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

and in line 27, strike “2011” and substitute “2010”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance and Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 660 – Senator Klausmeier

AN ACT concerning

**State Personnel – Natural Resources Law Enforcement Officers –
Appointment to Major or Lieutenant Colonel**

SB0660/927279/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 660

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after the comma, insert “the Secretary may return”; in the same line, strike “may return”; in the same line, strike “rank” and substitute “vacant position”; and in line 10, strike “be promoted” and substitute “promote the law enforcement officer”.

AMENDMENT NO. 2

On page 2, strike beginning with “**LAW**” in line 17 down through “**OFFICER**” in line 18 and substitute “**SECRETARY**”; strike beginning with “**TO**” in line 19 down through “**APPOINTMENT**” in line 20 and substitute “**THE LAW ENFORCEMENT OFFICER TO A VACANT LAW ENFORCEMENT OFFICER POSITION**”; and in line 21, strike “**BE PROMOTED**” and substitute “**PROMOTE THE LAW ENFORCEMENT OFFICER**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1000 – Senator Robey

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1101 – Senator Stone

AN ACT concerning

**Elevator Safety – Elevator Units in Churches – Exemption from Third-Party
Inspections**

SB1101/397079/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1101

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Churches” and substitute “Places of Worship”; and strike beginning with “churches” in line 5 down through “worship” in line 6 and substitute “any building used primarily for public religious worship that has a single level platform lift or stairway chairlift”.

AMENDMENT NO. 2

On page 2, strike beginning with “CHURCHES” in line 10 down through “WORSHIP” in line 11 and substitute “A BUILDING USED PRIMARILY FOR PUBLIC RELIGIOUS WORSHIP THAT HAS A SINGLE LEVEL PLATFORM LIFT OR STAIRWAY CHAIRLIFT”; and in lines 29 and 30, strike “PARAGRAPH (5) OF THIS SUBSECTION” and substitute “SUBSECTION (A) OF THIS SECTION”.

On page 3, strike in their entirety lines 11 through 14, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnik, Pendergrass, Shewell, Stifler, Stocksdales, V. Turner, and Valderrama

AN ACT concerning

International Marriage Brokers – Regulation

HB0065/737070/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 65 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “services” and substitute “certain information”.

AMENDMENT NO. 2

On page 3, strike beginning with “ORGANIZATION” in line 11 down through “PROVIDED” in line 13 and substitute “ENTITY THAT PROVIDES DATING SERVICES IF ITS PRINCIPAL BUSINESS IS NOT TO PROVIDE INTERNATIONAL DATING”.

SERVICES BETWEEN MARYLAND RESIDENTS AND FOREIGN NATIONALS AND IT CHARGES COMPARABLE RATES AND OFFERS COMPARABLE SERVICES TO ALL INDIVIDUALS IT SERVES REGARDLESS OF THE INDIVIDUAL'S GENDER OR COUNTRY OF CITIZENSHIP"; and in line 29, strike "ANY" and substitute "PERSONAL CONTACT".

On page 4, strike in their entirety lines 13 through 15, inclusive; in line 16, strike "(2)" and substitute "(1)"; in line 17, after "BROKER;" insert "AND"; strike in their entirety lines 18 and 19; in line 20, strike "(4)" and substitute "(2)"; in line 29, strike "SERVICES" and substitute "PERSONAL CONTACT INFORMATION"; and in the same line, after "RECRUIT" insert ", INCLUDING THE LAST NAME, PHONE NUMBER, ADDRESS, OR ELECTRONIC MAIL ADDRESS OF THE CLIENT OR THE RECRUIT,".

On page 5, strike beginning with "AT" in line 11 down through "CLIENT," in line 12 and substitute "PRIOR TO THE RELEASE OF ANY PERSONAL CONTACT INFORMATION TO THE CLIENT OR THE RECRUIT,".

On page 6, in line 5, after "DISCLOSE" insert "PERSONAL CONTACT".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 405 – Chair, Economic Matters Committee (By Request – Departmental – Workers' Compensation Commission)

AN ACT concerning

Workers' Compensation – Covered Employees and Employers – Corporate or Limited Liability Company Officer

HB0405/397479/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 405

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “coverage,” insert “authorizing an officer of a corporation, other than a close corporation, to elect to be exempt from workers’ compensation coverage; limiting the number of officers of a corporation, other than a close corporation, who may elect to be exempt from workers’ compensation coverage;”; strike beginning with “limiting” in line 8 down through “coverage;” in line 9.

AMENDMENT NO. 2

On page 2, in line 8, strike beginning with “SUBJECT” through “SECTION,”; after line 15, insert:

“(2) SUBJECT TO SUBSECTION (C)(3) OF THIS SECTION, THE INDIVIDUAL IS AN OFFICER OF A CORPORATION, OTHER THAN A CLOSE CORPORATION;”;

and in lines 16, 21, and 28, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively.

On page 3, in line 8, strike “CLOSE”; in line 9, strike “(1)(I) OR (II)” and substitute “(2)”; and in line 10, strike “(1)” and substitute “(2)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 435 – Delegates Kach and Jones, Jones, Benson, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Reimbursement of Physicians – Services Outside of Office Hours, by Telephone, or Online Primary Care Providers – Bonus Payments

HB0435/417371/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 435

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “organizations;” insert “providing for a certain exception;”; and in lines 11 and 12, strike “a certain term” and substitute “certain terms”.

AMENDMENT NO. 2

On page 2, in line 12, after “(A)” insert “(1)”; strike beginning with the comma in line 12 down through “(1)” in line 13 and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) “CARRIER” MEANS:

(1);

in lines 14, 15, and 16, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively; after line 18, insert:

“(3) “GROUP MODEL HEALTH MAINTENANCE ORGANIZATION” HAS THE MEANING STATED IN § 19-713.6(A) OF THE HEALTH – GENERAL ARTICLE.”;

in line 23, strike “EACH” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, EACH”.

On page 3, in line 11, strike the first “THE” and substitute “THIS”; and after line 12, insert:

“(D) A GROUP MODEL HEALTH MAINTENANCE ORGANIZATION IS NOT REQUIRED TO MAKE ANY BONUS PAYMENTS DESCRIBED IN SUBSECTION (C) OF THIS SECTION TO PHYSICIANS THAT ARE EMPLOYED BY THE PHYSICIAN GROUP UNDER CONTRACT WITH THE GROUP MODEL HEALTH MAINTENANCE ORGANIZATION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 815 – Delegates DeBoy, Jones, Barkley, Bromwell, G. Clagett, Costa, Glenn, Guzzone, Haynes, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Maryland ~~Department of Transportation Authority Police Officers –~~ Police Force – Creation and Collective Bargaining

HB0815/437571/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 815
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Department of”; and strike beginning with “Police” in line 2 down through “and” in line 3 and substitute “Authority Police Officers –”.

On pages 1 and 2, strike beginning with “establishing” in line 19 on page 1 down through “powers;” in line 5 on page 2.

On page 2, in lines 7 and 8, in each instance, strike “Department of Transportation” and substitute “Transportation Authority”; in line 10, strike “Department of”; in line 11, after “Transportation” insert “Authority”; strike beginning with “providing” in line 11 down through “changes;” in line 24; strike beginning with “the” in line 24 down through “the” in line 25; and in line 26, strike “Department of Transportation” and substitute “Transportation Authority”.

On pages 2 and 3, strike in their entirety the lines beginning with line 43 on page 2 through line 14 on page 3, inclusive.

AMENDMENT NO. 2

On page 4, strike beginning with “DEPARTMENT” in line 6 down through “TRANSPORTATION” in line 7 and substitute “TRANSPORTATION AUTHORITY”; and in line 29, strike “DEPARTMENT OF TRANSPORTATION” and substitute “TRANSPORTATION AUTHORITY”.

On pages 4 through 9, strike in their entirety the lines beginning with line 31 on page 4 through line 34 on page 9, inclusive.

On pages 12 through 14, strike beginning with “AND” in line 31 on page 12 down through “12.” in line 13 on page 14.

The preceding 2 amendments were read and adopted.

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance and Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 989 – Delegates Proctor and Vallario

AN ACT concerning

**State Personnel – Natural Resources Law Enforcement Officers –
Appointment to Major or Lieutenant Colonel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1073 – Delegates ~~Pena-Melnyk and Vallario~~, Vallario, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Insurance – Coordination of Benefits – Health Insurance and Personal Injury Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1163 – Delegates Carr, Gutierrez, ~~and Waldstreicher~~
Waldstreicher, Barkley, Braveboy, Feldman, Haddaway, Harrison,
Hecht, Manno, Mathias, Taylor, and Vaughn**

AN ACT concerning

Economic Development – Enterprise Zones – Designation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1399 – ~~Delegate Lafferty~~ Delegates Lafferty and Stein

AN ACT concerning

Residential Mortgage Loans – Required Notice of Housing Counseling Programs and Services

HB1399/437974/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1399

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike in their entirety lines 25 through 30, inclusive; and in line 31, strike “(3)” and substitute “**(2)**”.

On page 4, in line 6, strike “**(4)**” and substitute “**(3)**”.

On page 6, strike in their entirety lines 8 through 13, inclusive; and in lines 14 and 21, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

AMENDMENT NO. 2

On page 9, after line 31, insert:

“(c) If the Department has not adopted the regulations required under subsection (a) of this section on or before October 1, 2010, the Department, within 5 days after the date the regulations are adopted, shall send a notice to the Department of Legislative Services certifying the date on which the regulations were adopted.”;

and in line 33, after “2011” insert “, contingent on the adoption, on or before October 1, 2010, of the regulations required by Section 2(a) of this Act. If the regulations are not adopted on or before October 1, 2010, Section 1 of this Act shall take effect 60 days after the date of adoption certified in the notice sent by the Department of Housing and Community Development to the Department of Legislative Services under Section 2(c) of this Act”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Medicaid State Plan Amendments – Effective Dates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 243 – Delegates Hixson, Barve, Howard, Hucker, Ivey, Kaiser, Mizeur, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Fairness in Negotiations Act

FOR the purpose of establishing as an independent unit of State government a Public School Labor Relations Board to assume certain duties previously held by the State Board of Education; requiring the Public School Labor Relations Board to hear certain controversies and disputes; establishing that certain decisions by the Public School Labor Relations Board are final; requiring the Public School Labor Relations Board to adopt certain rules and regulations related to the designation of an exclusive representative; requiring the Public School Labor Relations Board to supervise certain elections concerning employee representation; requiring a public school employer and an employee organization to negotiate in a certain manner under certain circumstances; including procedures regarding employee transfers and assignments among the matters a public school employer must meet and negotiate with a certain employee organization on request; establishing certain processes and requirements for the resolution of disputes over the negotiability of certain topics; authorizing the Public School Labor Relations Board to adopt certain regulations, guidelines, and policies; repealing certain provisions of law regarding the resolution of certain impasses in negotiations; requiring the Public School Labor Relations Board to facilitate the beginning of mediation of certain disputes within a certain period of time and in a certain manner; establishing a certain process for the mediation of certain disputes; requiring a mediator to conclude certain mediations within a certain period of time; requiring a public school employer and employee organization to share certain dispute resolution costs equally; establishing certain processes for arbitration of certain disputes left unresolved by mediation; requiring the Public School Labor Relations Board to facilitate certain arbitration processes within a certain period of time and in a certain manner; requiring the Public School Labor Relations Board to issue a certain award at the end of arbitration; subjecting certain negotiated provisions or decisions to certain provisions of law concerning the fiscal relationship between public school employers and certain governing bodies; requiring public school employers to renegotiate certain agreements with employee organizations under certain circumstances in a certain manner; specifying the manner of appointment, membership, duties, and responsibilities of the Public School Labor Relations Board; providing for the staffing of the Public School Labor Relations Board; providing for the staggering of terms of the members of the Public School Labor Relations Board; requiring the Public School Labor Relations Board to decide certain controversies and disputes involving public school employers and employee organizations; authorizing a member of the Public School Labor Relations Board to petition a circuit court to seek enforcement of an order of the Public School Labor Relations Board; providing that a certain hearing and determination under this Act is a contested

case; establishing the significance of certain prior orders, actions, and opinions of the State Board of Education in deciding certain matters arising after the enactment of this Act; providing for the application and construction of this Act; requiring the Public School Labor Relations Board to report to the General Assembly on or before a certain date; providing for the termination of this Act; defining certain terms; making stylistic changes; and generally relating to public school education, collective bargaining, and dispute resolution.

BY repealing and reenacting, with amendments,

Article – Education

Section 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), 6–510, and 6–511

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 6–408.1; and 6–801 through 6–807 to be under the new subtitle
“Subtitle 8. Public School Labor Relations Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–204

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 266 – Delegates Rosenberg and Cardin

AN ACT concerning

Voter’s Rights Protection Act of 2010

FOR the purpose of authorizing the Attorney General or a registered voter to institute an action in a circuit court for ~~preventive~~ injunctive relief when a person has engaged in, or there is reason to believe a person is about to engage in, certain violations of election law; requiring a circuit court to ~~immediately~~ hear and determine an action filed under this Act as soon as practicable; providing that the grant of a remedy under this Act does not preclude any other remedy available under State or federal law; providing that a circuit court shall have jurisdiction of any proceeding instituted under this Act; requiring a circuit court to exercise its jurisdiction without regard to whether a person asserting a right under this Act has exhausted any other remedy available under law; and generally relating to the availability of ~~preventive~~ injunctive relief for certain election law violations.

BY repealing and reenacting, without amendments,
Article – Election Law
Section ~~16-101~~ and 16-201
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 16-1003
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 579 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Customer Notices

PG/MC 104-10

FOR the purpose of authorizing the Washington Suburban Sanitary Commission to enter ~~a certain building or premises~~ on certain real property, the common area of a certain multifamily building, or a certain commercial building at certain times to post a certain notice on or near the entry door of the building or ~~premises~~ unit under certain circumstances; and generally relating to customer notices of the Washington Suburban Sanitary Commission.

~~BY adding to
Article 29 – Washington Suburban Sanitary District
Section 18-110
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)~~

BY adding to
Article – Public Utility Companies
Section 24-107
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapter _____ (S.B. 96) of the Acts of the General Assembly of 2010)

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

House Bill 699 – Delegates Reznik, Ali, Barkley, Barve, Benson, Costa, Dumais, Eckardt, Elliott, Feldman, Gilchrist, Haddaway, Hubbard, Kaiser, Kullen, Manno, Montgomery, Nathan-Pulliam, Pena-Melnyk, Rice, Simmons, Smigiel, Sossi, ~~and Taylor~~ Taylor, Donoghue, Jenkins, Morhaim, Kach, Krebs, Oaks, Riley, and V. Turner

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

FOR the purpose of requiring the Maryland Medical Assistance Program to pay certain rates for certain hospital services; specifying that certain emergency services include services provided at certain facilities for the purposes of hospital rate setting; requiring the Health Services Cost Review Commission to set rates for hospital services provided at certain freestanding medical facilities; altering the circumstances under which the Department of Health and Mental Hygiene must issue a license to a freestanding medical facility; requiring certain payors to pay ~~claims submitted by freestanding medical facilities at~~ rates set by the Commission for hospital services provided at certain freestanding medical facilities; repealing certain provisions of law requiring the Maryland Health Care Commission to propose certain regulations; altering certain definitions; declaring the intent of the General Assembly; requiring the Health Services Cost Review Commission to report to the General Assembly on or before a certain date on rates established under this Act; requiring the Maryland Health Care Commission, in consultation with the Health Services Cost Review Commission, to conduct a certain study and report the results of its study to certain committees of the General Assembly on or before a certain date; prohibiting freestanding medical facilities from being established after a certain date without a certificate of need issued by the Maryland Health Care Commission; requiring the Maryland Health Care Commission to consider certain data in establishing certain criteria and standards for issuing a certain certificate of need; requiring the Health Services Cost Review Commission to set certain rates applicable to certain payors for certain hospital services; and generally relating to freestanding medical facilities.

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–201(a), (b), and (c)
Annotated Code of Maryland
(2009 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–114, 19–201(d), 19–211, 19–3A–03, and 19–3A–07
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing

Article – Health – General
Section 19–131
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 19–201(a), (b), and (c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to

Article – Health – General
Section 15–105(g) and 19–3A–08
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.**House Bill 1183 – Delegate Oaks**

AN ACT concerning

Motor Vehicles – Access to ~~and Removal of~~ Towed Vehicles

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

BY repealing and reenacting, with amendments,

Article – Transportation
Section 25–203
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.**House Bill 1187 – Delegates Anderson, Branch, Harrison, Krysiak, Love, McIntosh, Oaks, Robinson, Rosenberg, and Tarrant**

AN ACT concerning

Baltimore City – Marriage License Fee – Increase – The Carole Alexander Act

FOR the purpose of ~~providing for the maximum amount of the additional fee for a marriage license that the Baltimore City Mayor and the Baltimore City Council are authorized to set by ordinance; requiring the clerk of the court to pay the proceeds from the additional fee to the House of Ruth; requiring the Mayor to prepare and make available a certain annual report on or before a certain date each year~~ requiring the Mayor and City Council of Baltimore City to set by resolution an additional marriage license fee of up to a certain amount; and generally relating to marriage license fees in Baltimore City.

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

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

House Bill 1465 – ~~Delegate Beitzel~~ Delegates Beitzel, Hammen, Pendergrass, Bromwell, Costa, Donoghue, Elliott, Jenkins, Kach, Kipke, Krebs, Kullen, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Procurement – Employee Uniforms and Equipment – Place of Manufacture

FOR the purpose of prohibiting a public employer, under certain circumstances, from knowingly buying, furnishing, or requiring an employee to buy or acquire for use while on duty, certain uniforms and other equipment unless the uniforms or other equipment are manufactured in the United States; requiring the Board of Public Works to adopt certain regulations; providing for the application of this Act; defining a certain term; and generally relating to the procurement of employee uniforms and equipment.

BY adding to
Article – State Finance and Procurement
Section 14-409
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1555 – Delegate Conway

EMERGENCY BILL

AN ACT concerning

**Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies
Outside the State**

FOR the purpose of altering the entities to which money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund may be distributed to include fire, rescue, and ambulance companies located outside the State under certain circumstances; altering the volunteer fire, rescue, and ambulance companies to which grants or loans may be awarded under the Volunteer Company Assistance Fund to include companies located outside the State under certain circumstances; making this Act an emergency measure; and generally relating to the distribution of money under the Senator William H. Amoss Fire, Rescue, and Ambulance Fund and the Volunteer Company Assistance Fund.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 8–102(a) and (b), 8–201(a), (b), and (d), 8–202(a), and 8–203(a) and (b)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 8–103(b)(1) and 8–201(e)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

House Bill 1568 – Delegates Conway and Mathias

EMERGENCY BILL

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

FOR the purpose of authorizing the Board of Public Works to issue a certain license to dredge and fill on State wetlands for a certain development project at certain marinas if the development project meets certain criteria or the license will authorize dredging to improve certain navigational access; prohibiting the Board from issuing a certain license for a certain development project unless the applicant for the license has obtained certain other authorizations if required by local, State, or federal law; providing for the application of this Act; making this

Act an emergency measure; and generally relating to the authority of the Board of Public Works to issue a license to dredge and fill in State wetlands.

BY adding to

Article – Environment

Section 16–106

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 307	Sen. Stoltzfus	Worcester County – Real Property – Recording
SB 347	Sen. V. Jones	Political Subdivisions – Financial Reports
SB 443	Sen. Raskin	Real Property – Wrongful Detainer
SB 562	Sen. Raskin	Real Property – Mortgages and Deeds of Trust – Authority to Exercise a Power of Sale
SB 597	Sen. Rosapepe	Condominiums and Homeowners Associations – Common Elements and Common Areas – Implied Warranties
SB 615	Sen. Edwards	Garrett County – Volunteer Fire Departments and Rescue Squads – Emergency Services Board
SB 654	Sen. Lenett	Real Property – Tenants in Foreclosure – Conforming to Federal Law
SB 690	Sen. Raskin	Corporations – Benefit Corporation
SB 729	Cecil Co. Senators	Cecil County – Regulation of Domestic Animals
SB 733	Cecil Co. Senators	Cecil County – Budget and Taxes
SB 780	Sen. Raskin	Real Property – Affordable Housing Land Trusts
SB 784	Sen. Raskin	Maryland Statutory Trust Act

SB 800	Sen. Klausmeier	Common Ownership Communities – Fidelity Insurance – Exemption
SB 815	Sen. Forehand	Identity Fraud – Uniform Reporting Form
SB 1067	Sen. Rosapepe	Task Force on Solar Hot Water Systems in Prince George’s County

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 1168)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #76

Senate Bill 627 – Senators Brinkley, Raskin, Colburn, Garagiola, Jacobs, Kittleman, Kramer, Madaleno, Miller, and Zirkin

AN ACT concerning

Public Health – Medical Marijuana

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

Affirmative – 35 Negative – 12 (See Roll Call No. 1169)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 517 – Senators Stone and Jacobs

AN ACT concerning

Criminal Law – Criminal Gangs – Offenses and Membership

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (5)
OFFERED FROM THE FLOOR BY SENATOR ZIRKIN.

FLOOR AMENDMENT

SB0517/733022/3

BY: Senator Zirkkin

AMENDMENTS TO SENATE BILL 517, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Committee Amendments (SB0517/248170/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in the sponsor line, strike “and Jacobs” and substitute “Jacobs, Forehand, Mooney, and Simonaire”; strike line 2 in its entirety and substitute “Maryland Gang Prosecution Act of 2010”; in line 5, strike “a”; in the same line, strike “list of”; strike beginning with “defining” in line 6 down through “purposes;” in line 7; strike beginning with “provide” in line 9 down through “crime” in line 14 and substitute “repeal the requirement that a pattern of criminal gang activity be ongoing; requiring a sentence imposed for a second or subsequent offense of participation in criminal gang activity to be separate from and consecutive to a certain other sentence; requiring a sentence imposed for participation in criminal gang activity that results in the death of a victim to be separate from and consecutive to a sentence for a certain other sentence; specifying that a certain consecutive sentence shall not be mandatory unless the State makes a certain notification at a certain time; prohibiting a person from organizing, supervising, financing, or managing a criminal gang; establishing penalties; requiring a certain sentence to be separate from and consecutive to a certain other sentence; providing that a certain provision of law may not be construed inconsistently with certain other provisions of law; making clarifying changes”; and after line 20, insert:

“BY adding to

Article – Criminal Law

Section 9–805 and 9–806
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)”.

AMENDMENT NO. 3

On page 2 of the bill, in lines 5, 6, 20, and 23, in each instance, strike the bracket; strike beginning with “**COMMIT**,” in line 6 down through “**INCIDENT**” in line 9; strike beginning with the colon in line 13 down through “**(II)**” in line 15; and strike beginning with the semicolon in line 16 down through “**ENTERPRISE**” in line 19.

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 24 on page 2 through line 10 on page 3, inclusive.

On page 3 of the bill, strike beginning with “**§ 3–701**” in line 14 down through “**WEAPONS**),” in line 15; in line 16, strike “**§ 6–301 (MALICIOUS DESTRUCTION)**,”; in line 19, after “**JUROR**),” insert “**§ 11–303 (HUMAN TRAFFICKING)**,”; in the same line, after “**PROSTITUTE**),” insert “**OR**”; in the same line, after “**§ 11–306**” insert “**(A)(2), (3), OR (4)**”; in line 20, strike “**, OR § 12–102 (GAMBLING)**”; in line 21, after the second closing bracket, insert “**§ 3–701 (EXTORTION)**,”; strike beginning with the comma in line 24 down through “**PROPERTY**” in line 25; in line 29, strike the second set of brackets; and in the same line, strike “**(B) OR (C)**”.

AMENDMENT NO. 4

On page 4 of the bill, in lines 1 and 3, in each instance, strike the bracket; in line 1, strike “**ACTIVELY**”; in line 2, strike “an ongoing” and substitute “**A**”; in line 3, strike “the commission of”; strike beginning with the semicolon in line 6 down through “**GANG**” in line 8; in line 9, strike “commit a violation of” and substitute “**VIOLATE**”; in line 10, strike “involving the commission of an underlying crime”; in line 17, after “**(2)**” insert “**(I)**”; in the same line, after “under” insert “**PARAGRAPH (1)(I) OF THIS SUBSECTION**”; in the same line, after “section” insert “**FOR A FIRST OFFENSE**”; in the same line, strike the brackets; in the same line, strike “**SHALL**”; in line 18, strike the brackets; and after line 19, insert:

“(II) A SENTENCE IMPOSED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION FOR A SECOND OR SUBSEQUENT OFFENSE, OR PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE SEPARATE FROM AND CONSECUTIVE TO A

SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SECTION.

(III) A CONSECUTIVE SENTENCE FOR A SECOND OR SUBSEQUENT OFFENSE SHALL NOT BE MANDATORY UNLESS THE STATE NOTIFIES THE PERSON IN WRITING OF THE STATE'S INTENTION TO PROCEED AGAINST THE PERSON AS A SECOND OR SUBSEQUENT OFFENDER AT LEAST 30 DAYS BEFORE TRIAL."

AMENDMENT NO. 5

On page 5 of the bill, after line 5, insert:

"9-805.

(A) A PERSON MAY NOT ORGANIZE, SUPERVISE, FINANCE, OR MANAGE A CRIMINAL GANG.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH.

(C) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING A VIOLATION OF THIS SECTION.

9-806.

NOTHING IN THIS SUBTITLE MAY BE CONSTRUED INCONSISTENTLY WITH THE PROVISIONS RELATING TO JURISDICTION OVER JUVENILE CAUSES CONTAINED IN TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE."

The preceding 5 amendments were read and adopted.

FLOOR AMENDMENT

SB0517/993322/1

BY: Senator Pugh

AMENDMENTS TO SENATE BILL 517, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “ongoing;” in line 5.

AMENDMENT NO. 2

On page 2, in line 3, strike the brackets.

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

Affirmative – 15 Negative – 31 (See Roll Call No. 1170)

FLOOR AMENDMENT

SB0517/823426/3

BY: Senator Pugh

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “list” and substitute “definition”.

AMENDMENT NO. 2

On page 3, in line 12, after “means” insert “A CONVICTION FOR”.

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

Affirmative – 11 Negative – 34 (See Roll Call No. 1171)

FLOOR AMENDMENT

SB0517/153822/1

BY: Senator Lenett

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “crime;” insert “providing that certain fines collected for the violation of certain offenses be distributed to a certain special fund to be administered by the Department of Juvenile Services and to be used only for certain gang prevention activities;”; and after line 20, insert:

“BY adding to

Article – Criminal Law

Section 9–805

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 5, insert:

“9–805.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY FINES COLLECTED FOR A VIOLATION OF THIS SUBTITLE SHALL BE DISTRIBUTED TO A SPECIAL FUND, TO BE ADMINISTERED BY THE DEPARTMENT OF JUVENILE SERVICES AND TO BE USED ONLY FOR CRIMINAL GANG PREVENTION ACTIVITIES.”.

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

Affirmative – 21 Negative – 26 (See Roll Call No. 1172)

FLOOR AMENDMENT

SB0517/343924/2

BY: Senator Gladden

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring the Secretary of Juvenile Services to establish a Gang Prevention and Intervention Program; establishing the purpose of the Program; requiring an intake officer to refer a child

and a child's parents or guardians to the Program under certain circumstances; requiring the Department of Juvenile Services to develop certain programs and resources; requiring the Department to adopt certain regulations;"; and after line 15, insert:

"BY adding to

Article – Courts and Judicial Proceedings

Section 3–8A–10.2

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 2

On page 1, after line 22, insert:

"Article – Courts and Judicial Proceedings

3–8A–10.2.

(A) IN THIS SECTION, "PROGRAM" MEANS THE GANG PREVENTION AND INTERVENTION PROGRAM.

(B) THE SECRETARY OF JUVENILE SERVICES SHALL ESTABLISH A GANG PREVENTION AND INTERVENTION PROGRAM.

(C) THE PURPOSE OF THE PROGRAM SHALL BE TO PREVENT AND REDUCE GANG ACTIVITY BY ASSISTING AT-RISK INDIVIDUALS IN DISENGAGING FROM GANG MEMBERSHIP.

(D) ON RECEIPT OF A COMPLAINT ALLEGING A CHILD HAS COMMITTED A DELINQUENT ACT THAT WOULD BE A VIOLATION UNDER TITLE 9, SUBTITLE 8 OF THE CRIMINAL LAW ARTICLE IF COMMITTED BY AN ADULT, THE INTAKE OFFICER SHALL REFER THE CHILD AND THE CHILD'S PARENTS OR GUARDIANS TO THE PROGRAM.

(E) UNDER THE PROGRAM, THE DEPARTMENT OF JUVENILE SERVICES SHALL DEVELOP:

(1) A STRATEGIC AND COORDINATED PROGRAM FOR ASSISTING CHILDREN IN DISENGAGING FROM INVOLVEMENT IN A CRIMINAL GANG;

(2) RESOURCES TO ASSIST INDIVIDUALS WHO ARE IN THE PROCESS OF DISENGAGING FROM INVOLVEMENT IN A CRIMINAL GANG, INCLUDING:

(I) JOB TRAINING;

(II) EDUCATIONAL ASSISTANCE;

(III) FAMILY COUNSELING;

(IV) DRUG AND ALCOHOL COUNSELING; AND

(V) HOUSING; AND

(3) A PREVENTION PROGRAM FOR INDIVIDUALS CHARGED WITH A VIOLATION UNDER TITLE 9, SUBTITLE 8 OF THE CRIMINAL LAW ARTICLE WHO ARE FOUND NOT TO BE ACTIVE MEMBERS OF A CRIMINAL GANG BUT WHO ARE AT RISK OF BECOMING INVOLVED IN A CRIMINAL GANG.

(F) THE DEPARTMENT OF JUVENILE SERVICES SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.”.

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

Affirmative – 17 Negative – 29 (See Roll Call No. 1173)

FLOOR AMENDMENT

SB0517/133528/1

BY: Senator Kelley

AMENDMENTS TO SENATE BILL 517, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

Strike Senator Zirkin's Amendments (SB0517/733022/3) in their entirety.

Strike the Judicial Proceedings Committee Amendments (SB0517/248170/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in the sponsor line, strike "and Jacobs" and substitute "Jacobs, Forehand, Mooney, and Simonaire".

AMENDMENT NO. 3

On page 1 of the bill, strike line 2 in its entirety and substitute "Maryland Gang Prosecution Task Force"; strike beginning with "altering" in line 3 down through "crime" in line 14 and substitute "establishing the Maryland Gang Prosecution Task Force; providing for the membership of the Task Force; requiring the Governor to designate a chair of the Task Force; requiring the Department of Public Safety and Correctional Services to staff the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit a certain report; providing for the termination of this Act"; and strike in their entirety lines 16 through 20, inclusive.

AMENDMENT NO. 4

On page 1, in line 22, strike "the Laws of Maryland read as follows"; and after line 22, insert:

"(a) There is a Maryland Gang Prosecution Task Force.

(b) The Task Force consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Department of Public Safety and Correctional Services, or the Secretary's designee;

(4) the Public Defender of Maryland, or the Public Defender's designee;

(5) the Attorney General, or the Attorney General's designee;

(6) the President of the Maryland State's Attorneys' Association, or the President's designee; and

(7) the President of the Maryland State Conference of the National Association for the Advancement of Colored People, or the President's designee.

(c) The Governor shall designate the chair of the Task Force.

(d) The Department of Public Safety and Correctional Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study the effectiveness of Maryland's laws related to the prosecution of individuals for crimes committed during the individual's involvement with criminal gang activity;

(2) review the laws of other states related to criminal gangs;

(3) make recommendations for improving the laws in Maryland relating to the prosecution of individuals for criminal gang activity.

(g) On or before September 1, 2011, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly."

On pages 1 through 5, strike in their entirety the lines beginning with line 23 on page 1 through line 5 on page 5, inclusive.

On page 5, in line 7, after the period insert “It shall remain effective for a period of 1 year and, at the end of September 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 11 Negative – 35 (See Roll Call No. 1174)

Read the second time and ordered prepared for Third Reading.

House Bill 1464 – Delegates Myers, Beitzel, Kelly, Lafferty, Norman, Serafini, Stein, and Stull

AN ACT concerning

Land Bank Authorities – Establishment by Municipal Corporations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1155 – Delegates Lafferty, Ali, Anderson, Beidle, Bobo, Bronrott, Cardin, Carr, Frush, Gilchrist, Hecht, Hucker, Lee, Manno, Montgomery, Morhaim, Niemann, Reznik, Rosenberg, Schuh, Schuler, Stein, and Waldstreicher

AN ACT concerning

Transportation – Consolidated Transportation Program – Evaluation and Selection of Proposed Capital Projects

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB1155/879830/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1155

(Third Reading File Bill)

On page 10, in line 26, strike “AND”; and after line 27, insert:

“4. ECONOMIC DEVELOPMENT; AND”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 760 – Senators Pugh and Harrington

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and
Selection of Proposed Capital Projects**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0760/989235/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 760

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 7 down through “elements;” in line 9 and substitute “certain criteria, and a certain statement that describes the purpose and need for each major capital project; requiring an entity that proposes a major capital project to submit a request and a certain statement justifying the project to the Secretary of Transportation;”; strike beginning with “a” in line 11 down through “criteria” in line 13 and substitute “certain goals and criteria; requiring that certain indicators or benchmarks acknowledge the difference between urban and rural transportation needs”; and in line 15, after “projects;” insert “requiring the Department and a certain advisory committee to consider certain factors when establishing certain transportation goals, benchmarks, and indicators; requiring the Department to include certain information concerning the cost effectiveness of transportation investments in a certain report;”.

AMENDMENT NO. 2

On page 2, in line 28, after “A” insert “BRIEF”.

On page 3, in line 21, strike “THE” and substitute “FOR PROJECTS IN THE CONSTRUCTION PHASE, THE”.

On page 5, strike beginning with “, STATE” in line 22 down through “GOALS,” in line 23; and in line 29, strike “THE PROJECT RANK, BASED ON” and substitute “A SUMMARY OF HOW THE PROJECT MEETS”.

On page 6, in line 6, after “THE” insert “CONSTRUCTION PROGRAM OF THE”; in line 11, strike “AND”; strike in their entirety lines 12 through 27, inclusive, and substitute:

“(II) THE NEED FOR THE PROJECT; AND

“(III) A DISCUSSION OF HOW THE PROJECT:

1. ADDRESSES STATE TRANSPORTATION GOALS;

AND

2. SUPPORTS LOCAL GOVERNMENT LAND USE PLANS

AND GOALS.”;

in line 28, after “(6)” insert “(I)”; in line 29, after “AND” insert “, AS APPROPRIATE,”; and after line 31, insert:

“(II) AS PART OF THE EVALUATION UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”.

AMENDMENT NO. 3

On page 8, after line 9, insert:

“(3) THE PERFORMANCE INDICATORS OR BENCHMARKS DESCRIBED IN THIS SUBSECTION SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”;

and strike beginning with the first “THAT” in line 13 down through “PROGRAM” in line 14.

AMENDMENT NO. 4

On page 9, in line 28, strike “AND”; and strike beginning with “THE” in line 29 down through “INVESTMENT” in line 30 and substitute “THE IMPACT OF TRANSPORTATION INVESTMENT ON:

1. THE ENVIRONMENT;

2. ENVIRONMENTAL JUSTICE AS DEFINED IN § 1-701 OF THE ENVIRONMENT ARTICLE;

3. COMMUNITIES; AND

4. ECONOMIC DEVELOPMENT; AND

(IX) THE CLIMATE ACTION PLAN GOALS REQUIRED BY THE GREENHOUSE GAS EMISSIONS REDUCTION ACT OF 2009 UNDER § 2-1205(B) OF THE ENVIRONMENT ARTICLE”.

On page 10, strike beginning with “TO” in line 23 down through “BENEFITS” in line 24; and strike beginning with “COST” in line 26 down through “PROJECT” in line 27 and substitute “ESTIMATED ANNUAL COST OF MAINTENANCE AND OPERATIONS”.

The preceding 4 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

The motion was adopted.

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT AND THE FAVORABLE REPORT.

HB0975/868273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 975

(Third Reading File Bill)

On page 3, strike beginning with the second “a” in line 2 down through “crossing” in line 3 and substitute “AN AUTHORITY HIGHWAY”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

The motion was adopted.

House Bill 815 – Delegates DeBoy, Jones, Barkley, Bromwell, G. Clagett, Costa, Glenn, Guzzone, Haynes, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Maryland Department of Transportation Authority Police Officers – Police Force – Creation and Collective Bargaining

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for April 12, 2010.

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

Affirmative – 15 Negative – 30 (See Roll Call No. 1175)

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #22

AMENDED IN THE HOUSE

Senate Bill 161 – Senators Simonaire and Reilly

AN ACT concerning

**Anne Arundel County Public Schools – Office Discipline Referrals –
Accountability Policy**

Senator Conway moved that the Senate concur in the House amendments.

SB0161/645763/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 161
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Accountability”; strike beginning with “to” in line 4 down through “year;” in line 8 and substitute “to establish a certain committee to develop a policy on administering office discipline referrals in the county; providing for the membership and chair of the committee; requiring the committee to develop and recommend a policy and certain guidelines regarding the administration of the office discipline referrals in the county to the county board for the county board’s approval on or before a certain date;”; in line 9, strike “submit” and substitute “present”; in the same line, strike “General Assembly on or before a certain date” and substitute “Anne Arundel County Delegation before the end of a certain period of time”; and in line 11, strike “an accountability” and substitute “a”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 17, inclusive, and substitute:

“(B) THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION SHALL ESTABLISH A COMMITTEE TO DEVELOP A POLICY AND GUIDELINES FOR ADMINISTERING OFFICE DISCIPLINE REFERRALS IN THE COUNTY.

(C) THE COMMITTEE ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION SHALL CONSIST OF:

(1) TWO MEMBERS OF THE TEACHERS ASSOCIATION OF ANNE ARUNDEL COUNTY, OF WHOM:

(I) ONE SHALL BE AN ELEMENTARY SCHOOL TEACHER;
AND

(II) ONE SHALL BE A SECONDARY SCHOOL TEACHER;

(2) TWO MEMBERS OF THE ASSOCIATION OF EDUCATIONAL LEADERS, OF WHOM:

(I) ONE SHALL BE AN ADMINISTRATOR OF AN ELEMENTARY SCHOOL; AND

(II) ONE SHALL BE AN ADMINISTRATOR OF A SECONDARY SCHOOL;

(3) ONE MEMBER OF THE ANNE ARUNDEL COUNTY-WIDE CITIZEN ADVISORY COMMITTEE;

(4) ONE MEMBER SHALL BE A DESIGNEE OF THE COUNTY SUPERINTENDENT; AND

(5) TWO MEMBERS OF THE ANNE ARUNDEL COUNTY PARENT TEACHER ASSOCIATION; AND

(6) ONE MEMBER OF THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION APPOINTED BY THE CURRENT CHAIRMAN OF THE BOARD OF EDUCATION.

(D) THE MEMBER OF THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION APPOINTED IN ACCORDANCE WITH SUBSECTION (C)(6) OF THIS SECTION SHALL SERVE AS THE CHAIR OF THE COMMITTEE.

(E) ON OR BEFORE JANUARY 1, 2011, THE COMMITTEE SHALL DEVELOP AND RECOMMEND A POLICY AND GUIDELINES FOR THE ADMINISTRATION OF OFFICE DISCIPLINE REFERRALS IN THE COUNTY TO THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION FOR THE COUNTY BOARD'S APPROVAL.”;

in line 18, strike “(D)” and substitute “(F)”; in the same line, strike “ON OR BEFORE DECEMBER 31, 2013” and substitute “BEFORE THE END OF THE 2011 SESSION OF THE GENERAL ASSEMBLY”; in line 19, strike “SUBMIT” and substitute “PRESENT”; in line 20, strike “GENERAL ASSEMBLY” and substitute “ANNE ARUNDEL COUNTY DELEGATION”; in line 21, strike “IMPLEMENTATION AND STATUS OF THE” and substitute “APPROVED”; in line 22, strike “ACCOUNTABILITY”; in line 24, strike “4 years” and substitute “1 year”; and in line 25, strike “2014” and substitute “2011”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1176)

AMENDED IN THE HOUSE

Senate Bill 327 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Barbers and State Board of Cosmetologists – Sunset Extension and Revisions

Senator Conway moved that the Senate concur in the House amendments.

SB0327/733992/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 327
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “boards;” insert “prohibiting the boards from setting certain fees that exceed a certain amount;”.

On page 2, in line 5, after “dates;” insert “requiring the boards to ensure that certain license or license renewal expiration dates set by the boards do not terminate a license term before a certain period of time;”.

AMENDMENT NO. 2

On page 3, in line 15, after “(ii)” insert “1.”; in line 16, after “examinations” insert “AND SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH”; and after line 19, insert:

“2. THE BOARD MAY NOT SET FEES FOR LICENSING AND LICENSE RENEWALS THAT EXCEED \$50.”

AMENDMENT NO. 3

On page 9, in line 28, after “(2)” insert “(I)”; in line 29, after “examinations” insert “AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH”.

On page 10, after line 2, insert:

“(II) THE BOARD MAY NOT SET FEES FOR LICENSING AND LICENSE RENEWALS THAT EXCEED \$50.”

AMENDMENT NO. 4

On page 18, after line 14, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, when setting the date on which a license or a license renewal expires under §§ 4–310, 4–405, 5–311, and 5–405 of the Business Occupations and Professions Article, as enacted by Section 1 of this Act, the State Board of Barbers and State Board of Cosmetologists shall ensure that the date set by the board does not terminate a license term before the end of a licensee’s full 2-year term.”;

and in line 17, strike “3.” and substitute “4.”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1177)

AMENDED IN THE HOUSE

Senate Bill 536 – Senators Muse, Brochin, Conway, Exum, Harrington, Jones, King, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Miller, Peters, Pinsky, Pugh, Raskin, Rosapepe, Simonaire, and Stone

AN ACT concerning

State Board of Education – Student Member – Full Voting Rights Act

Senator Conway moved that the Senate concur in the House amendment.

SB0536/615360/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 536

(Third Reading File Bill)

On page 1, in line 2, strike “– Full”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 1178)

CONCURRENCE CALENDAR #23

AMENDED IN THE HOUSE

Senate Bill 119 – Senators Zirkin and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Civil Jury Trials – Amount in Controversy

Senator Frosh moved that the Senate concur in the House amendment.

SB0119/512611/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 119

(Third Reading File Bill)

On page 1, in line 11, strike “Articles” and substitute “Article”.

On page 2, in lines 11 and 18, in each instance, strike “**\$20,000**” and substitute “**\$15,000**

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 1179)

CONCURRENCE CALENDAR #24**AMENDED IN THE HOUSE**

Senate Bill 540 – Senators Harrington, Conway, Kramer, Lenett, Madaleno, Peters, Rosapepe, and Zirkin

AN ACT concerning

Child with a Disability – Individualized Education Program

Senator Conway moved that the Senate not concur in the House amendments.

SB0540/545067/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 540
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “exception;” insert “authorizing certain school personnel to provide the parents of a child with a disability a summary of certain information in a certain manner under certain circumstances;”; and in lines 7 and 8, strike “include certain documentation in certain records” and substitute “communicate certain information to the parents of a child with a disability”.

AMENDMENT NO. 2

On page 2, in line 21, after “**(1)**” insert “**(I)**”; in line 22, after “**SUBSECTION,**” insert “**AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**”; in the same line strike “**5**” and substitute “**3**”; in line 26, strike “**A**” and substitute “**AN ACCESSIBLE**”; and after line 28, insert:

“(II) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, AN ASSESSMENT, REPORT, DATA CHART, OR OTHER DOCUMENT PREPARED BY A SCHOOL PSYCHOLOGIST OR OTHER MEDICAL PROFESSIONAL THAT EITHER TEAM PLANS TO DISCUSS AT THE MEETING MAY BE PROVIDED TO THE PARENTS OF THE CHILD ORALLY AND IN WRITING PRIOR TO THE MEETING.”.

AMENDMENT NO. 3

On page 3, strike beginning with the colon in line 3 down through “**DOCUMENT**” in line 4 and substitute “**DOCUMENT**”; and strike beginning with the semicolon in line 4 down through “**RECORD**” in line 7 and substitute “**AND COMMUNICATE THAT INFORMATION TO THE PARENTS OF THE CHILD**”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0540

SPONSOR: Sen Harrington, et al

SUBJECT: Child with a Disability – Individualized Education Program

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Harrington, Chairman
Senator Pinsky
Senator Reilly.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 899 – The President (By Request – Administration)

AN ACT concerning

Education Reform Act of 2010

Senator Conway moved that the Senate not concur in the House amendments.

SB0899/305169/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 899 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “public” and substitute “local”; and in line 8, after “provided” insert “certain guidance and instruction and”.

On pages 1 and 2, strike beginning with “requiring” in line 11 on page 1 down through “Certification” in line 9 on page 2, and substitute “requiring the State Board of Education to adopt regulations establishing standards for effective mentoring;

providing that a tenured certificated employee who moves to another local school system in the State shall be tenured in the local school system to which the employee relocates under certain circumstances; authorizing the local school system to which an employee relocates to extend the employee's probationary period under certain circumstances; requiring a county board to establish certain performance evaluation criteria for a certificated teacher or principal under certain conditions; requiring the performance evaluation criteria to include certain measures; requiring the State Board to establish by regulation general standards for teacher and principal performance evaluations, that the performance evaluation criteria include certain measures, and that certain criteria be accounted for in a certain manner; requiring the State Board to establish a certain program to support certain incentives, contingent on the receipt of certain federal funds".

On page 2, in line 11, strike "public" and substitute "local".

AMENDMENT NO. 2

On page 3, in line 16, strike "Except as provided in" and substitute "**SUBJECT TO**"; in the same line, strike "**(3)**" and substitute "**(2)**"; in line 17, strike "public" and substitute "**LOCAL**"; and in line 33, after "TENURE" insert "**AT ANY FORMAL EVALUATION POINT**".

On page 4, in line 31, strike "**1.**"; strike beginning with "**THAT**" in line 32 down through "**ISSUES**" in line 35 and substitute "**, INCLUDING PROVISIONS TO ENSURE THAT MENTORS PROVIDE MENTORING THAT IS FOCUSED, OF HIGH QUALITY, AND GEARED TO THE NEEDS OF EACH EMPLOYEE BEING MENTORED**".

On page 5, strike in their entirety lines 1 through 11, inclusive; in line 19, strike "**ASSESSED**" and substitute "**MEASURED**"; and in the same line, strike "**MEASURES**" and substitute "**CRITERIA**".

On pages 5 and 6, strike beginning with line 21 on page 5 through line 9 on page 6, inclusive, and substitute:

"(2) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, A COUNTY BOARD SHALL ESTABLISH PERFORMANCE EVALUATION CRITERIA FOR CERTIFICATED TEACHERS AND PRINCIPALS IN A LOCAL SCHOOL SYSTEM AFTER MEETING AND CONFERRING WITH THE EXCLUSIVE EMPLOYEE REPRESENTATIVE.

(3) THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH GENERAL STANDARDS FOR PERFORMANCE EVALUATIONS FOR CERTIFICATED TEACHERS AND PRINCIPALS.

(4) (I) PERFORMANCE EVALUATION CRITERIA FOR A CERTIFICATED TEACHER OR PRINCIPAL IN A LOCAL SCHOOL SYSTEM SHALL INCLUDE MULTIPLE MEASURES.

(II) STUDENT GROWTH SHALL ACCOUNT FOR 50% OF THE PERFORMANCE EVALUATION CRITERIA.

(III) NO SINGLE CRITERION SHALL ACCOUNT FOR MORE THAN 35% OF THE TOTAL PERFORMANCE EVALUATION CRITERIA.”.

AMENDMENT NO. 3

On page 6, in line 12, strike “FUNDS”; and strike beginning with “FEDERAL” in line 12 down through “TO” in line 13.

On pages 6 and 7, strike beginning with line 23 on page 6 through line 20 on page 7, inclusive, and substitute:

“(II) CONTINGENT ON THE RECEIPT OF RACE TO THE TOP GRANT FUNDS, THE STATE BOARD SHALL ESTABLISH A PROGRAM TO SUPPORT LOCALLY NEGOTIATED INCENTIVES FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS IN IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING.”.

On page 7, in line 21, strike “3.” and substitute “2.”; in line 23, strike “public” and substitute “local”; and in line 25, strike “4.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0899**

SPONSOR: The Pres (Admin)

SUBJECT: Education Reform Act of 2010

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chairman
Senator Conway
Senator Rosapepe.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

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

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – ~~Property Owners~~ Billing

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

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 12, 2010.

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

Affirmative – 15 Negative – 32 (See Roll Call No. 1180)

FLOOR AMENDMENT

HB0812/673628/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 812
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Billing” insert “and Payment”; and in line 5, after “basis;” insert “authorizing a tenant under certain circumstances to pay a bill for water service that is in arrears and to deduct the amount of the payment from a certain payment of rent;”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A TENANT WHO RECEIVES NOTICE THAT WATER SERVICE WILL BE DISCONTINUED BECAUSE A BILL IS IN ARREARS DUE TO THE PROPERTY OWNER’S FAILURE TO PAY THE BILL, MAY PAY THE BILL AT THE OFFICE OF THE POLITICAL SUBDIVISION AND DEDUCT THE AMOUNT OF THE PAYMENT FROM THE TENANT’S PAYMENT OF RENT FOR THE PROPERTY, UNLESS THE TENANT IS CONTRACTUALLY OBLIGATED TO PAY THE BILL.”

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for 5:10 P.M.

The motion was adopted.

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – ~~Specialty Fertilizers~~ Lawn Fertilizer – Low Phosphorous Fertilizer

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

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

The motion was adopted.

House Bill 659 – Delegates Simmons, and Dumais, and Delegates Dwyer, Kipke, Kramer, Schuh, and ~~Sophocleus~~ Sophocleus, Barkley, Barve, Beidle, Bobo, Bronrott, Carr, G. Clagett, Conway, DeBoy, Doory, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Healey, Hecht, Heller, Hixson, Howard, James, Jameson, Jones, Kaiser, Kullen, Lee, Love, Malone, Manno, Mathias, McHale, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Olszewski, Pendergrass, Reznik, Rice, Robinson, Rudolph, Shewell, Stocksedale, Taylor, F. Turner, and Waldstreicher

AN ACT concerning

Maryland General and Limited Power of Attorney Act (Loretta’s Law)

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1181)

The Bill was then sent to the House of Delegates.

House Bill 1402 – Delegates Conway, G. Clagett, DeBoy, Bates, Eckardt, Elmore, Haddaway, Mathias, Proctor, Sophocleus, and Wood

AN ACT concerning

Public Safety – Preemployment Polygraph Examinations for Correctional Officer Applicants

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1182)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: SB 0099

SPONSOR: Sens DeGrange and Astle

SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments. The House respectfully requests the Senate to reconsider and concur.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0099

SPONSOR: Sens DeGrange and Astle

SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

The Senate still does not concur in the House amendments and suggests a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate appoints:
Senator Astle, Chairman
Senator Garagiola
Senator Glassman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #28

Senator Currie, Chair, for the Committee on Budget and Taxation and Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 551 – Senator Edwards

AN ACT concerning

**Education – Public School Construction – Procurement – Preference for
Local Business Entities**

SB0551/209231/2

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 551

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “for” insert “State and”; in lines 5 and 8, in each instance, after “gives” insert “a certain order of”; in lines 5, 9, and 11, in each instance, strike “local” and substitute “certain”; and in line 10, after “construction;” insert “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 13, after “**PREFERENCE**” insert “**FIRST**”; in the same line, strike “**LOCAL**”; and in the same line, after “**ENTITIES**” insert “**LOCATED IN THE COUNTY AND THEN TO BUSINESS ENTITIES LOCATED IN OTHER COUNTIES IN THE STATE**”.

On page 4, in line 13, after “**PREFERENCE**” insert “**FIRST**”; in the same line, strike “**LOCAL**”; in the same line, after “**ENTITIES**” insert “**LOCATED IN THE COUNTY AND THEN TO BUSINESS ENTITIES LOCATED IN OTHER COUNTIES IN THE STATE**”; after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to impair an obligation of a local governing body under the State Minority Business Enterprise law.”;

and in line 16, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

HB0056/229739/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 56
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “County” insert “and Prince George’s County”; in the same line, strike “Slot Machines for Nonprofit Organizations” and substitute “Gaming”; in line 5, after “circumstances;” insert “authorizing a certain qualified organization to operate a card games facility in Prince George’s County; limiting the number of licenses that the State may issue to operate a card games facility; limiting the number of locations at which card games facilities may be located; requiring a card games facility to comply with applicable planning and zoning laws of the local jurisdiction; requiring certain legislation under certain circumstances; and submitting the Prince George’s provisions of this Act to a referendum of the legally qualified voters of Maryland for their adoption or rejection;”; in line 6, strike “slot machines” and substitute “gaming”; and in the same line, after “County” insert “and Prince George’s County”.

AMENDMENT NO. 2

On page 4, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State may issue one license for the commercial operation of card games in the State.

(b) Subject to subsection (c) of this section, the license for the commercial operation of card games shall be awarded on a competitive basis by the Maryland Video Lottery Facility Location Commission as provided under State law.

(c) The commercial card games operation license may be awarded only to a card games facility located in Prince George's County, within 1 mile of the intersection of Interstate 95 and MD Route 414.

(d) A card games facility shall comply with all applicable planning and zoning laws of the local jurisdiction.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of Section 2 of this Act authorize a State license for the commercial operation of card games in the State, subject to a referendum of the legally qualified voters of Maryland as provided in Section 4 of this Act, and upon voter approval of Section 2 of this Act at the general election to be held in November of 2010, legislation shall be required providing for the operation, licensing, regulation, and disposition of proceeds, of a card games facility in Prince George's County.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act, which authorizes additional forms or expansion of commercial gaming, shall be submitted to a referendum of the legally qualified voters of Maryland at the general election to be held in November of 2010, in accordance with Article XIX, § 1(e) of the Maryland Constitution. The State Board of Elections shall do those things necessary and proper to provide for and hold the referendum required by this section. If a majority of the votes cast on the question are "For the referred law" the provisions of Section 2 of this Act 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 referred law" the provisions of this Act are of no effect and null and void.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act and for the sole purpose of providing for the referendum required by Section 3 of this Act, this Act shall take effect July 1, 2010.";

in line 12, strike “2.” and substitute “6.”; and in the same line, after “That” insert “Section 1 of”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: HB 0269

SPONSOR: Del Kaiser, et al

SUBJECT: Child with a Disability – Individualized Education Program

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Kaiser, Chairman

Delegate Gilchrist, and

Delegate Myers.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0269

SPONSOR: Del Kaiser, et al

SUBJECT: Child with a Disability – Individualized Education Program

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Kaiser, Chair

Delegate Gilchrist

Delegate Myers

The Senate appoints:

Senator Harrington, Chairman

Senator Pinsky

Senator Reilly.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 1263

SPONSOR: The Spkr (Admin), et al

SUBJECT: Education Reform Act of 2010

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Kaiser, Chairman

Delegate Olszewski, and

Delegate Rice.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1263

SPONSOR: The Spkr (Admin), et al

SUBJECT: Education Reform Act of 2010

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Kaiser, Chair

Delegate Olszewski

Delegate Rice

The Senate appoints:

Senator Pinsky, Chairman

Senator Conway

Senator Rosapepe.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0439

SPONSOR: Del Kaiser, et al

SUBJECT: Education – Innovative School Scheduling Models – Low-Performing and At-Risk Public Schools

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Kaiser, Chairman
Delegate Rice, and
Delegate Gilchrist.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Conway moved that the Senate recede on its amendments.

The motion was adopted.

HB0439/664034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 439
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “schools;” insert “requiring the State of Maryland to include the funding of certain scheduling models in certain schools as part of the State’s application to the United States Department of Education for the Race to the Top Fund;”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the State of Maryland shall include the funding of grants, pilot programs, and other economic incentives and implementation costs of extended year, year-round, and other innovative school scheduling models that do not allow for prolonged lapses in instructional time in

low-performing or at-risk public schools as part of the State's application to the United States Department of Education for the Race to the Top Fund, authorized under the American Recovery and Reinvestment Act of 2009.”;

and in line 29, strike “2.” and substitute “3.”.

Senate receded and the amendment was removed.

House Bill 439 – Delegates Kaiser, Cardin, Ivey, Olszewski, Rice, Stukes, and Walker

EMERGENCY BILL

AN ACT concerning

Education – Innovative School Scheduling Models – Low-Performing and At-Risk Public Schools

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1183)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0439

SPONSOR: Del Kaiser, et al

SUBJECT: Education – Innovative School Scheduling Models – Low-Performing and At-Risk Public Schools

The Senate recedes from its position on HB 0439.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #51**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 292 – Senators Raskin, Brochin, Conway, Forehand, Garagiola, Glassman, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

Elections – Voter Registration and Voting – Age

SB0292/394837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 292
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Elections – Voter Registration and Voting – Age” and substitute “Election Law – Voter Registration and Nomination by Petition – Requirements”; strike beginning with “specifying” in line 4 down through the second “vote” in line 7 and substitute “specifying that an individual under the age of 18 years may vote in certain primary elections but may not vote in any other elections; altering the deadline for requesting a change of party affiliation to coincide with the deadline for registering to vote for an election; altering the date on which the number of petition signatures required for a candidate to be nominated by petition is determined; making conforming changes; and generally relating to requirements for voter registration and nomination by petition”; in line 10, after “3–102” insert “, 3–303, and 5–703(e)”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 3–302

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “IS” in line 5 down through “OLDER” in line 7 and substitute “UNDER THE AGE OF 18 YEARS:”

(I) MAY VOTE IN A PRIMARY ELECTION IN WHICH CANDIDATES ARE NOMINATED FOR A GENERAL OR SPECIAL ELECTION THAT WILL OCCUR WHEN THE INDIVIDUAL IS AT LEAST 18 YEARS OLD; AND

(II) MAY NOT VOTE IN ANY OTHER ELECTION”.

AMENDMENT NO. 3

On page 2, after line 13, insert:

“3–302.

(a) Registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

(2) the application was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board prior to the close of registration.

3–303.

(a) [Except as provided in subsections (b) and (c) of this section, a] A local board, at the signed request of a registered voter, shall change that voter’s party

affiliation, or change the voter to or from a decline, at any time that registration is open.

(b) [(1) Except as provided in paragraph (2) of this subsection, party affiliation may not be changed:

(i) from 9 p.m. on the Monday, or the next regular business day if the Monday is a legal holiday, that is 12 weeks before the day on which a primary election is to be held under § 8–201 of this article, until and including the day on which the registration reopens after the primary election is held; and

(ii) from and including the day of issuance of a gubernatorial proclamation calling a special election, pursuant to § 8–710 of this article, or from 5 p.m. on the next regular business day if the day of issuance is a legal holiday, until and including the day on which that special election is held.

(2) If a voter requests a party affiliation change during a period specified in paragraph (1) of this subsection, the local board shall make the change if
IF A LOCAL BOARD RECEIVES A REQUEST FOR A PARTY AFFILIATION CHANGE AFTER THE CLOSE OF REGISTRATION, THE LOCAL BOARD SHALL MAKE THE CHANGE AND IT SHALL BECOME EFFECTIVE FOR THE NEXT ELECTION PROVIDED:

[(i)](1) there is sufficient evidence, as determined by the local boards pursuant to regulations adopted by the State Board, that the request was mailed [before the beginning of the period specified in paragraph (1) of this subsection] ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION;
or

[(ii)](2) the request was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board [before the beginning of the period specified in paragraph (1) of this subsection] ON OR BEFORE THE CLOSE OF REGISTRATION FOR THAT ELECTION.

[(c) If a registered voter has moved from one county to another within the State since the last general election, the voter may change party affiliation or change to or from a decline, one time only, during a period specified in subsection (b)(1) of this section.

(d) An individual whose registration has been canceled at the individual's request within a period specified in subsection (b) of this section may not reregister in the same county during the same period with a party affiliation or nonaffiliation different from the previous registration.]

5-703.

(e) (1) A candidate who seeks nomination by petition may not have the candidate's name placed on the general election ballot unless the candidate files with the appropriate board petitions signed by not less than 1% of the total number of registered voters who are eligible to vote for the office for which the nomination by petition is sought, except that the petitions shall be signed by at least 250 registered voters who are eligible to vote for the office.

(2) The petitions shall be filed as required in Title 6 of this article.

(3) The number of registered voters required to satisfy the requirements of paragraph (1) of this section shall be determined as of [the deadline for changing party affiliation before] JANUARY 1 OF THE YEAR OF the primary election for which the nomination is sought.”;

and in line 15, strike “October” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 217 – Delegates Cardin, Ali, Elmore, Frick, Rice, Ross, ~~and Walker~~
Walker, and Ivey**

AN ACT concerning

~~Elections – Voter Registration and Voting – Age~~
Election Law – Voter Registration and Nomination by Petition –
Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 318 – Delegates Sophocleus, Dwyer, and McConkey

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 378 – Delegates Kaiser, Ali, Barkley, Barnes, Bates, Bobo, Bronrott, Carr, Feldman, Frick, Frush, Gilchrist, Gutierrez, Hecht, Holmes, Howard, Hubbard, Hucker, Ivey, Jennings, Jones, Lafferty, Lee, Manno, Montgomery, Morhaim, Murphy, Olszewski, Pena-Melnyk, Reznik, Rice, Riley, Rosenberg, Ross, Schuler, Simmons, Stukes, ~~and Walker~~ Walker, and Kramer

AN ACT concerning

**Election Law – ~~Ballot Issue Committee – Additional~~ Campaign Finance
~~Report~~ Reports**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 982 – Delegates Niemann, Ali, Carr, Carter, Glenn, Hecht, Hucker, ~~and Montgomery~~ Montgomery, and Manno

AN ACT concerning

**Solid Waste Management – Recycling and Source Reduction – ~~Requirements~~
Study**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1160 – Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, ~~and Rice~~ Rice, Frick, Shank, Murphy, Elmore, F. Turner, Barve, Bartlett, Ross, Walker, Stukes, and George

AN ACT concerning

Safe Schools Act of 2010

HB1160/964931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1160 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “circumstances” in line 5 and substitute “clarifying the authority of the juvenile court to notify certain school officials of certain facts under certain circumstances”; in line 6, strike “requiring” and substitute “authorizing”; in lines 7 and 10, in each instance, strike “delinquent”; in lines 7 and 10, in each instance, strike the commas; in line 12, strike “local” and substitute “county”; strike beginning with “adding” in line 14 down through “circumstances;” in line 16; in line 16, strike “a certain” and substitute “certain”; in the same line, strike “agency” and substitute “agencies”; in lines 16 and 17, strike “a school security officer” and substitute “certain school officials”; in lines 17 and 19, in each instance, after “arrest” insert “or charge”; and in line 22, after “offense” insert “involving rape or a sexual offense”.

On page 2, in lines 6, 8, and 13, in each instance, strike “and gang-like activity” and substitute “, gang activity, and similar destructive or illegal group behavior”; in lines 7 and 8, strike “county board of education” and substitute “local school system”; in lines 8, 9, 10, and 11, in each instance, after “policy” insert “or regulations”; in lines 9, 10, 11, and 12, in each instance, strike “county board” and substitute “local school”.

system”; in line 14, strike “gang or gang-like activity” and substitute “gang activity or similar destructive or illegal group behavior”; and in line 23, after “date;” insert “requiring the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to report to the Governor, the General Assembly, and certain legislative committees on or before a certain date regarding a certain process, certain notification, and certain recommendations;”.

AMENDMENT NO. 2

On page 3, in line 7, strike the brackets; in the same line, strike “**SHALL**”; in line 13, strike “**SHALL**” and substitute “**MAY**”; in line 17, strike “**REQUIRED**” and substitute “**AUTHORIZED**”; and in lines 28 and 30, in each instance, strike “**LOCAL**” and substitute “**COUNTY**”.

On page 4, in line 1, after “**BOARD**” insert “**OF EDUCATION**”; in line 5, strike “**DELINQUENT OR**”; in line 7, strike the brackets; in the same line, strike “**SHALL**”; in line 9, strike “**DELINQUENT OR**”; in line 14, strike “**SHALL**” and substitute “**MAY**”; in line 18, strike “**REQUIRED**” and substitute “**AUTHORIZED**”; in line 20, strike “**DELINQUENCY OR**”; in line 26, strike “**SUBSECTION**” and substitute “**PARAGRAPH**”; and in lines 29 and 31, in each instance, strike “**LOCAL**” and substitute “**COUNTY**”.

AMENDMENT NO. 3

On page 5, in line 1, after “**BOARD**” insert “**OF EDUCATION**”.

On page 6, in line 29, strike the brackets.

On page 7, strike beginning with the semicolon in line 2 down through “**ARTICLE**” in line 10; in line 27, after “(b)”, insert “**(1)**”; and in lines 30 and 33, strike “**(1)**” and “**(I)**”, respectively, and substitute “**(I)**” and “**1.**”, respectively.

On page 8, in lines 1, 3, and 5, strike “**(II)**”, “**(III)**”, and “**(2)**”, respectively, and substitute “**2.**”, “**3.**”, “**(II)**”, respectively; and after line 6, insert:

“(2) IF A STUDENT IS ARRESTED AND CHARGED WITH A VIOLATION OF § 3-203, § 6-301, § 7-105, § 9-302, § 9-303, OR § 9-305 OF THE CRIMINAL LAW ARTICLE, THE LAW ENFORCEMENT AGENCY RESPONSIBLE FOR THE CHARGE:

(I) SHALL NOTIFY THE FOLLOWING INDIVIDUALS OF THE CHARGE WITHIN 24 HOURS OF THE CHARGE OR AS SOON AS PRACTICABLE:

1. THE LOCAL SUPERINTENDENT;
2. THE SCHOOL PRINCIPAL; AND
3. FOR A SCHOOL THAT HAS A SCHOOL SECURITY OFFICER, THE SCHOOL SECURITY OFFICER; AND

(II) MAY NOTIFY THE STATE'S ATTORNEY OF THE CHARGE."

AMENDMENT NO. 4

On page 9, in line 5, after "GRADUATES" insert "OR OTHERWISE PERMANENTLY LEAVES SCHOOL"; and in line 10, after "OFFENSE" insert "INVOLVING RAPE OR A SEXUAL OFFENSE".

AMENDMENT NO. 5

On page 10, in lines 5 and 27, in each instance, after "GANGS" insert ", GANG ACTIVITY,"; in lines 5 and 27, in each instance, strike "GANG-LIKE ACTIVITY" and substitute "SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR"; in lines 13, 16 and 17, and 19, in each instance, strike "GANG OR GANG-LIKE ACTIVITY" and substitute "GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR"; in lines 26 and 31, in each instance, strike "COUNTY BOARD" and substitute "LOCAL SCHOOL SYSTEM"; and in lines 26, 29, and 31, in each instance, after "POLICY" insert "OR REGULATIONS".

On page 11, in lines 11, 13, 15, and 16, in each instance, strike "COUNTY BOARD" and substitute "LOCAL SCHOOL SYSTEM"; in lines 11, 13, and 22, in each instance, after "POLICY" insert "OR REGULATIONS"; in line 17, after "GANGS" insert ", GANG ACTIVITY,"; in line 24, strike "GANG OR GANG-LIKE ACTIVITY" and substitute "GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR"; and in lines 17 and 18, strike "GANG-LIKE ACTIVITY" and substitute "SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR".

On page 12, in line 28, after “POLICIES” insert “AND REGULATIONS”; in the same line, after “GANGS” insert “, GANG ACTIVITY,”; and in line 29, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”.

AMENDMENT NO. 6

On page 13, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, the Senate Education, Health, and Environmental Affairs Committee, the Senate Judicial Proceedings Committee, the House Judiciary Committee, and the House Committee on Ways and Means regarding:

(1) the process for notifying school officials under § 3-819 and § 3-8A-19 of the Courts and Judicial Proceedings Article;

(2) how often school officials are actually notified under these statutes;
and

(3) recommendations, if any, to improve this process and better serve these students.”;

and in line 8, strike “3.” and substitute “4.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1160/193420/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1160
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 32, insert:

“BY repealing and reenacting, without amendments,
Article – Education
Section 7–302
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)”;

and in line 35, strike “7–302 and”.

AMENDMENT NO. 2

On page 5, in lines 20, 22, 23, 24, 26, and 27, in each instance, strike the bracket; strike beginning with “**FOR**” in line 20 down through “**SHALL**” in line 21; and strike beginning with “**FOR**” in line 24 down through “**SHALL**” in line 25.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 1160** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1160** on Third Reading and Final Passage.

House Bill 1160 – Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, ~~and Rice~~ Rice, Frick, Shank, Murphy, Elmore, F. Turner, Barve, Bartlett, Ross, Walker, Stukes, and George

AN ACT concerning

Safe Schools Act of 2010

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1184)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1508 – Delegate Rudolph

AN ACT concerning

Environment – Coal Combustion By-Products – Disposal and Noncoal Mine Reclamation Sites

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #52**

CONSENT CALENDAR #75

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 1022 – Senator McFadden

AN ACT concerning

Baltimore City Charter – Community Benefits District – East Baltimore

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 301 – Delegates O'Donnell, Bohanan, Kullen, Proctor, Vallario, and Wood

AN ACT concerning

**Calvert County and St. Mary's County – Deer Hunting on Private Property –
Sundays**

HB0301/564436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 301
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the first “County” insert “, Charles County.”; in line 4, after “County” insert “and Charles County”; in line 5, after “arrow,” insert “authorizing a person in Calvert County, Charles County, and St. Mary’s County to hunt deer on private property with a crossbow.”; in line 6, after the first “County” insert “, Charles County.”; and in line 8, after “County” insert “, Charles County.”.

AMENDMENT NO. 2

On page 2, in line 22, after “**CALVERT**,” insert “**CHARLES**.”; in line 23, after “arrow” insert “**OR CROSSBOW**”; and in line 27, after the first “**COUNTY**” insert “, **CHARLES COUNTY**.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 399 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Beer Tasting License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 704 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Authorization to Merge the Redevelopment Authority, and Revenue Authority, ~~and Economic Development Corporation~~

PG 416–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 947 – ~~Delegates Frush, Barnes, Beidle, Kipke, Love, McConkey, Pena-Melnyk, Schuh, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1431 – Delegates Mathias and Conway

AN ACT concerning

**Worcester County – Alcoholic Beverages – Pub–Breweries and
Micro–Breweries**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1478 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Beer ~~and~~, Wine, and Liquor Tastings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #36

Senator Middleton, Chair, for the Committee on Finance and Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 88 – Chair, Economic Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Other Tobacco Products Licenses

HB0088/997778/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 88 (Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, after “date;” insert “requiring the Comptroller and the Administrative Office of the Courts to make a certain certification on or before a certain date; making the implementation of certain provisions of this Act contingent on the availability of funds;”.

AMENDMENT NO. 2

On page 30, strike beginning with “this” in line 13 down through “2011” in line 14 and substitute “, on or before January 1, 2011, the Comptroller and the Administrative Office of the Courts shall certify to the Senate Finance Committee and the House Economic Matters Committee when the Comptroller and the Administrative Office of the Courts have entered into a memorandum of understanding providing for the funding to implement the requirements of Section 1 of this Act.”

SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 2 of this Act shall take effect May 1, 2011, contingent on the successful securing of funding for the implementation of the requirements of Section 1 of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, this Act shall take effect July 1, 2010”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 601 – Calvert County Delegation

AN ACT concerning

Calvert County – Regulation of Tattoo Artist and Body Piercing Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1034 – Delegates Costa, Benson, Bobo, Bronrott, Gaines, Guzzone, Hubbard, Kullen, Manno, Mizeur, Montgomery, ~~and Waldstreicher~~ Waldstreicher, Hixson, Hammen, Pendergrass, Elliott, Jenkins, Krebs, McDonough, Morhaim, Nathan-Pulliam, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments

HB1034/127578/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1034

(Third Reading File Bill)

On page 3, in line 35, strike “16-201.2(D)” and substitute “16-201.2(C)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton moved, duly seconded, to put **House Bill 1034** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1034** on Third Reading and Final Passage.

House Bill 1034 – Delegates Costa, Benson, Bobo, Bronrott, Gaines, Guzzone, Hubbard, Kullen, Manno, Mizeur, Montgomery, ~~and Waldstreicher~~ Waldstreicher, Hixson, Hammen, Pendergrass, Elliott, Jenkins, Krebs, McDonough, Morhaim, Nathan-Pulliam, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1185)

The Bill was then sent to the House of Delegates.

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

House Bill 1294 – Delegates Krysiak and Jones

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 886 SPONSOR: Senator Klausmeier

SUBJECT: **Financial Instns – Credit Unions and
Depository Instns – Auth to Conduct Savings Promotion
Raffles**

THIRD READING CALENDAR HOUSE NO. 23 SENATE NO. 55

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Economic Matters Committee Amendments (SB0886/333999/1) be rejected.

Senate Members:

House Members:

Chair, **Katherine Klausmeier**

Chair, **Brian J. Feldman**

George W. Della, Jr.

Warren E. Miller

Allan H. Kittleman

Michael L. Vaughn

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1186)

The Bill was then sent to the House of Delegates.**CONFERENCE COMMITTEE REPORT**

BILL NO.: SB 856 SPONSOR: The President

SUBJECT: Public Safety – Sexual Offender Advisory Board**THIRD READING CALENDAR HOUSE NO. 25 SENATE NO. 59**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendment (SB0856/652314/1) be rejected.

(2) That the attached Conference Committee Amendment (SB0856/653928/1) be adopted.

SB0856/653928/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 856**(Third Reading File Bill)**

On page 4, after line 24, insert:

“(II) CIVIL COMMITMENT OF SEXUAL OFFENDERS;”;

and in lines 25 and 27, strike **“(II)”** and **“(III)”**, respectively, and substitute **“(III)”** and **“(IV)”**, respectively.

On page 5, in line 4, after “teams;” insert **“AND”**; and strike beginning with the semicolon in line 6 down through **“CONGREGATE”** in line 9.

Senate Members:

House Members:

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Jamie Raskin

Jeff Waldstreicher

Larry E. Haines

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1187)

The Bill was then sent to the House of Delegates.**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #37**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video and Electronic Display Equipment**HB0190/398470/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Electronic”; strike beginning with “prohibiting” in line 7 down through “term” in line 14 and substitute “altering the types of video display equipment that are prohibited from being located in certain areas of a motor vehicle; altering the standards for the location of video display equipment in a motor vehicle; altering certain exceptions to the prohibition against the use of video display equipment in certain locations in a motor vehicle”; and in line 14, strike “and electronic”.

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 2 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 21 through 26, inclusive; in line 28, strike “A” and substitute “SUBJECT TO SUBSECTION (B) OF THIS SECTION, A”; in line 29, strike “television-type receiving” and substitute “VIDEO DISPLAY”; strike beginning with “in” in line 29 down through “otherwise” in line 30 and substitute “THAT IS”; and in line 30, after “driver” insert “WHILE DRIVING”.

On page 3, in line 1, strike “television-type receiving” and substitute “VIDEO DISPLAY”; in line 2, after “exclusively” insert “BY A PUBLIC SERVICE COMPANY OR”; in the same line, after “for” insert “PUBLIC”; in line 5, strike “or”; in line 6, strike “electronic” and substitute “VIDEO”; strike beginning with the colon in line 7 down through “A” in line 9 and substitute “THAT IS USED AS A”; strike in their entirety lines 10 through 13, inclusive; after line 13, insert:

“(4) THE USE IN A VEHICLE OF VIDEO DISPLAY EQUIPMENT EXCLUSIVELY FOR SAFETY, WHEN THE EQUIPMENT IS DESIGNED, INSTALLED, AND USED IN CONFORMANCE WITH THE INTENDED PURPOSE OF THE EQUIPMENT OR VEHICLE MANUFACTURER.”;

and strike in their entirety lines 14 through 24, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

HB0254/268770/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 254
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Jessica’s Law Enhancement” and substitute “Penalties”.

AMENDMENT NO. 2

On page 2, in lines 16, 18, and 24, in each instance, strike “15” and substitute “20”.

On page 3, in lines 11, 13, and 19, in each instance, strike “15” and substitute “20”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Jacobs moved, duly seconded, to put **House Bill 254** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 254** on Third Reading and Final Passage.

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1188)

The Bill was then sent to the House of Delegates.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 642 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Real Property – Home Builders – Community Amenities

PG 407–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 665 – Delegate Barnes

AN ACT concerning

~~**Prince George’s County – Domestic Violence – Conditions of Probation –**~~
~~**Order to Carry or Wear a Global Positioning System Device**~~ **GPS Tracking**
System Pilot Program for Offenders

HB0665/568372/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 665

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 15 and 20, in each instance, strike “the court in”.

On page 2, in line 4, strike “county” and substitute “court”.

AMENDMENT NO. 2

On page 9, in line 25, strike “COURT” and substitute “COUNTY”.

AMENDMENT NO. 3

On page 10, in lines 4 and 6, in each instance, strike “COUNTY” and substitute “COURT”; in line 14, strike “COURT” and substitute “COUNTY”; and in lines 30 and 32, in each instance, strike “COUNTY” and substitute “COURT”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 778 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Hecht, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

**Crimes – Unauthorized Computer Access for Sabotage of State Government
or Public Utilities**

HB0778/318279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 778

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Government” insert a comma; in line 3, strike “or”; in the same line, after “Utilities” insert “, or Other Energy Infrastructure”; in line 11, strike the second “or” and substitute a comma; and in line 12, after “services” insert “, or other energy infrastructure”.

AMENDMENT NO. 2

On page 5, in line 3, strike “**15**” and substitute “**10**”; and in the same line, strike “**\$50,000**” and substitute “**\$25,000**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway, DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones, Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough, Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh, Shewell, Simmons, Smigiel, Sossi, Stocksdales, Valderrama, Vallario, and Wood

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial Release and Inclusion on RAP Sheet

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1199 – Delegate Malone

AN ACT concerning

Motor Vehicles – Salvage – Standards and Requirements

HB1199/308576/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1199

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 19, strike “Except as provided in § 13–507(b)(5) of this subtitle, for” and substitute “**FOR**”.

On page 4, strike in their entirety lines 4 through 6, inclusive; in line 7, strike “3.” and substitute “**2.**”; in line 9, strike “4.” and substitute “**3.**”; in line 10, strike “5.” and substitute “**4.**”; and in line 11, strike “**6.**” and substitute “**5.**”.

On page 6, in line 10, strike “3, 4, or 5” and substitute “**2, 3, OR 4**”; in line 15, strike “5” and substitute “**4**”; in line 19, strike “13–506(c)(2)(ii)3” and substitute “**13–506(C)(2)(II)2**”; and in line 27, strike “5” and substitute “**4**”.

On page 7, in line 33, strike “13–506(c)(2)(ii)3” and substitute “**13–506(C)(2)(II)2**”.

On page 8, in line 7, strike “13–506(c)(2)(ii)5” and substitute “**13–506(C)(2)(II)4**”; in line 17, strike “**13–506(C)(2)(II)6**” and substitute “**13–506(C)(2)(II)5**”; and in line 30, strike “3, [or] 5, OR 6” and substitute “**4, OR 5**”.

AMENDMENT NO. 2

On page 4, in line 34, strike “**NONSTRUCTURAL**” and substitute “**COSMETIC**”.

AMENDMENT NO. 3

On page 7, in line 5, strike the brackets; strike beginning with “**EXCEPT**” in line 5 down through “**A**” in line 6; and strike in their entirety lines 20 through 23, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1336 – Washington County Delegation

AN ACT concerning

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

HB1336/808473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1336
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 9, in each instance, strike “the court in”; and in line 17, strike “county” and substitute “court”.

AMENDMENT NO. 2

On page 3, in line 15, strike “**COURT**” and substitute “COUNTY”; and in lines 25 and 27, in each instance, strike “**COUNTY**” and substitute “COURT”.

AMENDMENT NO. 3

On page 4, in line 2, strike “**COURT**” and substitute “COUNTY”; and in lines 15 and 17, in each instance, strike “**COUNTY**” and substitute “COURT”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1477 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Municipal Corporations – School Zones and Speed
Monitoring Systems**

PG 319–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS**House Bill 125 – Delegates Anderson, Branch, Conaway, Hammen, Kirk, Krysiak, Oaks, Robinson, Rosenberg, and Stukes**

AN ACT concerning

Baltimore City Public School System – Exclusion from Amount of Bonds Outstanding

FOR the purpose of excluding Qualified School Construction Bonds from the limitation on the aggregate principal amount of bonds outstanding for the Baltimore City Public School System; and generally relating to an exclusion from the amount of bonds outstanding for the Baltimore City Public School System.

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–306.2(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 392 – Delegates Vaughn, Barkley, Bobo, Bronrott, Gutierrez, Hecht, Heller, Hucker, James, Jameson, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lee, Levy, Manno, Minnick, Reznik, and Waldstreicher

AN ACT concerning

Commercial Law – Debt Settlement Services – Study

FOR the purpose of ~~prohibiting a person from offering, providing, or attempting to provide debt settlement services in the State except as allowed under this Act; prohibiting a debt settlement services provider from receiving certain funds or payments or imposing certain fees or charges on a consumer, except for certain fees for certain services, until a debt settlement services agreement is executed and the debt settlement services are completed; limiting to a certain amount the fee that a debt settlement services provider may charge for debt settlement services; prohibiting a debt settlement services provider from charging a fee for certain services or to rescind a debt settlement services agreement; prohibiting a debt settlement services provider from making a certain representation,~~

~~requiring or advising a consumer to stop making certain payments, or requiring a consumer to make a certain contribution; requiring that a debt settlement services agreement be signed and dated by the debt settlement services provider and the consumer and include certain information and disclosures; requiring that an advertisement for debt settlement services include certain disclosures; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; providing for the application of this Act; establishing a certain short title; defining certain terms; requiring the Office of the Commissioner of Financial Regulation in the Department of Labor, Licensing, and Regulation, in consultation with the Consumer Protection Division of the Office of the Attorney General, to conduct a study of the debt settlement services industry; requiring the study to determine how best to regulate the debt settlement services industry in the State; requiring the Office, in consultation with the Division, to establish a workgroup comprised of certain representatives; requiring the Office, in consultation with the Division, to report certain findings and recommendations on or before a certain date to certain committees of the General Assembly; and generally relating to debt settlement services and debt settlement services providers.~~

~~BY repealing and reenacting, with amendments,
Article — Commercial Law
Section 13-301(14)(xxvi)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Commercial Law
Section 13-301(14)(xxvii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)~~

~~BY adding to
Article — Commercial Law
Section 13-301(14)(xxviii); and 14-3801 through 14-3811 to be under the new
subtitle “Subtitle 38. Debt Settlement Services Act”
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)~~

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

House Bill 445 – Delegates Weir, Ali, Aumann, ~~Beitzel~~, Boteler, Carr, Glenn, Holmes, Hucker, Minnick, ~~Myers~~, Olszewski, ~~Serafini~~, Shewell, ~~Stein~~, and ~~Stull~~ and Stein

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Off-Highway Recreational Vehicles – Titling

FOR the purpose of defining “off-highway recreational vehicle”; altering the definition of “vehicle” to include off-highway recreational vehicles; requiring the owner of an off-highway recreational vehicle not purchased before a certain date to apply for a certificate of title in certain circumstances; requiring an application for a certificate of title for an off-highway recreational vehicle to be made by a certain electronic transmission; altering certain requirements relating to the electronic transmission of vehicle data to authorize transmission by a service provider instead of a licensed dealer; providing that, for purposes of determining a certain excise tax, the fair market value of a used off-highway recreational vehicle is the greater of the total purchase price or a certain amount; imposing an excise tax for each original and each subsequent certificate of title issued for an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; providing for the construction of this Act; making this Act an emergency measure; and generally relating to off-highway recreational vehicles and titling.

BY adding to

Article – Transportation
Section 11-140.1 and 13-102(13)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 11-176, 13-102(11) and (12), 13-104(a), 13-108.1, 13-809, and 23-106
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 13-101.1 and 13-610
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 461 – Delegates Cardin, Bobo, Carr, Feldman, Hammen, Kaiser, Morhaim, and Stein

AN ACT concerning

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

FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an EPAMD, or a motor scooter, to pass safely at a certain distance, except under certain circumstances; requiring a driver of a vehicle to yield the right-of-way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder under certain circumstances; and generally relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1209
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 470 – The Speaker (By Request – Administration) and Delegates Bohanan, Conway, Doory, Beidle, Bobo, Hecht, Levy, Mathias, Reznik, and Shewell

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

FOR the purpose of requiring the Comptroller to continue to distribute certain income tax revenue from corporations to the Higher Education Investment Fund; expanding the authorized uses of the Fund; establishing a Tuition Stabilization Trust Account in the Fund; requiring certain funds to be transferred to the Trust Account under certain circumstances; setting a certain State goal regarding certain resident tuition and fees at public institutions of higher education; providing that the Trust Account consists of certain money; limiting the authorized use of funds in the Trust Account; defining certain terms; stating a certain goal of the State for certain education funding; requiring the governing boards of certain higher education institutions to periodically review tuition at certain institutions and to take certain other actions for certain purposes; and generally relating to funding and authorized uses of the Higher Education Investment Fund.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.6
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–613.1

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

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

House Bill 476 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

FOR the purpose of requiring the governing body of Frederick County to grant a property tax setoff to a municipal corporation ~~in an amount no less than the amount granted for a certain tax year and in an amount that increases by a certain percentage under certain circumstances~~ in certain minimum amounts for certain taxable years; making this Act an emergency measure; and generally relating to a property tax setoff in Frederick County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–305
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 502 – Delegates Bohanan, Jameson, Kullen, O'Donnell, and Wood

AN ACT concerning

Calvert, Charles, and St. Mary's Counties – Deer Hunting

FOR the purpose of ~~requiring the Department of Natural Resources to establish a program in certain counties to train rifle shooters to hunt deer during daylight hours for the purpose of controlling the deer population; requiring the Department to give certain applicants priority to participate in the program; requiring the Department to adopt certain regulations; authorizing a person to hunt deer with a certain shotgun in certain counties during certain months; authorizing a person who holds a Deer Damage Permit in certain counties to hunt with a certain shotgun during deer season in certain locations, and to hunt deer on certain State lands under certain conditions~~ authorizing, in certain counties, the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays; prohibiting the Department from requiring a person who holds a Deer ~~Damage~~ Management Permit in certain counties to renew the permit more frequently than at a certain interval;

~~defining a certain term~~ stating the intent of the General Assembly that the Department evaluate certain deer hunting opportunities on certain public lands for certain purposes; authorizing, in St. Mary's County, a person who holds a certain permit to hunt deer with a shotgun on private property during certain months; providing for the termination of certain provisions of this Act; and generally relating to the regulation by the Department of Natural Resources of deer hunting ~~in Calvert, Charles, and St. Mary's counties.~~

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources

Section ~~10–408.2 and~~ 10–415(d)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

~~Article – Natural Resources~~

~~Section 10–415(a)~~

~~Annotated Code of Maryland~~

~~(2007 Replacement Volume and 2009 Supplement)~~

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

House Bill 729 – Cecil County Delegation

AN ACT concerning

Cecil County – Regulation of Domestic Animals

FOR the purpose of authorizing the County Commissioners of Cecil County, by ordinance, to provide for certain regulation of certain domestic animals and certain hybrids of domestic and wild animals; and generally relating to the regulation of domestic animals in Cecil County.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 11–511

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

House Bill 934 – Delegates McIntosh, G. Clagett, Conaway, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, ~~Conaway~~, Donoghue, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kullen, Love, Manno, Minnick, Montgomery, Morhaim, Niemann, Olszewski, Pendergrass, Reznik, Rice, Riley, Stein, ~~and Weir~~ Weir, Holmes, Norman, Serafini, Shewell, Sossi, and Stull

AN ACT concerning

~~Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions~~
Vehicle Laws – Commercial Vehicles – Handheld Telephones Utilizing
Push-to-Talk Technology

FOR the purpose of ~~prohibiting a driver of a certain school vehicle from using a certain wireless telephone under certain circumstances; prohibiting a holder of a learner's instructional permit or provisional driver's license who is 18 years of age or older from driving a motor vehicle while using a certain wireless telephone; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use a certain wireless telephone except under certain circumstances; establishing penalties for a violation of this Act; authorizing the court to waive a certain penalty under certain circumstances; providing for exceptions to certain provisions of this Act relating to prohibitions on using a wireless telephone while driving; requiring a driver education program and driver's license examination to include curriculum and questions, respectively, concerning the use of a wireless telephone and other electronic devices while driving; defining certain terms; providing for a delayed effective date; and generally relating to prohibitions against the use of a wireless telephone while operating a motor vehicle~~ creating an exception for the use of a handheld telephone utilizing push-to-talk technology by an individual operating a commercial motor vehicle to certain prohibitions against using a handheld telephone while driving a motor vehicle; making this Act subject to a certain contingency; and generally relating to handheld telephones utilizing push-to-talk technology in a commercial motor vehicle.

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–213.2(a)(7) and (8)
Annotated Code of Maryland
(2009 Replacement Volume)~~

~~BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–110(a) and (b) and 21–1124
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)~~

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

~~Article – Transportation
Section 16–110(e) and 16–505
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)~~

~~BY adding to
Article – Transportation
Section 21–1124.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124.2(b)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 321) of the Acts of the General Assembly of
2010)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124.2(c) and (d)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 321) of the Acts of the General Assembly of
2010)

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

House Bill 1400 – Delegates Stein and Krebs

AN ACT concerning

Commissioner of Financial Regulation – Financial Education Resources Clearinghouse

FOR the purpose of requiring the office of the Commissioner of Financial Regulation to serve as a clearinghouse for information on financial education resources, services, and programs available to residents of the State; ~~requiring~~ authorizing the Commissioner to ~~develop and maintain a~~ include on the Commissioner's website ~~to make certain information available to the public~~ certain information on financial education, resources, services, and programs and links to the websites of certain other state or federal agencies and certain nonprofit organizations; authorizing the Commissioner to designate an individual to administer the clearinghouse operations within the office of the Commissioner; and generally relating to the office of the Commissioner of Financial Regulation.

BY repealing and reenacting, with amendments,
Article – Financial Institutions

Section 2–107
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Financial Institutions
Section 2–120
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

MESSAGE TO THE SENATE

BILL: HB 0122

SPONSOR: Del Anderson, et al

SUBJECT: Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Barnes, Chairman
Delegate Schuler, and
Delegate Smigiel.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0122

SPONSOR: Del Anderson, et al

SUBJECT: Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Barnes, Chair

Delegate Schuler

Delegate Smigiel

The Senate appoints:

Senator Frosh, Chairman

Senator Mooney

Senator Forehand.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – ~~Property Owners~~ Billing

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

FLOOR AMENDMENT

HB0812/673628/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 812

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Billing” insert “and Payment”; and in line 5, after “basis;” insert “authorizing a tenant under certain circumstances to pay a bill for water service that is in arrears and to deduct the amount of the payment from a certain payment of rent;”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A TENANT WHO RECEIVES NOTICE THAT WATER SERVICE WILL BE DISCONTINUED BECAUSE A BILL IS IN ARREARS DUE TO THE PROPERTY OWNER’S FAILURE TO PAY THE BILL, MAY PAY THE BILL AT THE OFFICE OF THE POLITICAL SUBDIVISION AND DEDUCT THE AMOUNT OF THE PAYMENT FROM THE TENANT’S PAYMENT OF RENT FOR THE PROPERTY, UNLESS THE TENANT IS CONTRACTUALLY OBLIGATED TO PAY THE BILL.”

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 12, 2010.

The motion was adopted.

SPECIAL ORDERS

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

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – ~~Specialty Fertilizers~~ Lawn Fertilizer – Low Phosphorous Fertilizer

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

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 12, 2010.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1189)

ADJOURNMENT

At 6:03 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day April 7, 2010, Calendar Day, Monday, April 12, 2010, in Memory of the 29 miners who died in West Virginia mining accident.

Annapolis, Maryland
Legislative Day: April 7, 2010
Calendar Day: Monday, April 12, 2010
11:00 A.M. Session

The Senate met at 11:03 A.M.

Prayer by Reverend Greg St. Cyr, Bay Area Community Church, guest of Senator Astle.

The Journal of April 6, 2010 was read and approved.

QUORUM CALL

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

(See Roll Call No. 1190)

CONFERENCE COMMITTEE REPORT

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 142 –
THE CAPITAL BUDGET

(See Exhibit N of Appendix III)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 1191)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #33

House Bill 451 – Delegate Elmore

AN ACT concerning

**Somerset County – Alcoholic Beverages – Sales to Underage Drinkers – Local
Caterer’s License Created**

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

Affirmative – 45 Negative – 2 (See Roll Call No. 1192)

The Bill was then sent to the House of Delegates.

House Bill 558 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Entertainment Permit

PG 315–10

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

Affirmative – 45 Negative – 2 (See Roll Call No. 1193)

The Bill was then sent to the House of Delegates.

House Bill 571 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Waterfront
Entertainment Retail Complex**

PG 316–10

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

Affirmative – 45 Negative – 2 (See Roll Call No. 1194)

The Bill was then sent to the House of Delegates.

House Bill 711 – Delegates Healey and Lafferty

~~EMERGENCY BILL~~

AN ACT concerning

Real Property – Tenants in Foreclosure – Conforming to Federal Law

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

Affirmative – 46 Negative – 1 (See Roll Call No. 1195)

The Bill was then sent to the House of Delegates.

House Bill 837 – Washington County Delegation

AN ACT concerning

Washington County – Procurement of Professional or Technical Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1196)

The Bill was then sent to the House of Delegates.

**House Bill 907 – Delegates Valderrama, G. Clagett, Frank, Jennings, Kramer,
Ramirez, Schuler, and Waldstreicher**

AN ACT concerning

Civil Actions – Limitation of Actions – Land Surveyors

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1197)

The Bill was then sent to the House of Delegates.

House Bill 1531 – Delegates Busch, V. Clagett, and George

EMERGENCY BILL

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Renewal of Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1198)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #34

House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama

AN ACT concerning

International Marriage Brokers – Regulation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1199)

The Bill was then sent to the House of Delegates.

House Bill 405 – Chair, Economic Matters Committee (By Request – Departmental – Workers’ Compensation Commission)

AN ACT concerning

Workers’ Compensation – Covered Employees and Employers – Corporate or Limited Liability Company Officer

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1200)

The Bill was then sent to the House of Delegates.

House Bill 435 – Delegates ~~Kach and Jones~~, Jones, Benson, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Reimbursement of ~~Physicians – Services Outside of Office Hours, by Telephone, or Online~~ Primary Care Providers – Bonus Payments

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

The motion was adopted.

House Bill 815 – Delegates DeBoy, Jones, Barkley, Bromwell, G. Clagett, Costa, Glenn, Guzzone, Haynes, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Maryland ~~Department of Transportation Authority Police Officers~~ – Police Force – Creation and Collective Bargaining

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

Affirmative – 42 Negative – 5 (See Roll Call No. 1201)

The Bill was then sent to the House of Delegates.

House Bill 989 – Delegates Proctor and Vallario

AN ACT concerning

**State Personnel – Natural Resources Law Enforcement Officers –
Appointment to Major or Lieutenant Colonel**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1202)

The Bill was then sent to the House of Delegates.

House Bill 1073 – Delegates ~~Pena-Melnyk and Vallario~~, Vallario, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Insurance – Coordination of Benefits – Health Insurance and Personal Injury Protection

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1203)

The Bill was then sent to the House of Delegates.

House Bill 1155 – Delegates Lafferty, Ali, Anderson, Beidle, Bobo, Bronrott, Cardin, Carr, Frush, Gilchrist, Hecht, Hucker, Lee, Manno, Montgomery, Morhaim, Niemann, Reznik, Rosenberg, Schuh, Schuler, Stein, and Waldstreicher

AN ACT concerning

Transportation – Consolidated Transportation Program – Evaluation and Selection of Proposed Capital Projects

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

The motion was adopted.

House Bill 1163 – Delegates Carr, Gutierrez, ~~and Waldstreicher~~ Waldstreicher, Barkley, Braveboy, Feldman, Haddaway, Harrison, Hecht, Manno, Mathias, Taylor, and Vaughn

AN ACT concerning

Economic Development – Enterprise Zones – Designation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1204)

The Bill was then sent to the House of Delegates.

House Bill 1399 – ~~Delegate Lafferty~~ Delegates Lafferty and Stein

AN ACT concerning

Residential Mortgage Loans – Required Notice of Housing Counseling Programs and Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1205)

The Bill was then sent to the House of Delegates.

House Bill 1424 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Medicaid State Plan Amendments – Effective Dates

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1206)

The Bill was then sent to the House of Delegates.

House Bill 1464 – Delegates Myers, Beitzel, Kelly, Lafferty, Norman, Serafini, Stein, and Stull

AN ACT concerning

Land Bank Authorities – Establishment by Municipal Corporations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1207)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #35

House Bill 34 – ~~Delegate Waldstreicher~~ Delegates Waldstreicher, Ramirez, Gutierrez, Pena-Melnyk, Ali, Anderson, Barkley, Barnes, Barve, Benson, Bobo, Branch, Bronrott, Burns, Cane, Carr, Carter, Conaway, Davis, Doory, Dumais, Eckardt, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hucker, Ivey, Jameson, Jones, Kaiser, Kelly, Kipke, Kirk, Kramer, Krysiak, Lafferty, Lee, Levi, Levy, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Murphy, Nathan-Pulliam, Niemann, Oaks, Pendergrass, Proctor, Reznik, Rice, Riley, Robinson, Rosenberg, Ross, Simmons, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, and Walker

AN ACT concerning

State Government – Commemorative Month – Hispanic Heritage Month

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1208)

The Bill was then sent to the House of Delegates.

**House Bill 85 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

SECOND PRINTING

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

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

The motion was adopted.

House Bill 372 – Delegates Barnes, Frush, Manno, and Pena–Melnyk

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1209)

The Bill was then sent to the House of Delegates.

House Bill 391 – Delegates Lafferty, Frank, and Aumann

AN ACT concerning

**Baltimore County – Towson Commercial Revitalization District – Alcoholic
Beverages Licenses – Restaurants**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1210)

The Bill was then sent to the House of Delegates.

House Bill 531 – Delegates Reznik, Morhaim, and Pena–Melnyk

AN ACT concerning

**Task Force to Study the Procurement of Health, Education, and Social
Services by State Agencies – Extension**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1211)

The Bill was then sent to the House of Delegates.

House Bill 620 – Delegates Frush, Barnes, and Pena–Melnik

AN ACT concerning

**Condominiums and Homeowners Associations – Common Elements and
Common Areas – Implied Warranties**

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

The motion was adopted.

**House Bill 624 – Delegates Nathan–Pulliam, Eckardt, Costa, Donoghue,
Elmore, Hubbard, Kullen, ~~and Montgomery~~ Montgomery, and V. Turner**

AN ACT concerning

**Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and
Medication Technicians – Changes to Licensure Requirements**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1212)

The Bill was then sent to the House of Delegates.

**House Bill 647 – Delegates Reznik ~~and Hammen~~, Hammen, Donoghue,
Pena–Melnik, Riley, and V. Turner**

EMERGENCY BILL

AN ACT concerning

**Department of Natural Resources – Conservation Service Opportunities –
Procurement Exemption**

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

Affirmative – 46 Negative – 1 (See Roll Call No. 1213)

The Bill was then sent to the House of Delegates.

House Bill 956 – Delegate Myers

AN ACT concerning

**Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of
Licenses and License Numbers**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1214)

The Bill was then sent to the House of Delegates.

**House Bill 1064 – ~~Delegate Hubbard~~ Delegates Hubbard, Montgomery,
Pena-Melnyk, Pendergrass, and V. Turner**

AN ACT concerning

State Board of Examiners of Psychologists – Criminal History Records Check

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1215)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #36

**House Bill 178 – ~~Delegates McConkey, Barnes, Costa, Dwyer, George, King,
Kipke, Pena-Melnyk, and Sophocleous~~ Anne Arundel County Delegation**

AN ACT concerning

**Anne Arundel County Public Schools – Office Discipline Referrals
– ~~Accountability~~ Policy**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1216)

The Bill was then sent to the House of Delegates.

House Bill 320 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Mineral Interests Act

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1217)

The Bill was then sent to the House of Delegates.

House Bill 323 – Delegates Morhaim and Hammen

AN ACT concerning

Health Occupations – Licensure of Physician Assistants

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1218)

The Bill was then sent to the House of Delegates.

House Bill 356 – Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

AN ACT concerning

Forest Product Operators – Standards, Procedures, and Enforcement

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1219)

The Bill was then sent to the House of Delegates.

House Bill 466 – The Speaker (By Request – Administration) and Delegates Hixson and Conway

AN ACT concerning

Governor’s P-20 Leadership Council of Maryland

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1220)

The Bill was then sent to the House of Delegates.

House Bill 527 – Delegate V. Clagett

AN ACT concerning

Natural Resources – Abandoned Vessel – Definition

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1221)

The Bill was then sent to the House of Delegates.

House Bill 559 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Winery Special Event Permits – Farmers’ Markets

PG 304–10

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1222)

The Bill was then sent to the House of Delegates.

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers’ Markets

MC 9–10

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1223)

The Bill was then sent to the House of Delegates.

House Bill 983 – Delegates Rice, Ivey, Levi, Ross, and Walker

AN ACT concerning

**Public Schools – Law Enforcement Officers – Cultural Competency Model
Training ~~Program~~ Curriculum**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1224)

The Bill was then sent to the House of Delegates.

House Bill 1110 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Annual Financial Report – Filing Date

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1225)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Recreational Fishing Licenses – Licensing and Registration

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

The motion was adopted.

**House Bill 1425 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

**Department of the Environment – Consolidation and Administration of
Environmental Funds**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1226)

The Bill was then sent to the House of Delegates.

House Bill 1472 – Dorchester County Delegation, Somerset County Delegation, and Wicomico County Delegation

AN ACT concerning

Hunting Wild Waterfowl – Dorchester, Somerset, and Wicomico Counties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1227)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #37

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

FLOOR AMENDMENT

HB0056/153626/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 56, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

In the Budget and Taxation Committee Amendments (HB0056/229739/1), strike Amendment No. 1 in its entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike line 2 in its entirety and substitute “Counties – Gaming”; in line 5, after “circumstances;” insert “repealing a certain limitation on the number of permits to operate gaming devices that the County Commissioners for Queen Anne’s County may issue to an organization in a single year; authorizing the County Commissioners for Queen Anne’s County to determine the number of permits”

to issue to an organization in a single year; authorizing a certain qualified organization to operate a card games facility in Prince George's County; limiting the number of licenses that the State may issue to operate a card games facility; limiting the number of locations at which card games facilities may be located; requiring a card games facility to comply with applicable planning and zoning laws of the local jurisdiction; requiring certain legislation under certain circumstances; submitting the Prince George's provisions of this Act to a referendum of the legally qualified voters of Maryland for their adoption or rejection;"; in line 6, strike "slot machines" and substitute "gaming"; in the same line, after "County" insert ", Queen Anne's County, and Prince George's County"; in line 9, after "12-304" insert "and 13-2003(d)(3)"; and after line 11, insert:

"BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13-2002(a) and 13-2003(a)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)".

AMENDMENT NO. 3

On page 4 of the bill, after line 11, insert:

"13-2002.

(a) This subtitle applies only in Queen Anne's County.

13-2003.

(a) An organization listed in subsection (b) of this section shall obtain a permit from the county commissioners before the organization may use two or more of the following gaming devices in conducting a fundraiser at which prizes of merchandise or money may be awarded:

(1) a paddle wheel;

(2) a wheel of fortune;

(3) a chance book;

(4) a card game;

(5) a raffle; or

(6) any other gaming device.

(d) (3) The county commissioners may [not issue more than two permits] DETERMINE THE NUMBER OF PERMITS TO ISSUE to an organization in a single year.”.

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

Affirmative – 11 Negative – 34 (See Roll Call No. 1228)

FLOOR AMENDMENT

HB0056/479632/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 56, AS AMENDED

On page 2 of the Budget and Taxation Committee Amendments (HB0056/229739/1), in line 7 from the bottom of Amendment No. 2, after the first “of” insert “Section 2 of”.

The preceding amendment was read and adopted.

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

Affirmative – 34 Negative – 12 (See Roll Call No. 1229)

The Bill was then sent to the House of Delegates.

House Bill 88 – Chair, Economic Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Other Tobacco Products Licenses

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

Affirmative – 44 Negative – 3 (See Roll Call No. 1230)

The Bill was then sent to the House of Delegates.

**House Bill 217 – Delegates Cardin, Ali, Elmore, Frick, Rice, Ross, ~~and Walker~~
Walker, and Ivey**

AN ACT concerning

~~**Elections – Voter Registration and Voting – Age**~~
Election Law – Voter Registration and Nomination by Petition –
Requirements

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

The motion was adopted.

MESSAGE TO THE SENATE

BILL: SB 0310

SPONSOR: Sen Kasemeyer, et al

SUBJECT: Education – Maintenance of Effort Requirement – Process and Factors

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Kasemeyer, Chair
Senator Robey
Senator Brinkley

The House appoints: Delegate Rice, Chairman
Delegate Olszewski, and
Delegate Kaiser.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0099

SPONSOR: Sens DeGrange and Astle

SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Astle, Chair
Senator Garagiola
Senator Glassman

The House appoints: Delegate Vaughn, Chairman
Delegate King, and
Delegate McHale.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0465

SPONSOR: The Spkr (Admin), et al

SUBJECT: Collective Negotiations by Family Child Care Providers

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Davis, Chairman
Delegate Braveboy, and
Delegate Manno.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0465
SPONSOR: The Spkr (Admin), et al
SUBJECT: Collective Negotiations by Family Child Care Providers

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate D. Davis, Chair
Delegate Braveboy
Delegate Manno

The Senate appoints:
Senator Garagiola, Chairman
Senator Astle
Senator Klausmeier.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0473

SPONSOR: The Spkr (Admin), et al

SUBJECT: Criminal Procedure – Sexual Offenders – Lifetime Supervision

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Dumais, Chairman

Delegate Waldstreicher, and

Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0473

SPONSOR: The Spkr (Admin), et al

SUBJECT: Criminal Procedure – Sexual Offenders – Lifetime Supervision

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Dumais, Chair

Delegate Waldstreicher

Delegate Frank

The Senate appoints:
Senator Brochin, Chairman
Senator Haines
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0500

SPONSOR: Del Waldstreicher, et al

SUBJECT: Child Support Guidelines – Revision

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Simmons, Chairman
Delegate Dumais, and
Delegate Levi.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0500

SPONSOR: Del Waldstreicher, et al

SUBJECT: Child Support Guidelines – Revision

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Simmons, Chair

Delegate Dumais

Delegate Levi

The Senate appoints:

Senator Frosh, Chairman

Senator Forehand

Senator Gladden.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0936

SPONSOR: The Spkr (Admin), et al

SUBJECT: Criminal Procedure – Sex Offenders – Notification and Registration

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Dumais, Chairman
Delegate Waldstreicher, and
Delegate Frank.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0936

SPONSOR: The Spkr (Admin), et al

SUBJECT: Criminal Procedure – Sex Offenders – Notification and Registration

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Dumais, Chair
Delegate Waldstreicher
Delegate Frank

The Senate appoints:
Senator Brochin, Chairman
Senator Haines
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 1174

SPONSOR: Del Kullen, et al

SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Vaughn, Chairman

Delegate King, and

Delegate McHale.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1174

SPONSOR: Del Kullen, et al

SUBJECT: Junk Dealers and Scrap Metal Processors – Required Records

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Vaughn, Chair

Delegate King

Delegate McHale

The Senate appoints:

Senator Astle, Chairman

Senator Garagiola
Senator Glassman.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #29

AMENDED IN THE HOUSE

Senate Bill 97 – ~~Senator Mooney~~ Senators Mooney, Muse, Frosh, and Raskin

AN ACT concerning

Office of the Public Defender – Board of Trustees – ~~Composition~~ Membership

Senator Frosh moved that the Senate not concur in the House amendments.

SB0097/702313/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 97

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification”; in line 10, strike “the requirement” and substitute “a provision of law requiring”; in line 12, after “Trustees” insert “, by a certain vote,”; strike beginning with the comma in line 13 down through “term” in line 14; in line 16, after “members” insert “and chair”; in the same line, after “Trustees;” insert “requiring each member of the Board of Trustees to have demonstrated commitment to indigent defense;”; strike beginning with “requiring” in line 19 down through “qualifications;” in line 20; and in line 20 strike

“certain persons from serving on” and substitute “a prosecutor, judge, or law enforcement officer from being a member of”.

On pages 1 and 2, strike beginning with “providing” in line 25 on page 1 down through “a” in line 1 on page 2 and substitute “increasing the”; strike beginning with “altering” in line 2 down through “time;” in line 9 and substitute “repealing provisions of law relating to regional advisory boards of the Office of the Public Defender; requiring that the initial members of the Board of Trustees be appointed on or before a certain date; specifying the terms of the initial members of the Board of Trustees; providing that a member of the Board of Trustees who is serving on the effective date of this Act shall continue to serve until a successor is appointed and qualifies;”; and after line 15, insert:

“BY repealing

Article – Criminal Procedure

Section 16–303 and 16–304

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 3, strike line 3 in its entirety; and strike line 7 in its entirety and substitute “MEMBERS APPOINTED BY THE GOVERNOR, 12 OF WHOM EACH REPRESENT A PUBLIC DEFENDER DISTRICT, AND THE 13TH OF WHOM IS THE CHAIR.”

(2) THE BAR ASSOCIATION OF EACH COUNTY SHALL SUBMIT TO THE GOVERNOR THE NAMES OF THREE INDIVIDUALS FOR CONSIDERATION FOR AN OPEN POSITION ON THE BOARD OF TRUSTEES REPRESENTING THE PUBLIC DEFENDER DISTRICT IN WHICH THE COUNTY IS LOCATED.

(3) THE GOVERNOR SHALL CHOOSE THE MEMBERS OF THE BOARD OF TRUSTEES, OTHER THAN THE CHAIR, FROM AMONG THE NAMES SUBMITTED BY THE BAR ASSOCIATIONS.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 20 on page 3 through line 28 on page 5, and substitute:

“(c) (1) Each member of the Board of Trustees shall be a resident of the State AND HAVE DEMONSTRATED COMMITMENT TO INDIGENT DEFENSE.”

(2) [Two members] EACH MEMBER of the Board of Trustees shall be AN active [attorneys] ATTORNEY admitted to practice before the Court of Appeals of Maryland.

(3) A PROSECUTOR, JUDGE, OR LAW ENFORCEMENT OFFICER MAY NOT BE A MEMBER OF THE BOARD OF TRUSTEES.

(d) (1) The term of a member of the Board of Trustees is 3 years.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES ON JUNE 1, 2010.

(3) AT THE END OF A TERM A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHOSE TERM HAS EXPIRED MAY BE REAPPOINTED TO THE BOARD OF TRUSTEES.

[(2)] (5) A vacancy occurring on the Board of Trustees during the term of a member shall be filled by the Governor IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION for the remainder of the unexpired term.

(e) [(1) The Board of Trustees annually shall elect a chair from among its members.

(2)] The chair shall preside over and represent the interests of the Board of Trustees in carrying out this title.

(f) [Two] SEVEN members of the Board of Trustees are a quorum.

(g) (1) The Board of Trustees shall hold at least one regular annual meeting at a time and place that the chair designates.

(2) Additional meetings shall be held as necessary and may be called on notice by the chair or at the request of at least two members of the Board of Trustees.

(h) A member of the Board of Trustees:

(1) may not receive compensation for serving on the Board of Trustees;
but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

[16-303.

(a) There are four regional advisory boards of the Office.

(b) Each regional advisory board consists of five members appointed by the Governor.

(c) Of the four regional advisory boards:

(1) the first shall advise public defender districts one, eight, and nine, which encompass Baltimore City, Baltimore County, and Harford County;

(2) the second shall advise public defender districts two and three, which encompass Caroline County, Cecil County, Dorchester County, Kent County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, and Worcester County;

(3) the third shall advise public defender districts four, five, and seven, which encompass Anne Arundel County, Calvert County, Charles County, Prince George's County, and St. Mary's County; and

(4) the fourth shall advise public defender districts six, ten, eleven, and twelve, which encompass Allegany County, Carroll County, Frederick County, Garrett County, Howard County, Montgomery County, and Washington County.

(d) Each member of a regional advisory board shall be:

and (1) a resident of a district represented by that regional advisory board;

(2) (i) a judge of a circuit court;

(ii) a judge of the District Court; or

(iii) an active attorney admitted to practice before the Court of Appeals of Maryland.

(e) (1) The term of a member of a regional advisory board is 3 years.

(2) A vacancy occurring on a regional advisory board during the term of a member shall be filled by the Governor for the remainder of the unexpired term.

(f) (1) The Governor shall annually designate a chair of each regional advisory board from among the members of that regional advisory board.

(2) The chair shall preside over and represent the interests of that regional advisory board in carrying out this title.

(g) Three members of a regional advisory board are a quorum.

(h) (1) Each regional advisory board shall hold at least one regular annual meeting at a time and place that the chair designates.

(2) Additional meetings may be called:

(i) on notice by the chair;

(ii) on notice by the Public Defender;

(iii) on notice by the district public defender from a district represented by that regional advisory board; or

(iv) at the request of at least three members of the regional advisory board.

(i) A member of a regional advisory board:

(1) may not receive compensation for serving on the regional advisory board; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.]

[16–304.

Each regional advisory board shall:

(1) study and observe the operation of district public defender offices; and

(2) advise the Public Defender and district public defenders on panels of attorneys, fees, and other matters about the operation of district public defender offices and the public defender system.]”.

On page 6, strike lines 3 through 8 in their entirety and substitute:

“(1) The members representing public defender districts one through four in 2012;

(2) The members representing public defender districts five through eight in 2013;

(3) The members representing public defender districts nine through twelve in 2014; and

(4) The chair in 2014.”;

and strike lines 12 through 16 in their entirety and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2010.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0097

SPONSOR: Sen Mooney, et al

SUBJECT: Office of the Public Defender – Board of Trustees – Membership

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Frosh, Chairman

Senator Mooney

Senator Forehand.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 768 SPONSOR: Delegate Griffith

**SUBJECT: Employees' Ret and Pension Systems – Md
School for the Deaf Retirees – Overpayment of Benefits**

THIRD READING CALENDAR HOUSE NO. 45 SENATE NO. 15

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Budget and Taxation Committee Amendments (HB0768/849030/1) be adopted.

HB0768/849030/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 768
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “the” in line 4 down through “requiring” in line 7.

On page 2, in line 3, strike “21-113(c)” and substitute “29-402”.

AMENDMENT NO. 2

On page 2, in line 11, strike “SUBSECTION (C) OF THIS SECTION” and substitute “§ 29-402 OF THIS ARTICLE”; and after line 17, insert:

“29-402.

(A) THIS SECTION APPLIES TO A RETIREE OF THE EMPLOYEES’ RETIREMENT SYSTEM OR EMPLOYEES’ PENSION SYSTEM WHO:

(1) RETIRED FROM THE EMPLOYEES’ RETIREMENT SYSTEM OR EMPLOYEES’ PENSION SYSTEM ON OR BEFORE JUNE 30, 2009;

(2) BEFORE RETIREMENT WAS AN EMPLOYEE OF THE MARYLAND SCHOOL FOR THE DEAF; AND

(3) BEFORE RETIREMENT, AS AN EMPLOYEE FOR THE MARYLAND SCHOOL FOR THE DEAF, WAS A 10-MONTH EMPLOYEE INCORRECTLY CLASSIFIED AS A 12-MONTH EMPLOYEE.

(B) (1) IF A RETIREE IS RECEIVING A BENEFIT THAT DIFFERS FROM THE BENEFIT THE RETIREE IS ENTITLED TO RECEIVE, THE BOARD OF TRUSTEES SHALL, BEGINNING JULY 1, 2010, AND EACH SUBSEQUENT JULY 1, SUSPEND ANY ANNUAL RETIREMENT ALLOWANCE ADJUSTMENT THE RETIREE MAY RECEIVE UNDER THIS SUBTITLE.

(2) BEGINNING JULY 1, 2010, AND EACH SUBSEQUENT JULY 1, ANY ADJUSTMENT TO THE RETIREE'S ANNUAL RETIREMENT ALLOWANCE DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CALCULATED USING:

(I) FOR ANY ADJUSTMENT CALCULATED UNDER PART II OR PART III OF THIS SUBTITLE, THE INITIAL ALLOWANCE THE RETIREE WAS ENTITLED TO RECEIVE AND NOT THE INITIAL ALLOWANCE THE RETIREE DID RECEIVE;

(II) FOR ANY ADJUSTMENT CALCULATED UNDER PART IV AND PART VI OF THIS SUBTITLE, THE CURRENT RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE AND NOT THE CURRENT RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING; OR

(III) FOR ANY ADJUSTMENT CALCULATED UNDER PART V OF THIS SUBTITLE, BOTH THE INITIAL ALLOWANCE THE RETIREE WAS ENTITLED TO RECEIVE AND NOT THE INITIAL ALLOWANCE THE RETIREE DID RECEIVE AND THE CURRENT RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE AND NOT THE CURRENT RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING.

(3) THE BOARD OF TRUSTEES SHALL SUSPEND ANY ANNUAL RETIREMENT ADJUSTMENT UNDER THIS SUBSECTION UNTIL THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE, INCLUDING ANY SUSPENDED ANNUAL RETIREMENT ALLOWANCE ADJUSTMENTS, EQUALS THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING ON JULY 1, 2010.

(4) WHEN THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE IS ENTITLED TO RECEIVE, INCLUDING ANY SUSPENDED ANNUAL RETIREMENT ALLOWANCE ADJUSTMENTS, EQUALS THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE IS RECEIVING ON JULY 1, 2010, THE BOARD OF TRUSTEES SHALL RESUME ADJUSTING THE RETIREE'S ANNUAL ALLOWANCE ON JULY 1 OF EACH YEAR IN ACCORDANCE WITH THIS SUBTITLE.

(C) IF A RETIREE DIES BEFORE THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE WAS ENTITLED TO RECEIVE, INCLUDING ANY SUSPENDED ANNUAL RETIREMENT ALLOWANCE ADJUSTMENTS, EQUALS THE TOTAL AMOUNT OF RETIREMENT ALLOWANCE THE RETIREE WAS RECEIVING ON JULY 1, 2010, AND THE RETIREE HAS SELECTED AN OPTIONAL FORM OF ALLOWANCE UNDER TITLE 21, SUBTITLE 4 OF THIS ARTICLE, THE DECEASED RETIREE'S BENEFICIARY SHALL RECEIVE A BENEFIT CALCULATED ON THE RETIREMENT ALLOWANCE THE DECEASED RETIREE WAS ENTITLED TO RECEIVE AT THE TIME OF THE RETIREE'S DEATH AND NOT WHAT THE RETIREE WAS RECEIVING AT THE TIME OF THE RETIREE'S DEATH."

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 19 on page 2 through line 35 on page 4, inclusive.

Senate Members:

House Members:

Chair, **Nathaniel J. McFadden**

Chair, **Melony G. Griffith**

Edward J. Kasemeyer

Norman H. Conway

Donald F. Munson

Susan L. M. Aumann

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1231)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT**BILL NO.: HB 103 SPONSOR: Delegate Lafferty****SUBJECT: Real Property – Mobile Home Parks – Plans for
Dislocated Residents****THIRD READING CALENDAR HOUSE NO. 32 SENATE NO. 8**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Judicial Proceedings Committee Amendment (HB0103/258271/1) be adopted.

(2) That the attached Conference Committee Amendments (HB0103/473423/2) be adopted.

HB0103/258271/1**BY: Judicial Proceedings Committee****AMENDMENT TO HOUSE BILL 103****(Third Reading File Bill)**

On page 4, strike beginning with “**THAT**” in line 15 down through “**WAS**” in line 17; and strike beginning with “**; OR**” in line 18 down through “**PREMISES**” in line 21.

HB0103/473423/2**BY: Conference Committee****AMENDMENTS TO HOUSE BILL 103****(Third Reading File Bill)****AMENDMENT NO. 1**

On page 1, in line 17, after “closed” insert “**under certain circumstances**”.

AMENDMENT NO. 2

On page 3, in line 3, strike the second “**THE**” and substitute “**A**”; and in the same line, after “**PARK**” insert “**WITH MORE THAN 38 SITES**”.

On page 4, in line 13, after “**PARK**” insert “**WITH MORE THAN 38 SITES**”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Marvin E. Holmes, Jr.**

Lisa A. Gladden

Cheryl D. Glenn

C. Anthony Muse

Richard A. Sossi

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted by a roll call vote as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1232)

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1233)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 235 SPONSOR: Senator Robey

**SUBJECT: Real Property – Mobile Home Parks – Plans for
Dislocated Residents**

THIRD READING CALENDAR HOUSE NO. 19 SENATE NO. 34

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0235/450916/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0235/903425/1) be adopted.

SB0235/903425/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 235

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “the payment of” and substitute “a budget reflecting the amount of”; in the same line, after “assistance” insert “allocated by the mobile home park owner to be given”; in line 14, after “requiring” insert “certain”; and in line 15, after “closed” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 3, strike the second “**THE**” and substitute “**A**”; in the same line, after “**PARK**” insert “**WITH MORE THAN 38 SITES**”; and in line 15, strike “**(C)(1)**” and substitute “**(C)(2)**”.

On page 4, in line 13, after “**PARK**” insert “**WITH MORE THAN 38 SITES**”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Marvin E. Holmes, Jr.**

Lisa A. Gladden

Cheryl D. Glenn

C. Anthony Muse

Richard A. Sossi

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1234)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 990** SPONSOR: **Delegate Olszewski**

SUBJECT: **Financial Institutions – Credit Unions –
Authority to Conduct Savings Promotion Raffles**

THIRD READING CALENDAR HOUSE NO. **36** SENATE NO. **12**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Finance Committee Amendments (HB0990/617679/1) be adopted.

HB0990/617679/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 990

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Unions” insert “and Depository Institutions”; in line 6, after “union;” insert “authorizing a depository institution to conduct a savings promotion raffle for the exclusive benefit of eligible customers of the depository institution;”; in line 7, after “union” insert “and a depository institution”; in line 8, strike “a” and substitute “certain”; in the same line, strike “raffle” and substitute “raffles”; in line 10, after “union” insert “and a certain depository institution”; in line 12, after “terms;” insert “making this Act subject to a certain contingency; requiring the Commissioner to monitor certain federal action and give certain notice to the”

Department of Legislative Services at a certain time; providing for the termination of this Act under certain circumstances;"; and in lines 12 and 13, strike "credit unions and".

On page 2, in line 3, after "Section" insert "1-211 and".

AMENDMENT NO. 2

On page 2, in line 21, after "ARTICLE" insert "OR BY A DEPOSITORY INSTITUTION UNDER § 1-211 OF THE FINANCIAL INSTITUTIONS ARTICLE".

On page 5, in line 23, after "(C)" insert "(1)"; after line 26, insert:

"(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A DEPOSITORY INSTITUTION, AS DEFINED IN § 1-211 OF THE FINANCIAL INSTITUTIONS ARTICLE, MAY CONDUCT A SAVINGS PROMOTION RAFFLE UNDER § 1-211 OF THE FINANCIAL INSTITUTIONS ARTICLE.";

and after line 27, insert:

"1-211.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DEPOSITORY INSTITUTION" MEANS ANY STATE-CHARTERED OR FEDERALLY CHARTERED FINANCIAL INSTITUTION, OTHER-STATE BANK, OR FOREIGN BANK THAT:

(I) IS LOCATED IN THIS STATE OR MAINTAINS A BRANCH IN THIS STATE; AND

(II) IS AUTHORIZED TO MAINTAIN QUALIFYING DEPOSIT ACCOUNTS.

(3) "ELIGIBLE CUSTOMER" MEANS AN INDIVIDUAL CUSTOMER OF A DEPOSITORY INSTITUTION WHO:

(I) MAINTAINS A QUALIFYING DEPOSIT ACCOUNT AT A DEPOSITORY INSTITUTION PARTICIPATING IN A SAVINGS PROMOTION RAFFLE;

(II) IS AN ADULT; AND

(III) IS A RESIDENT OF THIS STATE.

(4) “QUALIFYING DEPOSIT ACCOUNT” MEANS A SAVINGS ACCOUNT, SAVINGS PROGRAM, OR OTHER TIME DEPOSIT OFFERED TO AN ELIGIBLE CUSTOMER FOR A SAVINGS PROMOTION RAFFLE.

(5) “SAVINGS PROMOTION RAFFLE” MEANS A PRIZE-LINKED SAVINGS PRODUCT OFFERED BY A PARTICIPATING DEPOSITORY INSTITUTION TO AN ELIGIBLE CUSTOMER.

(B) (1) A DEPOSITORY INSTITUTION MAY CONDUCT A SAVINGS PROMOTION RAFFLE FOR THE EXCLUSIVE BENEFIT OF ELIGIBLE CUSTOMERS IF:

(I) THE SOLE CONSIDERATION REQUIRED FOR A CHANCE TO WIN A SPECIFIED PRIZE IS THE DEPOSIT OF A MINIMUM SPECIFIED AMOUNT OF MONEY IN A QUALIFYING DEPOSIT ACCOUNT;

(II) EACH TICKET OR ENTRY IN THE SAVINGS PROMOTION RAFFLE HAS AN EQUAL CHANCE OF BEING DRAWN;

(III) THE DEPOSITORY INSTITUTION MAINTAINS BOOKS AND RECORDS RELATING TO THE SAVINGS PROMOTION RAFFLE; AND

(IV) THE SAVINGS PROMOTION RAFFLE WILL NOT:

1. HARM THE DEPOSITORY INSTITUTION’S ABILITY TO OPERATE IN A SAFE AND SOUND MANNER; OR

2. MISLEAD THE DEPOSITORY INSTITUTION’S CUSTOMERS.

(2) IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, A SAVINGS PROMOTION RAFFLE CONDUCTED BY A BANKING INSTITUTION MUST BE APPROVED BY THE COMMISSIONER.

(C) EXCEPT AS PREEMPTED BY FEDERAL LAW, THE COMMISSIONER MAY:

(1) EXAMINE THE CONDUCT OF A SAVINGS PROMOTION RAFFLE; AND

(2) ISSUE A CEASE AND DESIST ORDER UNDER § 5-808 OF THIS ARTICLE FOR A VIOLATION OF THIS SECTION.”.

On page 7, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010, contingent on depository institutions that are subject to regulation by the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, or the Federal Reserve Board being allowed to provide prize-linked savings products such as a savings promotion raffle authorized by this Act. The Commissioner of Financial Regulation shall monitor federal regulatory and legislative action relating to the authorization of depository institutions to provide prize-linked savings products such as savings promotion raffles, and shall notify the Department of Legislative Services within 30 days after learning that federal action has been taken to allow depository institutions to provide prize-linked products such as a savings promotion raffle authorized by this Act. If notice from the Commissioner is not received by the Department on or before October 1, 2014, this Act shall be null and void without the necessity of further action by the General Assembly.”;

in line 3, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act.”.

Senate Members:

House Members:

Chair, **Katherine Klausmeier**

Chair, **Brian J. Feldman**

George W. Della, Jr.**Warren E. Miller**

Allan H. Kittleman

Michael L. Vaughn

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1235)

The Bill was then sent to the House of Delegates.**CONCURRENCE CALENDAR #31****AMENDED IN THE HOUSE****Senate Bill 911 – ~~Senator Astle~~ Senators Astle, Della, Exum, Garagiola,
Glassman, Klausmeier, and Middleton**

AN ACT concerning

Underground Facilities – Damage Prevention

Senator Middleton moved that the Senate not concur in the House amendments.

SB0911/113696/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 911

(Third Reading File Bill)

AMENDMENT NO. 1On page 1, in line 15, after “members;” insert “prohibiting a member of the Authority from participating in certain matters;”.

On page 3, in line 21, after “changes;” insert “providing for a certain contingency;”; and in line 34, strike “12–120, 12–121, 12–122, 12–128, 12–134, and 12–135” and substitute “12–106, 12–107, 12–108, 12–114, 12–120, and 12–121”.

On page 4, in line 5, strike “adding to” and substitute “repealing and reenacting, with amendments,”; in line 7, after “through” insert “12–108 and”; strike beginning with “Maryland” in line 7 down through “Requests” in line 11 and substitute “Excavation and Demolition”; and 12–121”; after line 13, insert:

“(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–120 to be under the new part “Part IV. Enforcement and Penalties”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Section 2 of this Act)

BY adding to

Article – Public Utility Companies

Section 12–109 through 12–113; and 12–117 to be under the new part “Part III. Designer Request”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Public Utility Companies

Section 12–106 through 12–114 and the part “Part II. Excavation and Demolition”; 12–117 and the part “Part III. Designer Requests”; and 12–120 and 12–121 and the part “Part IV. Enforcement and Penalties”, respectively

to be Section 12–120 through 12–128 and the part “Part IV. Excavation and Demolition”; 12–131 and the part “Part V. Designer Requests”; and 12–134 and 12–135 and the part “Part VI. Enforcement and Penalties”, respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Sections 2 and 3 of this Act);

strike beginning with “12–120” in line 16 down through “12–135” in line 17 and substitute “12–101”; in line 20, strike “2” and substitute “3”; after line 20, insert:

“BY adding to

Article – Public Utility Companies

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

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”;

strike in their entirety lines 21 through 26, inclusive; in line 27, strike “without” and substitute “with”; strike in its entirety line 29 and substitute “Section 12–120, 12–121, 12–123, 12–125, 12–127, 12–128, and 12–135”; in line 32, strike “Section 2” and substitute “Sections 2, 3, and 4”; and after line 32, insert:

“BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–122, 12–124, and 12–126

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Sections 2, 3, and 4 of this Act)”.
AMENDMENT NO. 2

On page 5, strike beginning with “12–120,” in line 16 down through “12–135” in line 17 and substitute “12–106, 12–107, 12–108, 12–114, 12–120, and 12–121”; strike in their entirety lines 28 and 29; in line 30, strike “(C)” and substitute “(B)”; in line 32, strike both brackets; and in the same line, strike “(D)”.

On page 6, in lines 1, 6, 14, 18, and 30, strike “(E)”, “(F)”, “(H)”, “(I)”, and “(J)”, respectively, and substitute “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively; and strike in their entirety lines 12 and 13.

On page 7, in lines 14, 16, and 23, strike “(K)”, “(L)”, and “(M)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively.

On page 8, in line 2, strike “**12–131**” and substitute “**12–117**”; and in lines 3 and 6, strike “(N)” and “(O)”, respectively, and substitute “(L)” and “(M)”, respectively.

On page 9, after line 1, insert:

“PART II. EXCAVATION AND DEMOLITION.

12-106.

(a) Except as provided in subsections (b) and (c) of this section, a person that obtains the information required under this subtitle is not excused from:

(1) performing an excavation or demolition in a careful and prudent manner; and

(2) liability for damages or injury that results from the excavation or demolition.

(b) If an underground facility is damaged by a person that fails to comply with this subtitle, the person is deemed negligent and is liable to the owner for the total cost of repair of the underground facility, unless the owner has failed to become an owner-member in accordance with § [12-109(b)] **12-109** of this subtitle.

(c) If an underground facility is damaged by a person who is in compliance with this subtitle and the owner has failed to become an owner-member in accordance with § [12-109(b)] **12-109** of this subtitle:

(1) the person is not liable to the owner for the cost of repair of the underground facility; and

(2) the owner is liable for any repairs or restoration of property damaged by the excavation or demolition.

(d) Subsection (c) of this section may not be construed to interfere with the right of:

(1) a third party to recover damages arising out of the excavation or demolition from the person or from the owner; or

(2) the person to seek contribution from an owner for damages sought

by a third party under paragraph (1) of this subsection.

12-107.

(a) Subject to § [12-104(b)] **12-106(B)** of this subtitle, if all reasonable precautions have been taken to protect underground facilities, § [12-104(a)] **12-106(A)** of this subtitle and §§ [12-106 through 12-113] **12-108 THROUGH 12-121** of this subtitle do not apply to an emergency excavation or demolition being performed to prevent danger to life, health, or property.

(b) A person performing an emergency excavation or demolition to prevent danger to life, health, or property shall:

(1) take all reasonable precautions to protect underground facilities in and near the excavation or demolition area; and

(2) [promptly notify each owner of an underground facility in and near the excavation or demolition area] **IMMEDIATELY NOTIFY THE ONE-CALL SYSTEM SERVING THE GEOGRAPHIC AREA WHERE THE EMERGENCY EXCAVATION OR DEMOLITION IS PERFORMED TO INFORM THE APPROPRIATE OWNER-MEMBERS OF THE EXCAVATION OR DEMOLITION AREA.**

(C) A PERSON THAT ABUSES THE EMERGENCY EXCAVATION AND DEMOLITION PROCEDURE SET FORTH IN THIS SECTION IS SUBJECT TO PENALTIES UNDER § 12-121 OF THIS SUBTITLE.

12-108.

(a) Except as provided in subsection (b) of this section, a person that operates a one-call system in the State shall register with and obtain certification to operate from the Commission.

(b) A person operating a one-call system on or before July 1, 1990, is automatically registered with and certified by the Commission to continue to operate.

(c) (1) The operator of a one-call system shall install and make available an [owner-contractor] **UNDERGROUND FACILITIES** information exchange system in its one-call center in the State.

(2) The [owner-contractor] UNDERGROUND FACILITIES information exchange system shall be available to any caller at all times.

(d) The Commission may grant, amend, or revoke the certification of a person operating a one-call system.

12-109.

(A) (1) AN OWNER SHALL BE A MEMBER OF A ONE-CALL SYSTEM.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN OWNER BECOMES A MEMBER OF A ONE-CALL SYSTEM BY REGISTERING WITH THE ONE-CALL SYSTEM.

(3) THE DEPARTMENT OF TRANSPORTATION, ITS ADMINISTRATIONS, AND THE MARYLAND TRANSPORTATION AUTHORITY SHALL BECOME MEMBERS OF THE ONE-CALL SYSTEM THROUGH A SEPARATE AGREEMENT AND USING THE INFORMATION COLLECTED UNDER § 12-110(B)(2) OF THIS SUBTITLE.

(B) (1) AN OWNER-MEMBER OF A ONE-CALL SYSTEM SHALL SUBMIT TO THE ONE-CALL SYSTEM, IN WRITING, THE TELEPHONE NUMBER OF THE PERSON TO WHICH CALLS CONCERNING PROPOSED EXCAVATIONS OR DEMOLITIONS SHALL BE DIRECTED.

(2) AN OWNER-MEMBER SHALL ENSURE THAT ALL CONTACT INFORMATION PROVIDED TO THE ONE-CALL SYSTEM REMAINS CURRENT.

12-110.

(A) A PERSON THAT INTENDS TO PERFORM AN EXCAVATION OR DEMOLITION IN THE STATE SHALL INITIATE A TICKET REQUEST BY NOTIFYING THE ONE-CALL SYSTEM SERVING THE GEOGRAPHIC AREA WHERE THE EXCAVATION OR DEMOLITION IS TO BE PERFORMED OF THE PERSON'S INTENT TO PERFORM THE EXCAVATION OR DEMOLITION.

(B) NOTICE PROVIDED TO A ONE-CALL SYSTEM UNDER SUBSECTION (A) OF THIS SECTION SHALL INDICATE:

(1) THE LOCATION OF THE PROPOSED EXCAVATION OR DEMOLITION;

(2) WHETHER THE PROPOSED EXCAVATION OR DEMOLITION IS WITHIN RIGHTS-OF-WAY OWNED OR CONTROLLED BY THE DEPARTMENT OF TRANSPORTATION, AN ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, OR THE MARYLAND TRANSPORTATION AUTHORITY AND, IF SO, THE ENTITY AND THE PERMIT NUMBER OR AUTHORIZATION NUMBER OBTAINED FROM THAT ENTITY; AND

(3) THE TYPE OF WORK TO BE PERFORMED IN CONNECTION WITH THE PROPOSED EXCAVATION OR DEMOLITION.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ON RECEIVING NOTICE, THE ONE-CALL SYSTEM SHALL PROMPTLY TRANSMIT A COPY OF THE TICKET TO ALL OWNER-MEMBERS IN THE GEOGRAPHIC AREA INDICATED FOR THAT TICKET.

(2) BASED ON INFORMATION COLLECTED UNDER SUBSECTION (B)(2) OF THIS SECTION, THE ONE-CALL SYSTEM SHALL PROMPTLY TRANSMIT A COPY OF THE TICKET TO THE DEPARTMENT OF TRANSPORTATION, AN ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, OR THE MARYLAND TRANSPORTATION AUTHORITY, AS APPLICABLE.

(3) A TICKET IS VALID FOR 12 BUSINESS DAYS AFTER THE DAY ON WHICH THE TICKET IS TRANSMITTED BY THE ONE-CALL SYSTEM TO AN OWNER-MEMBER.

12-111.

(A) A PERSON SHALL REPEAT THE NOTIFICATION REQUIRED UNDER § 12-110 OF THIS SUBTITLE IF THE PERSON:

(1) HAS NOT COMPLETED OR WILL NOT COMPLETE THE

EXCAVATION OR DEMOLITION WITHIN THE TIME PERIOD AUTHORIZED BY THE TICKET; OR

(2) INTENDS TO EXPAND THE EXCAVATION OR DEMOLITION BEYOND THE LOCATION INDICATED IN THE NOTICE UNDER § 12-110(B) OF THIS SUBTITLE.

(B) A PERSON SHALL REPEAT THE NOTIFICATION REGARDLESS OF:

(1) ANY DELAYS BY AN OWNER-MEMBER IN MARKING ITS UNDERGROUND FACILITIES; OR

(2) AN AGREEMENT BETWEEN THE PERSON AND AN OWNER-MEMBER REGARDING THE TIME FOR MARKING UNDERGROUND FACILITIES.

12-112.

(A) AN OWNER-MEMBER SHALL MARK ITS UNDERGROUND FACILITY IF THE OWNER-MEMBER HAS DETERMINED THAT A PROPOSED EXCAVATION OR DEMOLITION:

(1) IS WITHIN 5 FEET OF THE HORIZONTAL PLANE OF THE UNDERGROUND FACILITY; OR

(2) BECAUSE OF PLANNED BLASTING, IS SO NEAR TO THE UNDERGROUND FACILITY THAT THE UNDERGROUND FACILITY MAY BE DAMAGED OR DISTURBED.

(B) (1) AN OWNER-MEMBER SHALL MARK THE LOCATION OF ITS UNDERGROUND FACILITY BY MARKING ON THE GROUND WITHIN 18 INCHES ON A HORIZONTAL PLANE ON EITHER SIDE OF THE UNDERGROUND FACILITY.

(2) (I) WHEN MARKING THE LOCATION OF AN UNDERGROUND FACILITY, AN OWNER-MEMBER SHALL USE THE CURRENT COLOR CODES ESTABLISHED BY THE AMERICAN PUBLIC WORKS ASSOCIATION FOR MARKING UNDERGROUND FACILITIES.

(II) IF TWO OR MORE OWNER-MEMBERS SHARE THE SAME COLOR CODE, EACH OWNER-MEMBER SHALL INCLUDE INFORMATION WITH THE MARKING THAT INDICATES THE OWNER-MEMBER OF THE MARKED UNDERGROUND FACILITY.

(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, WITHIN 2 BUSINESS DAYS AFTER THE DAY ON WHICH A TICKET IS TRANSFERRED TO AN OWNER-MEMBER, THE OWNER-MEMBER SHALL:

(1) MARK THE LOCATION OF THE OWNER-MEMBER'S UNDERGROUND FACILITY AND REPORT TO THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM THAT THE UNDERGROUND FACILITY HAS BEEN MARKED; OR

(2) REPORT TO THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM THAT THE OWNER-MEMBER HAS NO UNDERGROUND FACILITIES IN THE VICINITY OF THE PLANNED EXCAVATION OR DEMOLITION.

(D) (1) IF AN OWNER-MEMBER IS UNABLE TO MARK THE LOCATION OF THE OWNER-MEMBER'S UNDERGROUND FACILITY WITHIN THE TIME PERIOD PRESCRIBED IN SUBSECTION (C) OF THIS SECTION BECAUSE OF THE SCOPE OF THE PROPOSED EXCAVATION OR DEMOLITION, THE OWNER-MEMBER SHALL:

(I) PROMPTLY NOTIFY THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM AND THE PERSON THAT INTENDS TO PERFORM THE EXCAVATION OR DEMOLITION; AND

(II) WORK WITH THE PERSON THAT INTENDS TO PERFORM THE EXCAVATION OR DEMOLITION TO DEVELOP A MUTUALLY AGREEABLE SCHEDULE FOR MARKING THE UNDERGROUND FACILITY.

(2) IF THE OWNER-MEMBER AND PERSON THAT INTENDS TO PERFORM THE EXCAVATION OR DEMOLITION CANNOT REACH A MUTUALLY AGREEABLE SCHEDULE FOR MARKING UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE OWNER-MEMBER SHALL MARK THAT PORTION OF THE SITE WHERE EXCAVATION OR DEMOLITION WILL FIRST OCCUR, AND THE

OWNER-MEMBER SHALL MARK THE REMAINDER OF THE SITE WITHIN A REASONABLE TIME.

(3) IF, DUE TO CIRCUMSTANCES BEYOND AN OWNER-MEMBER'S CONTROL AND FOR REASONS OTHER THAN THOSE SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION, AN OWNER-MEMBER IS UNABLE TO MARK THE LOCATION OF THE OWNER-MEMBER'S UNDERGROUND FACILITY WITHIN THE TIME PERIOD PRESCRIBED IN SUBSECTION (C) OF THIS SECTION, THE OWNER-MEMBER SHALL REPORT TO THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM THAT AN EXTENSION IS REQUIRED.

(4) IN CONNECTION WITH EXTENSIVE OR CONTIGUOUS EXCAVATION OR DEMOLITION PROJECTS, THE PERSON PERFORMING THE EXCAVATION OR DEMOLITION AND THE OWNER-MEMBER MAY ESTABLISH A WORKING AGREEMENT REGARDING THE TIME PERIODS FOR MARKING THE UNDERGROUND FACILITY.

12-113.

(A) A PERSON MAY BEGIN EXCAVATION OR DEMOLITION ONLY AFTER THE PERSON RECEIVES NOTIFICATION FROM THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM OF THE ONE-CALL SYSTEM CONFIRMING THAT ALL APPLICABLE OWNER-MEMBERS HAVE:

(1) MARKED THEIR UNDERGROUND FACILITIES IN ACCORDANCE WITH § 12-112(C) OF THIS SUBTITLE;

(2) MARKED THE APPLICABLE PORTION OF THEIR UNDERGROUND FACILITIES IN ACCORDANCE WITH § 12-112(D) OF THIS SUBTITLE; OR

(3) REPORTED THAT THEY HAVE NO UNDERGROUND FACILITIES IN THE VICINITY OF THE EXCAVATION OR DEMOLITION.

(B) (1) AFTER AN OWNER-MEMBER HAS MARKED THE LOCATION OF AN UNDERGROUND FACILITY IN ACCORDANCE WITH § 12-112 OF THIS SUBTITLE, THE PERSON PERFORMING THE EXCAVATION OR DEMOLITION IS

RESPONSIBLE FOR THE MAINTENANCE OF THE DESIGNATED MARKER.

(2) IF THE MARKER IS OBLITERATED, DESTROYED, OR REMOVED, THE PERSON SHALL REPEAT THE NOTIFICATION REQUIRED UNDER § 12-110 OF THIS SUBTITLE.

(C) (1) A PERSON PERFORMING AN EXCAVATION OR DEMOLITION SHALL EXERCISE DUE CARE TO AVOID INTERFERENCE WITH OR DAMAGE TO AN UNDERGROUND FACILITY THAT AN OWNER-MEMBER HAS MARKED IN ACCORDANCE WITH § 12-112 OF THIS SUBTITLE.

(2) BEFORE USING MECHANIZED EQUIPMENT FOR EXCAVATION OR DEMOLITION WITHIN 18 INCHES OF AN UNDERGROUND FACILITY MARKING, A PERSON SHALL EXPOSE THE UNDERGROUND FACILITY TO ITS OUTERMOST SURFACES BY HAND OR OTHER NONDESTRUCTIVE TECHNIQUES.

(3) A PERSON MAY NOT USE MECHANIZED EQUIPMENT TO EXCAVATE WITHIN 18 INCHES OF THE OUTERMOST SURFACE OF AN EXPOSED UNDERGROUND FACILITY.

(D) (1) THE PERSON PERFORMING AN EXCAVATION OR DEMOLITION IMMEDIATELY SHALL NOTIFY THE OWNER-MEMBER OF THE FACILITY IF THE PERSON DISCOVERS OR CAUSES ANY DAMAGE TO OR DISLOCATION OR DISTURBANCE OF AN UNDERGROUND FACILITY IN CONNECTION WITH THE EXCAVATION OR DEMOLITION.

(2) IF THE DAMAGE, DISLOCATION, OR DISTURBANCE RESULTS IN THE ESCAPE OF A FLAMMABLE, TOXIC, OR CORROSIVE GAS OR LIQUID, THE PERSON PERFORMING THE EXCAVATION OR DEMOLITION IMMEDIATELY SHALL REPORT THE DAMAGE TO THE 9-1-1 EMERGENCY SYSTEM.

(E) (1) IF A PERSON KNOWS OR HAS REASON TO KNOW THAT AN UNDERGROUND FACILITY IN THE AREA OF A PLANNED OR ONGOING EXCAVATION OR DEMOLITION IS NOT MARKED AS REQUIRED BY THIS SUBTITLE, THE PERSON MAY NOT BEGIN OR CONTINUE THE EXCAVATION OR DEMOLITION UNLESS THE PERSON:

(I) HAS REPEATED THE NOTIFICATION REQUIRED UNDER § 12-110 OF THIS SUBTITLE; AND

(II) RECEIVES NOTIFICATION FROM THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM OF THE ONE-CALL SYSTEM CONFIRMING THAT ALL APPLICABLE OWNER-MEMBERS THAT HAVE UNDERGROUND FACILITIES IN THE VICINITY OF THE EXCAVATION OR DEMOLITION HAVE MARKED:

1. THE UNDERGROUND FACILITIES IN ACCORDANCE WITH § 12-112(C) OF THIS SUBTITLE; OR

2. THE APPLICABLE PORTION OF THE UNDERGROUND FACILITIES IN ACCORDANCE WITH § 12-112(D) OF THIS SUBTITLE.

(2) IF THE UNDERGROUND FACILITY IS NOT MARKED AS REQUIRED BY THIS SUBTITLE AFTER THE PERSON RECEIVES NOTIFICATION FROM THE UNDERGROUND FACILITIES INFORMATION EXCHANGE SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE PERSON MAY PROCEED WITH THE EXCAVATION OR DEMOLITION.

12-114.

(a) A political subdivision [or], municipal corporation, THE DEPARTMENT OF TRANSPORTATION, AN ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, OR THE MARYLAND TRANSPORTATION AUTHORITY may charge, assess, or collect from a person a one-time initial marking fee not exceeding \$35 for reimbursement of expenses that the political subdivision [or], municipal corporation, THE DEPARTMENT OF TRANSPORTATION, AN ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION, OR THE MARYLAND TRANSPORTATION AUTHORITY incurs to comply with this subtitle.

(b) If re-marking is requested, or is required after renotification under § [12-108(b)] 12-111(B) of this subtitle, a political subdivision [or], municipal corporation, OR ANY OF THE TRANSPORTATION ENTITIES SPECIFIED IN SUBSECTION (A) OF THIS SECTION may charge, assess, or collect from a person a

re-marking fee not exceeding \$15 for reimbursement of expenses that the political subdivision [or], municipal corporation, OR ANY OF THE TRANSPORTATION ENTITIES SPECIFIED IN SUBSECTION (A) OF THIS SECTION incurs to comply with this subtitle.

12-115. RESERVED.

12-116. RESERVED.

PART III. DESIGNER REQUESTS.

12-117.

(A) IN CONNECTION WITH A PROJECT THAT MAY REQUIRE EXCAVATION OR DEMOLITION, A DESIGNER MAY INITIATE A TICKET REQUEST BY NOTIFYING THE ONE-CALL SYSTEM SERVING THE GEOGRAPHIC AREA COVERING THE PLANNED PROJECT.

(B) A DESIGNER INITIATING A TICKET REQUEST UNDER THIS SECTION:

(1) MAY INITIATE ONLY ONE TICKET REQUEST FOR A SINGLE PROJECT; AND

(2) SHALL, IN CONNECTION WITH A TICKET REQUEST:

(I) INDICATE THAT THE REQUEST IS FOR DESIGN PURPOSES ONLY AND MAY NOT BE USED FOR THE PURPOSE OF EXCAVATION OR DEMOLITION;

(II) NOTIFY THE ONE-CALL SYSTEM OF ANY OWNER-MEMBERS FROM WHICH THE DESIGNER DOES NOT REQUIRE UNDERGROUND FACILITIES INFORMATION; AND

(III) ON THE REQUEST OF AN OWNER-MEMBER, PROVIDE THE OWNER-MEMBER WITH A PRELIMINARY DRAWING THAT INDICATES THE SCOPE OF THE PROJECT.

(C) (1) WITHIN 15 BUSINESS DAYS AFTER RECEIVING NOTICE FROM A ONE-CALL SYSTEM THAT A DESIGNER HAS MADE A REQUEST UNDER THIS SECTION, AN OWNER-MEMBER OF AN UNDERGROUND FACILITY IN THE AREA OF THE PROJECT SHALL NOTIFY THE DESIGNER OF THE TYPE AND APPROXIMATE LOCATION OF THE UNDERGROUND FACILITY.

(2) AN OWNER-MEMBER MAY PROVIDE NOTICE OF THE APPROXIMATE LOCATION OF AN UNDERGROUND FACILITY THROUGH THE USE OF:

(I) FIELD LOCATES;

(II) MAPS;

(III) SURVEYS;

(IV) INSTALLATION RECORDS; OR

(V) OTHER SIMILAR MEANS.

(D) (1) INFORMATION PROVIDED TO A DESIGNER UNDER THIS SECTION IS FOR INFORMATIONAL PURPOSES ONLY.

(2) AN OWNER-MEMBER OR AGENT OF AN OWNER-MEMBER MAY NOT BE HELD LIABLE FOR ANY INACCURATE INFORMATION PROVIDED TO A DESIGNER UNDER THIS SECTION.

12-118. RESERVED.

12-119. RESERVED.

PART IV. ENFORCEMENT AND PENALTIES.

12-120.

(a) To stop or prevent a negligent or unsafe excavation or demolition, an owner or the Attorney General may file an action for a writ of mandamus or injunction

in a court of competent jurisdiction in Baltimore City or the county in which the excavation or demolition is being performed or is to be performed or in which the person resides or has its principal place of business, if the person:

(1) is performing an excavation or demolition in a negligent or unsafe manner that has resulted in or is likely to result in damage to an underground facility;
or

(2) is intending to use procedures to carry out the excavation or demolition that are likely to result in damage to an underground facility.

(b) (1) To make its judgment or processes effective, the court may join as parties any persons necessary or proper.

(2) If appropriate, the court shall issue a final order granting the injunction or writ of mandamus.

12-121.

(a) A person that performs an excavation or demolition without first providing the notice required under § [12-108] 12-110 of this subtitle and damages, dislocates, or disturbs an underground facility is deemed negligent and is subject to a civil penalty not exceeding \$1,000 for the first offense and \$1,000 for each subsequent offense or ten times the cost of repairs to the underground facility caused by the damage, dislocation, or disturbance.

(b) An action to recover a civil penalty under this section shall be brought by an owner of a damaged, dislocated, or disturbed underground facility or the Attorney General in a court of competent jurisdiction in Baltimore City or the county in which the damage, dislocation, or disturbance occurred.

(c) All civil penalties recovered in an action under this section, including reasonable attorney's fees, shall be paid into the General Fund of the State.

SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 12-106 through 12-114 and the part "Part II. Excavation and Demolition"; 12-117 and the part "Part III. Designer Requests"; and 12-120 and 12-121 and the part "Part IV. Enforcement and Penalties", respectively, of Article – Public Utility Companies of the Annotated Code of Maryland, as enacted by Sections 2 and 3 of this Act, be

renumbered to be Section(s) 12–120 through 12–128 and the part “Part IV. Excavation and Demolition”; 12–131 and the part “Part V. Designer Requests”; and 12–134 and 12–135 and the part “Part VI. Enforcement and Penalties”, respectively.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Public Utility Companies

12–101.

(a) In this subtitle the following words have the meanings indicated.

(B) “AUTHORITY” MEANS THE MARYLAND UNDERGROUND FACILITIES DAMAGE PREVENTION AUTHORITY.

[(b)] (C) “Business day” means a calendar day other than a Saturday, Sunday, or legal holiday.

[(c)] (D) “Demolition” means an operation in which a structure or mass of material is wrecked, razed, rended, moved, or removed using any tool, equipment, or explosive.

[(d)] (E) “Designer” means a licensed architect, professional engineer, professional land surveyor, or licensed landscape architect, as those terms are defined in the Business Occupations and Professions Article, who prepares a drawing for a project that may require excavation or demolition.

[(e)] (F) (1) “Excavation” means an operation in which earth, rock, or other material in or on the ground is moved, removed, or otherwise displaced by using any tool, equipment, or explosive.

(2) “Excavation” includes grading, trenching, digging, ditching, dredging, drilling, boring, augering, tunnelling, scraping, cable or pipe plowing and driving a mass of material.

(G) “FUND” MEANS THE MARYLAND UNDERGROUND FACILITIES DAMAGE PREVENTION EDUCATION AND OUTREACH FUND.

~~[(f)]~~ **(H)** “Legal holiday” means:

(1) the day on which a legal holiday, as defined in Article 1, § 27 of the Code, is observed; or

(2) a federal legal holiday.

~~[(g)]~~ **(I)** “One-call system” means a communications system in the State that:

(1) allows a person to notify owner-members of planned excavation or demolition by:

(i) calling a toll-free number or abbreviated dialing code; or

(ii) initiating an interactive Internet ticket request; and

(2) maintains an underground facilities information exchange system.

~~[(h)]~~ **(J)** (1) “Owner” means a person that:

(i) owns or operates an underground facility; and

(ii) has the right to bury an underground facility.

(2) “Owner” includes:

(i) a public utility;

(ii) a telecommunications corporation;

(iii) a cable television corporation;

(iv) a political subdivision;

(v) a municipal corporation;

(vi) a steam heating company;

(vii) an authority; and

(viii) a unit of the State.

[(i)] (K) “Owner–member” means an owner that participates as a member in a one–call system.

[(i)] (L) (1) “Person” has the meaning stated in § 1–101 of this article.

(2) “Person” includes:

(i) a municipal corporation;

(ii) the State;

(iii) a political subdivision of the State; and

(iv) any governmental unit, department, or agency.

[(k)] (M) “Ticket” means a numbered document issued by a one–call system to notify owner–members that:

(1) a person intends to perform an excavation or demolition; or

(2) a designer has requested information on the location of underground facilities under § [12–117] **12–131** of this subtitle.

[(l)] (N) “Underground facilities information exchange system” means an automated voice response unit or interactive Internet access system that is maintained as part of a one–call system.

[(m)] (O) (1) “Underground facility” means personal property that is buried or submerged for:

(i) use in connection with the storage or conveyance of water, sewage, oil, gas, or other substances; or

(ii) transmission or conveyance of electronic, telephonic, or telegraphic communications or electricity.

(2) “Underground facility” includes pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those portions of poles below ground.

(3) “Underground facility” does not include a stormwater drain.”.

On pages 15 through 25, strike in their entirety the lines beginning with line 18 on page 15 through line 17 on page 25, inclusive, and substitute:

“12–120.

(a) Except as provided in subsections (b) and (c) of this section, a person that obtains the information required under this subtitle is not excused from:

(1) performing an excavation or demolition in a careful and prudent manner; and

(2) liability for damages or injury that results from the excavation or demolition.

(b) If an underground facility is damaged by a person that fails to comply with this subtitle, the person is deemed negligent and is liable to the owner for the total cost of repair of the underground facility, unless the owner has failed to become an owner–member in accordance with § [12–109] 12–123 of this subtitle.

(c) If an underground facility is damaged by a person who is in compliance with this subtitle and the owner has failed to become an owner–member in accordance with § [12–109] 12–123 of this subtitle:

(1) the person is not liable to the owner for the cost of repair of the underground facility; and

(2) the owner is liable for any repairs or restoration of property damaged by the excavation or demolition.

(d) Subsection (c) of this section may not be construed to interfere with the right of:

(1) a third party to recover damages arising out of the excavation or

demolition from the person or from the owner; or

(2) the person to seek contribution from an owner for damages sought by a third party under paragraph (1) of this subsection.

12-121.

(a) Subject to § [12-106(b)] **12-120(B)** of this subtitle, if all reasonable precautions have been taken to protect underground facilities, § [12-106(a)] **12-120(A)** of this subtitle and §§ [12-108 through 12-121] **12-122 THROUGH 12-135** of this subtitle do not apply to an emergency excavation or demolition being performed to prevent danger to life, health, or property.

(b) A person performing an emergency excavation or demolition to prevent danger to life, health, or property shall:

(1) take all reasonable precautions to protect underground facilities in and near the excavation or demolition area; and

(2) immediately notify the one-call system serving the geographic area where the emergency excavation or demolition is performed to inform the appropriate owner-members of the excavation or demolition area.

(c) A person that abuses the emergency excavation and demolition procedure set forth in this section is subject to penalties under § [12-121] **12-135** of this subtitle.

12-122.

(a) Except as provided in subsection (b) of this section, a person that operates a one-call system in the State shall register with and obtain certification to operate from the Commission.

(b) A person operating a one-call system on or before July 1, 1990, is automatically registered with and certified by the Commission to continue to operate.

(c) (1) The operator of a one-call system shall install and make available an underground facilities information exchange system in its one-call center in the State.

(2) The underground facilities information exchange system shall be available to any caller at all times.

(d) The Commission may grant, amend, or revoke the certification of a person operating a one-call system.

12-123.

(a) (1) An owner shall be a member of a one-call system.

(2) Except as provided in paragraph (3) of this subsection, an owner becomes a member of a one-call system by registering with the one-call system.

(3) The Department of Transportation, its administrations, and the Maryland Transportation Authority shall become members of the one-call system through a separate agreement and using the information collected under § [12-110(b)(2)] **12-124(B)(2)** of this subtitle.

(b) (1) An owner-member of a one-call system shall submit to the one-call system, in writing, the telephone number of the person to which calls concerning proposed excavations or demolitions shall be directed.

(2) An owner-member shall ensure that all contact information provided to the one-call system remains current.

12-124.

(a) A person that intends to perform an excavation or demolition in the State shall initiate a ticket request by notifying the one-call system serving the geographic area where the excavation or demolition is to be performed of the person's intent to perform the excavation or demolition.

(b) Notice provided to a one-call system under subsection (a) of this section shall indicate:

(1) the location of the proposed excavation or demolition;

(2) whether the proposed excavation or demolition is within

rights-of-way owned or controlled by the Department of Transportation, an administration of the Department of Transportation, or the Maryland Transportation Authority and, if so, the entity and the permit number or authorization number obtained from that entity; and

(3) the type of work to be performed in connection with the proposed excavation or demolition.

(c) (1) Except as provided in paragraph (2) of this subsection, on receiving notice, the one-call system shall promptly transmit a copy of the ticket to all owner-members in the geographic area indicated for that ticket.

(2) Based on information collected under subsection (b)(2) of this section, the one-call system shall promptly transmit a copy of the ticket to the Department of Transportation, an administration of the Department of Transportation, or the Maryland Transportation Authority, as applicable.

(3) A ticket is valid for 12 business days after the day on which the ticket is transmitted by the one-call system to an owner-member.

12-125.

(a) A person shall repeat the notification required under § [12-110] 12-124 of this subtitle if the person:

(1) has not completed or will not complete the excavation or demolition within the time period authorized by the ticket; or

(2) intends to expand the excavation or demolition beyond the location indicated in the notice under § [12-110(b)] 12-124(B) of this subtitle.

(b) A person shall repeat the notification regardless of:

(1) any delays by an owner-member in marking its underground facilities; or

(2) an agreement between the person and an owner-member regarding the time for marking underground facilities.

12-126.

(a) An owner-member shall mark its underground facility if the owner-member has determined that a proposed excavation or demolition:

(1) is within 5 feet of the horizontal plane of the underground facility;
or

(2) because of planned blasting, is so near to the underground facility that the underground facility may be damaged or disturbed.

(b) (1) An owner-member shall mark the location of its underground facility by marking on the ground within 18 inches on a horizontal plane on either side of the underground facility.

(2) (i) When marking the location of an underground facility, an owner-member shall use the current color codes established by the American Public Works Association for marking underground facilities.

(ii) If two or more owner-members share the same color code, each owner-member shall include information with the marking that indicates the owner-member of the marked underground facility.

(c) Except as provided in subsection (d) of this section, within 2 business days after the day on which a ticket is transferred to an owner-member, the owner-member shall:

(1) mark the location of the owner-member's underground facility and report to the underground facilities information exchange system that the underground facility has been marked; or

(2) report to the underground facilities information exchange system that the owner-member has no underground facilities in the vicinity of the planned excavation or demolition.

(d) (1) If an owner-member is unable to mark the location of the owner-member's underground facility within the time period prescribed in subsection (c) of this section because of the scope of the proposed excavation or demolition, the owner-member shall:

(i) promptly notify the underground facilities information exchange system and the person that intends to perform the excavation or demolition; and

(ii) work with the person that intends to perform the excavation or demolition to develop a mutually agreeable schedule for marking the underground facility.

(2) If the owner-member and person that intends to perform the excavation or demolition cannot reach a mutually agreeable schedule for marking under paragraph (1) of this subsection, the owner-member shall mark that portion of the site where excavation or demolition will first occur, and the owner-member shall mark the remainder of the site within a reasonable time.

(3) If, due to circumstances beyond an owner-member's control and for reasons other than those specified in paragraph (1) of this subsection, an owner-member is unable to mark the location of the owner-member's underground facility within the time period prescribed in subsection (c) of this section, the owner-member shall report to the underground facilities information exchange system that an extension is required.

(4) In connection with extensive or contiguous excavation or demolition projects, the person performing the excavation or demolition and the owner-member may establish a working agreement regarding the time periods for marking the underground facility.

12-127.

(a) A person may begin excavation or demolition only after the person receives notification from the underground facilities information exchange system of the one-call system confirming that all applicable owner-members have:

(1) marked their underground facilities in accordance with § [12-112(c)] **12-126(C)** of this subtitle;

(2) marked the applicable portion of their underground facilities in accordance with § [12-112(d)] **12-126(D)** of this subtitle; or

(3) reported that they have no underground facilities in the vicinity of the excavation or demolition.

(b) (1) After an owner-member has marked the location of an underground facility in accordance with § [12-112] 12-126 of this subtitle, the person performing the excavation or demolition is responsible for the maintenance of the designated marker.

(2) If the marker is obliterated, destroyed, or removed, the person shall repeat the notification required under § [12-110] 12-124 of this subtitle.

(c) (1) A person performing an excavation or demolition shall exercise due care to avoid interference with or damage to an underground facility that an owner-member has marked in accordance with § [12-112] 12-126 of this subtitle.

(2) Before using mechanized equipment for excavation or demolition within 18 inches of an underground facility marking, a person shall expose the underground facility to its outermost surfaces by hand or other nondestructive techniques.

(3) A person may not use mechanized equipment to excavate within 18 inches of the outermost surface of an exposed underground facility.

(d) (1) The person performing an excavation or demolition immediately shall notify the owner-member of the facility if the person discovers or causes any damage to or dislocation or disturbance of an underground facility in connection with the excavation or demolition.

(2) If the damage, dislocation, or disturbance results in the escape of a flammable, toxic, or corrosive gas or liquid, the person performing the excavation or demolition immediately shall report the damage to the 9-1-1 emergency system.

(e) (1) If a person knows or has reason to know that an underground facility in the area of a planned or ongoing excavation or demolition is not marked as required by this subtitle, the person may not begin or continue the excavation or demolition unless the person:

(i) has repeated the notification required under § [12-110] 12-124 of this subtitle; and

(ii) receives notification from the underground facilities information exchange system of the one-call system confirming that all applicable owner-members that have underground facilities in the vicinity of the excavation or demolition have marked:

1. the underground facilities in accordance with § [12-112(c)] **12-126(C)** of this subtitle; or

2. the applicable portion of the underground facilities in accordance with § [12-112(d)] **12-126(D)** of this subtitle.

(2) If the underground facility is not marked as required by this subtitle after the person receives notification from the underground facilities information exchange system under paragraph (1) of this subsection, the person may proceed with the excavation or demolition.

12-128.

(a) A political subdivision, municipal corporation, the Department of Transportation, an administration of the Department of Transportation, or the Maryland Transportation Authority may charge, assess, or collect from a person a one-time initial marking fee not exceeding \$35 for reimbursement of expenses that the political subdivision, municipal corporation, the Department of Transportation, an administration of the Department of Transportation, or the Maryland Transportation Authority incurs to comply with this subtitle.

(b) If re-marking is requested, or is required after renotification under § [12-111(b)] **12-125** of this subtitle, a political subdivision, municipal corporation, or any of the transportation entities specified in subsection (a) of this section may charge, assess, or collect from a person a re-marking fee not exceeding \$15 for reimbursement of expenses that the political subdivision, municipal corporation, or any of the transportation entities specified in subsection (a) of this section incurs to comply with this subtitle.

12-129. RESERVED.

12-130. RESERVED.

12-132. RESERVED.

12-133. RESERVED.”.

On page 25, in line 20, strike “12-108” and substitute “12-110”.

AMENDMENT NO. 3

On page 9, in line 10, strike “NINE” and substitute “THE FOLLOWING 11”; in line 10, after “MEMBERS” insert “;”

(1) NINE MEMBERS”;

in line 11, after “GOVERNOR” insert “; AND

(2) TWO EX OFFICIO VOTING MEMBERS APPOINTED AS FOLLOWS:

(I) ONE REPRESENTATIVE OF THE DEPARTMENT OF TRANSPORTATION APPOINTED BY THE SECRETARY OF TRANSPORTATION; AND

(II) ONE REPRESENTATIVE OF THE STAFF OF THE COMMISSION APPOINTED BY THE CHAIRMAN OF THE COMMISSION”;

in line 12, strike “OF THE” and substitute “THE”; and in the same line, after “MEMBERS” insert “APPOINTED BY THE GOVERNOR SHALL BE APPOINTED AS FOLLOWS”.

On page 11, after line 25, insert:

“(C) (1) A MEMBER OF THE AUTHORITY MAY NOT PARTICIPATE IN A MATTER BEFORE THE AUTHORITY IN WHICH THE MEMBER HAS A DIRECT OR INDIRECT INTEREST.

(2) THE STATUS OF THE COMMISSION OR THE DEPARTMENT OF TRANSPORTATION OR ANY OF THEIR OFFICERS OR EMPLOYEES AS A PARTY TO A COMPLAINT MAY NOT CONSTITUTE A DIRECT OR INDIRECT INTEREST AS TO AN EX OFFICIO MEMBER.”.

AMENDMENT NO. 4

On page 11, in line 11, after “(2)” insert “SUE AND BE SUED;

(3)”;

and in lines 12, 13, 15, 16, 19, and 22, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

On page 14, strike in their entirety lines 6 through 11, inclusive; in line 28, strike “HOLD AND”; in line 29, after “(D)” insert “(1)”; and after line 30, insert:

“(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.”.

On page 15, after line 15, insert:

“(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF 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.”.

AMENDMENT NO. 5

On page 28, in line 7, strike “4.” and substitute “6.”; and after line 31, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That the Public Service Commission and the Maryland Department of Transportation shall jointly:

(1) determine whether there is a permanent funding source available that may be used to fund the activities of the Maryland Underground Facilities Damage Prevention Authority to be established under Section 5 of this Act;

(2) take all steps necessary to secure that permanent funding for the Authority; and

(3) notify the Department of Legislative Services in writing of the successful securing of the funding, if any, identified and secured under items (1) and (2) of this section.

SECTION 8. AND BE IT FURTHER ENACTED, That Sections 4, 5, and 6 of this Act shall take effect October 1, 2010, contingent on the receipt by the Department of Legislative Services of notification of the successful securing of funding under Section 7(3) of this Act. If the Department of Legislative Services receives the notification that funding has been secured under Section 7(3) of this Act, Sections 4, 5, and 6 of this Act shall take effect on the receipt of the notification. If the Department of Legislative Services does not receive that notification before the end of September 30, 2013, Sections 4, 5, and 6 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

On page 29, in line 9, strike “5.” and substitute “9.”; and in the same line, after “That” insert “, except as provided in Section 8 of this Act.”.

The preceding 5 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0911

SPONSOR: Sen Astle, et al

SUBJECT: Underground Facilities – Damage Prevention

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Astle, Chairman

Senator Della

Senator Pipkin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 22	Sen. Muse	Criminal Law – Prohibitions on Wearing, Carrying, or Transporting Firearms – Exceptions
SB 53	Ch., Finance Com.	Workers' Compensation – Average Weekly Wage – Militia
SB 59	Ch., Budget & Tax	Agricultural Land Transfer Tax – Distribution and Use of Revenue
SB 66	Ch., Jud. Proceed.	Vehicle Laws – Length of Vehicles – Saddle-Mount and Full-Mount Combinations
SB 83	Chair, EHE Com.	Department of Housing and Community Development – Group Home Financing Program – Refinancing
SB 84	Chair, EHE Com.	Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission – Membership
SB 91	Chair, EHE Com.	Maryland Higher Education Commission – Exempt Institutions
SB 92 (Emergency Bill)	Chair, EHE Com.	Department of Natural Resources – Boating Safety Requirements
SB 93	Chair, EHE Com.	Agriculture – Pest Control – Fees and Registration
SB 96	The President	Washington Suburban Sanitary Commission
SB 139	Sen. Madaleno	Property Tax – Exemp for Disabled Public Health Service and NOAA Officers and Surviving Spouses
SB 176	Sen. McFadden	Family Law – Family Day Care Homes and Child Care Centers – Inspections
SB 179	Sen. McFadden	Baltimore City Public School

SB 195	Sen. Colburn	System – Exclusion from Amount of Bonds Outstanding Wicomico County – Alcoholic Beverages – Micro-Brewery Licenses
SB 249	The President	Public Utilities and Washington Suburban Sanitary Commission – Cross-References
SB 278	The President	Smart, Green, and Growing – Maryland Sustainable Growth Commission
SB 288	Sen. Edwards	Maryland Dormant Mineral Interests Act
SB 311	Sen. Miller	Chesapeake Conservation Corps Program
SB 315	Sen. Raskin	Public Ethics Laws – Elected Local Officials and Board of Education Members – Requirements
SB 324	Sen. Glassman	Motor Vehicles – Approaching Emergency Vehicles and Personnel
SB 361	Sen. Astle	Natural Resources – Local Forest Conservation Funds – Use of Money
SB 368	Sen. Della	DOT – Repeal of Secretary's Authority to Abolish Employee Positions
SB 372	Sen. Della	Property Tax – Tax Sales – Notice to Foreclose Right of Redemption
SB 373 (Emergency Bill)	Sen. Della	Property Tax – Tax Sales – Complaint to Foreclose Right of Redemption
SB 390	Sen. McFadden	Baltimore City – Marriage License Fee – Increase – The Carole Alexander Act
SB 394	Sen. Exum	Municipalities – Authority to Enter into Agreements with Other Municipalities
SB 400	Sen. Pugh	No Representation Without Population Act
SB 412	Sen. Pugh	Teacher Certification – Career Professionals
SB 413	Sen. Pugh	Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling

SB 422	Sen. Colburn	for Public Use Dorchester County – Choptank River – Soft–Shell Clam Harvesting
SB 449	Sen. Brinkley	Frederick County – Alcoholic Beverages – Sales Hours
SB 466 (Emergency Bill)	Sen. Forehand	Vehicle Laws – Off–Highway Recreational Vehicles – Titling
SB 478	Sen. Kelley	Residential Child Care Facilities – Incident Reporting – Interagency Workgroup
SB 484	Sen. Dyson	St Bd of Nursing – Nurse Practitioners – Certfn Reqmts and Auth to Practice
SB 520	Sen. Robey	Homestead Prop Tax Credit – Eligibility of Empls of the Fed Govt Stationed Outside the St
SB 541	Sen. Harrington	Natural Resources – Park Advisory Commission – Membership
SB 576	Sen. Zirkin	Residential Child and Youth Care Practitioners – Certification Requirement – Extension
SB 637	Sen. Pipkin	Health Insurance – Dental Provider Panels – Provider Contracts
SB 664	Sen. Klausmeier	Environment – Dental Radiation Machines – Inspections
SB 670	Sen. Simonaire	Criminal Law – Trespass on Posted Property and Wanton Trespass on Private Property – Penalties
SB 701	Sen. Pugh	Commercial Law – Debt Settlement Services – Study
SB 709	Sen. Kasemeyer	State Retirement and Pension System – Disability Retirement Application – Surviving Beneficiary
SB 719	Sen. Middleton	Health Occupations – Dental Hygienists – Practice in Long–Term Care Facilities
SB 723	Sen. Munson	Health Insurance – Clinically

SB 731	Cecil Co. Senators	Integrated Organizations Cecil County – Emergency Medical Services – Collective Bargaining
SB 758	Sen. King	Education – Early Learning Challenge Fund – Application for Grants
SB 761	Sen. Pugh	Mental Health – Local Correctional Facilities – Incarcerated Individuals with Mental Illness
SB 775	Sen. Kramer	Transportation – Road Salt Management – Best Practices Guidance
SB 778	Sen. Raskin	Public Schools – Student Information – Availability to Military Recruiters
SB 791	Sen. Garagiola	Procurement – Multi-Year Contracts for Renewable Energy – Termination Clauses
SB 793	Sen. Garagiola	St Ret & Pnsn Sys – Invsmts – Quald Info Tech, Grn Tech, Med Dvc Tech, or Biosci Bsnss – Rptg

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 828	Sen. Madaleno	Special Taxing Districts – Transp Improvements – Exemp from Co Tax Limitations
SB 829	Sen. Madaleno	Teachers' Ret and Pension Systems – Reemployment of Retirees – Retired Higher Ed Faculty
SB 855	The President	Patient Centered Medical Home Program
SB 885	Sen. Klausmeier	Health – Administrative Service Provider Contracts – Contracting Provider Definition
SB 893	Sen. Garagiola	Maryland Clean Energy Center – Miscellaneous Provisions

SB 926	Carroll Co. Senators	Carroll County – Alcoholic Beverages – Sale of Wine for Off-Premises Consumption
SB 940	Sen. DeGrange	Vehicle Laws – Parking for Individuals with Disabilities – Zoning
SB 958	Sen. Miller	Calvert County – Noise Control Ordinance
SB 966	Sen. Pugh	Education – High School Diploma by Examination
SB 978	Sen. Colburn	Talbot County – Deer Hunting on Private Property – Sundays
SB 1020 (Emergency Bill)	Sen. Dyson	Natural Resources – Incidental Taking Permit for Endangered Puritan Tiger Beetle – Requirements
SB 1031	Sen. Middleton	Health Insurance – Surgical Treatment of Morbid Obesity – Repeal of Reporting Requirement
SB 1033	Sen. Harrington	Veterans Affairs – Military Health Care Provider Transition Plan
SB 1041	Sen. Lenett	State Board of Examiners of Psychologists – Criminal History Records Check
SB 1086	Sen. Munson	Public Safety – Statewide Emergency Medical Services Advisory Council – Membership

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 638 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Procurement and Minority Business Enterprises – WSSC Procurement Oversight Committee

FOR the purpose of establishing a WSSC Procurement Oversight Committee; providing for the membership, ~~terms,~~ and duties of the Committee; requiring the Washington Suburban Sanitary Commission to submit, on or before a certain date, a written report to the Committee demonstrating compliance with a certain minority business enterprise law; ~~stating the findings of the General Assembly;~~ requiring the Committee to submit a certain report to the General Assembly under certain circumstances; requiring the Committee to report to certain delegations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the procurement activities and minority business enterprise participation of the Washington Suburban Sanitary Commission and the WSSC Procurement Oversight Committee.

~~BY adding to~~

~~Article 29 – Washington Suburban Sanitary District
Section 3-111
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)~~

BY adding to

Article – Public Utility Companies
Section 20-207.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapter _____ (S.B. 96) of the Acts of the General Assembly of
2010)

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

House Bill 987 – Delegates George, Beidle, Carr, V. Clagett, Frush, Holmes, Hucker, Lafferty, Niemann, Norman, Serafini, Shewell, Sossi, and Stein

AN ACT concerning

Marine Contractors – Licensure and Regulation – ~~Wetland Permits and Authorizations~~ – Tidal Wetlands Licenses

FOR the purpose of exempting certain licensed marine contractors from certain home improvement contractor licensing requirements; requiring the Department of the Environment to make certain notifications regarding certain wetlands license applications and delineations on or before a certain length of time; requiring the Department to grant, deny, or condition certain tidal wetlands licenses on or before a certain length of time under certain circumstances; requiring the Department to issue a certain public notice and provide an opportunity to submit certain comments or request a certain hearing under certain circumstances; establishing a Marine Contractors Licensing Board;

providing for the membership of the Board; requiring certain persons to be licensed as marine contractors by the Department of the Environment Board before performing certain work in this State; authorizing the Secretary of the Environment to exercise certain powers to carry out the Secretary's duties establishing a certain exception to a certain licensing requirement; establishing certain powers and duties of the Board with respect to the licensing and regulation of marine contractors; requiring the Board to recommend certain regulations for adoption by the Secretary to adopt certain regulations and of the Environment and to keep a certain roster record containing certain information relating to licensed marine contractors; providing that an applicant for a marine contractor's license must meet certain criteria; requiring an applicant for a marine contractor's license to submit certain documents and pay a certain fee; requiring that the application form provided by the Secretary Board require certain information from the applicant; requiring that the application form provided by the Secretary Board contain a certain statement; requiring the applicant to sign the application form under oath; prohibiting the Secretary Board from issuing a license under certain circumstances; requiring the Secretary Board to issue a license of a certain duration to certain applicants; requiring the Secretary Board to include certain information on the license; providing that a license is void under certain circumstances; providing that while a license is in effect, it authorizes the licensee to take certain actions; requiring a licensed marine contractor to include the contractor's license number in certain advertising and to display it on certain equipment; requiring the Secretary to adopt regulations to stagger the terms of licenses; providing for the expiration and renewal of certain licenses; requiring the Secretary Board to mail a renewal form and notice containing certain information to the applicant at a certain address by a certain time; authorizing a licensed marine contractor to renew the a license under certain circumstances, including payment of a certain fee certain fees; requiring the Secretary Board to renew the license of a licensed marine contractor under certain circumstances; requiring a licensee that is a firm an entity to provide written notice to the Secretary Board under certain circumstances; authorizing the Secretary Board to deny, suspend, or revoke the license under certain circumstances; requiring the Secretary Board to follow certain notice procedures and hold a certain hearing before taking final action to deny, refuse to renew, revoke, or suspend the license; providing that acts or omissions by certain parties may be attributed to certain applicants or licensees; providing for certain penalties for knowingly violating certain provisions of law; establishing a civil penalty for certain violations; requiring certain penalties that are collected to be paid into the Wetlands and Waterways Program Fund for administration of the Board; requiring the Department to grant, deny, or condition certain nontidal wetlands permits on or before a certain length of time under certain circumstances; exempting a certain project from a certain permit application fee; requiring a flat application fee for certain wetlands permits or authorizations under certain circumstances; providing licensed marine contractors with immunity from civil suit under certain circumstances; requiring the Department to provide certain information on the Department's website and make a final decision on a certain permit application

~~by a certain time under certain circumstances; requiring the Department to exempt licensed marine contractors from certain permitting requirements for certain projects; requiring the Department to adopt by regulation certain criteria to identify the projects qualifying for exemption in consultation with a certain association; requiring a person to hire or consult a licensed marine contractor under certain circumstances; providing that certain property owners are not required to hire a licensed marine contractor under certain circumstances; establishing a certain administrative fines fine for failing to hire or consult a licensee as required; establishing a certain notification requirement applicable to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; providing for certain processing times for certain tidal wetlands license applications; requiring the Department to adopt certain regulations for certain purposes; defining certain terms and altering the definition of a certain term; requiring all marine contractors performing certain services to register with the Department and pay a certain fee on or before a certain date; prohibiting a marine contractor that fails to register from performing or soliciting to perform certain services after a certain date; requiring the Department, for certain initial recommendations of appointments to the Board, to select marine contractors from a certain list; and generally relating to the licensure and regulation of marine contractors and the wetlands permitting and authorization process.~~

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 8–301

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 16–101(h) through (n) and 16–202

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – ~~Business Occupations and Professions~~ Environment

Section ~~22–101 through 22–401~~ 16–101(h) and 16–106; and 17–101 through 17–403 to be under the new title “Title ~~22.~~ 17. Marine Contractors”

Annotated Code of Maryland

(~~2004~~ 2007 Replacement Volume and 2009 Supplement)

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

~~Article – Environment~~

~~Section 1–607(b), 5–101, 5–203.1(a)(3), (b), (d), and (e), and 16–101~~

~~Annotated Code of Maryland~~

~~(2007 Replacement Volume and 2009 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)~~

~~BY adding to
Article – Environment
Section 5–203.1(d), 16–106, 16–107, and 16–108
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)~~

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

House Bill 1285 – Delegates Kramer, Hucker, and Mizeur

AN ACT concerning

Real Property – Abatement of Nuisance – Prostitution

FOR the purpose of establishing that the use of real property for prostitution is a nuisance that may be the subject of a certain action for abatement; providing that certain relief is not available in certain actions for abatement of nuisance that alleges the use of a property for prostitution; defining a certain term; making a stylistic change; and generally relating to prostitution and abatement of nuisance actions.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 11–301(c)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–120
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 1484 – Delegate Love

AN ACT concerning

Base Realignment and Closure – Public Charter Schools Located on a Federal Military Base

FOR the purpose of exempting certain public charter schools from certain admission requirements; authorizing ~~public charter schools subject to this Act to be open to certain students on a certain basis and to certain other students under certain circumstances~~ the State Board of Education to grant a certain waiver under certain circumstances; requiring certain public charter schools to admit certain students on a certain basis, subject to a certain requirement; and generally relating to public charter schools located on a federal military base.

BY repealing and reenacting, with amendments,
Article – Education
Section 9–102
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 9–102.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

THE COMMITTEE ON RULES REPORT #16

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

House Bill 243 – Delegates Hixson, Barve, Howard, Hucker, Ivey, Kaiser, Mizeur, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Fairness in Negotiations Act

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

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

House Bill 359 – Delegates James, Riley, Ali, Barkley, Boteler, Burns, DeBoy, Elmore, Hixson, Kach, Kipke, Lafferty, Love, McDonough, Minnick, Mizeur, Montgomery, Robinson, Rudolph, Shewell, Sophocleus, Sossi, Stocksdales, Stukes, F. Turner, ~~and Wood~~ Wood, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Jenkins, Krebs, Kullen, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

**Procurement – ~~Service-Disabled Veteran~~ Veteran-Owned Small Business
Enterprise Participation**

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

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

**House Bill 475 – The Speaker (By Request – Administration) and Delegates
Bartlett, Bobo, Bronrott, Cane, Carr, V. Clagett, Davis, Donoghue,
Doory, Eckardt, Elmore, Frush, Gaines, Haddaway, Hammen, Healey,
Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan-Pulliam, Proctor,
Ramirez, Rice, ~~and Stein~~ Stein, Barve, Cardin, Frick, George, Gilchrist,
Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Olszewski, Ross, Stukes,
F. Turner, and Walker**

AN ACT concerning

Smart, Green, and Growing – The Sustainable Communities Act of 2010

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

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

House Bill 476 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

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

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

House Bill 635 – Delegates Frush, Barnes, and Pena-Melnyk

AN ACT concerning

Judges' Retirement System – Reemployment of Retirees

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

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

House Bill 654 – Delegates Impallaria, Jennings, McComas, and McDonough

AN ACT concerning

Harford County – Towing and Removing Vehicles

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 699 – Delegates Reznik, Ali, Barkley, Barve, Benson, Costa, Dumais, Eckardt, Elliott, Feldman, Gilchrist, Haddaway, Hubbard, Kaiser, Kullen, Manno, Montgomery, Nathan-Pulliam, Pena-Melnyk, Rice, Simmons, Smigiel, Sossi, ~~and Taylor~~ Taylor, Donoghue, Jenkins, Morhaim, Kach, Krebs, Oaks, Riley, and V. Turner

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

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

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

House Bill 879 – Delegates Kramer, Barkley, Barnes, Bates, Carr, Conaway, Feldman, Frank, Hecht, Heller, Ivey, Jenkins, Kaiser, Kelly, Lee, Manno, McConkey, Miller, Murphy, Reznik, Rice, Shank, and Smigiel

AN ACT concerning

Assisted Living and Nursing Home Residents Protection Act of 2010

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 934 – Delegates McIntosh, G. Clagett, Conaway, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, ~~Conaway~~, Donoghue, Dumais,

Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kullen, Love, Manno, Minnick, Montgomery, Morhaim, Niemann, Olszewski, Pendergrass, Reznik, Rice, Riley, Stein, ~~and Weir~~ Weir, Holmes, Norman, Serafini, Shewell, Sossi, and Stull

AN ACT concerning

**~~Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions~~
Vehicle Laws – Commercial Vehicles – Handheld Telephones Utilizing
Push-to-Talk Technology**

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

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

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

House Bill 1555 – Delegate Conway

EMERGENCY BILL

AN ACT concerning

**Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies
Outside the State**

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

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

House Bill 1568 – Delegates Conway and Mathias

EMERGENCY BILL

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

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

CONCURRENCE CALENDAR #26

AMENDED IN THE HOUSE

Senate Bill 13 – Senator Raskin

AN ACT concerning

**Civil Proceedings – Foreign Defamation Judgments – Enforceability and
Bases of Personal Jurisdiction**

Senator Frosh moved that the Senate concur in the House amendments.

SB0013/772918/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 13

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Enforceability” and substitute “Recognition, Enforceability.”; strike beginning with “prohibiting” in line 6 down through “judgments.” in line 7; strike beginning with “authorizing” in line 9 down through “judgment.” in line 11; in line 11, after “term.” insert “providing for the application of this Act.”; in the same line, after “to” insert “the recognition and”; in lines 12 and 13, in each instance, after “foreign” insert “defamation”; and in line 16, after “6–103.3” insert “and 10–704(c)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 12, strike beginning with “OR” through the second “STATE” and substitute “OR HAS ASSETS IN THIS STATE”; in line 15, strike “SHOULD” and substitute “MAY”; in line 18, after “THE” insert “MARYLAND”; in the same line, strike “PERSON SUBJECT TO JURISDICTION” and substitute “PERSON WHO HAS ASSETS”; strike beginning with “(1)” in line 20 down through “MAY” in line 22 and substitute “MAY”; in line 19, after “STATE” strike the colon; and in line 22, strike “THIS STATE” and substitute “MARYLAND”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 14 on page 3, inclusive, and substitute:

“(C) (1) IN THIS SUBSECTION, “DEFAMATION” INCLUDES INVASION OF PRIVACY BY FALSE FACTS.

“(2) A FOREIGN JUDGMENT AGAINST ANY PERSON WHO IS A RESIDENT OF THIS STATE OR WHO HAS ASSETS IN THIS STATE MAY NOT BE RECOGNIZED IF:”.

AMENDMENT NO. 4

On page 3, in line 18, after “LAW” insert “AS”.

AMENDMENT NO. 5

On page 3, in lines 15 and 22, strike “(6)” and “(7)”, respectively, and substitute “(I)” and “(II)”, respectively.

AMENDMENT NO. 6

On page 3, strike in their entirety lines 27 through 31, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any case filed in a court before the effective date of this Act.”;

and in line 32, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1236)

AMENDED IN THE HOUSE

Senate Bill 25 – Senators Forehand and Frosh

AN ACT concerning

Estates and Trusts – Property Held as Tenants by the Entireties – Transfer to Trust

Senator Frosh moved that the Senate concur in the House amendment.

SB0025/552110/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 25

(Third Reading File Bill)

On page 4, in line 3, after “(C)” insert “(1)”; and after line 10, insert:

“(2) TO THE EXTENT THAT THE SURVIVING SPOUSE REMAINS A BENEFICIARY OF THE TRUST, THE PROPERTY THAT IS IMMUNE FROM THE CLAIMS OF THE SEPARATE CREDITORS OF THE DECEDENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE SUBJECT TO THE CLAIMS OF THE SEPARATE CREDITORS OF THE SURVIVING SPOUSE.”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1237)

AMENDED IN THE HOUSE

Senate Bill 309 – Senators ~~Kelley~~, Kelley and Simonaire and Senators Astle, Conway, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Haines, Harrington, Jacobs, Jones, Kasemeyer, Klausmeier, McFadden,

Middleton, Muse, Peters, Pipkin, Pugh, Raskin, Robey, Rosapepe, and Stone

AN ACT concerning

~~Uniform Power of Attorney Act~~
Maryland General and Limited Power of Attorney Act (Loretta's Law)

Senator Frosh moved that the Senate concur in the House amendments.

SB0309/912519/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 309
(Third Reading File Bill)

AMENDMENT NO. 1

On page 4, in line 12, after “characteristics;” insert “establishing certain requirements for the execution of certain powers of attorney;”.

AMENDMENT NO. 2

On page 47, in line 11, after the first “OR” insert “THE”.

AMENDMENT NO. 3

On page 12, in line 8, strike “UNDER THIS TITLE” and substitute “EXECUTED ON OR AFTER OCTOBER 1, 2010,”.

AMENDMENT NO. 4

On page 19, in line 22, after “BUY,” insert “SELL, CONVEY,”.

AMENDMENT NO. 5

On page 44, in line 15, strike the first comma and substitute “AN INTER VIVOS TRUST, OR”; in the same line, after “AN” insert “EXISTING”; and in the same line, after “TRUST” insert “IF THE TRUST EXPRESSLY AUTHORIZES THAT ACTION BY THE AGENT”.

AMENDMENT NO. 6

On page 48, after line 32, insert:

“THE FOLLOWING OPTIONAL FORM MAY BE USED BY AN AGENT TO CERTIFY FACTS CONCERNING A POWER OF ATTORNEY.”.

The preceding 6 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1238)

AMENDED IN THE HOUSE

Senate Bill 344 – Senator Glassman

AN ACT concerning

Motor Vehicles – ~~Medium~~ Limited Speed Vehicles – Requirements and Prohibitions

Senator Frosh moved that the Senate concur in the House amendment.

SB0344/800514/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 344

(Third Reading File Bill)

On page 4, in lines 31 and 33, in each instance, strike “**REDUCED**” and substitute “**LIMITED**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1239)

AMENDED IN THE HOUSE

Senate Bill 416 – Senators Lenett ~~and Kittleman~~, Kittleman, and Forehand

AN ACT concerning

**Maryland Condominium Act and Maryland Homeowners Association Act –
Proposed Budget – Notice, Information, and Adoption**

Senator Frosh moved that the Senate concur in the House amendments.

SB0416/210914/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 416

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “Maryland” in line 2 through “Proposed” in line 3 and substitute “Homeowners Association – Annual”; and strike beginning with “notice” in line 4 down through “of” in line 23 and substitute “the board of directors or other governing body of a homeowners association to prepare and submit an annual proposed budget to the lot owners by a certain time period before its adoption; authorizing the annual proposed budget and notice of the meeting at which the proposed budget will be considered to be sent to lot owners by electronic transmission, by posting on the homeowners association’s home page, or by including the annual proposed budget or notice in the homeowners association’s newsletter; requiring the budget to include certain items; requiring the budget to be adopted at an open meeting of the homeowners association or other body to whom the homeowners association has delegated responsibilities for preparing and adopting a budget; requiring that certain expenditures, under certain conditions, arising after the adoption of the budget that would result in an assessment greater than a certain percent of the budgeted amount, be adopted by a budget amendment at a special meeting of the homeowners association; requiring written notice of the special meeting to be given to the lot owners by a certain time period before the meeting; providing that the adoption of a budget does not impair certain authority of the homeowners association for certain expenditures for certain purposes; providing for the application of this Act; and generally relating to the preparation and adoption of an annual budget by”.

On page 2, in line 1, strike “repealing and reenacting, with amendments,” and substitute “adding to”; in line 3, strike “11-109(c) and 11B-111” and substitute “11B-112.2”; and strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On pages 2 through 10, strike in their entirety the lines beginning with line 14 on page 2 through line 2 on page 10, inclusive.

On page 10, after line 2, insert:

“11B-112.2.

(A) THIS SECTION APPLIES ONLY TO A HOMEOWNERS ASSOCIATION THAT HAS RESPONSIBILITY UNDER ITS DECLARATION FOR MAINTAINING AND REPAIRING COMMON AREAS.

(B) (1) THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF A HOMEOWNERS ASSOCIATION SHALL CAUSE TO BE PREPARED AND SUBMITTED TO THE LOT OWNERS AN ANNUAL PROPOSED BUDGET AT LEAST 30 DAYS BEFORE ITS ADOPTION.

(2) THE ANNUAL PROPOSED BUDGET MAY BE SENT TO EACH LOT OWNER BY ELECTRONIC TRANSMISSION, BY POSTING ON THE HOMEOWNERS ASSOCIATION’S HOME PAGE, OR BY INCLUDING THE ANNUAL PROPOSED BUDGET IN THE HOMEOWNERS ASSOCIATION’S NEWSLETTER.

(C) THE ANNUAL BUDGET SHALL PROVIDE INFORMATION ON OR EXPENDITURES FOR AT LEAST THE FOLLOWING ITEMS:

- (1) INCOME;
- (2) ADMINISTRATION;
- (3) MAINTENANCE;
- (4) UTILITIES;
- (5) GENERAL EXPENSES;

(6) RESERVES; AND

(7) CAPITAL EXPENSES.

(D) (1) THE BUDGET SHALL BE ADOPTED AT AN OPEN MEETING OF THE HOMEOWNERS ASSOCIATION OR ANY OTHER BODY TO WHICH THE HOMEOWNERS ASSOCIATION DELEGATES RESPONSIBILITIES FOR PREPARING AND ADOPTING THE BUDGET.

(2) (I) NOTICE OF THE MEETING AT WHICH THE PROPOSED BUDGET WILL BE CONSIDERED SHALL BE SENT TO EACH LOT OWNER.

(II) NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE SENT BY ELECTRONIC TRANSMISSION, BY POSTING ON THE HOMEOWNERS ASSOCIATION'S HOME PAGE, OR BY INCLUDING THE NOTICE IN THE HOMEOWNERS ASSOCIATION'S NEWSLETTER.

(E) EXCEPT FOR AN EXPENDITURE MADE BY THE HOMEOWNERS ASSOCIATION BECAUSE OF A CONDITION THAT, IF NOT CORRECTED, COULD REASONABLY RESULT IN A THREAT TO THE HEALTH OR SAFETY OF THE LOT OWNERS OR A SIGNIFICANT RISK OF DAMAGE TO THE DEVELOPMENT, ANY EXPENDITURE THAT WOULD RESULT IN AN INCREASE IN AN AMOUNT OF ASSESSMENTS FOR THE CURRENT FISCAL YEAR OF THE HOMEOWNERS ASSOCIATION IN EXCESS OF 15% OF THE BUDGETED AMOUNT PREVIOUSLY ADOPTED SHALL BE APPROVED BY AN AMENDMENT TO THE BUDGET ADOPTED AT A SPECIAL MEETING FOR WHICH NOT LESS THAN 10 DAYS WRITTEN NOTICE SHALL BE PROVIDED TO THE LOT OWNERS.

(F) THE ADOPTION OF A BUDGET DOES NOT IMPAIR THE AUTHORITY OF THE HOMEOWNERS ASSOCIATION TO OBLIGATE THE HOMEOWNERS ASSOCIATION FOR EXPENDITURES FOR ANY PURPOSE CONSISTENT WITH ANY PROVISION OF THIS TITLE.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1240)

CONCURRENCE CALENDAR #27

AMENDED IN THE HOUSE

Senate Bill 34 – Senator Middleton (Joint Committee on Unemployment Insurance Oversight) and Senators Kelley and Exum

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date

Senator Middleton moved that the Senate concur in the House amendments.

SB0034/153196/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 34 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Repeal of”; in line 3, after “Date” insert “and Study”; and in line 5, after “Oversight” insert “; requiring the Joint Committee on Unemployment Insurance Oversight to complete a certain study of certain provisions of law and to submit a certain report to the Governor and General Assembly on or before a certain date; and generally relating to the Joint Committee on Unemployment Insurance Oversight”.

AMENDMENT NO. 2

On page 3, after line 28, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Joint Committee on Unemployment Insurance Oversight shall study Title 8 of the Labor and Employment Article and related federal law as it relates to employing units engaged in seasonal industries;

(b) The study conducted under subsection (a) of this section shall include:

(1) a review of employing unit obligations and payments required under Title 8 of the Labor and Employment Article and related federal law;

(2) the impact of the obligations and required payments on employing units located in a county in which the average unemployment rate exceeds the average unemployment rate of the State; and

(3) how the obligations and payments may be reduced for employing units engaged in seasonal industries.

(c) On or before December 1, 2010, the Joint Committee on Unemployment Insurance Oversight shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, on its findings and recommendations.”;

and in line 29, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1241)

AMENDED IN THE HOUSE

Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Education)

AN ACT concerning

**Workers’ Compensation – Division of Rehabilitation Services – Unpaid
Work-Based Learning Experiences**

Senator Middleton moved that the Senate concur in the House amendment.

SB0058/693999/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 58
(Third Reading File Bill)

On page 2, in line 30, after “**COVERAGE**” insert “**FOR MEDICAL SERVICES AND TREATMENT**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1242)

AMENDED IN THE HOUSE

**Senate Bill 277 – The President (By Request – Administration) and Senators
Garagiola, Forehand, Frosh, Harrington, King, Lenett, Madaleno,
McFadden, and Pinsky**

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy

Senator Middleton moved that the Senate concur in the House amendments.

SB0277/193994/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 277
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “manner:” in line 9 and substitute “requiring the Public Service Commission to include certain information in certain reports to the General Assembly;”; and after line 16, insert:

“BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–705(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

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

On page 3, in lines 2, 4, 6, 8, and 10, strike “**0.12%**”, “**0.22%**”, “**0.36%**”, “**0.5%**”, and “**0.7%**”, respectively, and substitute “0.1%”, “0.2%”, “0.3%”, “0.4%”, and “0.5%”, respectively; in lines 12, 14, 16, and 18, in each instance, strike the brackets; and in the same lines, strike “**0.9%**”, “**1.15%**”, “**1.4%**”, and “**1.65%**”, respectively.

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 through line 27 on page 4.

On page 4, in line 28, strike “**(D)**” and substitute “(c)”.

On page 5, in line 3, strike “**(E)**” and substitute “(d)”; in the same line, strike “**(D)**” and substitute “(c)”; in line 24, strike “**] 30**”; in line 25, strike “**] 25**”; in line 26, strike “**] 20**”; in line 27, strike “**] 15**”; in the same line, strike the fifth bracket; in line 26, strike the fifth bracket; in the same line, strike the sixth bracket; strike beginning with “**] 2024;**” in line 27 down through “**; AND**” in line 29; and in lines 24, 25, 26, and 27, in each instance, strike the third bracket.

On page 6, after line 13, insert:

“(e) (1) Notwithstanding the requirements of § 7–703(b) of this subtitle, if the actual or projected dollar-for-dollar cost incurred or to be incurred by an electricity supplier solely for the purchase of Tier 1 renewable energy credits derived from solar energy in any 1 year is greater than or equal to, or is anticipated to be greater than or equal to, 1% of the electricity supplier’s total annual electricity sales revenues in Maryland, the electricity supplier may request that the Commission:

(i) delay by 1 year each of the scheduled percentages for solar energy under § 7-703(b) of this subtitle that would apply to the electricity supplier; and

(ii) allow the renewable energy portfolio standard for solar energy for that year to continue to apply to the electricity supplier for the following year.

(2) In making its determination under paragraph (1) of this subsection, the Commission shall consider the actual or projected dollar-for-dollar compliance costs of other electricity suppliers.

(3) If an electricity supplier makes a request under paragraph (1) of this subsection based on projected costs, the electricity supplier shall provide verifiable evidence of the projections to the Commission at the time of the request.

(4) If the Commission allows a delay under paragraph (1) of this subsection:

(i) the renewable energy portfolio standard for solar energy applicable to the electricity supplier under the delay continues for each subsequent consecutive year that the actual or projected dollar-for-dollar costs incurred, or to be incurred, by the electricity supplier solely for the purchase of solar renewable energy credits is greater than or equal to, or is anticipated to be greater than or equal to, 1% of the electricity supplier's total annual retail electricity sales revenues in Maryland; and

(ii) the renewable energy portfolio standard for solar energy applicable to the electricity supplier under the delay is increased to the next scheduled percentage increase under § 7-703(b) of this subtitle for each year in which the actual or projected dollar-for-dollar costs incurred, or to be incurred, by the electricity supplier solely for the purchase of solar renewable energy credits is less than, or is anticipated to be less than, 1% of the electricity supplier's total annual retail electricity sales revenues in Maryland.”.

AMENDMENT NO. 3

On page 6, in line 14, after “2.” insert “AND BE IT FURTHER ENACTED, That:

(a) The Public Service Commission shall include, in the report required under § 7-211(k) of the Public Utility Companies Article due on March 1, 2012, and March 1, 2015, the effect of this Act on the State's anticipated compliance with per capita peak demand and per capita electricity consumption targets under § 7-211 of the Public Utility Companies Article.

(b) The Commission also shall include in those reports:

(1) the effects, if any, of deploying of solar electricity generating equipment in compliance with the solar Tier 1 renewable energy portfolio standard and the use of alternative compliance fees to support Tier 1 projects in the State; and

(2) recommendations for alterations, if any, that the Commission and the Maryland Energy Administration consider desirable to the solar Tier 1 percentage requirements of the renewable energy portfolio standard in § 7-703(b) of the Public Utility Companies Article, as enacted by Section 1 of this Act.

SECTION 3.”;

and in line 18, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 31 Negative – 15 (See Roll Call No. 1243)

AMENDED IN THE HOUSE

Senate Bill 542 – Senators Harrington and Colburn

AN ACT concerning

**~~Health~~ Business Regulation – Lodging Establishments – National Human
Trafficking Resource Center Hotline – ~~Posting of~~ Information**

Senator Middleton moved that the Senate concur in the House amendment.

SB0542/493593/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 542

(Third Reading File Bill)

On page 2, in line 28, after “**FREELY**” insert “**DO**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1244)

AMENDED IN THE HOUSE

Senate Bill 590 – Senators Raskin, Middleton, Conway, Exum, Frosh, Garagiola, Harrington, Jones, Kelley, King, Lenett, Madaleno, Peters, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

Fairness in Negotiations Act

Senator Middleton moved that the Senate concur in the House amendments.

SB0590/455569/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 590

(Third Reading File Bill)

AMENDMENT NO. 1

On page 8, in line 1, strike “**CLEARLY**”.

On page 15, in line 27, strike “**CLEARLY**”.

AMENDMENT NO. 2

On page 8, in line 34, after “ORGANIZATION” insert “, WHICH MAY NOT INCLUDE ITEMS OR TOPICS NOT PREVIOUSLY RAISED IN THE BARGAINING PROCESS”.

On page 16, in line 22, after “ORGANIZATION” insert “, WHICH MAY NOT INCLUDE ITEMS OR TOPICS NOT PREVIOUSLY RAISED IN THE BARGAINING PROCESS”.

AMENDMENT NO. 3

On page 9, in line 24, strike “OR”; after line 24, insert:

“(II) ACCEPT THE WRITTEN PROPOSED SETTLEMENT IN PART, AS MUTUALLY AGREED ON BY THE PUBLIC SCHOOL EMPLOYER AND THE EMPLOYEE ORGANIZATION; OR”;

and in line 25, strike “(II)” and substitute “(III)”.

On page 17, in line 15, strike “OR”; after line 15, insert:

“(II) ACCEPT THE WRITTEN PROPOSED SETTLEMENT IN PART, AS MUTUALLY AGREED ON BY THE PUBLIC SCHOOL EMPLOYER AND THE EMPLOYEE ORGANIZATION; OR”;

and in line 16, strike “(II)” and substitute “(III)”.

AMENDMENT NO. 4

On page 10, in line 16, after the semicolon insert “AND”; strike beginning with “DECIDE” in line 17 down through “(VII)” in line 19; in line 19, after “RECEIVE” insert “, HEAR,”; and in line 20, after the comma insert “WHETHER OR NOT OFFERED THROUGH AN ATTORNEY,”.

On page 18, in line 7, after the semicolon insert “AND”; strike beginning with “DECIDE” in line 8 down through “(VII)” in line 10; in line 10, after “RECEIVE” insert “, HEAR,”; and in line 11, after the comma insert “WHETHER OR NOT OFFERED THROUGH AN ATTORNEY,”.

AMENDMENT NO. 5

On page 10, in lines 26 and 27, strike “FROM THE COUNTY’S GENERAL FUND” and substitute “, CONSIDERING THEIR EXISTING RESOURCES,”.

On page 18, in lines 17 and 18, strike “FROM THE COUNTY’S GENERAL FUND” and substitute “, CONSIDERING THEIR EXISTING RESOURCES,”.

AMENDMENT NO. 6

On page 20, in lines 16 and 17, strike “OF THE EDUCATION OR BUSINESS COMMUNITY,”.

The preceding 6 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 1245)

AMENDED IN THE HOUSE

Senate Bill 633 – Senators Middleton, Astle, Kasemeyer, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Raskin, ~~and Robey~~ Robey, Exum, Garagiola, Glassman, Pugh, Currie, Jones, McFadden, and Peters

AN ACT concerning

Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments

Senator Middleton moved that the Senate concur in the House amendments.

SB0633/546085/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 633
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “develop” in line 5 down through “providers” in line 7 and substitute “determine a weighted average cost structure of certain”

developmental disabilities service providers and community mental health services providers in a certain manner"; in line 8, strike "update formula" and substitute "annual inflationary cost adjustment"; in line 11, strike "using a certain update formula"; in line 12, after "year," insert "requiring the Department to ensure that a certain annual inflationary cost adjustment is equivalent to certain other annual inflationary cost adjustments by using a certain weighted average cost structure; providing that certain annual inflationary cost adjustments used to establish a certain annual inflationary cost adjustment may not be less than a certain percentage; providing that a certain annual inflationary cost adjustment may not exceed a certain percentage;"; in line 15, strike "a"; and in the same line, strike "date" and substitute "dates; providing for the termination of this Act".

AMENDMENT NO. 2

On page 2, strike beginning with "Develop" in line 23 down through "BY" in line 28 and substitute "**DETERMINE A WEIGHTED AVERAGE COST STRUCTURE OF PROVIDERS BY**"; and in line 31, after the semicolon insert "**AND**".

On page 3, strike beginning with the second "AND" in line 3 down through the semicolon in line 7; in line 23, strike "UPDATE FORMULA" and substitute "**ANNUAL INFLATIONARY COST ADJUSTMENT**"; in line 24, strike "**13-806**" and substitute "**16-201.2(C)**"; in the same line, strike "SUBTITLE" and substitute "**ARTICLE**"; and strike beginning with "methodologies" in line 32 down through the comma in line 33 and substitute "**WEIGHTED AVERAGE COST STRUCTURE OF PROVIDERS**".

AMENDMENT NO. 3

On page 4, strike beginning with "using" in line 30 down through "Commission" in line 32; and after line 32, insert:

"(2) THE DEPARTMENT SHALL ESTABLISH AN ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS THAT SHALL BE ALIGNED WITH THE ANNUAL COST ADJUSTMENTS FOR UNITS OF STATE GOVERNMENT IN THE GOVERNOR'S PROPOSED BUDGET.

(3) SUBJECT TO PARAGRAPHS (4) AND (5) OF THIS SUBSECTION, THE DEPARTMENT SHALL ENSURE THAT THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS IS EQUIVALENT TO THE ANNUAL INFLATIONARY COST ADJUSTMENTS FOR CATEGORIES OF COSTS FOR UNITS OF STATE GOVERNMENT IN THE GOVERNOR'S PROPOSED BUDGET BY USING THE

WEIGHTED AVERAGE COST STRUCTURE SET FORTH IN § 13-806(B)(1) OF THIS ARTICLE.

(4) THE ANNUAL INFLATIONARY COST ADJUSTMENTS FOR CATEGORIES OF COSTS FOR UNITS OF STATE GOVERNMENT USED TO ESTABLISH THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS MAY NOT BE LESS THAN 0%.

(5) THE ANNUAL INFLATIONARY COST ADJUSTMENT FOR PROVIDERS MAY NOT EXCEED A MAXIMUM ADJUSTMENT OF 4%.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 2 on page 5.

AMENDMENT NO. 4

On page 5, in line 3, strike “(3)” and substitute “(6)”; in line 9, after “(a)” insert “(1)”; strike beginning with “to” in line 11 down through “and” in line 14 and substitute “for purposes of recommending a plan to develop, and a timeline to implement, a rate-setting methodology for community developmental disabilities and mental health services providers that would:

(i) promote the fiscally sound and efficient operation of community services providers; and

(ii) promote the highest level of quality of care for individuals with developmental disabilities and mental illness;

(2) include in the study an analysis of:

(i) the operating costs of community services providers;

(ii) the ability of community services providers to attract and retain a high quality work force;

(iii) any appropriate and feasible incentives for high quality performance of community services providers;

(iv) any capital infrastructure needs of community services providers;

(v) transportation costs of community services providers;

(vi) the appropriate future role of the Community Services Reimbursement Rate Commission and other entities involved in State rate-setting processes; and

(vii) any other issues related to the efficient and effective provision of community services; and

(b) (1) on or before December 1, 2012, report its preliminary findings and recommendations to the General Assembly, in accordance with § 2-1246 of the State Government Article; and”;

in line 15, strike “(b)” and substitute “(2)”; in the same line, strike “2011” and substitute “2013”; and in line 18, after “2010.” insert “It shall remain effective for a period of 5 years and 9 months and, at the end of June 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1246)

AMENDED IN THE HOUSE

Senate Bill 704 – Senators Garagiola ~~and Frosh~~, Frosh, Exum, Kelley, Middleton, and Pugh

AN ACT concerning

Insurance – Coordination of Benefits – Health Insurance and Personal Injury Protection

Senator Middleton moved that the Senate concur in the House amendments.

SB0704/476788/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 704
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “authorizing” and substitute “prohibiting”; in lines 9 and 10, strike “or contracts”; in line 10, strike “or contracts”; in the same line, strike “to contain” and substitute “from containing”; and strike beginning with “under” in line 12 down through “contracts” in line 19.

On page 2, strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On page 3, in line 16, strike “SUBJECT TO § 19-507(C)(3) OF THE INSURANCE ARTICLE, A” and substitute “A”; and in line 18, after “MAY” insert “NOT”.

On page 4, strike beginning with “SUBJECT” in line 8 down through “MAY” in line 11 and substitute “HEALTH INSURANCE POLICIES AND POLICIES OF NONPROFIT HEALTH SERVICE PLANS MAY NOT”; and in lines 13 and 14, strike “POLICY OR CONTRACT” and substitute “POLICIES”.

AMENDMENT NO. 3

On pages 4 and 5, strike in their entirety the lines beginning with line 15 on page 4 through line 20 on page 5, inclusive.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1247)

AMENDED IN THE HOUSE

Senate Bill 1019 – Senator Kelley

AN ACT concerning

Real Property – Residential Real Estate Settlements – Disclosures

Senator Middleton moved that the Senate concur in the House amendment.

SB1019/670514/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 1019
(Third Reading File Bill)

On page 1, in line 2, before the first “Real” insert “Residential”; and in the same line, strike “Residential”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1248)

CONCURRENCE CALENDAR #28

AMENDED IN THE HOUSE

Senate Bill 593 – Senators Garagiola, King, Pipkin, Colburn, Della, Exum, Forehand, Glassman, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

Senator Middleton moved that the Senate concur in the House amendments.

SB0593/326881/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 593
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 11, in each instance, strike “emergency” and substitute “hospital”.

On page 2, in line 4, strike “emergency” and substitute “hospital”; in line 13, strike “15–105(d),”; and in line 28, after “Section” insert “15–105(g) and”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 35 on page 2 through line 17 on page 3, inclusive.

On page 3, in line 18, strike “(III)” and substitute “(G)”.

AMENDMENT NO. 3

On page 3, in line 19, strike “EMERGENCY SERVICES” and substitute “HOSPITAL SERVICES, AS DEFINED IN § 19–201 OF THIS ARTICLE,”.

On page 11, in line 4, strike “EMERGENCY” and substitute “HOSPITAL”.

On page 12, in lines 6 and 12, in each instance, strike “emergency services” and substitute “hospital services, as defined in § 19–201 of the Health – General Article, as enacted by Section 1 of this Act,”.

AMENDMENT NO. 4

On page 10, in line 22, strike “JURISDICTION” and substitute “RATE–SETTING AUTHORITY”; and strike in their entirety lines 24 through 27, inclusive, and substitute:

“(1) INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS THAT DELIVER OR ISSUE FOR DELIVERY INDIVIDUAL, GROUP, OR BLANKET HEALTH INSURANCE POLICIES AND CONTRACTS IN THE STATE;”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1249)

CONCURRENCE CALENDAR #30

AMENDED IN THE HOUSE

Senate Bill 415 – Senators Mooney, Raskin, Madaleno, Colburn, Currie, Della, Dyson, Forehand, Frosh, Garagiola, Haines, Harrington, Jacobs, Kelley, King, Kittleman, Lenett, Middleton, Munson, Muse, Peters, Pugh, Rosapepe, Simonaire, ~~and Zirk~~ Zirkin, Conway, Harris, and Reilly

AN ACT concerning

State Government – Commemorative Month – Hispanic Heritage Month

Senator Conway moved that the Senate concur in the House amendment.

SB0415/686183/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 415

(Third Reading File Bill)

On page 1, in line 16, strike “**HISPANICS**” and substitute “**HISPANIC AMERICANS**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1250)

CONCURRENCE CALENDAR #32

AMENDED IN THE HOUSE

Senate Bill 467 – Senators Conway, Madaleno, Colburn, Dyson, Exum, Forehand, Garagiola, Glassman, Harrington, King, Klausmeier, Kramer, Lenett, McFadden, Muse, Pinsky, Raskin, Rosapepe, and Zirkin

AN ACT concerning

Task Force to ~~Incorporate~~ Explore the Incorporation of the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland

Senator Conway moved that the Senate concur in the House amendment.

SB0467/365164/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 467

(Third Reading File Bill)

On page 5, in line 3, strike “June 30, 2011” and substitute “December 31, 2010”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1251)

CONCURRENCE CALENDAR #33

AMENDED IN THE HOUSE

Senate Bill 834 – ~~Senator Currie~~ Senators Currie and Miller

AN ACT concerning

Base Realignment and Closure – Public Charter Schools Located on a Federal Military Base

Senator Conway moved that the Senate concur in the House amendment.

SB0834/433823/1

BY: Delegate Griffith

AMENDMENT TO SENATE BILL 834
(Third Reading File Bill)

On page 3, in line 8, strike "30%" and substitute "35%".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1252)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #77

Senate Bill 292 – Senators Raskin, Brochin, Conway, Forehand, Garagiola, Glassman, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

~~Elections – Voter Registration and Voting – Age~~
Election Law – Voter Registration and Nomination by Petition –
Requirements

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1254)

The Bill was then sent to the House of Delegates.

**Senate Bill 396 – ~~Senator Middleton~~ Senators Middleton, Garagiola, Currie, Kasemeyer, Brinkley, DeGrange, Edwards, Jones, King, Kramer, Madaleno, McFadden, Munson, Peters, Robey, Stoltzfus, and Zirkin
Zirkin, Glassman, Kittleman, and Dyson**

AN ACT concerning

Maryland Estate Tax – Pilot Program for Payment Deferral for Qualified Agricultural Property

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1255)

The Bill was then sent to the House of Delegates.

Senate Bill 507 – Senator Middleton

AN ACT concerning

Injured Workers' Insurance Fund – Status ~~and~~, Renaming, and Study

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1256)

The Bill was then sent to the House of Delegates.

Senate Bill 517 – Senators Stone ~~and Jacobs~~, Jacobs, Forehand, Mooney, and Simonaire

AN ACT concerning

**~~Criminal Law – Criminal Gangs – Offenses and Membership~~
Maryland Gang Prosecution Act of 2010**

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

Affirmative – 35 Negative – 9 (See Roll Call No. 1257)

The Bill was then sent to the House of Delegates.

Senate Bill 551 – Senator Edwards

AN ACT concerning

Education – Public School Construction – Procurement – Preference for State and Local Business Entities

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1258)

The Bill was then sent to the House of Delegates.

Senate Bill 660 – Senator Klausmeier

AN ACT concerning

**State Personnel – Natural Resources Law Enforcement Officers –
Appointment to Major or Lieutenant Colonel**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1259)

The Bill was then sent to the House of Delegates.

Senate Bill 892 – Senator Kelley

AN ACT concerning

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

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1260)

The Bill was then sent to the House of Delegates.

Senate Bill 935 – Senators Zirkin and Stone

AN ACT concerning

**Denial or Dismissal of ~~Domestic Violence~~ Peace Order or Protective Order
Petition – ~~Expungement~~ Shielding of Records**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1261)

The Bill was then sent to the House of Delegates.

Senate Bill 990 – Senators Forehand, Madaleno, Pinsky, and Raskin

AN ACT concerning

**Courts and Judicial Proceedings – Strategic Lawsuits Against Public
Participation**

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

Affirmative – 36 Negative – 9 (See Roll Call No. 1262)

The Bill was then sent to the House of Delegates.

Senate Bill 1000 – Senator Robey

AN ACT concerning

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1263)

The Bill was then sent to the House of Delegates.

Senate Bill 1007 – Senator Pugh

AN ACT concerning

**Public Schools – Law Enforcement Officers – Cultural Competency Model
Training ~~Program~~ Curriculum**

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1264)

The Bill was then sent to the House of Delegates.

Senate Bill 1022 – Senator McFadden

AN ACT concerning

Baltimore City Charter – Community Benefits District – East Baltimore

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1265)

The Bill was then sent to the House of Delegates.

Senate Bill 1101 – Senator Stone

AN ACT concerning

**Elevator Safety – Elevator Units in ~~Churches~~ Places of Worship – Exemption
from Third-Party Inspections**

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

Affirmative – 34 Negative – 9 (See Roll Call No. 1266)

The Bill was then sent to the House of Delegates.

Senate Bill 1128 – Senator Colburn

EMERGENCY BILL

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1267)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #37

House Bill 318 – Delegates Sophocleus, Dwyer, and McConkey

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1268)

The Bill was then sent to the House of Delegates.

**House Bill 378 – Delegates Kaiser, Ali, Barkley, Barnes, Bates, Bobo,
Bronrott, Carr, Feldman, Frick, Frush, Gilchrist, Gutierrez, Hecht,
Holmes, Howard, Hubbard, Hucker, Ivey, Jennings, Jones, Lafferty,
Lee, Manno, Montgomery, Morhaim, Murphy, Olszewski, Pena-Melnyk,
Reznik, Rice, Riley, Rosenberg, Ross, Schuler, Simmons, Stukes, ~~and~~
~~Walker~~ Walker, and Kramer**

AN ACT concerning

**Election Law – ~~Ballot Issue Committee – Additional~~ Campaign Finance
~~Report Reports~~**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1269)

The Bill was then sent to the House of Delegates.

House Bill 601 – Calvert County Delegation

AN ACT concerning

Calvert County – Regulation of Tattoo Artist and Body Piercing Services

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1270)

The Bill was then sent to the House of Delegates.

**House Bill 774 – Delegate Griffith (Chair, Joint Committee on Pensions) and
Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy**

AN ACT concerning

**State Retirement and Pension System – Reemployment Earnings
Limitation – Exemptions**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1271)

The Bill was then sent to the House of Delegates.

House Bill 926 – Delegates Proctor and Vallario

AN ACT concerning

**State Retirement and Pension System – Retiree ~~Organizations~~ Organization –
Direct Mailings**

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1272)

The Bill was then sent to the House of Delegates.

**House Bill 982 – Delegates Niemann, Ali, Carr, Carter, Glenn, Hecht, Hucker,
~~and Montgomery~~ Montgomery, and Manno**

AN ACT concerning

**Solid Waste Management – Recycling and Source Reduction – Requirements
Study**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1273)

The Bill was then sent to the House of Delegates.

House Bill 1294 – Delegates Krysiak and Jones

AN ACT concerning

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1274)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 40 Negative – 3 (See Roll Call No. 1275)

The Bill was then sent to the House of Delegates.

House Bill 1323 – ~~Delegate Jennings~~ Delegates Jennings, Barkley, Braveboy, Burns, Davis, Feldman, Haddaway, Harrison, Hecht, Impallaria, Jameson, King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Minnick, Rudolph, Stifler, Taylor, Vaughn, and Walkup

AN ACT concerning

Civil Air Patrol Leave Act of 2010

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1276)

The Bill was then sent to the House of Delegates.

House Bill 1508 – Delegate Rudolph

AN ACT concerning

Environment – Coal Combustion By-Products – Disposal and Noncoal Mine Reclamation Sites

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

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #38

House Bill 829 – Delegates Jameson, G. Clagett, Barkley, Bates, Beitzel, Bohanan, Bronrott, Conway, DeBoy, Donoghue, Eckardt, Elliott, Elmore, Gilchrist, Guzzone, Haddaway, Hecht, Jenkins, Kach, Kelly, King, Kramer, Kullen, Levy, Love, Miller, Murphy, Myers, Rudolph, Serafini, Sossi, Stull, ~~and Wood~~ Wood, Norman, Frank, Harrison, McComas, Riley, Shewell, Stifler, and Stukes

AN ACT concerning

Vehicle Laws – Traffic Citations – Option to Request Trial

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1277)

The Bill was then sent to the House of Delegates.

House Bill 963 – Delegates G. Clagett, Benson, DeBoy, Hecht, Heller, Shewell, Sossi, and Stocksdales

AN ACT concerning

Child Support Enforcement – Interception of Abandoned Property

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1278)

The Bill was then sent to the House of Delegates.

House Bill 1043 – Delegates Conway, Dumais, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, DeBoy, Eckardt, Elmore, Frush, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jones, Levy, Mathias, Mizeur, Robinson, Rudolph, Schuh, Shewell, Sophocleus, Sossi, Stocksdales, and Wood

AN ACT concerning

Criminal Procedure – Child Advocacy Centers

FLOOR AMENDMENT

HB1043/223829/1

BY: Senator Middleton

AMENDMENTS TO HOUSE BILL 1043

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “sources;” insert “requiring that grants awarded by the State Board of Victim Services be equitably distributed among all purposes of the State Victims of Crime Fund;”; and in line 16, after “report;” insert “specifying that this Act does not affect any grants awarded by the State Board of Victim Services for a certain fiscal year;”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(D) GRANTS AWARDED BY THE BOARD SHALL BE EQUITABLY DISTRIBUTED AMONG ALL PURPOSES OF THE FUND DESCRIBED IN SUBSECTION (B) OF THIS SECTION.”.

On page 5, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act does not affect any grants awarded by the State Board of Victim Services for fiscal year 2011.”;

and in line 22, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1279)

The Bill was then sent to the House of Delegates.

House Bill 1051 – Delegates Benson, Burns, Cane, Costa, Frush, Gaines, Glenn, Holmes, Kach, Nathan–Pulliam, Niemann, Robinson, and Ross

AN ACT concerning

Crimes – Prohibition on Sale of Drug Paraphernalia to a Minor – Local Law

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1280)

The Bill was then sent to the House of Delegates.

House Bill 1149 – Delegates Carter, Anderson, Bates, Simmons, and Walker

AN ACT concerning

**Denial or Dismissal of ~~Domestic Violence~~ Peace Order or Protective Order
Petition – ~~Expungement~~ Shielding of Records**

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1281)

The Bill was then sent to the House of Delegates.

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

Correctional Services – Division of Parole and Probation – Supervision Fee

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1282)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1283)

The Bill was then sent to the House of Delegates.

**House Bill 1335 – Delegates Ramirez, Anderson, Kullen, Pendergrass,
Simmons, Smigiel, Valderrama, ~~and Vallario~~ Vallario, Hammen,
Benson, Costa, Kipke, Montgomery, Morhaim, Nathan-Pulliam, Oaks,
Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner**

AN ACT concerning

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

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1284)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #39

**House Bill 301 – Delegates O'Donnell, Bohanan, Kullen, Proctor, Vallario, and
Wood**

AN ACT concerning

**Calvert County and St. Mary's County – Deer Hunting on Private Property –
Sundays**

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

Affirmative – 41 Negative – 1 (See Roll Call No. 1285)

The Bill was then sent to the House of Delegates.

House Bill 399 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Beer Tasting License

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1286)

The Bill was then sent to the House of Delegates.

House Bill 704 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Authorization to Merge the Redevelopment
Authority, and Revenue Authority, ~~and Economic Development Corporation~~**

PG 416–10

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1287)

The Bill was then sent to the House of Delegates.

**House Bill 947 – ~~Delegates Frush, Barnes, Beidle, Kipke, Love, McConkey,
Pena-Melnik, Schuh, and Sophocleous~~ Anne Arundel County Delegation**

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1288)

The Bill was then sent to the House of Delegates.

House Bill 1431 – Delegates Mathias and Conway

AN ACT concerning

**Worcester County – Alcoholic Beverages – Pub–Breweries and
Micro–Breweries**

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1289)

The Bill was then sent to the House of Delegates.

House Bill 1478 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Beer ~~and~~, Wine, and Liquor Tastings

PG 320–10

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

Affirmative – 42 Negative – 2 (See Roll Call No. 1290)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #40

**House Bill 121 – Delegates Anderson, Barnes, Cardin, Glenn, Olszewski,
Ramirez, Ross, Schuler, Smigiel, Stukes, Tarrant, Vallario, and
Waldstreicher**

AN ACT concerning

**Office of the Public Defender – Eligibility for Services – ~~Authorization to
Access Agency Records~~ Requests for Employment Status and Income
Information**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1291)

The Bill was then sent to the House of Delegates.

House Bill 168 – Delegates Rosenberg, Anderson, and Dumais

AN ACT concerning

Architectural or, Engineering, Inspecting, or Surveying Services –
~~Construction Industry~~ – Indemnity Agreements – Void

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1292)

The Bill was then sent to the House of Delegates.

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdales, Stull, ~~and Walkup~~ Walkup, McDonough, Ali, Anderson, Barnes, Bartlett, Beidle, Bohanan, Burns, Cane, G. Clagett, Conway, Donoghue, Elliott, Feldman, Frush, Harrison, Healey, Impallaria, Ivey, Jameson, Jenkins, Kaiser, King, Kipke, Krysiak, Kullen, Levi, Levy, Love, Malone, Manno, McConkey, Montgomery, Murphy, Myers, Nathan-Pulliam, Niemann, O'Donnell, Oaks, Pena-Melnyk, Ramirez, Reznik, Robinson, Rudolph, Stein, Stifler, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Wood

AN ACT concerning

Correctional Services – Child Sexual Offenders – Diminution Credits ~~and~~
~~Parole~~

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1293)

The Bill was then sent to the House of Delegates.

House Bill 327 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates – Disqualification – Conviction for Unlawfully Obtaining Property of Vulnerable Adult or Elderly Individual

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1294)

The Bill was then sent to the House of Delegates.

House Bill 456 – Delegates Ramirez, Barnes, Anderson, Carr, Dumais, Levi, Niemann, Schuler, Simmons, Vaughn, and Waldstreicher

AN ACT concerning

~~**Mortgage Foreclosure Bankruptcy Exemption**~~
Homestead Exemption – Bankruptcy

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1295)

The Bill was then sent to the House of Delegates.

House Bill 472 – ~~The~~ Delegate Niemann and the Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Benson, Bobo, Carr, DeBoy, Doory, Dumais, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Kaiser, King, Kirk, Kramer, Lafferty, Levy, Love, Manno, Mathias, Mizeur, Montgomery, Morhaim, Oaks, Pena-Melnyk, Proctor, Reznik, Rice, Rosenberg, Rudolph, Shewell, Stein, Tarrant, Taylor, V. Turner, Vaughn, and Walker

~~**EMERGENCY BILL**~~

AN ACT concerning

Real Property – Residential Property Foreclosure Procedures – Foreclosure Mediation

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1296)

The Bill was then sent to the House of Delegates.

House Bill 566 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – Community Association Property Management
Services – Registration**

PG 419–10

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1297)

The Bill was then sent to the House of Delegates.

House Bill 667 – Delegates Elmore, Cane, Conway, Mathias, and Rudolph

AN ACT concerning

~~**Somerset, Wicomico, and Worcester Counties –**~~ **Vehicle Laws – Exceptional
Hauling Permits – Validity in Select Eastern Shore Counties**

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1298)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #41

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video and Electronic Display Equipment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1299)

The Bill was then sent to the House of Delegates.

House Bill 642 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Real Property – Home Builders – Community
Amenities**

PG 407-10

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1300)

The Bill was then sent to the House of Delegates.

House Bill 665 – Delegate Barnes

AN ACT concerning

Prince George's County – Domestic Violence – ~~Conditions of Probation –~~
Order to Carry or Wear a Global Positioning System Device GPS Tracking
System Pilot Program for Offenders

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1301)

The Bill was then sent to the House of Delegates.

House Bill 778 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Hecht, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

**Crimes – Unauthorized Computer Access for Sabotage of State Government
or Public Utilities**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1302)

The Bill was then sent to the House of Delegates.

House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway, DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones, Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough, Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh,

**Shewell, Simmons, Smigiel, Sossi, Stocksdale, Valderrama, Vallario,
and Wood**

AN ACT concerning

**Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial
Release and Inclusion on RAP Sheet**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1303)

The Bill was then sent to the House of Delegates.

House Bill 1199 – Delegate Malone

AN ACT concerning

Motor Vehicles – Salvage – Standards and Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1304)

The Bill was then sent to the House of Delegates.

House Bill 1336 – Washington County Delegation

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1305)

The Bill was then sent to the House of Delegates.

House Bill 1477 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Municipal Corporations – School Zones and Speed
Monitoring Systems**

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

The motion was adopted.

CONCURRENCE CALENDAR #34

AMENDED IN THE HOUSE

Senate Bill 221 – Senator Currie

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset ~~Repeal~~
Extension**

Senator Currie moved that the Senate concur in the House amendments.

SB0221/995161/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 221

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 7 down through “Act;” in line 16, inclusive.

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with line 12 on page 3 through line 10 on page 4, inclusive; in line 11, strike “3.” and substitute “2.”; and strike beginning with “Section” in line 12 down through “effect.” in line 15.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1306)

AMENDED IN THE HOUSE

Senate Bill 229 – Senators Garagiola, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Glassman, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, and Stone

AN ACT concerning

Blue Ribbon Commission on Maryland Transportation Funding

Senator Currie moved that the Senate concur in the House amendment.

SB0229/665762/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 229

(Third Reading File Bill)

On page 2, after line 8, insert:

“(4) short– and long–term pedestrian and bicycle facility construction and maintenance funding needs;”;

and in lines 9, 11, 13, and 15, strike “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(5)”, “(6)”, “(7)”, and “(8)”, respectively.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1307)

AMENDED IN THE HOUSE

Senate Bill 283 – The President (By Request – Administration) and Senators Currie, Kasemeyer, Dyson, Munson, King, ~~and Rosapepe~~ Rosapepe, Jones, Madaleno, McFadden, ~~Munson~~, and Zirkin

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

Senator Currie moved that the Senate concur in the House amendments.

SB0283/504969/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 283
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Account;” insert “defining certain terms;”; and strike beginning with “authorizing” in line 11 down through “Act;” in line 13 and substitute “requiring the governing boards of certain higher education institutions to periodically review tuition at certain institutions and to take certain other actions for certain purposes;”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“(3) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” HAS THE MEANING STATED IN § 10–101(J)(1) AND (2) OF THIS ARTICLE.”;

and in lines 28 and 30, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(4)**” and “**(5)**”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 1308)

AMENDED IN THE HOUSE

Senate Bill 450 – Senators Brinkley and Mooney

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

Senator Currie moved that the Senate concur in the House amendments.

SB0450/855963/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 450

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “in” in line 4 down through “circumstances” in line 6, and substitute “in certain minimum amounts for certain taxable years”; and in line 7, after “to” insert “a”.

On page 4, in line 29, after “**YIELD**” insert “**TAX**”.

On page 5, in line 1, after “yield” insert “tax”.

AMENDMENT NO. 2

On page 4, in line 23, strike “**AND EACH TAXABLE YEAR THEREAFTER,**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1309)

AMENDED IN THE HOUSE**Senate Bill 957 – Senator Miller**

AN ACT concerning

Calvert County – Special Taxing Districts

Senator Currie moved that the Senate concur in the House amendments.

SB0957/655861/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 957
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “funds” insert “or portion of the funds”; in line 5, after “districts” insert a comma; in the same line, strike “or”; and in line 6, after “manner” insert “, or applied to a certain reserve fund under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 5, after “FUNDS” insert “OR PORTION OF THE FUNDS”; in line 8, strike “OR”; in line 10, after “DISTRICT” insert “; OR

(III) APPLIED TO A SPECIAL TAXING DISTRICT RESERVE FUND AS AGREED TO BY THE COUNTY COMMISSIONERS AND THE HOMEOWNERS ASSOCIATION THAT PETITIONED FOR THE CREATION OF THE SPECIAL TAXING DISTRICT”;

and in lines 12 and 13, in each instance, after “FUNDS” insert “OR PORTION OF THE FUNDS”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1310)

AMENDED IN THE HOUSE

Senate Bill 1124 – Senator Kasemeyer

AN ACT concerning

University System of Maryland – Audits – Communicating Preliminary Findings

Senator Currie moved that the Senate concur in the House amendments.

SB1124/734269/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1124

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “University System of Maryland” and substitute “Public Senior Higher Education Institutions”; strike beginning with the third “the” in line 4 down through “Committee” in line 6; strike beginning with “constituent” in line 7 down through “Maryland;” in line 8 and substitute “public senior higher education institution to the appropriate governing board of the institution;”; and strike beginning with “the” in line 10 down through “Maryland” in line 11 and substitute “public senior higher education institutions”.

AMENDMENT NO. 2

On page 3, in line 19, strike beginning with “CONSTITUENT” through “MARYLAND” and substitute “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION”; strike beginning with the first “THE” in line 21 down through “COMMITTEE” in line 22; and in line 24, after “IMPROPRIETY” insert “TO THE FOLLOWING INDIVIDUALS AND GOVERNING BOARDS OF THE RESPECTIVE INSTITUTIONS THAT WERE SUBJECT TO THE EXAMINATION:”

(1) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND AND THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS AUDIT COMMITTEE;

(2) THE PRESIDENT OF MORGAN STATE UNIVERSITY AND THE FINANCE AND FACILITIES COMMITTEE OF THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY; OR

**(3) THE PRESIDENT OF ST. MARY'S COLLEGE OF MARYLAND
AND THE FINANCE, INVESTMENT, AND AUDIT COMMITTEE OF THE BOARD OF
TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and
nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1311)

CONCURRENCE CALENDAR #35

AMENDED IN THE HOUSE

Senate Bill 499 – Senator Raskin

AN ACT concerning

Correctional Services – Division of Parole and Probation – Supervision Fee

Senator Frosh moved that the Senate not concur in the House amendments.

SB0499/202011/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 499

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “Probation” in line 14 and substitute “authorizing the Division of Parole and Probation to recommend to the Parole Commission that a certain supervisee be exempt wholly or partly from a certain fee; defining a certain term; making conforming changes; and generally relating to fees paid by individuals supervised by the Division of Parole and Probation”; in line 15, strike “adding to” and substitute “repealing and reenacting, with amendments,”; and in line 17, strike “7-702(j)” and substitute “7-702”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 7 through 12, inclusive, and substitute:

“(a) (1) In this section[, “supervisee”] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DIVISION” MEANS THE DIVISION OF PAROLE AND PROBATION.

(3) “SUPERVISEE” means an individual supervised by the Division [of Parole and Probation for the Commission].

(b) Unless a supervisee is exempted by the Commission under subsection (d) of this section, the Commission shall assess a monthly fee of \$40 as a condition of supervision for each supervisee.

(c) (1) The fee assessed under subsection (b) of this section shall be paid to the Division [of Parole and Probation].

(2) The Division [of Parole and Probation] shall pay all money collected under this section into the General Fund of the State.

(d) The Commission may exempt a supervisee wholly or partly from the fee assessed under subsection (b) of this section if:

(1) the supervisee has diligently attempted but has been unable to obtain employment that provides sufficient income for the supervisee to pay the fee;

(2) (i) the supervisee is a student in a school, college, or university or is enrolled in a course of vocational or technical training designed to prepare the supervisee for gainful employment; and

(ii) the institution in which the supervisee is enrolled supplies certification of student status to the Commission;

(3) the supervisee has a disability that limits possible employment, as determined by a physical or psychological examination that the Commission accepts or orders;

(4) the supervisee is responsible for the support of dependents and the payment of the fee constitutes an undue hardship on the supervisee; or

(5) other extenuating circumstances exist.

(e) The fee assessed under subsection (b) of this section is in addition to court costs and fines.

(f) (1) If a supervisee does not comply with the fee requirement:

(i) the Division [of Parole and Probation] shall notify the Commission; and

(ii) the Commission may revoke parole or mandatory supervision.

(2) The Commission shall conduct a hearing to determine if there are sufficient grounds to find the supervisee in violation of the fee requirement.

(3) At a hearing under this subsection, the Commission may consider:

(i) any material change in the supervisee's financial status;

(ii) good faith efforts of the supervisee to pay the fee; and

(iii) alternative means to assure payment of the fee before the period of supervision ends.

(g) (1) In addition to the fee assessed under subsection (b) of this section, the Division [of Parole and Probation] may require a supervisee to pay for drug or alcohol abuse testing that the Commission orders.

(2) If a supervisee fails to pay for drug or alcohol abuse testing as required by the Division [of Parole and Probation], the Commission may revoke parole or mandatory supervision.

(3) If the Division [of Parole and Probation] determines that any of the criteria specified in subsection (d) of this section are applicable, the Division may exempt a supervisee wholly or partly from a payment for drug or alcohol abuse testing.

(h) The Division [of Parole and Probation] shall:

- (1) adopt guidelines for collecting the supervision fee;
 - (2) adopt guidelines for collecting the cost of drug and alcohol abuse testing; and
 - (3) investigate requests for an exemption from payment if the Commission requests an investigation.
- (i) The Division [of Parole and Probation] shall:
 - (1) keep records of all payments by each supervisee; and
 - (2) report delinquencies to the Commission.

(J) THE DIVISION MAY RECOMMEND TO THE COMMISSION THAT A SUPERVISEE BE EXEMPT WHOLLY OR PARTLY FROM THE FEE ASSESSED UNDER SUBSECTION (B) OF THIS SECTION. ”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0499

SPONSOR: Sen Raskin

SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman
Senator Mooney
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0899

SPONSOR: Del Hubbard, et al

SUBJECT: Nursing Facility Residents – Home-Based and Community Services –
Access Assistance

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Hubbard, Chairman
Delegate Nathan-Pulliam, and
Delegate Jenkins.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

**House Bill 899 – ~~Delegate Hubbard~~ Delegates Hubbard, Benson, Kach,
Kullen, McDonough, Montgomery, Pena-Melnyk, and V. Turner**

AN ACT concerning

**Nursing Facility Residents – Home-Based and Community Services – Access
Assistance**

Senator Middleton moved, duly seconded, that the Senate recede on its amendments.

The motion was adopted.

HB0899/807573/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 899

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “facility;” insert “requiring the Department of Health and Mental Hygiene to provide certain assistance to certain residents within certain time frames;”; and in line 15, after “agencies;” insert “prohibiting a nursing facility from denying certain representatives access to certain nursing facility residents without good cause;”.

AMENDMENT NO. 2

On page 3, in line 26, after “needed” insert “, WITHIN 10 DAYS AFTER THE RESIDENT’S CONTACT WITH THE DEPARTMENT OR THE DESIGNEE OF THE DEPARTMENT”; and in line 29, after “wishes” insert “WITH REASONABLE PROMPTNESS”.

On page 4, after line 12, insert:

“(G) A NURSING FACILITY MAY NOT DENY REPRESENTATIVES OF A DESIGNATED PROTECTION AND ADVOCACY SYSTEMS AGENCY ACCESS TO RESIDENTS OF A NURSING FACILITY WITHOUT GOOD CAUSE.”;

and in line 22, strike “(g)” and substitute “(H)”.

Senate receded and the amendment was removed.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1312)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0899

SPONSOR: Del Hubbard, et al

SUBJECT: Nursing Facility Residents – Home-Based and Community Services – Access Assistance

The Senate recedes from its position on HB 0899.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

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

House Bill 789 – Delegates Howard, Walker, Carter, Hucker, Stein, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, and F. Turner F. Turner, Krebs, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, V. Turner, Anderson, Carr, Dumais, Love, McComas, Oaks, Pena-Melnyk, Shank, Simmons, Taylor, and Cardin

AN ACT concerning

~~Elementary and Secondary Education – Health Curriculum – Diabetes~~
~~Education~~
Education – Children and Youth – Implementation of Programs and
Reporting of Information Concerning Student Health, Well-Being, and
Growth

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

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

AN ACT concerning

Forest Conservation Fund – Contribution Rates – Priority Funding Areas

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB1352/394332/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1352

(Third Reading File Bill)

On page 2, in lines 33 and 34, strike “(I) OF THIS PARAGRAPH” and substitute “1 OF THIS SUBPARAGRAPH”.

On page 3, strike beginning with “IF” in line 1 down through “PARAGRAPH” in line 5 and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF A LOCAL JURISDICTION ESTABLISHES RATES FOR PROJECTS THAT ARE HIGHER THAN THE MINIMUM RATES ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION, THE LOCAL AUTHORITY MAY USE A RATE FOR A PROJECT:

1. INSIDE A PRIORITY FUNDING AREA THAT IS 20% LOWER THAN THE RATE CALCULATED UNDER SUBPARAGRAPH (I)2 OF THIS PARAGRAPH; OR

2. OUTSIDE A PRIORITY FUNDING AREA THAT IS 20% HIGHER THAN THE RATE CALCULATED UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH.

(III) THE RATE ESTABLISHED UNDER SUBPARAGRAPH (II)1 OF THIS PARAGRAPH FOR A PROJECT INSIDE A PRIORITY FUNDING AREA MAY NOT BE LOWER THAN THE RATE ESTABLISHED FOR THE STATE FOREST CONSERVATION FUND UNDER SUBSECTION (C) OF THIS SECTION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1109 – Caroline County Delegation

AN ACT concerning

Caroline County – Bay Restoration Fee – Lien Against Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB1109/154132/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1109

(Third Reading File Bill)

On page 1, in line 4, strike “on which” and substitute “served by”; and in line 5, strike “is located”.

On page 2, in line 14, strike “ON WHICH THE” and substitute “SERVED BY A”; and in line 15, strike “IS LOCATED”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0192/808977/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 192
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “text” and substitute “certain”.

AMENDMENT NO. 2

On page 2, in line 8, after “text” insert “OR ELECTRONIC”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0975/868273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 975

(Third Reading File Bill)

On page 3, strike beginning with the second “a” in line 2 down through “crossing” in line 3 and substitute “AN AUTHORITY HIGHWAY”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 760 – Senators Pugh and Harrington

AN ACT concerning

Transportation – Consolidated Transportation Program – Evaluation and Selection of Proposed Capital Projects

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0760/989235/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 760

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 7 down through “elements;” in line 9 and substitute “certain criteria, and a certain statement that describes the purpose and need for each major capital project; requiring an entity that proposes a major capital project to submit a request and a certain statement justifying the project to the Secretary of Transportation;”; strike beginning with “a” in line 11 down through “criteria” in line 13 and substitute “certain goals and criteria; requiring that certain”

indicators or benchmarks acknowledge the difference between urban and rural transportation needs"; and in line 15, after "projects;" insert "requiring the Department and a certain advisory committee to consider certain factors when establishing certain transportation goals, benchmarks, and indicators; requiring the Department to include certain information concerning the cost effectiveness of transportation investments in a certain report.".

AMENDMENT NO. 2

On page 2, in line 28, after "A" insert "BRIEF".

On page 3, in line 21, strike "THE" and substitute "FOR PROJECTS IN THE CONSTRUCTION PHASE, THE".

On page 5, strike beginning with ", STATE" in line 22 down through "GOALS," in line 23; and in line 29, strike "THE PROJECT RANK, BASED ON" and substitute "A SUMMARY OF HOW THE PROJECT MEETS".

On page 6, in line 6, after "THE" insert "CONSTRUCTION PROGRAM OF THE"; in line 11, strike "AND"; strike in their entirety lines 12 through 27, inclusive, and substitute:

"(II) THE NEED FOR THE PROJECT; AND

(III) A DISCUSSION OF HOW THE PROJECT:

1. ADDRESSES STATE TRANSPORTATION GOALS;

AND

2. SUPPORTS LOCAL GOVERNMENT LAND USE PLANS

AND GOALS."

in line 28, after "(6)" insert "(I)"; in line 29, after "AND" insert ", AS APPROPRIATE,"; and after line 31, insert:

"(II) AS PART OF THE EVALUATION UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS."

AMENDMENT NO. 3

On page 8, after line 9, insert:

“(3) THE PERFORMANCE INDICATORS OR BENCHMARKS DESCRIBED IN THIS SUBSECTION SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”;

and strike beginning with the first “THAT” in line 13 down through “PROGRAM” in line 14.

AMENDMENT NO. 4

On page 9, in line 28, strike “AND”; and strike beginning with “THE” in line 29 down through “INVESTMENT” in line 30 and substitute **“THE IMPACT OF TRANSPORTATION INVESTMENT ON:**

- 1. THE ENVIRONMENT;**
- 2. ENVIRONMENTAL JUSTICE AS DEFINED IN § 1-701 OF THE ENVIRONMENT ARTICLE;**
- 3. COMMUNITIES; AND**
- 4. ECONOMIC DEVELOPMENT; AND**

(IX) THE CLIMATE ACTION PLAN GOALS REQUIRED BY THE GREENHOUSE GAS EMISSIONS REDUCTION ACT OF 2009 UNDER § 2-1205(B) OF THE ENVIRONMENT ARTICLE”.

On page 10, strike beginning with “TO” in line 23 down through “BENEFITS” in line 24; and strike beginning with “COST” in line 26 down through “PROJECT” in line 27 and substitute **“ESTIMATED ANNUAL COST OF MAINTENANCE AND OPERATIONS”.**

The preceding 4 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

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

Affirmative – 12 Negative – 29 (See Roll Call No. 1313)

MOTION

Senator Kasemeyer moved, duly seconded, to limit the debate on **Senate Bill 760**.

MOTION TO LIMIT DEBATE

PURSUANT TO THE PROVISIONS OF SENATE RULE 77(b), DEBATE ON SENATE BILL 760 SHALL BE LIMITED TO 10 MINUTES IN THE AGGREGATE FOR CONSIDERATION OF SECOND READING AND THIRD READING AND FINAL PASSAGE, AND ON ALL SUBSEQUENT QUESTIONS, AMENDMENTS AND MOTIONS SO RELATED TO SUCH MOTIONS, READINGS AND OTHER ACTIONS. THE PRESIDENT SHALL ALLOTcate THE 10 MINUTES AGGREGATE TIME AMONG THOSE SENATORS DESIRING TO SPEAK THEREON, PROVIDED THAT NOT MORE THAN 5 MINUTES SHALL BE ALLOCATED FOR THE PROPONENTS AND NOT MORE THAN 5 MINUTES SHALL BE ALLOCATED FOR THE OPPONENTS OF SUCH BILL.

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

Affirmative – 31 Negative – 14 (See Roll Call No. 1314)

SB0760/989235/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 760

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 7 down through “elements;” in line 9 and substitute “certain criteria, and a certain statement that describes the purpose and need for each major capital project; requiring an entity that proposes a major capital project to submit a request and a certain statement justifying the project to the Secretary of Transportation;”; strike beginning with “a” in line 11 down through “criteria” in line 13 and substitute “certain goals and criteria; requiring that certain indicators or benchmarks acknowledge the difference between urban and rural transportation needs”; and in line 15, after “projects;” insert “requiring the Department and a certain advisory committee to consider certain factors when

establishing certain transportation goals, benchmarks, and indicators; requiring the Department to include certain information concerning the cost effectiveness of transportation investments in a certain report.”.

AMENDMENT NO. 2

On page 2, in line 28, after “A” insert “BRIEF”.

On page 3, in line 21, strike “THE” and substitute “FOR PROJECTS IN THE CONSTRUCTION PHASE, THE”.

On page 5, strike beginning with “, STATE” in line 22 down through “GOALS,” in line 23; and in line 29, strike “THE PROJECT RANK, BASED ON” and substitute “A SUMMARY OF HOW THE PROJECT MEETS”.

On page 6, in line 6, after “THE” insert “CONSTRUCTION PROGRAM OF THE”; in line 11, strike “AND”; strike in their entirety lines 12 through 27, inclusive, and substitute:

“(II) THE NEED FOR THE PROJECT; AND

“(III) A DISCUSSION OF HOW THE PROJECT:

1. ADDRESSES STATE TRANSPORTATION GOALS;

AND

2. SUPPORTS LOCAL GOVERNMENT LAND USE PLANS

AND GOALS.”;

in line 28, after “(6)” insert “(I)”; in line 29, after “AND” insert “, AS APPROPRIATE,”; and after line 31, insert:

“(II) AS PART OF THE EVALUATION UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”.

AMENDMENT NO. 3

On page 8, after line 9, insert:

“(3) THE PERFORMANCE INDICATORS OR BENCHMARKS DESCRIBED IN THIS SUBSECTION SHALL ACKNOWLEDGE THE DIFFERENCE BETWEEN URBAN AND RURAL TRANSPORTATION NEEDS.”;

and strike beginning with the first “THAT” in line 13 down through “PROGRAM” in line 14.

AMENDMENT NO. 4

On page 9, in line 28, strike “AND”; and strike beginning with “THE” in line 29 down through “INVESTMENT” in line 30 and substitute “THE IMPACT OF TRANSPORTATION INVESTMENT ON:

1. THE ENVIRONMENT;

2. ENVIRONMENTAL JUSTICE AS DEFINED IN § 1-701 OF THE ENVIRONMENT ARTICLE;

3. COMMUNITIES; AND

4. ECONOMIC DEVELOPMENT; AND

(IX) THE CLIMATE ACTION PLAN GOALS REQUIRED BY THE GREENHOUSE GAS EMISSIONS REDUCTION ACT OF 2009 UNDER § 2-1205(B) OF THE ENVIRONMENT ARTICLE”.

On page 10, strike beginning with “TO” in line 23 down through “BENEFITS” in line 24; and strike beginning with “COST” in line 26 down through “PROJECT” in line 27 and substitute “ESTIMATED ANNUAL COST OF MAINTENANCE AND OPERATIONS”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0760/223920/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 760
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “terms;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 11, in line 34, strike “2010” and substitute “2011”.

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

Affirmative – 15 Negative – 30 (See Roll Call No. 1315)

FLOOR AMENDMENT

SB0760/103021/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 760
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “terms;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 11, in line 34, after “2010.” insert “It shall remain effective for a period of 6 years and, at the end of September 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

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

Affirmative – 14 Negative – 31 (See Roll Call No. 1316)

Read the second time and ordered prepared for Third Reading.

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – ~~Property Owners~~ Billing

STATUS OF BILL: QUESTION IS ON THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR PIPKIN.

FLOOR AMENDMENT

HB0812/673628/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 812

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Billing” insert “and Payment”; and in line 5, after “basis;” insert “authorizing a tenant under certain circumstances to pay a bill for water service that is in arrears and to deduct the amount of the payment from a certain payment of rent;”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A TENANT WHO RECEIVES NOTICE THAT WATER SERVICE WILL BE DISCONTINUED BECAUSE A BILL IS IN ARREARS DUE TO THE PROPERTY OWNER’S FAILURE TO PAY THE BILL, MAY PAY THE BILL AT THE OFFICE OF THE POLITICAL SUBDIVISION AND DEDUCT THE AMOUNT OF THE PAYMENT FROM THE TENANT’S PAYMENT OF RENT FOR THE PROPERTY, UNLESS THE TENANT IS CONTRACTUALLY OBLIGATED TO PAY THE BILL.”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

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

Affirmative – 14 Negative – 31 (See Roll Call No. 1317)

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

Affirmative – 17 Negative – 28 (See Roll Call No. 1318)

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1319)

The Bill was then sent to the House of Delegates.

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – ~~Specialty Fertilizers~~ Lawn Fertilizer – Low Phosphorous Fertilizer

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR PIPKIN.

FLOOR AMENDMENT

HB0050/253624/1

BY: Senator Pipkin

AMENDMENT TO HOUSE BILL 50

(Third Reading File Bill)

On page 2, in lines 1 and 9, in each instance, strike “**0.5%**” and substitute “**2.5%**”.

The preceding amendment was read only.

Senator Pinsky moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1320)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Recreational Fishing Licenses – Licensing and Registration

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

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

Affirmative – 42 Negative – 2 (See Roll Call No. 1321)

The Bill was then sent to the House of Delegates.

**House Bill 1155 – Delegates Lafferty, Ali, Anderson, Beidle, Bobo, Bronrott,
Cardin, Carr, Frush, Gilchrist, Hecht, Hucker, Lee, Manno,
Montgomery, Morhaim, Niemann, Reznik, Rosenberg, Schuh, Schuler,
Stein, and Waldstreicher**

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and
Selection of Proposed Capital Projects**

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

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

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

Affirmative – 15 Negative – 31 (See Roll Call No. 1322)

FLOOR AMENDMENT

HB1155/383325/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1155, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 10 of the bill, strike beginning with “ENVIRONMENTAL” in line 25 down through “**3.**” in line 27.

AMENDMENT NO. 2

In line 2 of the Budget and Taxation Committee Amendment (HB1155/879830/1), strike “**4.**” and substitute “**3.**”.

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

Affirmative – 16 Negative – 30 (See Roll Call No. 1323)

FLOOR AMENDMENT

HB1155/593527/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1155, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 10 of the bill, in line 26, after “ARTICLE;” insert “AND”; and strike in its entirety line 27.

AMENDMENT NO. 2

In line 2 of the Budget and Taxation Committee Amendment (HB1155/879830/1), strike “**4.**” and substitute “**3.**”.

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

Affirmative – 14 Negative – 30 (See Roll Call No. 1324)

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

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

Affirmative – 13 Negative – 30 (See Roll Call No. 1325)

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

Affirmative – 31 Negative – 14 (See Roll Call No. 1326)

The Bill was then sent to the House of Delegates.

House Bill 435 – Delegates ~~Kach and Jones~~, Jones, Benson, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Reimbursement of ~~Physicians – Services Outside of Office Hours, by Telephone, or Online~~ Primary Care Providers – Bonus Payments

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1327)

The Bill was then sent to the House of Delegates.

House Bill 217 – Delegates Cardin, Ali, Elmore, Frick, Rice, Ross, ~~and Walker~~ Walker, and Ivey

AN ACT concerning

**~~Elections – Voter Registration and Voting – Age~~
Election Law – Voter Registration and Nomination by Petition – Requirements**

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

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

Affirmative – 41 Negative – 5 (See Roll Call No. 1328)

The Bill was then sent to the House of Delegates.

House Bill 1477 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Municipal Corporations – School Zones and Speed Monitoring Systems

PG 319–10

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

FLOOR AMENDMENT

HB1477/463927/2

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 1477
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “of” insert “requiring a municipal corporation in Prince George’s County to remit any funds collected from fines resulting from certain violations enforced by speed monitoring systems established in certain school zones to Prince George’s County”.

On page 2, after line 7, insert:

“BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–302(e)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“Article – Courts and Judicial Proceedings

7-302.

(e) (1) A citation issued pursuant to § 21-202.1, § 21-809, or § 21-810 of the Transportation Article shall provide that the person receiving the citation may elect to stand trial by notifying the issuing agency of the person's intention to stand trial at least 5 days prior to the date of payment as set forth in the citation. On receipt of the notice to stand trial, the agency shall forward to the District Court having venue a copy of the citation and a copy of the notice from the person who received the citation indicating the person's intention to stand trial. On receipt thereof, the District Court shall schedule the case for trial and notify the defendant of the trial date under procedures adopted by the Chief Judge of the District Court.

(2) A citation issued as the result of a traffic control signal monitoring system or speed monitoring system, including a work zone speed control system, controlled by a political subdivision shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision. A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a traffic control signal monitoring system or a speed monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(3) Civil penalties resulting from citations issued using traffic control signal monitoring systems or speed monitoring systems, or a work zone speed control system, that are collected by the District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12-118 of the Transportation Article.

(4) (i) [From] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, FROM the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems; and

2. Subject to subparagraph (ii) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

(ii) 1. For any fiscal year, if the balance remaining from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, after the costs of implementing and administering the systems are recovered in accordance with subparagraph (i)1 of this paragraph, is greater than 10% of the total revenues of the political subdivision for the fiscal year, the political subdivision shall remit any funds that exceed 10% of the total revenues to the Comptroller.

2. The Comptroller shall deposit any money remitted under this subparagraph to the General Fund of the State.

(iii) A MUNICIPAL CORPORATION IN PRINCE GEORGE'S COUNTY SHALL REMIT ANY FUNDS COLLECTED FROM ANY FINES RESULTING FROM VIOLATIONS ENFORCED BY SPEED MONITORING SYSTEMS IN A SCHOOL ZONE UNDER § 21-809 OF THE TRANSPORTATION ARTICLE TO PRINCE GEORGE'S COUNTY."

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

Affirmative – 12 Negative – 33 (See Roll Call No. 1329)

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

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

Affirmative – 13 Negative – 33 (See Roll Call No. 1330)

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

Affirmative – 29 Negative – 18 (See Roll Call No. 1331)

The Bill was then sent to the House of Delegates.

House Bill 1508 – Delegate Rudolph

AN ACT concerning

Environment – Coal Combustion By-Products – Disposal and Noncoal Mine Reclamation Sites

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

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

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

Affirmative – 16 Negative – 31 (See Roll Call No. 1332)

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1333)

The Bill was then sent to the House of Delegates.

**House Bill 975 – Chair, Environmental Matters Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE
AMENDMENT (1) AND THE FAVORABLE REPORT.

HB0975/868273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 975

(Third Reading File Bill)

On page 3, strike beginning with the second “a” in line 2 down through
“crossing” in line 3 and substitute “**AN AUTHORITY HIGHWAY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0192/808977/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 192
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “text” and substitute “certain”.

AMENDMENT NO. 2

On page 2, in line 8, after “text” insert “OR ELECTRONIC”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0192/463622/1

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 192
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Exception”; and in line 4, after “circumstances;” insert “providing a certain exception to a certain prohibition on using a text messaging device while operating a motor vehicle;”.

AMENDMENT NO. 2

On page 2, in line 10, after “(c)” insert “**(1)**”; in lines 11 and 12, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 12, insert:

“(2) THIS SECTION DOES NOT APPLY TO THE USE OF A TEXT MESSAGING DEVICE BY A LICENSED HEALTH CARE PROVIDER.”.

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

Affirmative – 17 Negative – 29 (See Roll Call No. 1334)

FLOOR AMENDMENT

HB0192/233321/1

BY: Senator Garagiola

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “circumstances,” insert “altering the prohibition on using a text messaging device to make the prohibition apply only when a person is operating a vehicle in motion;”.

AMENDMENT NO. 2

On page 2, in line 9, strike “or in the travel portion of the roadway”.

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

Affirmative – 27 Negative – 20 (See Roll Call No. 1335)

FLOOR AMENDMENT

HB0192/953522/1

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Exception”; in line 4, after “circumstances,” insert “providing a certain exception to a certain prohibition on using a text messaging device while operating a motor vehicle;”.

AMENDMENT NO. 2

On page 2, in line 11, strike “or”; and in line 12, after “system” insert “;**OR**”

(3) A DEVICE THAT IS NOT CAPABLE OF SENDING TEXT MESSAGES”.

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

Affirmative – 18 Negative – 27 (See Roll Call No. 1336)

FLOOR AMENDMENT

HB0192/983626/1

BY: Senator Stone

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “circumstances,” insert “altering the definition of a text messaging device”.

AMENDMENT NO. 2

On page 2, in line 4, after “(3)” insert “**(I)**”; and after line 6, insert:

“(II) “TEXT MESSAGING DEVICE” DOES NOT INCLUDE A ONE-WAY NUMERIC PAGER.”

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: SB 0097

SPONSOR: Sen Mooney, et al

SUBJECT: Office of the Public Defender – Board of Trustees – Membership

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Frosh, Chair
Senator Mooney
Senator Forehand

The House appoints: Delegate Barnes, Chairman
Delegate Schuler, and
Delegate Smigiel.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0540

SPONSOR: Sen Harrington, et al

SUBJECT: Child with a Disability – Individualized Education Program

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Harrington, Chair
Senator Pinsky
Senator Reilly

The House appoints: Delegate Kaiser, Chairman
Delegate Gilchrist, and
Delegate Myers.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0899**
SPONSOR: The Pres (Admin)
SUBJECT: Education Reform Act of 2010

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Pinsky, Chair
Senator J. Conway
Senator Rosapepe

The House appoints: Delegate Kaiser, Chairman
Delegate Rice, and
Delegate Olszewski.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 1337)

RECESS

At 3:19 P.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 4:30 P.M. on Monday, April 12, 2010.

AFTER RECESS
Annapolis, Maryland
Legislative Day: April 7, 2010
Calendar Day: Monday, April 12, 2010

At 4:40 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 1338)

ADJOURNMENT

At 4:49 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 4:50 P.M. on Legislative Day April 8, 2010, Calendar Day, Monday, April 12, 2010.

Annapolis, Maryland
Legislative Day: April 8, 2010
Calendar Day: Monday, April 12, 2010
4:50 P.M. Session

The Senate met at 4:49 P.M.

QUORUM CALL

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

(See Roll Call No. 1339)

The Journal of April 7, 2010 was read and approved.

CONCURRENCE CALENDAR #36

AMENDED IN THE HOUSE

Senate Bill 51 – ~~Senator Raskin~~ Senators Raskin and Forehand

AN ACT concerning

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

Senator Frosh moved that the Senate concur in the House amendment.

SB0051/160617/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 51

(Third Reading File Bill)

On page 2, in line 10, strike “OR”; and in line 13, after “COURSE” insert “; OR

**(III) THE HIGHWAY ON WHICH THE VEHICLE IS BEING
DRIVEN IS NOT WIDE ENOUGH TO LAWFULLY PASS THE BICYCLE, EPAMD, OR
MOTOR SCOOTER AT A DISTANCE OF AT LEAST 3 FEET**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 28 Negative – 0 (See Roll Call No. 1340)

AMENDED IN THE HOUSE

Senate Bill 322 – Senator Stone

AN ACT concerning

Motor Vehicles – Use of Video Display Equipment

Senator Frosh moved that the Senate concur in the House amendments.

SB0322/260219/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 322

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Video” insert “and Electronic”; strike beginning with “altering” in line 3 down through “vehicle” in line 7 and substitute “prohibiting a person from driving a motor vehicle on a highway if the motor vehicle is equipped with certain video display equipment that is turned on under certain circumstances; altering a certain restriction on motor vehicles being equipped with television-type receiving equipment; altering the exceptions to the prohibition against locating certain electronic display equipment in certain areas of a motor vehicle; providing that a motor vehicle may be equipped with certain video display equipment only if the equipment is turned off under certain circumstances; providing for the application of this Act; defining a certain term”; in line 7, after “video” insert “and electronic”; and after line 13, insert:

“BY adding to

Article – Transportation

Section 21–1128 and 22–414.1

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 14 on page 2, inclusive, and substitute:

"21-1128.

A PERSON MAY NOT DRIVE A MOTOR VEHICLE ON A HIGHWAY IF THE MOTOR VEHICLE IS EQUIPPED WITH TELEVISION-TYPE RECEIVING EQUIPMENT OR VIDEO DISPLAY EQUIPMENT, AS DEFINED UNDER § 22-414.1 OF THIS ARTICLE, THAT IS TURNED ON AND DISPLAYING AN IMAGE VISIBLE TO THE DRIVER.

22-414.

(a) A motor vehicle driven on a highway in this State may not be equipped with television-type receiving equipment [in front of the back of the driver's seat or otherwise] THAT IS TURNED ON AND DISPLAYING AN IMAGE visible to the driver.

(b) This section does not prevent:

(1) The use of television-type receiving equipment in a vehicle exclusively for safety or law enforcement purposes, as approved by the Department of State Police;

(2) The use in a vehicle of equipment used exclusively for alphanumeric data and text transmission and reception; or

(3) The use in a vehicle of electronic display equipment [used in conjunction with a]:

(I) USED IN CONJUNCTION WITH:

1. A vehicle navigation system; OR

**2. BROADCAST AND SATELLITE RADIO SYSTEM
GRAPHICS; OR**

**(II) DISPLAYING INFORMATION OR IMAGES RELATED TO
THE OPERATION OR SAFETY OF A MOTOR VEHICLE.**

22-414.1.

**(A) IN THIS SECTION, "VIDEO DISPLAY EQUIPMENT" MEANS EQUIPMENT
CAPABLE OF DISPLAYING A DYNAMIC VISUAL IMAGE, OTHER THAN TEXT, FROM
A DIGITAL VIDEO DISC OR OTHER STORAGE DEVICE.**

**(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
MOTOR VEHICLE DRIVEN ON A HIGHWAY IN THE STATE MAY BE EQUIPPED WITH
VIDEO DISPLAY EQUIPMENT ONLY IF THE VIDEO DISPLAY EQUIPMENT IS
TURNED OFF WHEN THE SCREEN ON THE VIDEO DISPLAY EQUIPMENT IS VISIBLE
TO THE DRIVER.**

**(C) THIS SECTION DOES NOT APPLY TO EQUIPMENT ON A VEHICLE USED
BY A PUBLIC SERVICE COMPANY."**

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and
nays as follows:

Affirmative – 27 Negative – 2 (See Roll Call No. 1341)

CONCURRENCE CALENDAR #37

AMENDED IN THE HOUSE

**Senate Joint Resolution 5 – The President ~~(By Request – General Assembly
Compensation Commission)~~**

A Senate Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

Senator Currie moved that the Senate concur in the House amendments.

SJ0005/854361/2

BY: Appropriations Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 5

(Third Reading File Joint Resolution)

AMENDMENT NO. 1

On page 2, in line 7, strike “committed” and substitute “is convicted of”; in line 12, after the semicolon insert “providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain payable benefits shall be restored if certain actions occur; making technical corrections to the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010;”.

AMENDMENT NO. 2

On page 2, in line 25, strike “2A” and substitute “2D”; after line 40, insert:

“(d) Section 1(o) of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be amended to read as follows:

1. (o) “Resolution” means the Resolution of the General Assembly Compensation Commission effective January 12, 2011.

(e) Section 4(a) of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be amended to read as follows:

4. (a) Membership in the Legislative Pension Plan is optional for each member of the General Assembly during the 2011–2014 term of office.”;

and in line 41, strike “(d)” and substitute “(f)”.

On page 3, in line 12, after the first “that” insert “is committed during the member’s term of office and”; in line 23, strike “; and” and substitute a period; after line 23, insert:

“(d) If the conviction of the member is reversed or overturned, the member’s benefits that are payable under Item 3A of this Resolution shall be restored; and”;

and in lines 3 and 24, strike “(e)” and “(f)”, respectively, and substitute “(g)” and “(h)”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 31 Negative – 0 (See Roll Call No. 1342)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 99** SPONSOR: **Senator DeGrange**

SUBJECT: **Junk Dealers and Scrap Metal Processors –
Required Records**

THIRD READING CALENDAR HOUSE NO. **5** SENATE NO. **11**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Economic Matters Committee Amendments (SB0099/143491/2) be rejected.

(2) That the attached Conference Committee Amendments (SB0099/293825/1) be adopted.

SB0099/293825/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 99
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after “requirements;” insert “requiring certain contracts to be open to inspection by a local law enforcement agency under certain circumstances; prohibiting certain contracts from being open to public inspection without the consent of certain junk dealers or scrap metal processors;”.

AMENDMENT NO. 2

On page 9, in line 20, strike “AND”; and in line 24, after “INDIVIDUAL” insert “;
AND

**8. AN ELECTRONIC SCAN OR PHOTOCOPY OF THE
VALID STATE-ISSUED PHOTO ID UNDER ITEM 7 OF THIS SUBPARAGRAPH**”.

On page 11, in line 19, after “(F)” insert “(1)”; in lines 21, 22, and 23, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and strike beginning with “WHOM” in line 23 down through “CONTRACT” in line 25 and substitute “A VALID BUSINESS LICENSE THAT HAS ENTERED INTO A WRITTEN CONTRACT WITH A JUNK DEALER OR SCRAP METAL PROCESSOR WHO HAS PROVIDED TO THE PRIMARY LAW ENFORCEMENT UNIT:

**1. THE NAME AND BUSINESS ADDRESS OF THE
COMMERCIAL ENTERPRISE; AND**

**2. THE TYPE OF JUNK OR SCRAP METAL SUBJECT TO
THE CONTRACT.**

**(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
A CONTRACT UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE OPEN
TO INSPECTION BY A LOCAL LAW ENFORCEMENT AGENCY ON THE PREMISES OF
THE JUNK DEALER OR SCRAP METAL PROCESSOR DURING BUSINESS HOURS.**

**(II) NOTWITHSTANDING ANY OTHER LAW, A CONTRACT
OPEN TO INSPECTION BY A LOCAL LAW ENFORCEMENT AGENCY UNDER
SUBPARAGRAPH (1) OF THIS PARAGRAPH MAY NOT BE OPEN FOR PUBLIC
INSPECTION WITHOUT THE CONSENT OF THE JUNK DEALER OR SCRAP METAL
PROCESSOR**”.

Senate Members:

House Members:

Chair, **John C. Astle**

Chair, **Michael L. Vaughn**

Rob Garagiola

James King

Barry Glassman

Brian K. McHale

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: ☐ Chief Clerk
 ☒ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 36 Negative – 0 (See Roll Call No. 1343)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 252 **SPONSOR: Senator Frosh**

SUBJECT: Child Support Guidelines – Revision

THIRD READING CALENDAR HOUSE NO. 17 SENATE NO. 29

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Nos. 2 and 3 of the attached House Judiciary Committee Amendments (SB0252/862612/1) be adopted.

(2) That Amendment Nos. 1 and 4 of the attached House Judiciary Committee Amendments (SB0252/862612/1) be rejected.

(3) That the attached Conference Committee Amendment (SB0252/243122/1) be adopted.

SB0252/862612/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 252
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “guidelines;” insert “repealing provisions of law establishing that the adoption or revision of the child support guidelines may be grounds for requesting a modification of a child support award based on a material change in circumstances under certain circumstances; establishing that the adoption or revision of the child support guidelines is not a material change of circumstance for the purpose of a modification of a child support award;”; in line 6, after “changes;” insert “providing for a delayed effective date;”; and in line 14, after “(k)” insert “, 12-202.”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“12-202.

(a) (1) Subject to the provisions of paragraph (2) of this subsection, in any proceeding to establish or modify child support, whether pendente lite or permanent, the court shall use the child support guidelines set forth in this subtitle.

(2) (i) There is a rebuttable presumption that the amount of child support which would result from the application of the child support guidelines set forth in this subtitle is the correct amount of child support to be awarded.

(ii) The presumption may be rebutted by evidence that the application of the guidelines would be unjust or inappropriate in a particular case.

(iii) In determining whether the application of the guidelines would be unjust or inappropriate in a particular case, the court may consider:

1. the terms of any existing separation or property settlement agreement or court order, including any provisions for payment of mortgages or marital debts, payment of college education expenses, the terms of any use and possession order or right to occupy the family home under an agreement, any direct payments made for the benefit of the children required by agreement or order, or any other financial considerations set out in an existing separation or property settlement agreement or court order; and

2. the presence in the household of either parent of other children to whom that parent owes a duty of support and the expenses for whom that parent is directly contributing.

(iv) The presumption may not be rebutted solely on the basis of evidence of the presence in the household of either parent of other children to whom that parent owes a duty of support and the expenses for whom that parent is directly contributing.

(v) 1. If the court determines that the application of the guidelines would be unjust or inappropriate in a particular case, the court shall make a written finding or specific finding on the record stating the reasons for departing from the guidelines.

2. The court's finding shall state:

A. the amount of child support that would have been required under the guidelines;

B. how the order varies from the guidelines;

C. how the finding serves the best interests of the child;
and

D. in cases in which items of value are conveyed instead of a portion of the support presumed under the guidelines, the estimated value of the items conveyed.

(b) [(1) Subject to the provisions of paragraph (2) of this subsection, the] THE adoption or revision of the guidelines set forth in this subtitle [may be grounds for requesting a modification of a child support award based on a material change in

circumstances] IS NOT A MATERIAL CHANGE OF CIRCUMSTANCE FOR THE PURPOSE OF A MODIFICATION OF A CHILD SUPPORT AWARD.

[(2) The adoption or revision of the guidelines set forth in this subtitle may not be grounds for requesting a modification of a child support award based on a material change in circumstances unless the use of the guidelines would result in a change in the award of 25% or more.]

(c) On or before January 1, 1993, and at least every 4 years after that date, the Child Support Enforcement Administration of the Department of Human Resources shall:

(1) review the guidelines set forth in this subtitle to ensure that the application of the guidelines results in the determination of appropriate child support award amounts; and

(2) report its findings and recommendations to the General Assembly, subject to § 2-1246 of the State Government Article.”.

AMENDMENT NO. 3

On pages 13 through 19, strike in their entirety the lines beginning with line 6 on page 13 through line 41 on page 19, inclusive.

AMENDMENT NO. 4

On page 21, in line 19, strike “2010” and substitute “2011”.

SB0252/243122/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 252 (Third Reading File Bill)

On page 1, in line 5, after “guidelines;” insert “repealing provisions of law establishing that the adoption or revision of the child support guidelines may be grounds for requesting a modification of a child support award based on a material change in circumstances under certain circumstances; establishing that the adoption or revision of the child support guidelines is not a material change of circumstance for

the purpose of a modification of a child support award;"; and in line 14, after "(k)" insert ", 12-202,".

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Luiz R. S. Simmons**

Jennie M. Forehand

Kathleen M. Dumais

Lisa A. Gladden

Gerron S. Levi

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: () Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 0 (See Roll Call No. 1344)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 931** SPONSOR: **The Speaker**

SUBJECT: **Public Safety – Sexual Offender Advisory Board**

THIRD READING CALENDAR HOUSE NO. **25** SENATE NO. **31**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendment (HB0931/448972/1) be rejected.

(2) That the attached Conference Committee Amendment (HB0931/113622/1) be adopted.

HB0931/113622/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 931

(Third Reading File Bill)

On page 4, after line 24, insert:

“(II) CIVIL COMMITMENT OF SEXUAL OFFENDERS;”;

in lines 25 and 27, strike **“(II)”** and **“(III)”**, respectively, and substitute **“(III)”** and **“(IV)”**, respectively.

On page 5, in line 2, strike “and”; and in line 4, after “teams” insert **“; AND**

(8) CONSIDER WAYS TO INCREASE COOPERATION AMONG STATES WITH REGARD TO SEXUAL OFFENDER REGISTRATION AND MONITORING”.

Senate Members:

House Members:

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Larry E. Haines

Jeff Waldstreicher

Jamie Raskin

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1345)

The Bill was then sent to the House of Delegates.

Prayer was sung by Senator Stoltzfus; “The Battle Hymn of the Republic”

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 198	Sen. Glassman	Farmer’s Markets – Agricultural Product Sales – Producer Mobile Farmer’s Market License
SB 199	Sen. Glassman	Seasonal Farmer’s Market Producer Sampling License
SB 451	Sen. Conway	Prevailing Wage Rates – Public Works Contracts – Suits by Employees
SB 508	Sen. McFadden	Employees’ Ret and Pension Systems – Md School for the Deaf Retirees – Overpayment of Benefits
SB 666 (Emergency Bill)	Sen. Muse	Real Property – Transfer Fees – Prohibition
SB 789	Sen. Garagiola	Labor and Employment – The Healthy Retail Employee Act
SB 867	Sen. Muse	Domestic Violence – Protective Order – Extension
SB 878	Sen. Kramer	Reverse Mortgage Homeowners Protection Act
SB 887	Sen. Munson	Correctional Services – State Correctional Officers’ Bill of Rights
SB 924	Carroll Co. Senators	Carroll County – Public Facilities Bonds
SB 948	Sen. Raskin	Child Abuse and Neglect – Disclosure of Information
SB 1013	Sen. Jacobs	Harford Co Prop Tax Credit – Homes near a Refuse Disposal

SB 1123 Sen. Frosh
(Emergency Bill)

Sys – Extension to Additional
Props
Political Subdivisions –
Collective Bargaining
Agreements – Binding
Arbitration

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

THE COMMITTEE ON RULES REPORT #17

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

House Bill 266 – Delegates Rosenberg and Cardin

AN ACT concerning

Voter's Rights Protection Act of 2010

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

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

House Bill 392 – Delegates Vaughn, Barkley, Bobo, Bronrott, Gutierrez, Hecht, Heller, Hucker, James, Jameson, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lee, Levy, Manno, Minnick, Reznik, and Waldstreicher

AN ACT concerning

Commercial Law – Debt Settlement Services – Study

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

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

House Bill 445 – Delegates Weir, Ali, Aumann, ~~Beitzel~~, Boteler, Carr, Glenn, Holmes, Hucker, Minnick, ~~Myers~~, Olszewski, ~~Serafini~~, Shewell, ~~Stein~~, and ~~Stull~~ and Stein

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Off-Highway Recreational Vehicles – Titling

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 470 – The Speaker (By Request – Administration) and Delegates Bohanan, Conway, Doory, Beidle, Bobo, Hecht, Levy, Mathias, Reznik, and Shewell

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

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

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

House Bill 502 – Delegates Bohanan, Jameson, Kullen, O'Donnell, and Wood

AN ACT concerning

Calvert, Charles, and St. Mary's Counties – Deer Hunting

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

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

House Bill 579 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Customer Notices

PG/MC 104-10

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

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

House Bill 638 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Procurement and Minority Business Enterprises – WSSC Procurement Oversight Committee

PG/MC 109–10

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

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

House Bill 987 – Delegates George, Beidle, Carr, V. Clagett, Frush, Holmes, Hucker, Lafferty, Niemann, Norman, Serafini, Shewell, Sossi, and Stein

AN ACT concerning

Marine Contractors – Licensure and Regulation – ~~Wetland Permits and Authorizations~~ – Tidal Wetlands Licenses

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

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

House Bill 1183 – Delegate Oaks

AN ACT concerning

Motor Vehicles – Access to ~~and Removal of~~ Towed Vehicles

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 1285 – Delegates Kramer, Hucker, and Mizeur

AN ACT concerning

Real Property – Abatement of Nuisance – Prostitution

The bill was re-referred to the Committee on Judicial Proceedings.

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

House Bill 1400 – Delegates Stein and Krebs

AN ACT concerning

**Commissioner of Financial Regulation – Financial Education Resources
Clearinghouse**

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

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

**House Bill 1465 – ~~Delegate Beitzel~~ Delegates Beitzel, Hammen, Pendergrass,
Bromwell, Costa, Donoghue, Elliott, Jenkins, Kach, Kipke, Krebs,
Kullen, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk,
Reznik, Riley, Tarrant, and V. Turner**

AN ACT concerning

Procurement – Employee Uniforms and Equipment – Place of Manufacture

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

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

House Bill 1484 – Delegate Love

AN ACT concerning

**Base Realignment and Closure – Public Charter Schools Located on a
Federal Military Base**

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

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

House Bill 1523 – ~~Delegate Minnick~~ Delegates Minnick and McHale

AN ACT concerning

**Elevator Safety – Elevator Units in ~~Churches~~ Places of Worship – Exemption
from Third-Party Inspections**

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

THE COMMITTEE ON BUDGET AND TAXATION REPORT #29

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

**House Bill 475 – The Speaker (By Request – Administration) and Delegates
Bartlett, Bobo, Bronrott, Cane, Carr, V. Clagett, Davis, Donoghue,
Doory, Eckardt, Elmore, Frush, Gaines, Haddaway, Hammen, Healey,
Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan-Pulliam, Proctor,
Ramirez, Rice, ~~and Stein~~ Stein, Barve, Cardin, Frick, George, Gilchrist,
Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Olszewski, Ross, Stukes,
F. Turner, and Walker**

AN ACT concerning

Smart, Green, and Growing – The Sustainable Communities Act of 2010

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 635 – Delegates Frush, Barnes, and Pena-Melnyk

AN ACT concerning

Judges' Retirement System – Reemployment of Retirees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MOTION

Senator Robey moved, duly seconded, to put **House Bill 475** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 475** on Third Reading and Final Passage.

House Bill 475 – The Speaker (By Request – Administration) and Delegates Bartlett, Bobo, Bronrott, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Eckardt, Elmore, Frush, Gaines, Haddaway, Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Rice, ~~and Stein~~ Stein, Barve, Cardin, Frick, George, Gilchrist, Hixson, Howard, Ivey, Kaiser, Murphy, Myers, Olszewski, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Smart, Green, and Growing – The Sustainable Communities Act of 2010

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1346)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #37

Senator Middleton, Chair, for the Committee on Finance and Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1182 – Delegates Ivey, Benson, Frush, McIntosh, Niemann, Pena–Melnik, Ramirez, and Valderrama

AN ACT concerning

Business Improvement Districts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1375 – Delegate Mizeur

AN ACT concerning

Kids First Express Lane Eligibility Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #42

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

FLOOR AMENDMENT

HB0192/643022/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Enforcement”; and in line 4, after “circumstances,” insert “requiring that a person who violates a certain prohibition on using a text messaging device while operating a motor vehicle be issued a warning for a first violation.”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(D) A PERSON WHO VIOLATES THIS SECTION SHALL BE ISSUED A WARNING FOR A FIRST VIOLATION.”.

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

Affirmative – 16 Negative – 31 (See Roll Call No. 1347)

FLOOR AMENDMENT

HB0192/523128/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 192
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Penalties”; in line 4, after “circumstances,” insert “providing certain penalties;”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(D) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO THE FOLLOWING PENALTIES:

(1) FOR A FIRST OFFENSE, A FINE OF NOT MORE THAN \$40; AND

(2) FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE OF \$100.”;

and strike in their entirety lines 13 through 22, inclusive.

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

Affirmative – 18 Negative – 29 (See Roll Call No. 1348)

FLOOR AMENDMENT

HB0192/863420/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Enforcement”; and in line 4, after “circumstances,” insert “establishing that a driver detained for a violation of this Act may attempt to contact an attorney once the car is no longer in motion and may not be compelled to surrender the handheld telephone, except under certain circumstances; establishing that a police officer may issue a citation and a driver is required to accept a citation, regardless of whether the driver makes contact with an attorney;”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(D) (1) A DRIVER DETAINED FOR A VIOLATION OF THIS SECTION:

(I) MAY ATTEMPT TO CONTACT AN ATTORNEY ONCE THE MOTOR VEHICLE IS NO LONGER IN MOTION; AND

(II) MAY NOT BE COMPELLED TO SURRENDER THE TEXT MESSAGING DEVICE TO A POLICE OFFICER, UNLESS THE DRIVER IS ARRESTED OR THE POLICE OFFICER OBTAINS A WARRANT.

(2) A POLICE OFFICER MAY ISSUE A CITATION UNDER THIS SECTION AND THE DRIVER SHALL ACCEPT THE CITATION IN ACCORDANCE WITH § 26-203 OF THIS ARTICLE, REGARDLESS OF WHETHER THE DRIVER MAKES CONTACT WITH AN ATTORNEY.”.

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

Affirmative – 12 Negative – 34 (See Roll Call No. 1349)

FLOOR AMENDMENT

HB0192/983929/1

BY: Senator Pipkin

AMENDMENTS TO HOUSE BILL 192

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Prohibition” insert “and Enforcement”; and in line 4, after “circumstances,” insert “providing that, under certain circumstances, a violation of a certain prohibition on using a text messaging device while operating a motor vehicle may be enforced only as a secondary action.”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(D) UNLESS THE VIOLATION OF THIS SECTION IS A CONTRIBUTING FACTOR IN A MOTOR VEHICLE ACCIDENT, A POLICE OFFICER MAY ENFORCE THIS SECTION ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.”.

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

Affirmative – 14 Negative – 33 (See Roll Call No. 1350)

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

Affirmative – 40 Negative – 7 (See Roll Call No. 1351)

The Bill was then sent to the House of Delegates.

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

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

The motion was adopted.

House Bill 789 – Delegates Howard, ~~Walker~~, Carter, ~~Hucker~~, Stein, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, ~~and F. Turner~~ F. Turner, Krebs, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers,

Olszewski, Rice, Ross, V. Turner, Anderson, Carr, Dumais, Love,
McComas, Oaks, Pena-Melnyk, Shank, Simmons, Taylor, and Cardin

AN ACT concerning

~~Elementary and Secondary Education – Health Curriculum – Diabetes~~
~~Education~~
Education – Children and Youth – Implementation of Programs and
Reporting of Information Concerning Student Health, Well-Being, and
Growth

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

The motion was adopted.

**House Bill 975 – Chair, Environmental Matters Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1352)

The Bill was then sent to the House of Delegates.

House Bill 1109 – Caroline County Delegation

AN ACT concerning

Caroline County – Bay Restoration Fee – Lien Against Property

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1353)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

Forest Conservation Fund – Contribution Rates – Priority Funding Areas

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

Affirmative – 35 Negative – 12 (See Roll Call No. 1354)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 193** SPONSOR: **Delegate Rosenberg**

SUBJECT: **Civil Prcdngs – Forgn Dfmtn Judgts –
Recognition, Enforceability, and Bases of Prsnl Jurisd**

THIRD READING CALENDAR HOUSE NO. **17** SENATE NO. **8**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Judicial Proceedings Committee Amendments (HB0193/538276/1) be rejected.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Jeff Waldstreicher**

 C. Anthony Muse

 Frank M. Conaway, Jr.

 Bryan W. Simonaire

 Tony McConkey

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1355)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #30

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

House Bill 476 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1117 – Delegates Riley and James

AN ACT concerning

Harford County Property Tax Credit – Homes near a Refuse Disposal System – Extension to Additional Properties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1555 – Delegate Conway

EMERGENCY BILL

AN ACT concerning

**Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies
Outside the State**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #39

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

**House Bill 243 – Delegates Hixson, Barve, Howard, Hucker, Ivey, Kaiser,
Mizeur, Olszewski, Rice, Ross, Stukes, and F. Turner**

AN ACT concerning

Fairness in Negotiations Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 699 – Delegates Reznik, Ali, Barkley, Barve, Benson, Costa,
Dumais, Eckardt, Elliott, Feldman, Gilchrist, Haddaway, Hubbard,
Kaiser, Kullen, Manno, Montgomery, Nathan-Pulliam, Pena-Melnyk,
Rice, Simmons, Smigiel, Sossi, ~~and Taylor~~ Taylor, Donoghue, Jenkins,
Morhaim, Kach, Krebs, Oaks, Riley, and V. Turner**

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Garagiola moved, duly seconded, to put **House Bill 699** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to
put **House Bill 699** on Third Reading and Final Passage.

**House Bill 699 – Delegates Reznik, Ali, Barkley, Barve, Benson, Costa,
Dumais, Eckardt, Elliott, Feldman, Gilchrist, Haddaway, Hubbard,**

Kaiser, Kullen, Manno, Montgomery, Nathan-Pulliam, Pena-Melnyk, Rice, Simmons, Smigiel, Sossi, ~~and Taylor~~ Taylor, Donoghue, Jenkins, Morhaim, Kach, Krebs, Oaks, Riley, and V. Turner

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1356)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #38

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James, Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdales, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #38

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

Senate Bill 745 – Senator Colburn

AN ACT concerning

Health Insurance – Ambulance Service Providers – Direct Reimbursement

SB0745/687170/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 745
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Colburn” and substitute “Senators Colburn, Astle, Della, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Pugh”; in line 2, strike “Direct Reimbursement” and substitute “Assignment of Benefits”; in line 5, after “services” insert “under certain circumstances”; in line 6, after “circumstances,” insert “providing that an insured, a subscriber, or an enrollee of certain health insurance carriers may not be liable to certain ambulance service providers for certain services under certain circumstances; prohibiting certain ambulance service providers from taking certain actions against an insured, a subscriber, or an enrollee under certain circumstances; authorizing the ambulance service providers to collect certain payments from an insured, a subscriber, or an enrollee under certain circumstances;”; in line 7, strike “a certain term” and substitute “certain terms”; in line 17, strike “15-716” and substitute “15-134”; and in line 24, strike “§ 15-716” and substitute “§ 15-134”.

AMENDMENT NO. 2

On page 2, in line 2, strike “15-716.” and substitute “15-134.”; in line 3, after “(A)” insert “(1)”; strike beginning with the comma in line 3 down through “INCAPACITATED” in line 6 and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED”; after line 6, insert:

“(2) “AMBULANCE” MEANS ANY CONVEYANCE DESIGNED AND CONSTRUCTED OR MODIFIED AND EQUIPPED TO BE USED, MAINTAINED, OR OPERATED TO TRANSPORT INDIVIDUALS WHO ARE SICK, INJURED, WOUNDED, OR OTHERWISE INCAPACITATED.

“(3) “AMBULANCE SERVICE PROVIDER” MEANS A PROVIDER OF AMBULANCE SERVICES THAT:

(I) IS OWNED, OPERATED, OR UNDER THE JURISDICTION OF A POLITICAL SUBDIVISION OF THE STATE OR A VOLUNTEER FIRE COMPANY OR VOLUNTEER RESCUE SQUAD; OR

(II) HAS CONTRACTED TO PROVIDE AMBULANCE SERVICES FOR A POLITICAL SUBDIVISION OF THE STATE.

(4) “ASSIGNMENT OF BENEFITS” MEANS THE TRANSFER BY AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF HEALTH CARE COVERAGE REIMBURSEMENT BENEFITS OR OTHER RIGHTS UNDER A HEALTH INSURANCE POLICY OR CONTRACT.

(5) “CARRIER” MEANS:

(I) AN INSURER THAT PROVIDES BENEFITS ON AN EXPENSE–INCURRED BASIS;

(II) A NONPROFIT HEALTH SERVICE PLAN; OR

(III) A HEALTH MAINTENANCE ORGANIZATION.”;

strike beginning with “THIS” in line 7 down through “ORGANIZATION” in line 12 and substitute “A CARRIER”; in line 14, strike “THE” and substitute “A”; in the same line, after “CONTRACT” insert “ISSUED BY THE CARRIER”; in line 13, after “PROVIDER” insert “THAT OBTAINS AN ASSIGNMENT OF BENEFITS FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE”; in the same line, after “INSURED” insert “, SUBSCRIBER, ENROLLEE,”; and strike in their entirety lines 15 through 24, inclusive, and substitute:

“(C) (1) THIS SUBSECTION APPLIES TO AN AMBULANCE SERVICE PROVIDER THAT RECEIVES DIRECT REIMBURSEMENT UNDER SUBSECTION (B) OF THIS SECTION.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, AN INSURED, SUBSCRIBER, OR ENROLLEE MAY NOT BE LIABLE TO AN AMBULANCE SERVICE PROVIDER FOR COVERED SERVICES.

(3) AN AMBULANCE SERVICE PROVIDER OR A REPRESENTATIVE OF THE AMBULANCE SERVICE PROVIDER MAY NOT:

(I) COLLECT OR ATTEMPT TO COLLECT FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF A CARRIER ANY MONEY OWED TO THE AMBULANCE SERVICE PROVIDER BY THE CARRIER FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER; OR

(II) MAINTAIN ANY ACTION AGAINST AN INSURED, SUBSCRIBER, OR ENROLLEE OF A CARRIER TO COLLECT OR ATTEMPT TO COLLECT ANY MONEY OWED TO THE AMBULANCE SERVICE PROVIDER BY THE CARRIER FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER.

(4) AN AMBULANCE SERVICE PROVIDER OR A REPRESENTATIVE OF THE AMBULANCE SERVICE PROVIDER MAY COLLECT OR ATTEMPT TO COLLECT FROM AN INSURED, A SUBSCRIBER, OR AN ENROLLEE OF A CARRIER:

(I) ANY COPAYMENT OR COINSURANCE AMOUNT OWED BY THE INSURED, SUBSCRIBER, OR ENROLLEE FOR COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER;

(II) IF MEDICARE IS THE PRIMARY INSURER AND THE CARRIER IS THE SECONDARY INSURER, ANY AMOUNT UP TO THE MEDICARE APPROVED OR LIMITING AMOUNT, AS SPECIFIED UNDER THE FEDERAL SOCIAL SECURITY ACT, THAT IS NOT OWED TO THE AMBULANCE SERVICE PROVIDER BY MEDICARE OR THE CARRIER AFTER COORDINATION OF BENEFITS HAS BEEN COMPLETED, FOR MEDICARE COVERED SERVICES RENDERED TO THE INSURED, SUBSCRIBER, OR ENROLLEE BY THE AMBULANCE SERVICE PROVIDER; AND

(III) ANY PAYMENT OR CHARGES FOR SERVICES THAT ARE NOT COVERED SERVICES.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0745/683227/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 745, AS AMENDED

On page 4 of the Finance Committee Amendments (SB0745/687170/1), in line 1 of Amendment No. 2, after “COPAYMENT” insert “, DEDUCTIBLE,”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #38

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1011 – Delegates Carter, Anderson, Oaks, Pena–Melnik, and Simmons

AN ACT concerning

Juvenile Law – Lead Testing – ~~Required~~ Authorized

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1042 – ~~Delegate Lafferty~~ Delegates Lafferty, Hammen, Pendergrass, Benson, Costa, Donoghue, Elliott, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Reznik, Riley, Tarrant, and V. Turner

EMERGENCY BILL

AN ACT concerning

**State Government – Disclosure of Personal Information on Websites
– Prohibition**

Favorable report adopted.

FLOOR AMENDMENT

HB1042/383121/1

BY: Senator Haines

AMENDMENTS TO HOUSE BILL 1042
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “submitting for recording” and substitute “including certain personal information in”; in line 17, strike “that contain certain personal information”; and in the same line, after the semicolon, insert “authorizing certain persons to delete certain information or request that certain information be masked from certain deeds and other recordable instruments; specifying that certain persons are immune from civil liability or criminal penalty for certain acts under certain circumstances.”.

AMENDMENT NO. 2

On page 7, strike beginning with “**SUBMIT**” in line 9 down through “**RECORDING**” in line 10 and substitute “**INCLUDE PERSONAL INFORMATION IN**”; strike beginning with “**THAT**” in line 10 down through “**INFORMATION**” in line 11 and substitute “**INTENDED FOR RECORDING**”; after line 11, insert:

“(C) A PERSON ENGAGED TO PERFORM OR CHARGED WITH THE DUTY TO RECORD A DEED OR OTHER RECORDABLE INSTRUMENT THAT CONTAINS PERSONAL INFORMATION MAY, PRIOR TO RECORDING:

(1) PERMANENTLY DELETE THE PERSONAL INFORMATION FROM THE DEED OR OTHER RECORDABLE INSTRUMENT; OR

(2) REQUEST THAT THE PERSONAL INFORMATION BE MASKED FROM THE DEED OR OTHER RECORDABLE INSTRUMENT IN ACCORDANCE WITH § 8-504 OF THE STATE GOVERNMENT ARTICLE.

(D) A PERSON IS IMMUNE FROM CIVIL LIABILITY OR CRIMINAL PENALTY IF THE PERSON:

(1) INADVERTENTLY RECORDS A DEED OR OTHER RECORDABLE INSTRUMENT CONTAINING PERSONAL INFORMATION; OR

(2) DELETES OR MASKS PERSONAL INFORMATION FROM A DEED OR OTHER RECORDABLE INSTRUMENT IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.”;

and in line 12, strike “(C)” and substitute “(E)”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh moved, duly seconded, to put **House Bill 1042** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1042** on Third Reading and Final Passage.

House Bill 1042 – ~~Delegate Lafferty~~ Delegates Lafferty, Hammen, Pendergrass, Benson, Costa, Donoghue, Elliott, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner

EMERGENCY BILL

AN ACT concerning

**State Government – Disclosure of Personal Information on Websites
– Prohibition**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1357)

The Bill was then sent to the House of Delegates.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

**Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a
Certain Manner**

HB1053/108877/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1053

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “presenting,”; in lines 6 and 11, in each instance, strike “purported matter,”; and in line 10, strike “, presenting,”.

AMENDMENT NO. 2

On page 2, in line 10, strike “**PRESENT**,”; and in lines 11 and 16 and 17, in each instance, strike “**PURPORTED MATTER**,”.

The preceding 2 amendments were read only.

Senator Brochin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

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

AN ACT concerning

Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate**HB1218/178970/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1218

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “a Noose or Swastika” and substitute “an Object”; strike beginning with the second “a” in line 3 down through “swastika” in line 4 and substitute “an object”; and in line 8, strike “a noose or swastika” and substitute “an object”.

AMENDMENT NO. 2

On page 2, in line 3, strike “A NOOSE OR SWASTIKA” and substitute “AN OBJECT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1454 – Delegate McConkey

AN ACT concerning

Family Law – Child Support – Change of Address or Employment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1473 – Delegate Anderson

AN ACT concerning

Public Safety – Missing Offenders – Blue Alert Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1514 – Delegates Beidle and Stein

AN ACT concerning

Real Property – Condominiums – Cancellation of Insurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 135 SPONSOR: Senator Kelley

**SUBJECT: Criminal Procedure – Petition for Writ of
Actual Innocence – Notice of Filing and Hearing**

THIRD READING CALENDAR HOUSE NO. 9 SENATE NO. 27

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0135/422214/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0135/353925/1) be adopted.

SB0135/353925/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 135

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “limiting to a person charged by indictment or criminal information with a crime triable in circuit court and convicted of that crime the authority to file a petition for writ of actual innocence under certain circumstances;”; in the same line, after the first “a” insert “certain”; and in line 10, after “innocence,” insert “repealing a provision of law authorizing the court to dismiss a certain petition without a hearing if the court finds that the petition fails to state a claim;”.

AMENDMENT NO. 2

On page 2, in line 1, strike “convicted”; in the same line, after “person” insert “CHARGED BY INDICTMENT OR CRIMINAL INFORMATION WITH A CRIME TRIABLE IN CIRCUIT COURT AND CONVICTED OF THAT CRIME MAY”; in the same line, strike “may”; in line 19, strike “15” and substitute “90”; and in line 31, strike “state a claim or”.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**Chair, **Curt Anderson****Larry E. Haines****Ben Barnes****Jamie Raskin****Jill P. Carter**

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, SenateConference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1358)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT**BILL NO.: HB 465 SPONSOR: The Speaker****SUBJECT: Collective Negotiations by Family Child Care Providers****THIRD READING CALENDAR HOUSE NO. 33 SENATE NO. 32**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Finance Committee Amendments (HB0465/797879/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0465/163224/1) be adopted.

HB0465/163224/1**BY: Conference Committee****AMENDMENTS TO HOUSE BILL 465****(Third Reading File Bill)****AMENDMENT NO. 1**

On page 1, in line 19, after “payments;” insert “requiring collective bargaining to include negotiations that result in the establishment of a certain fund to protect certain family child care providers under certain circumstances;”.

AMENDMENT NO. 2

On page 5, after line 27, insert:

“(F) (1) COLLECTIVE BARGAINING SHALL INCLUDE NEGOTIATIONS THAT RESULT IN THE ESTABLISHMENT OF A FUND FOR THE PURPOSE OF PROTECTING FAMILY CHILD CARE PROVIDERS AGAINST EXTREME HARDSHIP OR LOSS OF LIVELIHOOD RESULTING FROM LATE STATE PAYMENTS.

(2) THE EXCLUSIVE REPRESENTATIVE SHALL PAY FOR A PORTION OF THE FUND.

(3) THE FUND:

(I) MAY NOT BE A STATE FUND; BUT

(II) SHALL BE ESTABLISHED AND ADMINISTERED IN CONSULTATION WITH THE STATE.

(4) ALL REVENUES, MONEY, AND ASSETS OF THE FUND BELONG SOLELY TO THE FUND AND ARE HELD BY THE FUND IN TRUST FOR FAMILY CHILD CARE PROVIDERS.

(5) THE STATE MAY NOT BORROW, APPROPRIATE, OR DIRECT PAYMENTS FROM THE REVENUES, MONEY, OR ASSETS OF THE FUND FOR ANY PURPOSE.

(6) THE FUND SHALL INCLUDE FUNDS SUFFICIENT TO MEET THE REASONABLY FORESEEABLE NEEDS OF THE FAMILY CHILD CARE PROVIDERS.”;

and in line 28, strike “(F)” and substitute “(G)”.

On page 6, in line 5, strike “(G)” and substitute “(H)”.

AMENDMENT NO. 3

On page 7, in line 18, strike “and” and substitute:

“(3) the number of family child care providers who have used the fund required to be established under § 5–595.3(e) of the Family Law Article, as enacted by Section 1 of this Act, and the terms of eligibility for payments from the fund;

(4) recommendations on how to safeguard the funds in the fund required to be established under § 5–595.3(e) of the Family Law Article, as enacted by Section 1 of this Act, in the event that management of the fund is transferred or the fund is terminated; and”;

and in line 19, strike “(3)” and substitute “(5)”.

Senate Members:

House Members:

Chair, **Rob Garagiola**

Chair, **Dereck E. Davis**

John C. Astle

Aisha N. Braveboy

Katherine Klausmeier

Roger Manno

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 26 Negative – 18 (See Roll Call No. 1359)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 269** SPONSOR: **Delegate Kaiser**

SUBJECT: **Child with a Disability – Individualized
Education Program**

THIRD READING CALENDAR HOUSE NO. **54** SENATE NO. **20**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Education, Health, and Environmental Matters Committee Amendments (HB269/624136/1) be rejected; and

(2) That the attached Conference Committee Amendment (HB269/693123/1) be adopted.

HB0269/693123/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 269
(Third Reading File Bill)

On page 2, in line 25, strike “**3**” and substitute “**5**”.

Senate Members:

House Members:

Chair, **David C. Harrington**

Chair, **Anne R. Kaiser**

Paul G. Pinsky

Jim Gilchrist

Edward R. Reilly

LeRoy E. Myers, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1360)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 1361)

RECESS

At 6:32 P.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 9:00 P.M. on Legislative Day, April 8, 2010, Calendar Day, Monday, April 12, 2010.

AFTER RECESS
Annapolis, Maryland
Legislative Day: April 8, 2010
Calendar Day: Monday, April 12, 2010

At 9:09 P.M. the Senate resumed its session.

QUORUM CALL

The presiding officer announced a quorum call, showing 33 Members present.

(See Roll Call No. 1363)

ADJOURNMENT

At 9:10 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 9:13 P.M. on Legislative Day April 9, 2010, Calendar Day, Monday, April 12, 2010.

Annapolis, Maryland
Legislative Day: April 9, 2010
Calendar Day: Monday, April 12, 2010
9:13 P.M. Session

The Senate met at 9:11 P.M.

The Journal of April 8, 2010 was read and approved.

MESSAGE TO THE SENATE

BILL: HB 1160

SPONSOR: Del Busch, et al

SUBJECT: Safe Schools Act of 2010

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Rice, Chairman
Delegate Olszewski, and
Delegate Ivey.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1160

SPONSOR: Del Busch, et al

SUBJECT: Safe Schools Act of 2010

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Rice, Chair

Delegate Olszewski

Delegate Ivey

The Senate appoints:

Senator Conway, Chairman

Senator Pinsky

Senator Reilly.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0499

SPONSOR: Sen Raskin

SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed: Senator Gladden, Chair

Senator Mooney

Senator Raskin

The House appoints: Delegate Waldstreicher, Chairman

Delegate Rosenberg, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0190

SPONSOR: Del Malone

SUBJECT: Motor Vehicles – Use of Video and Electronic Display Equipment

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Stein, Chairman
Delegate Norman, and
Delegate Glenn.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0190

SPONSOR: Del Malone

SUBJECT: Motor Vehicles – Use of Video and Electronic Display Equipment

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Stein, Chair

Delegate Norman

Delegate Glenn

The Senate appoints:

Senator Stone, Chairman

Senator Forehand

Senator Muse.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 1222

SPONSOR: Del Ramirez, et al

SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Waldstreicher, Chairman

Delegate Rosenberg, and

Delegate McConkey.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1222

SPONSOR: Del Ramirez, et al

SUBJECT: Correctional Services – Division of Parole and Probation – Supervision Fee

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Waldstreicher, Chair

Delegate Rosenberg

Delegate McConkey

The Senate appoints:

Senator Gladden, Chairman

Senator Raskin

Senator Mooney.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #44

AMENDED IN THE HOUSE

Senate Bill 275 – The President (By Request – Administration) and Senators Pinsky and King

AN ACT concerning

Education – Maryland Longitudinal Data System

Senator Conway moved that the Senate not concur in the House amendments.

SB0275/945666/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 275

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “requiring” in line 24 on page 1 down through “plan;” in line 4 on page 2.

On page 2, in lines 4 and 5, strike “providing for the termination of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 10, strike “AND”; in line 11, after “DATA” insert “; AND”

(IX) SUSPENSION AND EXPULSION RECORDS”;

in line 14, after the semicolon insert “AND”; and strike beginning with “; AND” in line 15 down through “RECORDS” in line 16.

On page 4, in line 3, after “SYSTEM” insert “THAT SHALL BE FULLY OPERATIONAL BY DECEMBER 31, 2014”.

On page 11, strike in their entirety lines 20 through 22, inclusive.

On page 12, in line 13, strike “and”; in line 16, after “Board” insert “; and”

(3) a data security and safeguarding plan for the Center”;

strike in their entirety lines 17 through 24, inclusive; in lines 26 and 27, strike “federal or other funds that are not from the General Fund of the State be used first for the funding of” and substitute “the State shall make every effort to seek federal funding to support”; strike in their entirety lines 30 through 36, inclusive; in lines 8, 25, and 37, strike “3.”, “5.”, and “8.”, respectively, and substitute “2.”, “3.”, and “4.”, respectively; and in lines 37 and 38, strike “, except as provided in Section 7 of this Act.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0275

SPONSOR: The Pres (Admin), et al

SUBJECT: Education – Maryland Longitudinal Data System

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chairman

Senator Reilly

Senator Conway.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

CONCURRENCE CALENDAR #40

AMENDED IN THE HOUSE

Senate Bill 118 – Senators Zirkin and Stone

AN ACT concerning

Courts – Jury Trials in Civil Actions – Amount in Controversy

Senator Frosh moved that the Senate concur in the House amendment.

SB0118/882818/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 118
(Third Reading File Bill)

On page 1, in line 18, strike “\$20,000” and substitute “\$15,000”.

On page 2, in line 8, strike “(S.B.____/H.B.____)” and substitute “(S.B.119/H.B.434)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 35 Negative – 11 (See Roll Call No. 1364)

AMENDED IN THE HOUSE

Senate Bill 189 – Senators Simonaire, Haines, Jacobs, Kittleman, Reilly, Stoltzfus, and Stone

AN ACT concerning

Vehicle Laws – Reckless and Negligent Driving – Penalties for Death or Serious Bodily Injury

Senator Frosh moved that the Senate concur in the House amendments.

SB0189/852816/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 189
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike lines 2 and 3 in their entirety and substitute:

“Victims’ Rights – Fatal Vehicular Accident – Suspension of License”;

strike beginning with “establishing” in line 4 down through “injury” in line 11 and substitute “authorizing a victim’s representative to be present at a certain administrative hearing concerning a fatal vehicular accident; authorizing a victim’s representative to make an oral statement or submit a written statement for consideration at a certain administrative hearing concerning a fatal vehicular accident; requiring a law enforcement officer, during the investigation of a fatal vehicular accident, to inform a victim’s representative of the right to file a certain request with the Motor Vehicle Administration; requiring certain notice to a victim’s representative under certain circumstances; authorizing the Administration to suspend a license of a person who is convicted of a moving violation that contributed to an accident resulting in the death of an individual; providing for certain procedures; defining certain terms; and generally relating to victims’ rights and license suspensions concerning certain fatal vehicular accidents”;

and strike in their entirety lines 12 through 21, inclusive, and substitute:

“BY adding to

Article – Transportation

Section 12–206.1 and 16–206(a)(5) and (f)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 22, inclusive, and substitute:

“12–206.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “VICTIM” MEANS A PERSON WHO DIES AS THE RESULT OF THE COMMISSION OF A MOVING VIOLATION BY ANOTHER PERSON.

(3) “VICTIM’S REPRESENTATIVE” MEANS A MEMBER OF THE FAMILY OF A VICTIM OR A GUARDIAN OR PERSONAL REPRESENTATIVE OF A VICTIM.

(B) (1) DURING THE INVESTIGATION OF A MOVING VIOLATION, A LAW ENFORCEMENT OFFICER SHALL INFORM A VICTIM’S REPRESENTATIVE OF THE RIGHT TO FILE A VICTIM’S REPRESENTATION NOTIFICATION FORM WITH THE ADMINISTRATION TO REQUEST TO BE NOTIFIED OF A HEARING UNDER § 16–206(F) OF THIS ARTICLE.

(2) A VICTIM’S REPRESENTATION NOTIFICATION FORM UNDER THIS SUBSECTION MAY ONLY BE FILED WITHIN 20 DAYS AFTER THE CONVICTION OF THE MOVING VIOLATION.

(C) (1) IF A VICTIM’S REPRESENTATIVE FILES A VICTIM’S REPRESENTATION NOTIFICATION FORM UNDER SUBSECTION (B) OF THIS SECTION, THE ADMINISTRATION SHALL GIVE THE VICTIM’S REPRESENTATIVE NOTICE IN ACCORDANCE WITH § 12–114 OF THIS TITLE AT LEAST 21 DAYS BEFORE A HEARING UNDER § 16–206(F) OF THIS ARTICLE.

(2) NOTICE PROVIDED UNDER THIS SUBSECTION SHALL STATE:

(I) THE DATE, TIME, PLACE, AND NATURE OF THE HEARING;

(II) THE LEGAL AUTHORITY AND JURISDICTION OF THE ADMINISTRATION TO HEAR THE MATTER;

(III) THE NATURE OF THE PROPOSED ACTION THAT THE ADMINISTRATION IS TO CONSIDER;

(IV) THAT A COPY OF THE HEARING PROCEDURES IS AVAILABLE ON REQUEST AND THE COST TO OBTAIN A COPY;

(V) THE RIGHT OF THE VICTIM'S REPRESENTATIVE TO BE PRESENT AT THE HEARING;

(VI) THE RIGHT OF THE VICTIM'S REPRESENTATIVE TO SUBMIT A WRITTEN STATEMENT FOR CONSIDERATION BY THE ADMINISTRATION AT THE HEARING; AND

(VII) THE RIGHT OF THE VICTIM'S REPRESENTATIVE TO MAKE AN ORAL STATEMENT FOR CONSIDERATION BY THE ADMINISTRATION AT THE HEARING.

(3) (I) IF A VICTIM'S REPRESENTATIVE INTENDS TO MAKE AN ORAL STATEMENT, THE VICTIM'S REPRESENTATIVE SHALL NOTIFY THE ADMINISTRATION AT LEAST 10 DAYS BEFORE THE HEARING.

(II) IF A VICTIM'S REPRESENTATIVE INTENDS TO SUBMIT A WRITTEN STATEMENT, THE STATEMENT SHALL BE SUBMITTED TO THE ADMINISTRATION AT LEAST 10 DAYS BEFORE THE HEARING.

(D) (1) IF A VICTIM'S REPRESENTATIVE PROVIDES NOTICE IN ACCORDANCE WITH SUBSECTION (C)(3)(I) OF THIS SECTION, THE ADMINISTRATION SHALL ALLOW THE VICTIM'S REPRESENTATIVE TO MAKE AN ORAL STATEMENT FOR CONSIDERATION BY THE ADMINISTRATION AT THE HEARING.

(2) IF A VICTIM'S REPRESENTATIVE SUBMITS A WRITTEN STATEMENT IN ACCORDANCE WITH SUBSECTION (C)(3)(II) OF THIS SECTION, THE ADMINISTRATION SHALL:

(I) PROVIDE A COPY OF THE WRITTEN STATEMENT TO THE LICENSEE BEFORE THE HEARING BEGINS; AND

(II) CONSIDER THE WRITTEN STATEMENT AT THE HEARING.

(a) (5) (I) THE ADMINISTRATION MAY SUSPEND THE LICENSE OF A PERSON WHO IS CONVICTED OF A MOVING VIOLATION THAT CONTRIBUTED TO AN ACCIDENT RESULTING IN THE DEATH OF ANOTHER PERSON.

(II) A SUSPENSION UNDER THIS PARAGRAPH MAY NOT EXCEED 6 MONTHS.

(III) THIS PARAGRAPH DOES NOT LIMIT THE AUTHORITY OF THE ADMINISTRATION TO SUSPEND, REVOKE, OR REFUSE TO ISSUE OR RENEW A LICENSE UNDER ANY OTHER PROVISION OF LAW.

(F) IN ACCORDANCE WITH TITLE 12, SUBTITLE 2 OF THIS ARTICLE, THE ADMINISTRATION SHALL PROVIDE NOTICE OF A SUSPENSION UNDER SUBSECTION (A)(5) OF THIS SECTION AND THE LICENSEE MAY REQUEST A HEARING.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1365)

CONCURRENCE CALENDAR #39

AMENDED IN THE HOUSE

Senate Bill 171 – Senators Peters, Astle, Colburn, Conway, DeGrange, Garagiola, Harrington, Kasemeyer, Klausmeier, Lenett, Munson, Pugh, ~~and Robey~~ Robey, and Dyson

AN ACT concerning

Procurement – Service–Disabled Veteran Business Enterprise Participation

Senator Conway moved that the Senate concur in the House amendments.

SB0171/596087/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 171

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Service-Disabled Veteran” and substitute “Veteran-Owned Small”; in line 3, strike “certified”; in lines 4 and 18, in each instance, strike “service-disabled veteran” and substitute “veteran-owned small”; and in line 22, strike “Service-Disabled Veteran” and substitute “Veteran-Owned Small”.

AMENDMENT NO. 2

On page 2, in line 11, strike “**SERVICE-DISABLED VETERAN**” and substitute “**VETERAN-OWNED SMALL**”; in line 14, strike “(A)”; and strike beginning with the first “THE” in line 14 down through “**VETERANS;**” in line 32 and substitute “, **“VETERAN-OWNED SMALL BUSINESS ENTERPRISE” MEANS A BUSINESS THAT IS VERIFIED BY THE CENTER FOR VETERANS ENTERPRISE OF THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AS A VETERAN-OWNED SMALL BUSINESS.**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 12, inclusive; in lines 18 and 25, in each instance, strike “**CERTIFIED SERVICE-DISABLED**”; in line 21, strike “**SERVICE-DISABLED**”; and in lines 18, 21, and 26, in each instance, strike “**VETERAN**” and substitute “**VETERAN-OWNED SMALL**”.

AMENDMENT NO. 4

On page 4, in lines 10, 15, and 27, in each instance, strike “**SERVICE-DISABLED VETERAN**” and substitute “**VETERAN-OWNED SMALL**”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1366)

AMENDED IN THE HOUSE

Senate Bill 194 – Senator Colburn

AN ACT concerning

**~~Dorchester and Wicomico Counties~~ County – Alcoholic Beverages –
Pub-Brewery and Micro-Brewery Licenses**

Senator Conway moved that the Senate concur in the House amendments.

SB0194/933099/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 194
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike beginning with “making” through “correction”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with “(5)” in line 5 down through “article.” in line 15; in line 20, strike “**THAT**”; and strike beginning with “**ISSUED**” in line 21 down through “**COUNTY**” in line 22.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1367)

AMENDED IN THE HOUSE

Senate Bill 196 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Act of 2010

Senator Conway moved that the Senate concur in the House amendments.

SB0196/293398/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 196
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “purposes;” insert “repealing a certain restriction applicable to a holder of a micro-brewery license regarding the sale of beer for off-premises consumption.”.

AMENDMENT NO. 2

On page 5, in line 15, strike “**ONE**” and substitute “A”; in the same line, strike “**ONE**” and substitute “a”; strike beginning with “**BUT**” in line 16 down through “**BOTH**” in line 17; and strike lines 19 through 21, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1368)

AMENDED IN THE HOUSE

Senate Bill 382 – Senators Conway, Colburn, Dyson, Harrington, Lenett, Miller, and Reilly

AN ACT concerning

**Marine Contractors – Licensure and Regulation – ~~Wetland Permits and~~
~~Authorizations~~ – Tidal Wetlands Licenses**

Senator Conway moved that the Senate concur in the House amendments.

SB0382/260310/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 382

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, before “establishing” insert “establishing a certain exception to a certain licensing requirement;”.

AMENDMENT NO. 2

On page 6, in line 10, strike “HOMEOWNER” and substitute “RESIDENTIAL OR COMMERCIAL PROPERTY OWNER”; in lines 12 and 14, in each instance, strike “HOMEOWNER” and substitute “PROPERTY OWNER”; and in line 13, strike “HOMEOWNER’S” and substitute “PROPERTY OWNER’S OWN”.

On page 15, after line 7, insert:

“(D) A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER MAY PERFORM MARINE CONTRACTOR SERVICES ON THE PROPERTY OWNER’S OWN PROPERTY WITHOUT HAVING TO OBTAIN A LICENSE FROM THE BOARD UNDER THIS TITLE”.

AMENDMENT NO. 3

On page 7, in line 8, strike “WITHIN” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, WITHIN”; in line 11, strike “IF” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF”; after line 14, insert:

“(3) UPON WRITTEN NOTICE TO THE APPLICANT, THE DEPARTMENT MAY PROVIDE FOR AN EXTENSION OF THE DEADLINE UNDER THIS SUBSECTION IF THE FOLLOWING EXTENUATING CIRCUMSTANCES PREVENT CONSIDERATION OF THE APPLICATION:

(I) INCLEMENT WEATHER CONDITIONS;

(II) A REVIEW IS REQUIRED BY A FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCY; OR

(III) A REQUEST IS MADE BY AN APPLICANT.”;

in line 15, after “(D)” insert “(1)”; in the same line, strike “ONCE” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ONCE”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 21, insert:

“(2) UPON WRITTEN NOTICE TO THE APPLICANT, THE DEPARTMENT MAY PROVIDE FOR A 30-DAY EXTENSION OF THE DEADLINE UNDER THIS SUBSECTION FOR THE FOLLOWING EXTENUATING CIRCUMSTANCES:

(I) A REVIEW IS REQUIRED BY A FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCY; OR

(II) A REQUEST IS MADE BY AN APPLICANT.”.

AMENDMENT NO. 4

On page 11, in line 15, after “WATERCRAFT” insert “LIFTS OR”; and strike in their entirety lines 23 and 24.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 42 Negative – 5 (See Roll Call No. 1369)

AMENDED IN THE HOUSE

Senate Bill 693 – Senators Raskin, Lenett, Pinsky, and Rosapepe

AN ACT concerning

Green Maryland Act of 2010

Senator Conway moved that the Senate concur in the House amendment.

SB0693/316880/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 693

(Third Reading File Bill)

On page 7, in line 22, after “PLASTICS” insert “**OR RECYCLABLE PRODUCTS THAT MAY CONTAIN POST CONSUMER RECYCLED CONTENTS**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1370)

CONCURRENCE CALENDAR #38**AMENDED IN THE HOUSE**

Senate Bill 314 – Senators Garagiola, Kelley, Astle, DeGrange, Exum, Forehand, Frosh, Gladden, Jones, Kasemeyer, King, Kramer, McFadden, Miller, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

**Health Insurance – Assignment of Benefits and Reimbursement of
Nonpreferred Providers**

Senator Middleton moved that the Senate concur in the House amendments.

SB0314/956385/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 314

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “physicians” insert “or hospital-based physicians”; in lines 10, 11, 13, 15, 19, and 20, in each instance, after “physicians” insert “or hospital-based physicians”; and in lines 15 and 16, strike “a certain rate” and substitute “certain rates”.

On page 2, in line 18, after the semicolon insert “declaring the intent of the General Assembly that a certain rate paid to a certain nonpreferred provider be no less than the rate paid as of a certain date;”; and in line 27, after the semicolon insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 3, after line 25, insert:

“(H) “HOSPITAL-BASED PHYSICIAN” MEANS:

(1) A PHYSICIAN LICENSED IN THE STATE WHO IS UNDER CONTRACT TO PROVIDE HEALTH CARE SERVICES TO PATIENTS AT A HOSPITAL; OR

(2) A GROUP PHYSICIAN PRACTICE THAT INCLUDES PHYSICIANS LICENSED IN THE STATE THAT IS UNDER CONTRACT TO PROVIDE HEALTH CARE SERVICES TO PATIENTS AT A HOSPITAL.”;

and in lines 26 and 28, strike “**(H)**” and “**(I)**”, respectively, and substitute “**(I)**” and “**(J)**”, respectively.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 6 through 11, inclusive; in line 15, strike “**NONHOSPITAL-BASED**”; in line 17, strike “**AND**”; and in line 20, after “**DEPARTMENT**” insert “**; AND**

(3) IS NOT A HOSPITAL-BASED PHYSICIAN”.

AMENDMENT NO. 4

On page 5, in line 11, after “**(1)**” insert “**FOR A PHYSICIAN:**

(I)”;

in line 13, strike “**(2)**” and substitute “**(II)**”; and in line 14, after “**SPECIALTY**” insert “**;**
OR

(2) FOR A HEALTH CARE PROVIDER WHO IS NOT A PHYSICIAN, A HEALTH CARE PROVIDER WHO HOLDS THE SAME TYPE OF LICENSE OR CERTIFICATION".

AMENDMENT NO. 5

On page 6, in line 5, after "**PHYSICIAN**" insert "**OR A HOSPITAL-BASED PHYSICIAN**"; and in line 10, after "**A**" insert "**SIMILARLY LICENSED PROVIDER WHO IS A**".

AMENDMENT NO. 6

On page 7, in line 22, strike "**THIS**" and substitute "**EXCEPT AS OTHERWISE PROVIDED, THIS**"; in the same line, after "**TO**" insert "**BOTH**"; in the same line, after "**PHYSICIANS**" insert "**AND HOSPITAL-BASED PHYSICIANS**"; in line 23, strike "**AND**"; in line 25, after "**INSURED**" insert "**; AND**

(3) NOTIFY THE INSURER OF AN INSURED IN A MANNER SPECIFIED BY THE COMMISSIONER THAT THE ON-CALL PHYSICIAN OR HOSPITAL-BASED PHYSICIAN HAS OBTAINED AND ACCEPTED THE ASSIGNMENT OF BENEFITS FROM THE INSURED;

in line 27, after "**PHYSICIAN**" insert "**OR A HOSPITAL-BASED PHYSICIAN**"; and in line 29, after "**PHYSICIAN**" insert "**OR HOSPITAL-BASED PHYSICIAN**".

AMENDMENT NO. 7

On page 8, in lines 1, 2, 5, 7, 10, 11, 12, 13, 17, 21, and 24, in each instance, after "**PHYSICIAN**" insert "**OR HOSPITAL-BASED PHYSICIAN**"; in line 15, after "**ANY**" insert "**DEDUCTIBLE,**"; in the same line, after "**COPAYMENT**" insert a comma; in line 27, after "**(C)**" insert:

"(1) THIS SUBSECTION APPLIES ONLY TO ON-CALL PHYSICIANS SUBJECT TO THIS SECTION.

(2)";

and in lines 30 and 33, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively.

On page 9, in line 1, strike “(I)” and substitute “1.”; strike in their entirety lines 7 through 11, inclusive, and substitute:

“2. THE AVERAGE RATE THE INSURER PAID FOR THE 12-MONTH PERIOD THAT ENDED ON JANUARY 1, 2010, IN THE SAME GEOGRAPHIC AREA, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOR THE SAME COVERED SERVICE TO A SIMILARLY LICENSED PROVIDER NOT UNDER WRITTEN CONTRACT WITH THE INSURER, INFLATED BY THE CHANGE IN THE MEDICARE ECONOMIC INDEX FROM 2010 TO THE CURRENT YEAR.

(D) (1) THIS SUBSECTION APPLIES ONLY TO HOSPITAL-BASED PHYSICIANS SUBJECT TO THIS SECTION.

(2) FOR A COVERED SERVICE RENDERED TO AN INSURED OF AN INSURER BY A HOSPITAL-BASED PHYSICIAN SUBJECT TO THIS SECTION, THE INSURER OR ITS AGENT:

(I) SHALL PAY THE HOSPITAL-BASED PHYSICIAN WITHIN 30 DAYS AFTER THE RECEIPT OF THE CLAIM IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THIS TITLE; AND

(II) SHALL PAY A CLAIM SUBMITTED BY THE HOSPITAL-BASED PHYSICIAN FOR A COVERED SERVICE RENDERED TO AN INSURED NO LESS THAN THE GREATER OF:

1. 140% OF THE AVERAGE RATE THE INSURER PAID FOR THE 12-MONTH PERIOD THAT ENDS ON JANUARY 1 OF THE PREVIOUS CALENDAR YEAR IN THE SAME GEOGRAPHIC AREA, AS DEFINED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOR THE SAME COVERED SERVICE, TO SIMILARLY LICENSED PROVIDERS, WHO ARE HOSPITAL-BASED PHYSICIANS, UNDER WRITTEN CONTRACT WITH THE INSURER; OR

2. THE FINAL ALLOWED AMOUNT OF THE INSURER FOR THE SAME COVERED SERVICE FOR THE 12-MONTH PERIOD THAT ENDED ON JANUARY 1, 2010, INFLATED BY THE CHANGE IN THE MEDICARE ECONOMIC

INDEX TO THE CURRENT YEAR, TO THE HOSPITAL-BASED PHYSICIAN BILLING UNDER THE SAME FEDERAL TAX IDENTIFICATION NUMBER THE HOSPITAL-BASED PHYSICIAN USED IN CALENDAR YEAR 2009.”;

in line 12, strike “(D)” and substitute “(E)(1)”; in the same line, strike “SUBSECTION”; in the same line, strike “(C)(2)(I)” and substitute “SUBSECTIONS (C)(2)(II)1 AND (D)(2)(II)1”; after line 19, insert:

“(2) FOR THE PURPOSES OF SUBSECTION (C)(2)(II)2 OF THIS SECTION, AN INSURER SHALL CALCULATE THE AVERAGE RATE PAID TO SIMILARLY LICENSED PROVIDERS NOT UNDER WRITTEN CONTRACT WITH THE INSURER FOR THE SAME COVERED SERVICE BY SUMMING THE RATES PAID TO SIMILARLY LICENSED PROVIDERS NOT UNDER WRITTEN CONTRACT WITH THE INSURER FOR ALL OCCURRENCES OF THE CURRENT PROCEDURAL TERMINOLOGY CODE FOR THAT COVERED SERVICE AND THEN DIVIDING BY THE TOTAL NUMBER OF OCCURRENCES OF THE CURRENT PROCEDURAL TERMINOLOGY CODE.”;

in lines 20, 23, and 33, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; in lines 21, 25, 29, and 33, in each instance, after “PHYSICIAN” insert “OR HOSPITAL-BASED PHYSICIAN”; and in lines 22 and 24, in each instance, after “(2)” insert “(II) OR (D)(2)(II)”.

AMENDMENT NO. 8

On page 11, in line 30, after “PHYSICIANS” insert “OR HOSPITAL-BASED PHYSICIANS”.

On page 12, in lines 25, 27, and 31, in each instance, strike “NONHOSPITAL-BASED”; and in line 31, strike “NONPARTICIPATING” and substitute “NONPREFERRED”.

On page 13, in line 2, strike “NONHOSPITAL-BASED”; and in lines 7, 10, 13, and 14, in each instance, strike “NONHOSPITAL-BASED”.

AMENDMENT NO. 9

On page 14, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the rate paid by an insurer to a nonpreferred provider who is an on-call physician or a hospital-based physician under the provisions of § 14-205.2 of the Insurance Article, as enacted by Section 1 of this Act, be no less than the rate paid by the insurer to the nonpreferred provider as of December 31, 2009.”;

in line 12, strike “2.” and substitute “3.”; and in line 20, after “physicians” insert “and hospital-based physicians”.

On page 15, in lines 4, 14, 18, 21, and 22, strike “3.”, “4.”, “5.”, “6.”, and “5.”, respectively, and substitute “4.”, “5.”, “6.”, “7.”, and “6.”, respectively; in line 6, after “benefits” insert “, including payments:

(i);

in the same line, strike “health”; in the same line, after “insurers” insert “before the effective date of Section 1 of this Act”; in line 8, after “admissions” insert “; and

(ii) as reported by each insurer contacted by the Administration”;

in line 11, strike “2011” and substitute “2010”; in line 13, after “recommendations” insert “including a methodology for determining the final allowed amount to be paid for a claim under § 14-205.2 of the Insurance Article, as enacted by Section 1 of this Act”; in lines 19 and 20, in each instance, strike “January 1” and substitute “July 1”; and in line 22, after the period insert “It shall remain effective for a period of 5 years and, at the end of September 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 9 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 42 Negative – 5 (See Roll Call No. 1371)

CONCURRENCE CALENDAR #41

AMENDED IN THE HOUSE

Senate Bill 399 – Senators Raskin, Forehand, ~~and Pugh~~ Pugh, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

Real Property – Abatement of Nuisance – Prostitution

Senator Frosh moved that the Senate concur in the House amendments.

SB0399/332515/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 399

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “abatement;” insert “providing that certain relief is not available in certain actions for abatement of nuisance that alleges the use of a property for prostitution;”.

AMENDMENT NO. 2

On page 6, in line 3, after “(2)” insert “**(I) THIS PARAGRAPH DOES NOT APPLY TO AN ACTION BROUGHT UNDER THIS SECTION ALLEGING THE USE OF A PROPERTY FOR PROSTITUTION.**”

(II)”;

and in lines 6 and 8, strike “(i)” and “(ii)”, respectively, and substitute “**1.**” and “**2.**”, respectively.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“(3) (I) THIS PARAGRAPH APPLIES ONLY TO AN ACTION BROUGHT UNDER THIS SECTION ALLEGING THE USE OF A PROPERTY FOR PROSTITUTION.

(II) IF AN OWNER, INCLUDING AN OWNER–OCCUPANT, FAILS TO COMPLY WITH AN ORDER UNDER SUBSECTION (G) OF THIS SECTION, AFTER A HEARING, THE COURT MAY ISSUE A CONTEMPT ORDER.”;

and in line 11, strike “(3)” and substitute “**(4)**”.

AMENDMENT NO. 4

On page 6, in line 29, after “(k)” insert “**(1) THIS SUBSECTION DOES NOT APPLY TO AN ACTION AGAINST AN OWNER, OTHER THAN AN OWNER–OCCUPANT, BROUGHT UNDER THIS SECTION ALLEGING THE USE OF A PROPERTY FOR PROSTITUTION.**

(2)”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1372)

AMENDED IN THE HOUSE

Senate Bill 622 – ~~Senator Jacobs~~ Senators Jacobs, Brochin, Haines, Mooney, Muse, and Stone ~~Stone, Kittleman, Stoltzfus, Munson, Harris, Colburn, Simonaire, Pipkin, Brinkley, Reilly, Glassman, and Edwards~~

AN ACT concerning

Crimes – Sexual Offenses Against Children – Penalties

Senator Frosh moved that the Senate concur in the House amendment.

SB0622/822219/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 622
(Third Reading File Bill)

On page 2 in lines 17, 19, and 25, and on page 3 in lines 11, 13, and 19, in each instance, strike “**20**” and substitute “**15**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1373)

AMENDED IN THE HOUSE

Senate Bill 776 – Senators Kramer, Forehand, Jacobs, King, Klausmeier, Madaleno, Muse, Peters, Raskin, Rosapepe, and Stone

AN ACT concerning

Assisted Living and Nursing Home Residents Protection Act of 2010

Senator Frosh moved that the Senate concur in the House amendments.

SB0776/172716/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 776

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “procedures,” insert “impacts.”; in line 19, strike the first “the”; and in the same line, strike “convicted”.

AMENDMENT NO. 2

On page 6, in lines 25 and 29, in each instance, strike “**CONVICTED**”.

On page 7, in line 8, strike the second “**AND**” and substitute:

“(III) REVIEW AND REPORT ON THE POTENTIAL IMPACT ON HEALTH CARE PROVIDERS OF RECOMMENDED CHANGES IN POLICIES AND PROCEDURES CONCERNING SEXUAL OFFENDERS IN NURSING HOMES AND ASSISTED LIVING FACILITIES; AND”;

in line 9, strike “(III)” and substitute “(IV)”; in line 11, strike “CONVICTED”; and in line 17, strike “convicted”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1374)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 854** SPONSOR: **The President**

SUBJECT: **Crimes – Sex Offenders – Notification,
Registration, Commitment, and Court Procedures**

THIRD READING CALENDAR HOUSE NO. **17** SENATE NO. **60**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0854/482417/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0854/833421/2) be adopted.

SB0854/833421/2

BY: Conference Committee

AMENDMENTS TO SENATE BILL 854 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “and Penalties”; and strike beginning with “authorizing” in line 4 down through “admissible” in line 16 and substitute “increasing the maximum and mandatory minimum penalties for a person”

convicted of rape in the second degree of a child under the age of 13 years; increasing the maximum and mandatory minimum penalties for a person convicted of sexual offense in the second degree against a child under the age of 13 years;”.

On page 2, in line 39, after “notify” insert “a”; and in the same line, strike “units” and substitute “unit”.

On pages 3 and 4, strike beginning with “creating” in line 27 on page 3 down through “Act:” in line 20 on page 4.

On page 4, in line 20, before “providing” insert “requiring the Department to adopt certain regulations on or before a certain date;”; in line 23, strike “making certain provisions of this Act subject to a certain contingency;”; strike beginning with “offender” in line 24 down through “procedures” in line 25 and substitute “offenders”; in line 26, strike “without” and substitute “with”; in line 28, strike “1–101(g)” and substitute “3–304 and 3–306”; and strike in their entirety lines 31 through 35, inclusive.

On page 5, strike in their entirety lines 10 through 20, inclusive.

AMENDMENT NO. 2

On page 5, after line 23, insert:

“3–304.

(a) A person may not engage in vaginal intercourse with another:

(1) by force, or the threat of force, without the consent of the other;

(2) if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know that the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or

(3) if the victim is under the age of 14 years, and the person performing the act is at least 4 years older than the victim.

(b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of this section involving a child under the age of 13 years.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment not exceeding 20 years.

(2) (i) Subject to subparagraph (iv) of this paragraph, a person 18 years of age or older who violates subsection (b) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment for not less than [5] 15 years and not exceeding [20 years] LIFE.

(ii) A court may not suspend any part of the mandatory minimum sentence of [5] 15 years.

(iii) The person is not eligible for parole during the mandatory minimum sentence.

(iv) If the State fails to comply with subsection (d) of this section, the mandatory minimum shall not apply.

(d) If the State intends to seek a sentence of imprisonment for not less than [5] 15 years under subsection (c)(2) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial.

3-306.

(a) A person may not engage in a sexual act with another:

(1) by force, or the threat of force, without the consent of the other;

(2) if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the sexual act knows or reasonably should know that the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or

(3) if the victim is under the age of 14 years, and the person performing the sexual act is at least 4 years older than the victim.

(b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of this section involving a child under the age of 13 years.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of the felony of sexual offense in the second degree and on conviction is subject to imprisonment not exceeding 20 years.

(2) (i) Subject to subparagraph (iv) of this paragraph, a person 18 years of age or older who violates subsection (b) of this section is guilty of the felony of sexual offense in the second degree and on conviction is subject to imprisonment for not less than [5] 15 years and not exceeding [20 years] LIFE.

(ii) A court may not suspend any part of the mandatory minimum sentence of [5] 15 years.

(iii) The person is not eligible for parole during the mandatory minimum sentence.

(iv) If the State fails to comply with subsection (d) of this section, the mandatory minimum shall not apply.

(d) If the State intends to seek a sentence of imprisonment for not less than [5] 15 years under subsection (c)(2) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial."

AMENDMENT NO. 3

On pages 5 through 7, strike in their entirety the lines beginning with line 24 on page 5 through line 14 on page 7, inclusive.

AMENDMENT NO. 4

On page 8, in line 25, strike "OR SLEEPS" and substitute ", SLEEPS, OR VISITS".

On page 14, after line 24, insert:

"(4) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS

A TIER I SEX OFFENDER AFTER THE PERSON WAS ALREADY REGISTERED AS A TIER I SEX OFFENDER;”;

and in lines 25 and 29, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively.

On page 15, in line 5, strike “§ 2-201(4)(VIII),” and substitute “§ 2-201(A)(4)(VIII),”; in line 21, after “(4)” insert “CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS A TIER I OR TIER II SEX OFFENDER AFTER THE PERSON WAS ALREADY REGISTERED AS A TIER II SEX OFFENDER;”

(5)”;

and in line 30, strike “(5)” and substitute “(6)”.

AMENDMENT NO. 5

On pages 16 and 17, strike in their entirety the lines beginning with line 16 on page 16 through line 7 on page 17, inclusive, and substitute:

“(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THIS SUBTITLE SHALL BE APPLIED RETROACTIVELY TO INCLUDE A PERSON WHO:

(1) IS UNDER THE CUSTODY OR SUPERVISION OF A SUPERVISING AUTHORITY ON OCTOBER 1, 2010;

(2) WAS SUBJECT TO REGISTRATION UNDER THIS SUBTITLE ON SEPTEMBER 30, 2010; OR

(3) IS CONVICTED OF ANY CRIME ON OR AFTER OCTOBER 1, 2010, AND HAS A PRIOR CONVICTION FOR AN OFFENSE FOR WHICH REGISTRATION AS A SEX OFFENDER IS REQUIRED UNDER THIS SUBTITLE.”.

On page 17, in line 8, strike “(E)” and substitute “(B)”; and in line 9, strike “OR (B)”.

On page 21, in line 13, strike “AN”; in the same line, strike “THAT” and substitute “WHERE”; in line 17, strike “OR”; and in lines 18 and 22, in each instance, strike the bracket.

On page 22, in lines 4 and 6, in each instance, strike the bracket; in lines 4, 7, and 13, strike “(2)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(4)”, and “(5)”, respectively; and in line 5, strike “7” and substitute “3”.

On page 23, in line 4, strike “A” and substitute “THE”.

On page 24, in line 27, strike “7” and substitute “5”; and in line 28, strike “A”.

On page 25, in line 24, after the first “OF” insert “EACH OF”; in the same line, strike “EMPLOYER” and substitute “EMPLOYERS”; and in the same line, strike the second “THE” and substitute “EACH”.

On page 26, in line 11, strike “OR”; in line 14, strike “ANY” and substitute “ALL”; in line 19, strike “OR” and substitute a comma; in the same line, after “NUMBER” insert a comma; in line 22, strike “ADDRESS” and substitute “ADDRESSES”; in line 24, after “(14)” insert “ALL LANDLINE AND CELLULAR”; and strike beginning with the comma in line 26 down through the second “NUMBERS” in line 27.

On page 27, in line 2, strike “DATE” and substitute “DATES”; and in line 3, strike “REGISTRATION STATUS,”.

On page 28, in line 4, strike “OR”; in line 15, strike the period and substitute “; OR”; in lines 16 and 19, in each instance, strike the bracket; in line 16, strike “(iii)” and substitute “(IV)”; in line 17, strike “11–701(c)(5)(i) of this subtitle or a person described under § 11–701(j)(3)(i)” and substitute “11–704(C)(1)”; in line 25, strike “OR”; and in lines 26 and 30, in each instance, strike the bracket.

On page 29, in line 1, strike “(1)”; in lines 4, 6, 7, and 9, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; in line 10, strike “CERTIFIED BY THE STATE”; and strike in their entirety lines 11 through 22, inclusive.

On page 31, in line 25, strike “A”.

On page 33, in line 10, strike “A” and substitute “THE”; and in line 17, strike “HOME OR CELL” and substitute “LANDLINE OR CELLULAR”.

On page 34, in line 2, strike “HOME OR CELL” and substitute “LANDLINE OR CELLULAR”; and in line 11, strike “A”.

On page 35, in line 33, after “registrants” insert “AND A LISTING OF JUVENILE SEX OFFENDERS”.

On page 37, strike beginning with “OR” in line 13 down through “ARTICLE” in line 14; in line 16, strike the first “the” and substitute “A”; and in line 18, strike “a” and substitute “THE”.

AMENDMENT NO. 6

On pages 38 through 44, strike in their entirety the lines beginning with line 10 on page 38 through line 33 on page 44, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, the Department of Public Safety and Correctional Services shall adopt regulations to implement the listing of juvenile sex offenders in accordance with this Act, including a definition of “law enforcement personnel” who are authorized to access the listing.”.

On page 45, in line 1, strike “5.” and substitute “3.”; strike in their entirety lines 7 through 11, inclusive; in line 12, strike “7.” and substitute “4.”; and strike beginning with the second comma in line 12 down through “Act.” in line 13.

Senate Members:

House Members:

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Larry E. Haines

Jeff Waldstreicher

Jamie Raskin

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1375)

The Bill was then sent to the House of Delegates.**CONCURRENCE CALENDAR #41****AMENDED IN THE HOUSE****Senate Bill 782 – Senator Raskin**

AN ACT concerning

**~~Mortgage Foreclosure Bankruptcy Exemption~~
Homestead Exemption – Bankruptcy**

Senator Frosh moved that the Senate concur in the House amendments.

SB0782/682314/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 782

(Third Reading File Bill)

AMENDMENT NO. 1On page 1, in line 9, strike “authorizing” and substitute “prohibiting”; and in the same line, strike “to claim” and substitute “from claiming”.**AMENDMENT NO. 2**On page 3, in line 14, strike “**\$20,200**” and substitute “**THE AMOUNT UNDER 11 U.S.C. § 522(D)(1), ADJUSTED IN ACCORDANCE WITH 11 U.S.C. § 104**”.

AMENDMENT NO. 3

On page 3, in lines 21 and 26, in each instance, strike “**THE PRIOR**”; and in the same lines, in each instance, after “**YEARS**” insert “**PRIOR TO THE FILING OF THE BANKRUPTCY PROCEEDING IN WHICH THE EXEMPTION UNDER THIS SUBSECTION IS CLAIMED**”.

AMENDMENT NO. 4

On page 3, in line 31, after “**MAY**” insert “**NOT**”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1376)

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1174 SPONSOR: Delegate Kullen

**SUBJECT: Junk Dealers and Scrap Metal Processors –
Required Records**

THIRD READING CALENDAR HOUSE NO. 64 SENATE NO. 32

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Finance Committee Amendments (HB1174/237570/1) be adopted.

(2) That the attached Conference Committee Amendments (HB1174/793329/1) be adopted.

HB1174/237570/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1174

(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 1, in line 7, strike “providing that” and substitute “preempting”; in line 8, strike “are not preempted by certain provisions of this Act”; in line 9, strike “providing that” and substitute “superseding”; and strike beginning with “are” in line 9 down through “Act” in line 10.

AMENDMENT NO. 2

On page 7, in line 22, strike “DOES NOT PREEMPT” and substitute “PREEMPTS”; and in line 28, strike “DOES NOT SUPERSEDE” and substitute “SUPERSEDES”.

HB1174/793329/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1174

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after “requirements,” insert “requiring certain contracts to be open to inspection by a local law enforcement agency under certain circumstances; prohibiting certain contracts from being open to public inspection without the consent of certain junk dealers or scrap metal processors;”.

AMENDMENT NO. 2

On page 9, in line 25, strike “AND”; and in line 29, after “INDIVIDUAL” insert “;
AND”

**8. AN ELECTRONIC SCAN OR PHOTOCOPY OF THE
VALID STATE-ISSUED PHOTO ID UNDER ITEM 7 OF THIS SUBPARAGRAPH**

On page 11, in line 22, after “(F)” insert “(1)”; in lines 24, 25, and 26, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and strike beginning with “WHOM” in line 26 down through “CONTRACT” in line 27 and substitute “A VALID BUSINESS LICENSE THAT HAS ENTERED INTO A WRITTEN”

CONTRACT WITH A JUNK DEALER OR SCRAP METAL PROCESSOR WHO HAS PROVIDED TO THE PRIMARY LAW ENFORCEMENT UNIT:

1. THE NAME AND BUSINESS ADDRESS OF THE COMMERCIAL ENTERPRISE; AND

2. THE TYPE OF JUNK OR SCRAP METAL SUBJECT TO THE CONTRACT.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONTRACT UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE OPEN TO INSPECTION BY A LOCAL LAW ENFORCEMENT AGENCY ON THE PREMISES OF THE JUNK DEALER OR SCRAP METAL PROCESSOR DURING BUSINESS HOURS.

(II) NOTWITHSTANDING ANY OTHER LAW, A CONTRACT OPEN TO INSPECTION BY A LOCAL LAW ENFORCEMENT AGENCY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE OPEN FOR PUBLIC INSPECTION WITHOUT THE CONSENT OF THE JUNK DEALER OR SCRAP METAL PROCESSOR”.

Senate Members:

House Members:

Chair, **John C. Astle**

Chair, **Michael L. Vaughn**

Rob Garagiola

James J. King

Barry Glassman

Brian K. McHale

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1377)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 128** SPONSOR: **Delegate Rosenberg**

SUBJECT: **Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing**

THIRD READING CALENDAR HOUSE NO. **35** SENATE NO. **30**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Judiciary Proceedings Committee Amendments (HB0128/948071/1) be adopted.

HB0128/948071/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 128 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 15 down through “circumstances;” in line 21.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 16 through 29, inclusive.

Senate Members:

House Members:

Chair, **Lisa A. Gladden**

Chair, **Curt Anderson**

Larry E. Haines

Ben Barnes

Jamie Raskin

Jill P. Carter

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1378)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #78

Senate Bill 760 – Senators Pugh and Harrington

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and
Selection of Proposed Capital Projects**Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 9 (See Roll Call No. 1379)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #42

**Senate Bill 224 – Senators King, Frosh, Garagiola, Kelley, Madaleno, Peters,
Pugh, and Robey**

AN ACT concerning

Real Property – Restrictions – Clotheslines or Other Similar Laundry Drying Devices

Senator Frosh moved that the Senate concur in the House amendments.

SB0224/540110/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 224
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Restrictions” in line 2 down through “Devices” in line 3 and substitute “Installation and Use of Clotheslines on Residential Property”; strike beginning with “authorizing” in line 4 down through “devices;” in line 23 and substitute “providing that a contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property may not prohibit a homeowner or tenant from installing or using clotheslines on certain residential property; providing that a homeowner or tenant may not be prohibited from installing or using clotheslines on certain residential property, regardless of the terms in any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property; providing that this Act does not prohibit reasonable restrictions, for certain purposes, on the dimensions, placement, or appearance of clotheslines; requiring a landlord or the governing body of a condominium, homeowners association, or housing cooperative to hold a certain open meeting and provide certain advance notice of the open meeting before adopting a restriction concerning the installation or use of clotheslines on single-family property;”.

On page 2, in line 1, after “Act;” insert “defining certain terms;”; strike beginning with “use” in line 1 down through “tenants” in line 2 and substitute “installation and use of clotheslines on residential property”; and in line 5, strike “14–128.1” and substitute “14–130”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 11 on page 2 through line 32 on page 3, inclusive, and substitute:

“14-130.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (i) “SINGLE-FAMILY PROPERTY” INCLUDES:

1. A SINGLE-FAMILY DETACHED HOME;

2. A TOWNHOUSE; AND

3. A PROPERTY THAT IS SUBJECT TO:

A. TITLE 11 OF THIS ARTICLE;

B. TITLE 11B OF THIS ARTICLE; OR

C. TITLE 5, SUBTITLE 6B OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(ii) “SINGLE-FAMILY PROPERTY” DOES NOT INCLUDE PROPERTY THAT CONTAINS MORE THAN FOUR DWELLING UNITS.

(3) “TOWNHOUSE” MEANS A SINGLE-FAMILY DWELLING UNIT THAT IS CONSTRUCTED IN A HORIZONTAL SERIES OF ATTACHED UNITS WITH PROPERTY LINES SEPARATING THE UNITS.

(B) THIS SECTION DOES NOT APPLY TO A RESTRICTION CONCERNING THE INSTALLATION OR USE OF CLOTHESLINES ON HISTORIC PROPERTY THAT IS LISTED IN, OR DETERMINED BY THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST TO BE ELIGIBLE FOR INCLUSION IN, THE MARYLAND REGISTER OF HISTORIC PROPERTIES.

(C) A CONTRACT, DEED, COVENANT, RESTRICTION, INSTRUMENT, DECLARATION, RULE, BYLAW, LEASE AGREEMENT, RENTAL AGREEMENT, OR ANY OTHER DOCUMENT CONCERNING THE INSTALLATION OR USE OF CLOTHESLINES ON SINGLE-FAMILY PROPERTY MAY NOT PROHIBIT A HOMEOWNER OR TENANT FROM INSTALLING OR USING CLOTHESLINES ON SINGLE-FAMILY PROPERTY.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR THE TERMS OF ANY CONTRACT, DEED, COVENANT, RESTRICTION, INSTRUMENT, DECLARATION, RULE, BYLAW, LEASE AGREEMENT, RENTAL AGREEMENT, OR ANY OTHER DOCUMENT CONCERNING THE INSTALLATION OR USE OF CLOTHESLINES ON SINGLE-FAMILY PROPERTY, A HOMEOWNER OR TENANT MAY NOT BE PROHIBITED FROM INSTALLING OR USING CLOTHESLINES ON SINGLE-FAMILY PROPERTY.

(E) THIS SECTION DOES NOT PROHIBIT REASONABLE RESTRICTIONS ON:

(1) THE DIMENSIONS, PLACEMENT, OR APPEARANCE OF CLOTHESLINES FOR THE PURPOSE OF PROTECTING AESTHETIC VALUES; OR

(2) THE PLACEMENT OF CLOTHESLINES FOR THE PURPOSE OF PROTECTING PERSONS OR PROPERTY IN THE EVENT OF FIRE OR OTHER EMERGENCIES.

(F) BEFORE ADOPTING ANY RESTRICTION CONCERNING THE INSTALLATION OR USE OF CLOTHESLINES ON SINGLE-FAMILY PROPERTY, A LANDLORD OR THE GOVERNING BODY OF A CONDOMINIUM, HOMEOWNERS ASSOCIATION, OR HOUSING COOPERATIVE SHALL:

(1) HOLD AN OPEN MEETING ON THE PROPOSED RESTRICTION FOR THE PURPOSE OF PROVIDING AFFECTED HOMEOWNERS AND TENANTS AN OPPORTUNITY TO BE HEARD; AND

(2) PROVIDE ADVANCE NOTICE OF THE TIME AND PLACE OF THE OPEN MEETING BY PUBLISHING THE NOTICE:

(I) IN A COMMUNITY NEWSLETTER;

(II) ON A COMMUNITY BULLETIN BOARD;

(III) BY MEANS PROVIDED IN THE LEASE OR GOVERNING DOCUMENTS OF THE CONDOMINIUM, HOMEOWNERS ASSOCIATION, OR HOUSING COOPERATIVE; OR

(IV) BY OTHER MEANS REASONABLY CALCULATED TO INFORM THE AFFECTED HOMEOWNERS AND TENANTS.”.

On page 3, in line 33, strike “3.” and substitute “2”.

The preceding 2 amendments were read and concurred in by roll call vote as follows.

Affirmative – 39 Negative – 8 (See Roll Call No. 1380)

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1381)

The Bill was then sent to the House of Delegates.

AMENDED IN THE HOUSE

Senate Bill 475 – Senator Stone

AN ACT concerning

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

Senator Frosh moved that the Senate concur in the House amendments.

SB0475/842413/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 475
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “specifying that certain alcohol– or drug–related offenses apply to certain vessels;”; strike beginning with the comma in line 5 down through the comma in line 6; in line 6, strike “take”; in the same line, after “test” insert “of the person’s breath or blood”; in line 7, strike “if the person is detained”; in line 8, strike “providing” and substitute “establishing”; in line 9, strike “, subject to a certain exception” and substitute “of the person’s breath or blood, except under certain circumstances”; in the same line, after “detaining” insert “police”; in line 10, strike “detained under certain circumstances”; in the same line, strike the comma; in line 11, strike the comma; in the same line, strike the first “the” and substitute “a”; strike beginning with “and” in line 11 down through “violation” in line 12 and substitute “with a certain result”; in line 13, strike “or attempting to operate”; in the same line, after “vessel” insert “on the waters of the State”; in the same line, after “period” insert “of time; authorizing the court to prohibit a certain person from operating a vessel on the waters of the State for a certain period of time if the person refuses a certain test or takes a test with a certain result”; and in line 21, after “substance;” insert “establishing that certain provisions relating to the qualifications of a person administering a certain blood or breath test and the equipment used to administer the test apply under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 10, strike “A” and substitute “SUBJECT TO SUBSECTION (G) OF THIS SECTION, A”.

On page 4, in line 17, strike “UPON” and substitute “ON”; in line 18, strike “THE PROVISIONS OF”; in line 19, after “TEST” insert “, AS DEFINED IN § 16–205.1 OF THE TRANSPORTATION ARTICLE,”; in line 25, strike “OR ATTEMPT TO OPERATE A” and substitute “THE”; and in line 28, after “TEST” insert “, AS DEFINED IN § 16–205.1 OF THE TRANSPORTATION ARTICLE”.

On pages 4 and 5, strike in their entirety the lines beginning with line 29 on page 4 through line 12 on page 5, inclusive, and substitute:

“(2) THE DETAINING POLICE OFFICER SHALL ADVISE A PERSON WHO IS REQUESTED TO TAKE A TEST THAT, ON RECEIPT OF A SWORN STATEMENT FROM THE OFFICER THAT THE PERSON WAS REQUESTED TO TAKE A TEST AND REFUSED OR WAS TESTED AND THE RESULT INDICATED AN ALCOHOL

CONCENTRATION OF 0.08 OR MORE, THE COURT MAY, ON CONVICTION AND IN ADDITION TO OTHER PENALTIES, PROHIBIT THE PERSON FROM OPERATING A VESSEL ON THE WATERS OF THE STATE FOR UP TO 1 YEAR.”.

On page 5, after line 33, insert:

“(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE COURT MAY PROHIBIT A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (A)(1) OF THIS SECTION FROM OPERATING A VESSEL ON THE WATERS OF THE STATE FOR UP TO 1 YEAR IF THE PERSON:

(I) REFUSED TO TAKE A TEST, AS DEFINED IN § 16-205.1 OF THE TRANSPORTATION ARTICLE, WHEN REQUESTED BY A POLICE OFFICER UNDER SUBSECTION (B)(3) OF THIS SECTION; OR

(II) WAS TESTED AND THE RESULT INDICATED AN ALCOHOL CONCENTRATION OF 0.08 OR MORE.”.

On page 5, after line 35, insert:

“(G) THIS SECTION APPLIES TO THE FOLLOWING:

(1) A VESSEL REQUIRED TO BE REGISTERED WITH THE DEPARTMENT UNDER THIS SUBTITLE;

(2) A VESSEL REQUIRED TO HAVE A VALID NUMBER AWARDED IN ACCORDANCE WITH A FEDERAL LAW OR A FEDERALLY APPROVED NUMBERING SYSTEM OF ANOTHER STATE; AND

(3) A VESSEL FROM A FOREIGN COUNTRY USING THE WATERS OF THIS STATE.”.

On page 6, in line 6, strike “WAS” and substitute “HAS BEEN”; in the same line, strike the second “THE” and substitute “A”; in line 7, strike the first “THE” and substitute “A”; in line 10, strike “THE” and substitute “A”; in line 22, strike “SHALL”; and in line 25, strike “SUCH TESTS” and substitute “THE TEST”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1382)

CONCURRENCE CALENDAR #43

AMENDED IN THE HOUSE

Senate Bill 497 – Senator McFadden

AN ACT concerning

State Retirement and Pension System – Retiree Death Benefits

Senator Currie moved that the Senate concur in the House amendments.

SB0497/554561/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 497

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through the first semicolon in line 9; in line 9, strike “application” and substitute “termination”; strike in their entirety lines 12 through 16, inclusive; and in line 18, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 3, strike beginning with line 19 on page 1 through line 14 on page 3, inclusive, and substitute:

“(a) This section applies to an individual who:

(1) was an employee of the Maryland Court of Appeals;

(2) on or after March 1, 2008, retired from the Employees' Pension System under Title 23 of the State Personnel and Pensions Article;

(3) at the time of retirement selected the basic allowance from the Employees' Pension System; and

(4) died within 30 days of retiring from the Employees' Pension System.

(b) (1) An individual under subsection (a) of this section shall be considered as dying while employed as a member of the Employees' Pension System.

(2) When the Board of Trustees receives proof of death of the individual, the Board of Trustees shall pay to the individual's surviving spouse, the following:

(i) the individual's member contributions plus interest in the Employees' Pension System; and

(ii) an amount equal to the individual's annual earnable compensation at the time of the individual's retirement."

AMENDMENT NO. 3

On page 3, in line 15, strike "3." and substitute "2."; and in line 16, after the period insert "It shall remain effective for a period of 6 months and, at the end of December 31, 2010, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1383)

AMENDED IN THE HOUSE

Senate Bill 657 – Senators DeGrange, Astle, Garagiola, Jones, Kasemeyer, Klausmeier, Kramer, Miller, Pipkin, Reilly, and Robey

EMERGENCY BILL

AN ACT concerning

**Recordation Taxes and State and County Transfer Tax – Debt Forgiven in
“Short Sale”**

Senator Currie moved that the Senate concur in the House amendment.

SB0657/485763/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 657
(Third Reading File Bill)

On page 1, in line 2, strike “Tax” and substitute “Taxes”.

On page 3, in line 2, strike “TRUSTS” and substitute “TRUST”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and
nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1384)

AMENDED IN THE HOUSE

**Senate Bill 685 – Senators DeGrange, Brinkley, Currie, Edwards, Kasemeyer,
King, Kramer, McFadden, Miller, Munson, Peters, and Stoltzfus**

AN ACT concerning

~~**Personal Property Tax – Heavy Equipment**~~
Heavy Equipment Tax Reform Act of 2010

Senator Currie moved that the Senate concur in the House amendment.

SB0685/535566/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 685
(Third Reading File Bill)

On page 1, in line 16, after “date;” insert “defining certain terms;”.

On page 4, in line 28, strike “**(B)**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1385)

CONCURRENCE CALENDAR #45

AMENDED IN THE HOUSE

Senate Bill 330 – Senators Zirkin, Frosh, Mooney, Muse, and Stone

AN ACT concerning

Human Services – Quality Care – Juvenile Facilities

Senator Frosh moved that the Senate concur in the House amendments.

SB0330/542012/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 330
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “time” insert “except under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 5, after “(5)” insert “**(I)**”; in the same line, strike “**OR LICENSED**”; and after line 6, insert “**(II) ENSURES THAT EACH COMMITTED FACILITY LICENSED BY THE DEPARTMENT SERVES NO MORE THAN 48 CHILDREN AT ONE TIME, UNLESS THE SECRETARY FINDS GOOD CAUSE FOR A**”.

COMMITTED FACILITY LICENSED BY THE DEPARTMENT TO SERVE MORE THAN 48 CHILDREN AT ONE TIME; AND".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1386)

CONCURRENCE CALENDAR #46

AMENDED IN THE HOUSE

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Higher Education
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Office of Student Financial
Assistance**

Senator Conway moved that the Senate concur in the House amendment.

SB0080/505166/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 80

(Third Reading File Bill)

On page 4, in line 16, after "ASSISTANCE" insert "**ADMINISTERED BY THE OFFICE**".

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1387)

AMENDED IN THE HOUSE

Senate Bill 163 – Senator Conway

AN ACT concerning

State Board of Pharmacy – ~~Wholesale Distributors – Accreditation and Reciprocity~~ Wholesale Distributor Permitting and Prescription Drug Integrity Act – Revisions

Senator Conway moved that the Senate concur in the House amendments.

SB0163/536981/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 163
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “certain circumstances when” and substitute “the circumstances under which”; in line 15, strike “and”; in the same line, strike “defining certain other terms”; and strike beginning with “accreditation” in line 15 down through “drugs” in line 16 and substitute “Wholesale Distributor Permitting and Prescription Drug Integrity Act”.

AMENDMENT NO. 2

On page 4, in line 18, strike “IS AUTHORIZED TO” and substitute “MAY”.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 4 through 8, inclusive; in line 20, strike “**THAT ARE**” and substitute “THAT:”

(I) ARE;

and in line 21, after “**STATE**” insert “**; AND**”

(II) INCLUDE PEDIGREES, ROUTINE INSPECTIONS OF WHOLESALE DISTRIBUTORS, OPERATION OF WHOLESALE DISTRIBUTORS IN A COMMERCIAL NONRESIDENTIAL FACILITY, AND SECURITY MEASURES”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1388)

AMENDED IN THE HOUSE

Senate Bill 291 – Senator Conway

AN ACT concerning

Health Occupations Boards – Revisions

Senator Conway moved that the Senate concur in the House amendment.

SB0291/596982/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 291

(Third Reading File Bill)

On page 4, in line 16, after “**INFORMATION;**” insert “**OR**”; and strike beginning with “**ACTS**” in line 17 down through “**(6)**” in line 19.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1389)

AMENDED IN THE HOUSE

Senate Bill 308 – Senators Conway, Currie, Dyson, Exum, Frosh, Harrington, Kelley, King, Lenett, McFadden, Middleton, Pinsky, Pugh, and Rosapepe

AN ACT concerning

Health Occupations – Licensure of Physician Assistants

Senator Conway moved that the Senate concur in the House amendment.

SB0308/726083/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 308

(Third Reading File Bill)

On page 1, in line 15, after “Health” insert “and Mental Hygiene”.

On page 37, in line 6, strike “TITLE” and substitute “ARTICLE”.

On page 40, in line 4, strike “SUBTITLE” and substitute “ARTICLE”.

On page 42, in line 34, strike the first “PHYSICIAN” and substitute “PHYSICIANS”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1390)

AMENDED IN THE HOUSE

**Senate Bill 452 – Senators Pinsky, Frosh, Harrington, King, Madaleno,
McFadden, Pugh, and Raskin**

EMERGENCY BILL

AN ACT concerning

**Education – Innovative School Scheduling Models – Low-Performing and
At-Risk Public Schools**

Senator Conway moved that the Senate concur in the House amendments.

SB0452/275265/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 452
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “Fund;” in line 10.

On page 2, strike in their entirety lines 21 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

AMENDMENT NO. 2

On page 2, in line 19, strike “THESE” and substitute “THE”; and in the same line, after “MODELS” insert “THAT ARE DETERMINED TO BE MOST EFFECTIVE IN ENHANCING STUDENT ACHIEVEMENT”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1391)

AMENDED IN THE HOUSE

Senate Bill 632 – Senator Conway

AN ACT concerning

**Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and
Medication Technicians – Changes to Licensure Requirements**

Senator Conway moved that the Senate concur in the House amendment.

SB0632/896981/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 632
(Third Reading File Bill)

On page 6, in line 2, strike “**2013**” and substitute “**2012**”; and strike in their entirety lines 5 through 7, inclusive, and substitute:

“(2) ON OR AFTER JANUARY 1, 2013, A LICENSE EXPIRES ON THE DATE SET BY THE BOARD AND MAY NOT BE RENEWED FOR A TERM LONGER THAN 2 YEARS.”

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1392)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #43

House Bill 243 – Delegates Hixson, Barve, Howard, Hucker, Ivey, Kaiser, Mizeur, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Fairness in Negotiations Act

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

Affirmative – 35 Negative – 12 (See Roll Call No. 1393)

The Bill was then sent to the House of Delegates.

House Bill 476 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1394)

The Bill was then sent to the House of Delegates.

House Bill 635 – Delegates Frush, Barnes, and Pena–Melnik

AN ACT concerning

Judges’ Retirement System – Reemployment of Retirees

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

The motion was adopted.

House Bill 1117 – Delegates Riley and James

AN ACT concerning

**Harford County Property Tax Credit – Homes near a Refuse Disposal System
– Extension to Additional Properties**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1395)

The Bill was then sent to the House of Delegates.

**House Bill 1182 – Delegates Ivey, Benson, Frush, McIntosh, Niemann,
Pena–Melnik, Ramirez, and Valderrama**

AN ACT concerning

Business Improvement Districts

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

Affirmative – 37 Negative – 10 (See Roll Call No. 1396)

The Bill was then sent to the House of Delegates.

House Bill 1375 – Delegate Mizeur

AN ACT concerning

Kids First Express Lane Eligibility Act

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

Affirmative – 41 Negative – 6 (See Roll Call No. 1397)

The Bill was then sent to the House of Delegates.

House Bill 1555 – Delegate Conway

EMERGENCY BILL

AN ACT concerning

**Fire, Rescue, and Ambulance Funds – Distribution of Money to Companies
Outside the State**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1398)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #42

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

**House Bill 1098 – ~~Delegate Oaks~~ Delegates Oaks, Anderson, Conaway, Glenn,
Hammen, Haynes, McHale, McIntosh, Robinson, Rosenberg, Stukes,
and Tarrant**

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 500** SPONSOR: **Delegate Waldstreicher**

SUBJECT: **Child Support Guidelines – Revision**

THIRD READING CALENDAR HOUSE NO. 48 SENATE NO. 30

Hon. Thomas V. Mike Miller, Jr., President of the Senate
 Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0500/448074/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0500/943827/1) be adopted.

HB0500/943827/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 500
 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 23, in line 7, strike "2011" and substitute "2010".

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Luiz R. S. Simmons**

Jennie M. Forehand

Kathleen M. Dumais

Lisa A. Gladden

Gerron S. Levi

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
 () Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1399)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 97** SPONSOR: **Senator Mooney**

SUBJECT: **Office of the Public Defender – Board of Trustees – Membership**

THIRD READING CALENDAR HOUSE NO. **33** SENATE NO. **57**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0097/702313/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0097/823825/1) be adopted.

SB0097/823825/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 97 (Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “altering” in line 2 down through “meeting:” in line 3; in line 9, after “time” insert “and may be reappointed after the expiration of the Public Defender’s term”.

AMENDMENT NO. 2

On page 3, in line 22, strike “NINE” and substitute “11”; in line 26, strike “SIX” and substitute “ALL”; and in line 27, strike “APPOINTED BY THE GOVERNOR”.

On page 4, strike beginning with “ONE” in line 11 down through “(8)” in line 15; and in line 22, strike “(9)” and substitute “(7)”.

On page 5, in line 22, strike the brackets; and in the same line, strike “FOUR”.

On page 6, in line 14, after “Act” insert “and may be reappointed after the expiration of the Public Defender’s term”; and in line 16, strike “October” and substitute “June”.

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Ben Barnes**

Alexander X. Mooney

Todd Schuler

Jennie M. Forehand

Michael D. Smigiel, Sr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1400)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 540** SPONSOR: **Senator Harrington**

SUBJECT: **Child with a Disability – Individualized**

Education Program

THIRD READING CALENDAR HOUSE NO. 21 SENATE NO. 40

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Committee on Ways and Means Amendments (SB0540/545067/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0540/753821/1) be adopted.

SB0540/545067/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 540

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “exception;” insert “authorizing certain school personnel to provide the parents of a child with a disability a summary of certain information in a certain manner under certain circumstances;”; and in lines 7 and 8, strike “include certain documentation in certain records” and substitute “communicate certain information to the parents of a child with a disability”.

AMENDMENT NO. 2

On page 2, in line 21, after “**(1)**” insert “**(I)**”; in line 22, after “**SUBSECTION,**” insert “**AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**”; in the same line strike “**5**” and substitute “**3**”; in line 26, strike “**A**” and substitute “**AN ACCESSIBLE**”; and after line 28, insert:

“(II) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, AN ASSESSMENT, REPORT, DATA CHART, OR OTHER DOCUMENT PREPARED BY A SCHOOL PSYCHOLOGIST OR OTHER MEDICAL PROFESSIONAL THAT EITHER

TEAM PLANS TO DISCUSS AT THE MEETING MAY BE PROVIDED TO THE PARENTS OF THE CHILD ORALLY AND IN WRITING PRIOR TO THE MEETING.”.

AMENDMENT NO. 3

On page 3, strike beginning with the colon in line 3 down through “**DOCUMENT**” in line 4 and substitute “**DOCUMENT**”; and strike beginning with the semicolon in line 4 down through “**RECORD**” in line 7 and substitute “**AND COMMUNICATE THAT INFORMATION TO THE PARENTS OF THE CHILD**”.

SB0540/753821/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 540, AS AMENDED

In the Committee on Ways and Means Amendments (SB0540/545067/1), in line 3 of Amendment No. 2, strike “**3**” and substitute “**5**”.

Senate Members:

House Members:

Chair, **David C. Harrington**

Chair, **Anne R. Kaiser**

Paul G. Pinsky

Jim Gilchrist

Edward R. Reilly

LeRoy E. Myers, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1401)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: **HB 0406**

SPONSOR: Chr ECM (Dept)

SUBJECT: Real Estate Licensees – Services Provided Through Teams

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Vaughn, Chairman
Delegate Jameson, and
Delegate Haddaway.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Conway moved, duly seconded, that the Senate recede on its amendments.

The motion was adopted.

HB0406/164636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 406
(Third Reading File Bill)

On page 4, in line 1, after “NAME” insert “OR THE DESIGNATED NAME, AS DEFINED IN § 17-527.2 OF THIS SUBTITLE,”; in line 3, after “NUMBER” insert “THAT CONNECTS TO THE OFFICE”; and strike in their entirety lines 5 and 6.

Senate receded and the amendment was removed.

**House Bill 406 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Real Estate Licensees – Services Provided Through Teams

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1402)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0406

SPONSOR: Chr ECM (Dept)

SUBJECT: Real Estate Licensees – Services Provided Through Teams

The Senate recedes from its position on HB 0406.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0474

SPONSOR: The Spkr (Admin), et al

SUBJECT: Smart, Green, and Growing – Maryland Sustainable Growth Commission

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Frush, Chairman
Delegate Stein, and
Delegate O'Donnell.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

Senator Conway moved, duly seconded, that the Senate recede on its amendments.

The motion was adopted.

HB0474/204537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 474
(Third Reading File Bill)

On page 7, after line 2, insert:

- “8. ONE REPRESENTATIVE OF A RURAL COMMUNITY;**
- 9. ONE REPRESENTATIVE OF THE HERITAGE**
TOURISM INDUSTRY;
- 10. ONE SCIENTIST OR TECHNICAL EXPERT WITH**
DEMONSTRATED EXPERTISE IN THE CONNECTION BETWEEN WATER QUALITY
AND LAND USE; AND

**11. ONE REPRESENTATIVE OF THE LAND
CONSERVATION COMMUNITY;**

and in lines 3, 5, 7, 9, and 11, strike “8.”, “9.”, “10.”, “11.”, and “12.”, respectively, and substitute “12.”, “13.”, “14.”, “15.”, and “16.”, respectively.

Senate receded and the amendment was removed.

**House Bill 474 – The Speaker (By Request – Administration) and Delegates
Bartlett, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Frush, Gaines,
Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim,
Nathan–Pulliam, Proctor, Ramirez, Rice, and Stein**

AN ACT concerning

Smart, Green, and Growing – Maryland Sustainable Growth Commission

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1403)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0474

SPONSOR: The Spkr (Admin), et al

SUBJECT: Smart, Green, and Growing – Maryland Sustainable Growth Commission

The Senate recedes from its position on HB 0474.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONFERENCE COMMITTEE REPORT**BILL NO.: SB 248 SPONSOR: Senator Frosh****SUBJECT: Civil Cases – Maryland Legal Services
Corporation Fund – Surcharges****THIRD READING CALENDAR HOUSE NO. 17 SENATE NO. 27**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached House Judiciary Committee Amendments (SB0248/202910/1) be adopted.

(2) That the attached Conference Committee Amendment (SB0248/733320/3) be adopted.

SB0248/202910/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 248**(Third Reading File Bill)****AMENDMENT NO. 1**

On page 1, in line 2, strike “– Surcharges”; in line 4, after “Court;” insert “requiring the executive director of the Maryland Legal Services Corporation to prepare a budget for the Corporation; requiring a certain informational budget to be submitted to the General Assembly in conjunction with the budget of the Judicial Branch of the State government; providing for the termination of this Act;”; in line 5, strike “certain surcharges deposited into”;

and after line 16, insert:

“BY adding to

Article – Human Services

Section 11–208

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 9, strike “\$70” and substitute “\$50”; in line 20, strike “\$10” and substitute “\$7”; in line 21, strike “\$20” and substitute “\$15”; after line 25, insert:

“Article – Human Services

11-208.

(A) THE EXECUTIVE DIRECTOR SHALL PREPARE AN ANNUAL BUDGET FOR THE CORPORATION.

(B) (1) FOR INFORMATIONAL PURPOSES ONLY, THE CORPORATION SHALL SUBMIT ITS BUDGET TO THE GENERAL ASSEMBLY IN CONJUNCTION WITH THE BUDGET REQUEST OF THE JUDICIAL BRANCH OF THE STATE GOVERNMENT ON NOVEMBER 1 OF EACH YEAR.

(2) THE INFORMATIONAL BUDGET REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE 3 YEARS OF DATA, INCLUDING THE MOST RECENTLY COMPLETED FISCAL YEAR, AN ESTIMATE FOR THE CURRENT FISCAL YEAR, AND AN ESTIMATE FOR THE NEXT FISCAL YEAR, INCLUDING:

(I) A SUMMARY OF TOTAL EXPENDITURES AND THE SOURCES OF REVENUE THAT SUPPORT THAT SPENDING;

(II) LINE ITEM EXPENDITURE DETAIL FOR PERSONNEL, OPERATING EXPENSES, AND GRANTS, INCLUDING INDIVIDUAL GRANTEEES;

(III) NARRATIVE EXPLANATION OF ALL REVENUE AND SPENDING CHANGES BETWEEN THE CURRENT FISCAL YEAR AND THE NEXT FISCAL YEAR;

(IV) PERFORMANCE MEASUREMENT DATA THAT DETAILS THE USE OF FUNDS; AND

(V) DETAIL ON THE CORPORATION’S RESERVE FUND, INCLUDING ACTUAL AND ESTIMATED END OF FISCAL YEAR BALANCES,

TRANSFERS TO AND FROM THE RESERVE FUND, AND THE POLICIES GOVERNING THE RESERVE FUND.”;

and in line 27, strike “June 1, 2010” and substitute “July 1, 2010. It shall remain effective for a period of 3 years and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect”.

SB0248/733320/3

BY: Conference Committee

AMENDMENT TO SENATE BILL 248, AS AMENDED

On page 1 of the House Judiciary Committee Amendments (SB0248/202910/1), in line 1 of Amendment No. 2, strike “**\$50**” and substitute “**\$55**”; in line 2, strike “**\$7**” and substitute “**\$8**”; and in the same line, strike “**\$15**” and substitute “**\$18**”.

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Curt Anderson**

Lisa A. Gladden

Benjamin F. Kramer

Jamie Raskin

Todd Schuler

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 1404)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

House Bill 789 – Delegates Howard, Walker, Carter, Hucker, Stein, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, ~~and F. Turner~~ F. Turner, Krebs, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, V. Turner, Anderson, Carr, Dumais, Love, McComas, Oaks, Pena-Melnyk, Shank, Simmons, Taylor, and Cardin

AN ACT concerning

~~Elementary and Secondary Education – Health Curriculum – Diabetes~~
~~Education~~
Education – Children and Youth – Implementation of Programs and
Reporting of Information Concerning Student Health, Well-Being, and
Growth

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0789/133121/1

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 789

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, before “Education” insert “State Department of”; strike beginning with “Children” in line 4 down through “Growth” in line 6 and substitute “Personal Financial Literacy State Curriculum”; and strike beginning with “superintendent” in line 11 down through “program:” in line 20 and substitute “board of education to make certain certifications regarding a certain curriculum on or before a certain date each year; requiring the State Department of Education to develop a process to monitor certain implementation of a certain curriculum; requiring the Department to report certain information to the Governor and General Assembly on or before a certain date each year; expressing a certain intent of the General Assembly; defining a certain term;”.

On page 2, in line 1, after the first “the” insert “monitoring and”; strike beginning with “programs” in line 1 down through “State” in line 2 and substitute “the Personal Financial Literacy State Curriculum”; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(A) IN THIS SECTION, “PERSONAL FINANCIAL LITERACY STATE CURRICULUM” MEANS THE CONTENT STANDARDS FOR PERSONAL FINANCIAL LITERACY THAT HAVE BEEN DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE STATE BOARD.

“(B) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH COUNTY SUPERINTENDENT SHALL CERTIFY TO THE STATE SUPERINTENDENT THAT THE PERSONAL FINANCIAL LITERACY STATE CURRICULUM IS BEING TAUGHT IN THE COUNTY.

“(C) THE DEPARTMENT SHALL DEVELOP A PROCESS TO MONITOR IMPLEMENTATION OF THE PERSONAL FINANCIAL LITERACY STATE CURRICULUM.

“(D) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, REGARDING THE MONITORING AND IMPLEMENTATION OF THE PERSONAL FINANCIAL LITERACY STATE CURRICULUM.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the State Department of Education strongly consider requiring a measurement of financial literacy as a condition of graduation from public high schools in the State.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 22 on page 2 through line 7 on page 5, inclusive.

On page 5, in line 8, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1405)

The Bill was then sent to the House of Delegates.

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1406)

The Bill was then sent to the House of Delegates.

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a Certain Manner

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB1053/108877/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1053
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “presenting,”; in lines 6 and 11, in each instance, strike “purported matter,”; and in line 10, strike “, presenting,”.

AMENDMENT NO. 2

On page 2, in line 10, strike “**PRESENT,**”; and in lines 11 and 16 and 17, in each instance, strike “**PURPORTED MATTER,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1160 SPONSOR: Delegate Busch

SUBJECT: Safe Schools Act of 2010

THIRD READING CALENDAR HOUSE NO. 22 SENATE NO. R/S

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Nos. 4, 5, and 6 of the attached Education, Health, and Environmental Affairs Committee Amendments (HB1160/964931/1) be adopted.

(2) That Amendment Nos. 1, 2, and 3 of the attached Education, Health, and Environmental Affairs Committee Amendments (HB1160/964931/1) be rejected.

(3) That the attached Amendments by Senator Pinsky (HB1160/193420/1) be adopted.

(4) That the attached Conference Committee Amendments (HB1160/383029/1) be adopted.

HB1160/964931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1160

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “circumstances” in line 5 and substitute “clarifying the authority of the juvenile court to notify certain school officials of certain facts under certain circumstances”; in line 6, strike “requiring” and substitute “authorizing”; in lines 7 and 10, in each instance, strike “delinquent”; in lines 7 and 10, in each instance, strike the commas; in line 12, strike “local” and substitute “county”; strike beginning with “adding” in line 14 down through “circumstances;” in line 16; in line 16, strike “a certain” and substitute “certain”; in the same line, strike “agency” and substitute “agencies”; in lines 16 and 17, strike “a school security officer” and substitute “certain school officials”; in lines 17 and 19, in each instance, after “arrest” insert “or charge”; and in line 22, after “offense” insert “involving rape or a sexual offense”.

On page 2, in lines 6, 8, and 13, in each instance, strike “and gang-like activity” and substitute “, gang activity, and similar destructive or illegal group behavior”; in lines 7 and 8, strike “county board of education” and substitute “local school system”; in lines 8, 9, 10, and 11, in each instance, after “policy” insert “or regulations”; in lines 9, 10, 11, and 12, in each instance, strike “county board” and substitute “local school system”; in line 14, strike “gang or gang-like activity” and substitute “gang activity or similar destructive or illegal group behavior”; and in line 23, after “date;” insert “requiring the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to report to the Governor, the General Assembly, and certain legislative committees on or before a certain date regarding a certain process, certain notification, and certain recommendations;”.

AMENDMENT NO. 2

On page 3, in line 7, strike the brackets; in the same line, strike “SHALL”; in line 13, strike “SHALL” and substitute “MAY”; in line 17, strike “REQUIRED” and substitute “AUTHORIZED”; and in lines 28 and 30, in each instance, strike “LOCAL” and substitute “COUNTY”.

On page 4, in line 1, after “BOARD” insert “OF EDUCATION”; in line 5, strike “DELINQUENT OR”; in line 7, strike the brackets; in the same line, strike “SHALL”; in line 9, strike “DELINQUENT OR”; in line 14, strike “SHALL” and substitute “MAY”; in

line 18, strike “REQUIRED” and substitute “AUTHORIZED”; in line 20, strike “DELINQUENCY OR”; in line 26, strike “SUBSECTION” and substitute “PARAGRAPH”; and in lines 29 and 31, in each instance, strike “LOCAL” and substitute “COUNTY”.

AMENDMENT NO. 3

On page 5, in line 1, after “BOARD” insert “OF EDUCATION”.

On page 6, in line 29, strike the brackets.

On page 7, strike beginning with the semicolon in line 2 down through “ARTICLE” in line 10; in line 27, after “(b)”, insert “(1)”; and in lines 30 and 33, strike “(1)” and “(I)”, respectively, and substitute “(I)” and “1.”, respectively.

On page 8, in lines 1, 3, and 5, strike “(II)”, “(III)”, and “(2)”, respectively, and substitute “2.”, “3.”, “(II)”, respectively; and after line 6, insert:

“(2) IF A STUDENT IS ARRESTED AND CHARGED WITH A VIOLATION OF § 3-203, § 6-301, § 7-105, § 9-302, § 9-303, OR § 9-305 OF THE CRIMINAL LAW ARTICLE, THE LAW ENFORCEMENT AGENCY RESPONSIBLE FOR THE CHARGE:

“(I) SHALL NOTIFY THE FOLLOWING INDIVIDUALS OF THE CHARGE WITHIN 24 HOURS OF THE CHARGE OR AS SOON AS PRACTICABLE:

1. THE LOCAL SUPERINTENDENT;
2. THE SCHOOL PRINCIPAL; AND
3. FOR A SCHOOL THAT HAS A SCHOOL SECURITY OFFICER, THE SCHOOL SECURITY OFFICER; AND

“(II) MAY NOTIFY THE STATE’S ATTORNEY OF THE CHARGE.”.

AMENDMENT NO. 4

On page 9, in line 5, after “GRADUATES” insert “OR OTHERWISE PERMANENTLY LEAVES SCHOOL”; and in line 10, after “OFFENSE” insert “INVOLVING RAPE OR A SEXUAL OFFENSE”.

AMENDMENT NO. 5

On page 10, in lines 5 and 27, in each instance, after “GANGS” insert “, GANG ACTIVITY,”; in lines 5 and 27, in each instance, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”; in lines 13, 16 and 17, and 19, in each instance, strike “GANG OR GANG-LIKE ACTIVITY” and substitute “GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”; in lines 26 and 31, in each instance, strike “COUNTY BOARD” and substitute “LOCAL SCHOOL SYSTEM”; and in lines 26, 29, and 31, in each instance, after “POLICY” insert “OR REGULATIONS”.

On page 11, in lines 11, 13, 15, and 16, in each instance, strike “COUNTY BOARD” and substitute “LOCAL SCHOOL SYSTEM”; in lines 11, 13, and 22, in each instance, after “POLICY” insert “OR REGULATIONS”; in line 17, after “GANGS” insert “, GANG ACTIVITY,”; in line 24, strike “GANG OR GANG-LIKE ACTIVITY” and substitute “GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”; and in lines 17 and 18, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”.

On page 12, in line 28, after “POLICIES” insert “AND REGULATIONS”; in the same line, after “GANGS” insert “, GANG ACTIVITY,”; and in line 29, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”.

AMENDMENT NO. 6

On page 13, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, the Senate Education, Health, and Environmental Affairs Committee, the Senate Judicial Proceedings Committee, the House Judiciary Committee, and the House Committee on Ways and Means regarding:

(1) the process for notifying school officials under § 3–819 and § 3–8A–19 of the Courts and Judicial Proceedings Article;

(2) how often school officials are actually notified under these statutes;
and

(3) recommendations, if any, to improve this process and better serve these students.”;

and in line 8, strike “3.” and substitute “4.”.

HB1160/193420/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1160

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 32, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 7–302

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”;

and in line 35, strike “7–302 and”.

AMENDMENT NO. 2

On page 5, in lines 20, 22, 23, 24, 26, and 27, in each instance, strike the bracket; strike beginning with “**FOR**” in line 20 down through “**SHALL**” in line 21; and strike beginning with “**FOR**” in line 24 down through “**SHALL**” in line 25.

HB1160/383029/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1160
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “requiring” and substitute “clarifying the authority of”; in the same line, strike “a”; in the same line, strike “official” and substitute “officials”; in line 6, strike “requiring” and substitute “authorizing”; strike beginning with “requiring” in line 8 down through “circumstances;” in line 14; and in line 22, after “offense” insert “involving rape or a sexual offense”.

On page 2, in lines 6, 8, and 13, in each instance, strike “and gang-like activity” and substitute “, gang activity, and similar destructive or illegal group behavior”; in lines 7 and 8, strike “county board of education” and substitute “local school system”; in lines 8, 9, 10, and 11, in each instance, after “policy” insert “or regulations”; in lines 9, 10, 11, and 12, in each instance, strike “county board” and substitute “local school system”; in line 14, strike “gang or gang-like activity” and substitute “gang activity or similar destructive or illegal group behavior”; and in line 23, after “date;” insert “requiring the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to report to the Governor, the General Assembly, and certain legislative committees on or before a certain date regarding a certain process, certain notification, and certain recommendations;”.

AMENDMENT NO. 2

On page 3, in line 7, in each instance, strike the bracket; in the same line, strike “SHALL”; in line 13, strike “SHALL” and substitute “MAY”; and in line 17, strike “REQUIRED” and substitute “AUTHORIZED”.

On pages 3 and 4, strike in their entirety the lines beginning with line 20 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 7, in each instance, strike the bracket; in the same line, strike “SHALL”; in line 14, strike “SHALL” and substitute “MAY”; and in line 18, strike “REQUIRED” and substitute “AUTHORIZED”.

On pages 4 and 5, strike in their entirety the lines beginning with line 21 on page 4 through line 2 on page 5, inclusive.

Chair, **Joan Carter Conway**

Chair, **Craig L. Rice**

Paul G. Pinsky

John A. Olszewski, Jr.

Edward R. Reilly

Jolene Ivey

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1407)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 936** SPONSOR: **The Speaker****SUBJECT: Criminal Procedure – Sex Offenders –
Notification and Registration****THIRD READING CALENDAR HOUSE NO. 29 SENATE NO. 31**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0936/418870/1) be rejected.

(2) That the Amendments by Senators Colburn and Stoltzfus (HB0936/153023/1) be rejected.

(3) That the attached Conference Committee Amendments (HB0936/643926/2) be adopted.

HB0936/643926/2

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 936

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rudolph” and substitute “Rudolph, and Schuh”; in line 2, strike “Criminal Procedure” and substitute “Crimes”; in the same line, strike “and” and substitute a comma; in the same line, after “Registration” insert “, and Penalties”; in line 3, after the first “of” insert “increasing the maximum and mandatory minimum penalties for a person convicted of rape in the second degree of a child under the age of 13 years; increasing the maximum and mandatory minimum penalties for a person convicted of sexual offense in the second degree against a child under the age of 13 years;”; and strike beginning with “altering” in line 8 down through “judgment;” in line 9.

On page 2, in line 19, after “period;” insert “requiring a certain sexual offender registrant who establishes a new electronic mail address, computer log-in or screen name or identity, instant-message identity, or electronic chat room identity to provide written notice to the sexual offender registry of the new information within a certain period after establishing the new address, name, or identity;”; and in lines 29 and 30, strike “a certain term” and substitute “certain terms”.

On page 3, in line 6, after “person;” insert “prohibiting a certain person required to register as a sexual offender from knowingly failing to provide any information required to be included in a registration statement;”; in line 7, strike “, in consultation with the Department of State Police;”; in line 11, strike “offender registration” and substitute “offenders”; after line 11, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–304 and 3–306

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)”;

in line 14, strike “11-702,”; in line 15, strike “and 11-721” and substitute “11-721, and 11-723”; and in line 21, after “Section” insert “11-702 and”.

AMENDMENT NO. 2

On page 3, after line 30, insert:

“Article – Criminal Law

3-304.

(a) A person may not engage in vaginal intercourse with another:

(1) by force, or the threat of force, without the consent of the other;

(2) if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know that the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or

(3) if the victim is under the age of 14 years, and the person performing the act is at least 4 years older than the victim.

(b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of this section involving a child under the age of 13 years.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment not exceeding 20 years.

(2) (i) Subject to subparagraph (iv) of this paragraph, a person 18 years of age or older who violates subsection (b) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment for not less than [5] 15 years and not exceeding [20 years] LIFE.

(ii) A court may not suspend any part of the mandatory minimum sentence of [5] 15 years.

(iii) The person is not eligible for parole during the mandatory minimum sentence.

(iv) If the State fails to comply with subsection (d) of this section, the mandatory minimum shall not apply.

(d) If the State intends to seek a sentence of imprisonment for not less than [5] 15 years under subsection (c)(2) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial.

3-306.

(a) A person may not engage in a sexual act with another:

(1) by force, or the threat of force, without the consent of the other;

(2) if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the sexual act knows or reasonably should know that the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or

(3) if the victim is under the age of 14 years, and the person performing the sexual act is at least 4 years older than the victim.

(b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of this section involving a child under the age of 13 years.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of the felony of sexual offense in the second degree and on conviction is subject to imprisonment not exceeding 20 years.

(2) (i) Subject to subparagraph (iv) of this paragraph, a person 18 years of age or older who violates subsection (b) of this section is guilty of the felony of sexual offense in the second degree and on conviction is subject to imprisonment for not less than [5] 15 years and not exceeding [20 years] LIFE.

(ii) A court may not suspend any part of the mandatory minimum sentence of [5] 15 years.

(iii) The person is not eligible for parole during the mandatory minimum sentence.

(iv) If the State fails to comply with subsection (d) of this section, the mandatory minimum shall not apply.

(d) If the State intends to seek a sentence of imprisonment for not less than [5] 15 years under subsection (c)(2) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial."

On page 25, in line 25, strike "CERTIFIED BY THE STATE".

On page 34, strike beginning with the third comma in line 26 down through the comma in line 27.

AMENDMENT NO. 3

On page 13, strike in their entirety lines 6 through 30, inclusive, and substitute:

"(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THIS SUBTITLE SHALL BE APPLIED RETROACTIVELY TO INCLUDE A PERSON WHO:

(1) IS UNDER THE CUSTODY OR SUPERVISION OF A SUPERVISING AUTHORITY ON OCTOBER 1, 2010;

(2) WAS SUBJECT TO REGISTRATION UNDER THIS SUBTITLE ON SEPTEMBER 30, 2010; OR

(3) IS CONVICTED OF ANY CRIME ON OR AFTER OCTOBER 1, 2010, AND HAS A PRIOR CONVICTION FOR AN OFFENSE FOR WHICH REGISTRATION AS A SEX OFFENDER IS REQUIRED UNDER THIS SUBTITLE."

in line 31, strike "(E)" and substitute "(B)"; and in line 32, strike "OR (B)".

AMENDMENT NO. 4

On page 5, in line 2, strike “OR” and substitute a comma; in the same line, after “SLEEPS” insert “, OR VISITS”; and in line 6, strike “, FOR THE PURPOSE OF LIVING OR SLEEPING”.

On page 9, strike beginning with the comma in line 18 down through “ADULT” in line 19; strike in their entirety lines 24 through 28, inclusive; in lines 29 and 33, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively; and in line 31, strike “(1), (2), OR (3)” and substitute “(1) OR (2)”.

On page 10, in lines 15, 18, 19, and 26, strike “(6)”, “(5)”, “(7)”, and “(6)”, respectively, and substitute “(5)”, “(4)”, “(6)”, and “(5)”, respectively.

On page 11, in line 4, strike “§ 3-308, § 3-314,” and substitute “§ 3-314”; in lines 14 and 22, in each instance, strike “(4)” and substitute “(3)”; in line 28, strike “OR”; in line 32, after the semicolon, insert “OR”

(III) THE COMMON LAW OFFENSE OF SODOMY OR § 3-322 OF THE CRIMINAL LAW ARTICLE IF THE OFFENSE WAS COMMITTED WITH FORCE OR THREAT OF FORCE;

in line 34, strike “§ 3-308,”; and in the same line, strike “§ 3-321, § 3-322,”.

On page 12, strike beginning with “CONSPIRING” in line 6 down through “(5)” in line 12; and in lines 16, 18, 20, and 27, strike “(6)”, “(5)”, “(7)”, and “(5)”, respectively, and substitute “(5)”, “(3)”, “(6)”, and “(3)”, respectively.

On page 13, in lines 1 and 3, in each instance, strike the bracket.

On page 15, in line 33, after “II” insert “SEX OFFENDER”.

On page 18, in lines 24 and 27, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

On page 19, in line 3, strike “(4)” and substitute “(5)”; and in line 31, strike “24 HOURS” and substitute “3 DAYS”.

On page 20, in line 1, strike “**THE**” and substitute “**A**”; and in line 17, strike the second “**THE**” and substitute “**EACH**”.

On page 21, in line 5, strike the second “the” and substitute “**EACH**”; in lines 8 and 12, in each instance, strike “**THE**” and substitute “**EACH**”; in line 22, strike the first “**THE**” and substitute “**A**”; in line 30, strike “**LOCATION**” and substitute “**LOCATIONS**”; and after line 31, insert:

“(J) A REGISTRANT WHO ESTABLISHES A NEW ELECTRONIC MAIL ADDRESS, COMPUTER LOG-IN OR SCREEN NAME OR IDENTITY, INSTANT-MESSAGE IDENTITY, OR ELECTRONIC CHAT ROOM IDENTITY SHALL SEND WRITTEN NOTICE OF THE NEW INFORMATION TO THE STATE REGISTRY WITHIN 3 DAYS AFTER THE ELECTRONIC MAIL ADDRESS, COMPUTER LOG-IN OR SCREEN NAME OR IDENTITY, INSTANT-MESSAGE IDENTITY, OR ELECTRONIC CHAT ROOM IDENTITY IS ESTABLISHED.”

On page 26, in line 18, strike the second “the” and substitute “**EACH**”; and in line 19, after “reside” insert “**OR HABITUALLY LIVE**”.

On page 28, in line 14, strike “**THE**” and substitute “**A**”.

On page 29, in line 3, strike the third “the” and substitute “**EACH**”; in line 9, strike the fourth “the” and substitute “**EACH**”; and in line 33, strike the first “**THE**” and substitute “**A**”.

On page 30, in line 17, in each instance, strike “**THE**” and substitute “**A**”; and in line 25, strike the first “the” and substitute “**EACH**”.

On page 33, in line 14, strike “, crime,”; and in line 23, strike the second “the” and substitute “**EACH**”.

On page 34, in line 6, strike the first “**THE**” and substitute “**A**”; in the same line, strike “**RESIDES**” and substitute “**LIVES**”; and in line 14, after “subtitle,” insert “**KNOWINGLY FAIL TO PROVIDE ANY INFORMATION REQUIRED TO BE INCLUDED IN A REGISTRATION STATEMENT DESCRIBED IN § 11-706 OF THIS SUBTITLE,**”.

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Larry E. Haines

Jeff Waldstreicher

Jamie Raskin

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1408)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 122** SPONSOR: **Delegate Anderson****SUBJECT: Criminal Procedure – Board of Trustees of the
Office of the Public Defender – Modification****THIRD READING CALENDAR HOUSE NO. 3 SENATE NO. 30**

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Judicial Proceedings Committee Amendments (HB0122/958876/1) be adopted.

(2) That the attached Conference Committee Amendments (HB0122/423720/1) be adopted.

HB0122/958876/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 122
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Procedure” and substitute “Office of the Public Defender”; in lines 2 and 3, strike “of the Office of the Public Defender – Modification” and substitute “– Membership”; in line 4, strike “a provision of law requiring” and substitute “the requirement”; in line 6, strike “, by a certain vote.”; in line 7, after “reasons” insert “, only on the recommendation of the Board of Trustees”; in line 8, after the semicolon insert “providing that the Public Defender may serve for a certain term.”; and in lines 9 and 10, strike “and chair”.

On pages 1 and 2, strike beginning with “requiring” in line 10 on page 1 down through “qualifies” in line 5 on page 2 and substitute “increasing the number of members of the Board of Trustees who are required to be active attorneys admitted to practice before the Court of Appeals of Maryland; requiring certain members of the Board of Trustees to have certain qualifications; prohibiting certain persons from serving on the Board of Trustees; providing for the staggering of terms of the Board of Trustees; specifying that at the end of a term a member of the Board of Trustees continues to serve until a successor is appointed and qualifies; authorizing the reappointment to the Board of Trustees of a member whose term has expired; providing for the manner of appointing a member to fill a vacancy on the Board of Trustees; increasing the requirements for a quorum of the Board of Trustees; altering the number of members of the Board of Trustees that are required to make a request in order to call for an additional meeting; requiring that the initial members of the Board of Trustees be appointed on or before a certain date; specifying the terms of the initial members of the Board of Trustees; providing that a member of the Board of Trustees who is serving on the effective date of this Act shall continue to serve until a successor is appointed and qualifies; providing that the Public Defender who is serving on the effective date of this Act may continue to serve for a certain time”.

On page 2, strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 3, after line 4, insert:

“(7) THE PUBLIC DEFENDER SERVES FOR A TERM OF 6 YEARS.”;

in line 7, strike “(1)”; strike beginning with “appointed” in line 7 down through “ASSOCIATIONS” in line 16; in line 18, strike “AND HAVE DEMONSTRATED COMMITMENT TO INDIGENT DEFENSE”; strike in their entirety lines 19 through 23, inclusive, and substitute:

“(2) NINE MEMBERS OF THE BOARD OF TRUSTEES SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE AND SHALL INCLUDE A REPRESENTATIVE OF EACH JUDICIAL CIRCUIT OF THE STATE.

(3) SIX MEMBERS OF THE BOARD OF TRUSTEES APPOINTED BY THE GOVERNOR SHALL BE ACTIVE ATTORNEYS ADMITTED TO PRACTICE BEFORE THE COURT OF APPEALS OF MARYLAND.

(4) ONE MEMBER SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE.

(5) ONE MEMBER SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES.

(6) ONE MEMBER SHALL BE THE DEAN OF THE UNIVERSITY OF MARYLAND SCHOOL OF LAW, OR THE DEAN’S DESIGNEE.

(7) ONE MEMBER SHALL BE THE DEAN OF THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW, OR THE DEAN’S DESIGNEE.

(8) EACH MEMBER APPOINTED TO THE BOARD OF TRUSTEES SHALL:

(I) HAVE SIGNIFICANT EXPERIENCE IN CRIMINAL DEFENSE OR OTHER MATTERS RELEVANT TO THE WORK OF THE BOARD OF TRUSTEES; OR

(II) HAVE DEMONSTRATED A STRONG COMMITMENT TO QUALITY REPRESENTATION OF INDIGENT DEFENDANTS, INCLUDING JUVENILE RESPONDENTS.

(9) A MEMBER OF THE BOARD OF TRUSTEES MAY NOT BE:

(I) A CURRENT MEMBER OR EMPLOYEE OF:

1. THE JUDICIAL BRANCH; OR

2. A LAW ENFORCEMENT AGENCY IN THE STATE; OR

(II) 1. A STATE'S ATTORNEY OF A COUNTY OR MUNICIPAL CORPORATION OF THE STATE;

2. THE ATTORNEY GENERAL OF MARYLAND; OR

3. THE STATE PROSECUTOR";

in line 24, strike "a" and substitute "AN APPOINTED"; in line 25, after "OF" insert "APPOINTED"; in line 26, strike "JUNE" and substitute "OCTOBER"; after line 27, insert:

"(3) A VACANCY OCCURRING ON THE BOARD OF TRUSTEES DURING THE TERM OF A MEMBER SHALL BE FILLED FOR THE REMAINDER OF THE UNEXPIRED TERM IN THE SAME MANNER AS PROVIDED FOR APPOINTMENTS IN THIS SECTION.";

and in lines 28 and 30, strike "(3)" and "(4)", respectively, and substitute "(4)" and "(5)".

On page 4, strike in their entirety lines 1 through 3, inclusive; in lines 4 and 6, in each instance, strike the bracket; and in line 12, strike "two" and substitute "FOUR".

On pages 4 through 6 strike in their entirety the lines beginning with line 19 on page 4 through line 12 on page 6, inclusive.

On page 6, strike in their entirety lines 17 through 23, inclusive, and substitute:

“(1) the members appointed by the Governor representing judicial circuits one through four in 2012;

(2) the members appointed by the Governor representing judicial circuits five through eight in 2013; and

(3) the members appointed by the President of the Senate and the Speaker of the House of Delegates in 2014.”;

after line 26, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Public Defender who is serving on the effective date of this Act may continue to serve until 6 years after the effective date of this Act.”;

in line 27, strike “5.” and substitute “6.”; and in line 28, strike “June” and substitute “October”.

HB0122/423720/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 122, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (HB0122/958876/1), in Amendment No. 1, strike beginning with “altering” in line 18 down through “meeting.” in line 20; and in line 25, after “time” insert “and may be reappointed after the expiration of the Public Defender’s term”.

AMENDMENT NO. 2

On page 2 of the Judicial Proceedings Committee Amendments, in line 7 of Amendment No. 2, strike “**NINE**” and substitute “**11**”; in line 11, strike “**SIX**” and substitute “**ALL**”; and in lines 11 and 12, strike “**APPOINTED BY THE GOVERNOR**”.

On pages 2 and 3 of the Judicial Proceedings Committee Amendments, in Amendment No. 2, strike beginning with “ONE” in line 18 on page 2 down through “(8)” in line 3 on page 3.

On page 3 of the Judicial Proceedings Committee Amendments, in line 10 of Amendment No. 2, strike “(9)” and substitute “(7)”.

On page 4 of the Judicial Proceedings Committee Amendments, in line 12 of Amendment No. 2, strike “FOUR” and substitute “two”.

On page 5 of the Judicial Proceedings Committee Amendments, in line 3 of Amendment No. 2, after “Act” insert “and may be reappointed after the expiration of the Public Defender’s term”; and in line 5, strike “October” and substitute “June”.

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Ben Barnes**

Alexander X. Mooney

Todd Schuler

Jennie M. Forehand

Michael D. Smigiel, Sr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

☒ Chief Clerk

☐ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1409)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 473**

SPONSOR: **The Speaker**

**SUBJECT: Criminal Procedure – Sexual Offenders –
Lifetime Supervision**

THIRD READING CALENDAR HOUSE NO. 24 SENATE NO. 31

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Nos. 1, 2, and 3, of the attached Judicial Proceedings Committee Amendments (HB0473/848976/1) be adopted.

(2) That Amendment No. 4 of the attached Judicial Proceedings Committee Amendments (HB0473/848976/1) be rejected.

(3) That the attached Conference Committee Amendments (HB0473/593427/1) be adopted.

HB0473/848976/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 473
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “supervision;” insert “adding certain hearings related to lifetime sexual offender supervision to the list of subsequent proceedings for which the State’s Attorney is required to provide a certain notice to a certain victim or victim’s representative;”; in line 8, after the first “supervision;” insert “authorizing a sentence for certain persons to include a term of lifetime sexual offender supervision;”; and in line 14, after “circumstances;” insert “requiring the sentencing court to order a certain risk assessment under certain circumstances;”.

On page 2, strike beginning with “clarifying” in line 2 down through “law;” in line 4; in line 7, before “prohibiting” insert “requiring certain judges to hear certain violations and certain petitions;”; strike beginning with “clarifying” in line 10 down through “law;” in line 11; and in line 26, strike “11–701” and substitute “11–503, 11–701.”.

AMENDMENT NO. 2

On page 3, after line 14, insert:

“11–503.

(a) In this section, “subsequent proceeding” includes:

(1) a sentence review under § 8–102 of this article;

(2) a hearing on a request to have a sentence modified or vacated under the Maryland Rules;

(3) in a juvenile delinquency proceeding, a review of a commitment order or other disposition under the Maryland Rules;

(4) an appeal to the Court of Special Appeals;

(5) an appeal to the Court of Appeals; [and]

(6) A HEARING ON AN ADJUSTMENT OF SPECIAL CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION UNDER § 11–723 OF THIS TITLE OR A HEARING ON A VIOLATION OF SPECIAL CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION OR A PETITION FOR DISCHARGE FROM SPECIAL CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION UNDER § 11–724 OF THIS TITLE; AND

(7) any other postsentencing court proceeding.

(b) Following conviction or adjudication and sentencing or disposition of a defendant or child respondent, the State’s Attorney shall notify the victim or victim’s representative of a subsequent proceeding in accordance with § 11–104(e) of this title if:

(1) before the State’s Attorney distributes notification request forms under § 11–104(c) of this title, the victim or victim’s representative submitted to the State’s Attorney a written request to be notified of subsequent proceedings; or

(2) after the State's Attorney distributes notification request forms under § 11-104(c) of this title, the victim or victim's representative submits a notification request form in accordance with § 11-104(d) of this title.

(c) (1) The State's Attorney's office shall:

(i) notify the victim or victim's representative of all appeals to the Court of Special Appeals and the Court of Appeals; and

(ii) send an information copy of the notification to the office of the Attorney General.

(2) After the initial notification to the victim or victim's representative or receipt of a notification request form, as defined in § 11-104 of this title, the office of the Attorney General shall:

(i) notify the victim or victim's representative of each subsequent date pertinent to the appeal, including dates of hearings, postponements, and decisions of the appellate courts; and

(ii) send an information copy of the notification to the State's Attorney's office.

(d) A notice sent under this section shall include the date, the time, the location, and a brief description of the subsequent proceeding.”.

AMENDMENT NO. 3

On page 8, in line 7, after “§ 3-305,” insert “OR”; and in the same line, strike “, OR § 3-307(A)(1) OR (2)”; in line 14, after the semicolon, insert “AND”; strike lines 15 and 16 in their entirety; in line 17, strike “(6)” and substitute “(5)”; in line 18, after “ONCE” insert “ARISING OUT OF SEPARATE INCIDENTS”; strike beginning with “AS” in line 19 down through “OFFENDER” in line 20; after line 20, insert:

“(B) EXCEPT WHERE A TERM OF NATURAL LIFE WITHOUT THE POSSIBILITY OF PAROLE IS IMPOSED, A SENTENCE FOR A VIOLATION OF § 3-307(A)(1) OR (2) MAY INCLUDE A TERM OF LIFETIME SEXUAL OFFENDER SUPERVISION.”;

in line 21, strike “(b)” and substitute “(C)”; in line 27, strike “(C)” and substitute “(D)”; in the same line, strike “**THE**” and substitute “**FOR A SENTENCE THAT INCLUDES A TERM OF LIFETIME SEXUAL OFFENDER SUPERVISION, THE**”; in line 32, after “**ORDER**” insert “**;**”

(I);

and in line 33, after “**ARTICLE**” insert “**;****AND**

(II) FOR A SENTENCE FOR A VIOLATION OF § 3-307(A)(1) OR (2), A RISK ASSESSMENT OF THE PERSON CONDUCTED BY A SEXUAL OFFENDER TREATMENT PROVIDER”.

On page 9, strike in their entirety lines 28 through 30, inclusive.

On page 11, after line 16, insert:

“(1) ON WRITTEN CHARGES UNDER OATH OR ON VIOLATION OF A CONDITION OF SUPERVISION, ISSUE A WARRANT REQUIRING THE PERSON UNDER SUPERVISION TO BE BROUGHT OR TO APPEAR BEFORE THE JUDGE ISSUING THE WARRANT:

(I) TO ANSWER THE CHARGE OF VIOLATION OF CONDITIONS OF SUPERVISION; AND

(II) TO BE PRESENT FOR THE SETTING OF A HEARING DATE FOR THAT CHARGE;”;

in line 17, strike “(1)”; in line 25, before “**REMAND**” insert “**(2)**”; in line 26, after the second “**THE**” insert “**HEARING OR**”; in line 27, strike the first “**A**” and substitute “**THE**”; strike beginning with “**OF**” in line 27 down through “**SUPERVISION**” in line 28; in line 29, strike “**(2)**” and substitute “**(3)**”; in the same line, after “**IF**” insert “**AT THE HEARING**”; and in line 30, strike “**COMMITTED A VIOLATION OF**” and substitute “**VIOLATED**”.

AMENDMENT NO. 4

On page 12, before line 7, insert:

“(F) (1) THE JUDGE WHO ORIGINALLY IMPOSED THE LIFETIME SEXUAL OFFENDER SUPERVISION SHALL HEAR ANY CHARGE OF VIOLATION OF CONDITIONS OF SUPERVISION.

(2) IF THE JUDGE HAS BEEN REMOVED FROM OFFICE, HAS DIED OR RESIGNED, OR IS OTHERWISE INCAPACITATED, ANOTHER JUDGE MAY ACT IN THE MATTER.”;

in line 7, strike “(F)” and substitute “(G)”; strike beginning with “IS” in line 25 down through “OTHERS” in line 26 and substitute “no longer poses an unacceptable risk to community safety”; and strike lines 32 and 33 in their entirety.

HB0473/593427/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 473, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after “crime” insert “or act”; and in lines 11, 13, and 14, in each instance, after “court” insert “or juvenile court”.

On page 1 of the Judicial Proceedings Committee Amendments (HB0473/848976/1), in Amendment No. 1, strike beginning with “requiring” in line 9 down through “petitions;” in line 10.

AMENDMENT NO. 2

On page 8 of the bill, strike beginning with “FOR” in line 13 down through the first “OF” in line 14 and substitute “INVOLVING”; after line 14, insert:

“(5) A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE; AND”;

in line 21, strike “The” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE”; in line 23, strike “August 1, 2006” and substitute

“OCTOBER 1, 2010”; in lines 24 and 25, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; after line 26, insert:

“(2) FOR A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE, THE TERM OF LIFETIME SEXUAL OFFENDER SUPERVISION IMPOSED FOR AN ACT COMMITTED ON OR AFTER OCTOBER 1, 2010, SHALL:

(I) COMMENCE WHEN THE PERSON’S OBLIGATION TO REGISTER COMMENCES; AND

(II) EXPIRE WHEN THE PERSON’S OBLIGATION TO REGISTER EXPIRES, UNLESS THE JUVENILE COURT:

1. FINDS AFTER A HEARING THAT THERE IS A COMPELLING REASON FOR THE SUPERVISION TO CONTINUE; AND

2. ORDERS THE SUPERVISION TO CONTINUE FOR A SPECIFIED PERIOD OF TIME.”;

in line 27, after “COURT” insert “, OR JUVENILE COURT IN THE CASE OF A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE,”; in line 29, after “SENTENCING” insert “, OR IMPOSITION OF THE REGISTRATION REQUIREMENT IN JUVENILE COURT,”; and in line 32, after “COURT” insert “OR JUVENILE COURT”.

On page 9 of the bill, in line 12, strike “CERTIFIED”; and in lines 24 and 25, in each instance, after “COURT” insert “OR JUVENILE COURT”.

On page 3 of the Judicial Proceedings Committee Amendments, in line 2 of Amendment No. 3, strike “AND”; and in line 3, strike “(5)” and substitute “(6)”.

AMENDMENT NO. 3

On page 11 of the bill, in line 14, strike “(G)” and substitute “(F)”.

On page 4 of the Judicial Proceedings Committee Amendments, in Amendment No. 3, strike beginning with “ON” in line 12 down through “CHARGE,” in line 19.

On page 5 of the Judicial Proceedings Committee Amendments, in Amendment No. 3, in line 1, strike “**(2)**”; in line 3, strike “**THE**” and substitute “**A**”; in line 4, strike “**(3)**” and substitute “**(2)**”; in lines 4 and 5, strike “**AT THE HEARING**”; and in line 6, strike “**VIOLATED**” and substitute “**COMMITTED A VIOLATION OF**”.

On page 11 of the bill, in line 27, after “**CHARGE**” insert “**OF VIOLATION OF A CONDITION OF LIFETIME SEXUAL OFFENDER SUPERVISION**”.

On page 12 of the bill, in line 26, strike “**SELF OR**”; and strike lines 32 and 33 in their entirety.

On page 14 of the bill, in line 4, after “**COURT**” insert “**, OR JUVENILE COURT IN THE CASE OF A PERSON WHO IS REQUIRED TO REGISTER UNDER § 11-704(C) OF THIS SUBTITLE,**”.

Senate Members:

House Members:

Chair, **James Brochin**

Chair, **Kathleen M. Dumais**

Larry E. Haines

Jeff Waldstreicher

Jamie Raskin

William J. Frank

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1410)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #55**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 576 – Prince George’s County Delegation and Montgomery County
Delegation**

AN ACT concerning

**Prince George’s County ~~and Montgomery County Delegation~~ – Development
Permits – Expedited Review for Qualifying Redevelopment Projects**

PG/MC 115–10

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 678 – Frederick County Delegation

AN ACT concerning

Frederick County – Pay-As-You-Throw Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Brinkley moved, duly seconded, to put **House Bill 678** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 678** on Third Reading and Final Passage.

House Bill 678 – Frederick County Delegation

AN ACT concerning

Frederick County – Pay-As-You-Throw Pilot Program

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1411)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 686 – Delegates Wood, Bohanan, and O'Donnell

AN ACT concerning

St. Mary's County – Wild Waterfowl Hunting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Dyson moved, duly seconded, to put **House Bill 686** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 686** on Third Reading and Final Passage.

House Bill 686 – Delegates Wood, Bohanan, and O'Donnell

AN ACT concerning

St. Mary's County – Wild Waterfowl Hunting

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1412)

The Bill was then sent to the House of Delegates.

MOTION

House Bill 576 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

**Prince George's County ~~and Montgomery County Delegation~~ – Development
Permits – Expedited Review for Qualifying Redevelopment Projects**

PG/MC 115–10

Senator Exum moved, duly seconded, to put **House Bill 576** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 576** on Third Reading and Final Passage.

**House Bill 576 – Prince George's County Delegation and Montgomery County
Delegation**

AN ACT concerning

**Prince George's County ~~and Montgomery County Delegation~~ – Development
Permits – Expedited Review for Qualifying Redevelopment Projects**

PG/MC 115–10

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1413)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 858 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Leghold or Body-Gripping Traps – Prohibition

MC 16–10

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

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1175 – Kent County Delegation

AN ACT concerning

Kent County Board of Education – Members – Terms and Vacancies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Colburn moved, duly seconded, to put **House Bill 1175** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1175** on Third Reading and Final Passage.

House Bill 1175 – Kent County Delegation

AN ACT concerning

Kent County Board of Education – Members – Terms and Vacancies

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1414)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1481 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Montgomery County – Maryland–National Capital Park and Planning Commission – Lease, Contract, or Agreement – Terms

PG/MC 118–10

HB1481/334231/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1481

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 8, after “County;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “**PROHIBITS**” in line 39 on page 2 down through “**AGREEMENT**” in line 2 on page 3 and substitute “**GRANTS A PERSON OTHER THAN THE COMMISSION THE AUTHORITY TO CLOSE OR REQUIRE THE CLOSING OF AN EXISTING PARK OR PARK FACILITY UNDER THE JURISDICTION OF THE COMMISSION TO PREVENT COMPETITION**”.

On page 3, strike in their entirety lines 3 and 4 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1512 – Frederick County Delegation

AN ACT concerning

Frederick County – Archery Hunting – Safety Zone

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Madaleno moved, duly seconded, to make the Bill a Special Order for later.

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

Affirmative – 18 Negative – 27 (See Roll Call No. 1415)

Senator Frosh moved, duly seconded, to put **House Bill 1512** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 41 Negative – 3 (See Roll Call No. 1416)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1512** on Third Reading and Final Passage.

House Bill 1512 – Frederick County Delegation

AN ACT concerning

Frederick County – Archery Hunting – Safety Zone

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 42 Negative – 1 (See Roll Call No. 1417)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 899** SPONSOR: **The President**

SUBJECT: **Education Reform Act of 2010**

THIRD READING CALENDAR HOUSE NO. **26** SENATE NO. **53**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Ways and Means Committee Amendments (SB0899/305169/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0899/483628/1) be adopted.

SB0899/483628/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 899
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; in line 4, strike "public" and substitute "local"; and in line 15, after "circumstances," insert "requiring the State Board to adopt certain regulations that establish general standards for certain performance evaluations including certain model performance criteria; requiring the State Board to solicit certain information and recommendations from local school systems before proposing certain regulations and convene a certain meeting;"

On page 2, strike beginning with "authorizing" in line 2 down through "measures" in line 3 and substitute "requiring certain performance evaluation criteria adopted by the State Board to take effect in a local jurisdiction at a certain time under certain circumstances"; in line 5, strike "may include certain elements" and substitute "meets certain requirements; authorizing the program to include certain incentives"; strike beginning with "restricting" in line 5 down through "purposes;" in line 6; in line 9, after "Certification," insert "requiring each local school system, on or before a certain date, to submit to the State Board certain information relating to the local school system's teacher monitoring program; providing for the construction of certain provisions of this Act"; in line 10, after "Act," insert "making this Act an emergency measure"; and in line 11, strike "public" and substitute "local".

AMENDMENT NO. 2

On page 3, in line 17, strike “public” and substitute “LOCAL”; in line 32, strike “**IF**” and substitute “**SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF**”; and in line 33, after “**TENURE**” insert “**AT ANY FORMAL EVALUATION POINT**”.

On page 4, in line 1, after “**MENTOR**” insert “**PROMPTLY**”; after line 5, insert:

“(III) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROHIBIT A COUNTY BOARD FROM ASSIGNING A MENTOR AT ANY TIME DURING A NONTENURED CERTIFICATED EMPLOYEE’S EMPLOYMENT.”;

and in line 31, strike “**1.**”.

On pages 4 and 5, strike beginning with “**THAT**” in line 32 on page 4 down through “**MENTORING**” in line 3 on page 5 and substitute “**, INCLUDING PROVISIONS TO ENSURE THAT MENTORS PROVIDE MENTORING**”.

On page 5, in lines 4, 5, 6, 7, 8, 10, and 11, strike “**A.**”, “**B.**”, “**C.**”, “**D.**”, “**E.**”, “**F.**”, and “**G.**”, respectively, and substitute “**1.**”, “**2.**”, “**3.**”, “**4.**”, “**5.**”, “**6.**”, and “**7.**”, respectively.

AMENDMENT NO. 3

On page 5, in line 21, strike “**THE**” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE**”; after line 25, insert:

“(II) THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE MODEL PERFORMANCE EVALUATION CRITERIA.

(III) BEFORE THE PROPOSAL OF THE REGULATIONS REQUIRED UNDER THIS PARAGRAPH, THE STATE BOARD SHALL SOLICIT INFORMATION AND RECOMMENDATIONS FROM EACH LOCAL SCHOOL SYSTEM AND CONVENE A MEETING WHEREIN THIS INFORMATION AND RECOMMENDATIONS ARE DISCUSSED AND CONSIDERED.

(3) SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION;

in line 26, strike “**(3)**” and substitute “**(I)**”; and after line 30, insert:

“(II) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO REQUIRE MUTUAL AGREEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO BE GOVERNED BY SUBTITLES 4 AND 5 OF THIS TITLE.”.

On page 6, in line 8, after “(5)” insert “(I)”; and after line 9, insert:

“(II) NO SINGLE CRITERION SHALL ACCOUNT FOR MORE THAN 35% OF THE TOTAL PERFORMANCE EVALUATION CRITERIA.

(6) IF A LOCAL SCHOOL SYSTEM AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE MODEL PERFORMANCE EVALUATION CRITERIA ADOPTED BY THE STATE BOARD UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL TAKE EFFECT IN THE LOCAL JURISDICTION 6 MONTHS FOLLOWING THE FINAL ADOPTION OF THE REGULATIONS.”.

AMENDMENT NO. 4

On pages 6 and 7, strike beginning with “(I)” in line 11 on page 6 down through “RESTRUCTURING.” in line 10 on page 7 and substitute:

“(I) 1. THE STATE BOARD SHALL ESTABLISH A PROGRAM TO SUPPORT LOCALLY NEGOTIATED INCENTIVES, GOVERNED UNDER SUBTITLES 4 AND 5 OF THIS TITLE, FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS THAT ARE:

A. IN IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING;

B. CATEGORIZED BY THE LOCAL SCHOOL SYSTEM AS A TITLE I SCHOOL; OR

C. IN THE HIGHEST 25% OF SCHOOLS IN THE STATE BASED ON A RANKING OF THE PERCENTAGE OF STUDENTS WHO RECEIVE FREE AND REDUCED PRICED MEALS.

**2. THE PROGRAM ESTABLISHED UNDER
SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY INCLUDE FINANCIAL
INCENTIVES, LEADERSHIP CHANGES, OR OTHER INCENTIVES.”**

On page 7, in line 11, strike “**(IV)**” and substitute “**(II)**”.

AMENDMENT NO. 5

On page 7, in line 19, after “Article” insert “, as enacted by Section 1 of this Act.”; after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, each local school system shall submit to the State Board of Education a description of the local school system’s teacher mentoring program, including data relating to the number of mentors who have been assigned, the number of teachers to whom the mentors have been assigned, and how, if at all, the effectiveness of the mentoring program is measured.”;

in line 21, strike “3.” and substitute “4.”; in line 23, strike “public” and substitute “local”; and strike in their entirety lines 25 and 26 and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Anne R. Kaiser**

Joan Carter Conway

Craig L. Rice

Jim Rosapepe

John A. Olszewski, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1418)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 1263** SPONSOR: **The Speaker**

SUBJECT: **Education Reform Act of 2010**

THIRD READING CALENDAR HOUSE NO. **31** SENATE NO. **10**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Education, Health, and Environmental Affairs Committee Amendments (HB1263/924137/1) be rejected.

(2) That the attached Conference Committee Amendments (HB1263/753224/1) be adopted.

HB1263/753224/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1263

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in lines 8 and 9, strike “certain guidance and instruction and”; and in line 17, strike “establishing” and substitute “to establish certain”.

On pages 1 and 2, strike beginning with “for” in line 17 on page 1 down through “funds” in line 6 on page 2 and substitute “that include certain provisions; requiring certain employees to be tenured under certain circumstances; authorizing certain local school systems to extend a certain probationary period for certain employees under certain circumstances; requiring the State Board to adopt certain regulations that establish general standards for certain performance evaluations, including certain model performance evaluation criteria; requiring the State Board to solicit certain information and recommendations from local school systems before proposing certain regulations and convene a certain meeting; requiring certain county boards to establish certain performance evaluation criteria that are mutually agreed upon by certain local school systems and certain exclusive employee representatives for certain teachers and principals based on certain standards; requiring certain performance evaluation criteria to include certain data as a certain component of the evaluation; requiring that a certain component of an evaluation be one of multiple measures; prohibiting certain performance evaluation criteria from being based solely on certain examinations or assessments; requiring certain model performance evaluation criteria adopted by the State Board to take effect in a local jurisdiction at a certain time under certain circumstances; requiring the State Board to establish a certain program to support certain incentives for certain teachers and principals that meets certain requirements; authorizing the program to include certain incentives; requiring the State Board to adopt certain guidelines to implement a certain program; authorizing the award of certain stipends in certain years to be based on obtainment of National Board Certification; requiring each local school system, on or before a certain date, to submit to the State Board certain information relating to the local system’s teacher mentoring program; providing for the construction of certain provisions of this Act”.

On page 2, in line 7, after “Act;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 3, in line 13, strike “SUBJECT TO” and substitute “EXCEPT AS PROVIDED IN”; in the same line, strike “(2)” and substitute “(3)”; in line 30, strike “IF” and substitute “SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, IF”; in line 33, after “MENTOR” insert “PROMPTLY”.

On page 4, after line 2, insert:

“(III) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROHIBIT A COUNTY BOARD FROM ASSIGNING A MENTOR AT ANY TIME DURING A NONTENURED CERTIFICATED EMPLOYEE’S EMPLOYMENT.”;

in line 4, strike “ANY” and substitute “A”; strike beginning with “IS” in line 30 down through “MENTORED” in line 31 and substitute “:

1. IS FOCUSED;
2. IS SYSTEMATIC;
3. IS ONGOING;
4. IS OF HIGH QUALITY;
5. IS GEARED TO THE NEEDS OF EACH EMPLOYEE
BEING MENTORED;
6. INCLUDES OBSERVATIONS; AND
7. INCLUDES FEEDBACK”.

AMENDMENT NO. 3

On page 5, in line 4, strike “MEASURED” and substitute “ASSESSED”; in the same line, strike “CRITERIA” and substitute “MEASURES”; and strike in their entirety lines 6 through 20, inclusive, and substitute:

“(2) (I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH GENERAL STANDARDS FOR PERFORMANCE EVALUATIONS FOR CERTIFICATED TEACHERS AND PRINCIPALS THAT INCLUDE OBSERVATIONS, CLEAR STANDARDS, RIGOR, AND CLAIMS AND EVIDENCE OF OBSERVED INSTRUCTION.

(II) THE REGULATIONS ADOPTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE MODEL PERFORMANCE EVALUATION CRITERIA.

(III) BEFORE THE PROPOSAL OF THE REGULATIONS REQUIRED UNDER THIS PARAGRAPH, THE STATE BOARD SHALL SOLICIT INFORMATION AND RECOMMENDATIONS FROM EACH LOCAL SCHOOL SYSTEM AND CONVENE A MEETING WHEREIN THIS INFORMATION AND THESE RECOMMENDATIONS ARE DISCUSSED AND CONSIDERED.

(3) SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION:

(I) A COUNTY BOARD SHALL ESTABLISH PERFORMANCE EVALUATION CRITERIA FOR CERTIFICATED TEACHERS AND PRINCIPALS IN THE LOCAL SCHOOL SYSTEM BASED ON THE GENERAL STANDARDS ADOPTED UNDER PARAGRAPH (2) OF THIS SUBSECTION THAT ARE MUTUALLY AGREED ON BY THE LOCAL SCHOOL SYSTEM AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE.

(II) NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO REQUIRE MUTUAL AGREEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO BE GOVERNED BY SUBTITLES 4 AND 5 OF THIS TITLE.

(4) THE PERFORMANCE EVALUATION CRITERIA DEVELOPED UNDER PARAGRAPH (3) OF THIS SUBSECTION:

(I) SHALL INCLUDE DATA ON STUDENT GROWTH AS A SIGNIFICANT COMPONENT OF THE EVALUATION AND AS ONE OF MULTIPLE MEASURES; AND

(II) MAY NOT BE BASED SOLELY ON AN EXISTING OR NEWLY CREATED SINGLE EXAMINATION OR ASSESSMENT.

(5) (I) AN EXISTING OR NEWLY CREATED SINGLE EXAMINATION OR ASSESSMENT MAY BE USED AS ONE OF THE MULTIPLE MEASURES.

(II) NO SINGLE CRITERION SHALL ACCOUNT FOR MORE THAN 35% OF THE TOTAL PERFORMANCE EVALUATION CRITERIA.

(6) IF A LOCAL SCHOOL SYSTEM AND THE EXCLUSIVE EMPLOYEE REPRESENTATIVE FAIL TO MUTUALLY AGREE UNDER PARAGRAPH (3) OF THIS

SUBSECTION, THE MODEL PERFORMANCE EVALUATION CRITERIA ADOPTED BY THE STATE BOARD UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL TAKE EFFECT IN THE LOCAL JURISDICTION 6 MONTHS FOLLOWING THE FINAL ADOPTION OF THE REGULATIONS.”.

AMENDMENT NO. 4

On pages 5 and 6, strike beginning with “(I)” in line 22 on page 5 down through “RESTRUCTURING.” in line 3 on page 6 and substitute:

“(I) 1. THE STATE BOARD SHALL ESTABLISH A PROGRAM TO SUPPORT LOCALLY NEGOTIATED INCENTIVES, GOVERNED UNDER SUBTITLES 4 AND 5 OF THIS TITLE, FOR HIGHLY EFFECTIVE CLASSROOM TEACHERS AND PRINCIPALS TO WORK IN PUBLIC SCHOOLS THAT ARE:

A. IN IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING;

B. CATEGORIZED BY THE LOCAL SCHOOL SYSTEM AS A TITLE I SCHOOL; OR

C. IN THE HIGHEST 25% OF SCHOOLS IN THE STATE BASED ON A RANKING OF THE PERCENTAGE OF STUDENTS WHO RECEIVE FREE AND REDUCED PRICED MEALS.

2. THE PROGRAM ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY INCLUDE FINANCIAL INCENTIVES, LEADERSHIP CHANGES, OR OTHER INCENTIVES.

(II) 1. THE STATE BOARD SHALL ADOPT GUIDELINES TO IMPLEMENT THIS PARAGRAPH.

2. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROHIBIT A LOCAL SCHOOL SYSTEM FROM EMPLOYING MORE STRINGENT STANDARDS THAN THE GUIDELINES ADOPTED UNDER THIS SUBPARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That during the 2010–2011 and 2011–2012 school years, stipends awarded under § 6–306(b)(5) of the Education Article, as enacted by Section 1 of this Act, may be based on whether the teacher has obtained certification by the National Board for Professional Teaching Standards.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2010, each local school system shall submit to the State Board of Education a description of the local school system’s teacher mentoring program, including data relating to the number of mentors who have been assigned, the number of teachers to whom the mentors have been assigned, and how, if at all, the effectiveness of the mentoring program is measured.”;

in lines 4 and 8, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively; and strike beginning with “shall” in line 8 down through “2010” in line 9 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yeas and nays vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Anne R. Kaiser**

Joan Carter Conway

John A. Olszewski, Jr.

Jim Rosapepe

Craig L. Rice

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 1419)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

House Bill 635 – Delegates Frush, Barnes, and Pena–Melnik

AN ACT concerning

Judges’ Retirement System – Reemployment of Retirees

STATUS OF BILL: BILL IS ON THIRD READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

HB0635/403428/2

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 635

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “allowance;” insert “requiring the Board of Trustees for the State Retirement and Pension System to reduce by a certain amount the retirement allowance of a retiree of the Judges’ Retirement System if the retiree is serving as a member of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 8, after “(A)” insert “**(1)**”; in the same line, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; in lines 11 and 12, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 12, insert:

“(2) THE BOARD OF TRUSTEES SHALL REDUCE THE RETIREMENT ALLOWANCE OF A RETIREE WHO IS SERVING AS A MEMBER OF THE GENERAL ASSEMBLY BY THE AMOUNT OF THE COMPENSATION RECEIVED FOR LEGISLATIVE SERVICE.”

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

Affirmative – 18 Negative – 28 (See Roll Call No. 1420)

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

Affirmative – 37 Negative – 5 (See Roll Call No. 1421)

The Bill was then sent to the House of Delegates.

MOTION

Senator Conway moved, duly seconded, to put **House Bill 1481** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1481** on Third Reading and Final Passage.

House Bill 1481 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Montgomery County – Maryland–National Capital Park and Planning
Commission – Lease, Contract, or Agreement – Terms**

PG/MC 118–10

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1422)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #31

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

Senate Bill 459 – Senator Middleton

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Charles County –
Hospice House**

SB0459/759237/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 459

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Charles” in line 2 down through “House” in line 3 and substitute “Anne Arundel County – Maryland Hall for the Creative Arts”; strike beginning with the second “to” in line 5 down through “Inc.” in line 6; in line 6, after “real property” insert “, in kind contributions, and funds expended prior to a certain date”; and in line 9, strike “ZA02(AB) and ZA03(AE)” and substitute “ZA00(M)”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 3

On page 2, after line 8, insert:

“(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(M) Maryland Hall for the Creative Arts. Provide a grant to the Board of Directors of the Maryland Hall for the Creative Arts for the construction and capital equipping of improvements to the Maryland Hall for the Creative Arts, subject to the requirement that the grantee provide an equal and matching fund for this purpose. NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT (Anne Arundel County) 500,000”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator DeGrange moved, duly seconded, to put **Senate Bill 459** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 459** on Third Reading and Final Passage.

Senate Bill 459 – Senator Middleton

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Charles County –
Hospice House**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 45 Negative – 1 (See Roll Call No. 1423)

The Bill was then sent to the House of Delegates.

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

**House Bill 470 – The Speaker (By Request – Administration) and Delegates
Bohanan, Conway, Doory, Beidle, Bobo, Hecht, Levy, Mathias, Reznik,
and Shewell**

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Madaleno moved, duly seconded, to put **House Bill 470** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 470** on Third Reading and Final Passage.

House Bill 470 – The Speaker (By Request – Administration) and Delegates Bohanan, Conway, Doory, Beidle, Bobo, Hecht, Levy, Mathias, Reznik, and Shewell

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 43 Negative – 4 (See Roll Call No. 1424)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #40

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 530 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 934 – Delegates McIntosh, G. Clagett, Conaway, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, ~~Conaway~~, Donoghue, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kullen, Love, Manno, Minnick, Montgomery, Morhaim, Niemann, Olszewski, Pendergrass, Reznik, Rice, Riley, Stein, ~~and Weir~~ Weir, Holmes, Norman, Serafini, Shewell, Sossi, and Stull

AN ACT concerning

~~**Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions**~~
Vehicle Laws – Commercial Vehicles – Handheld Telephones Utilizing Push-to-Talk Technology

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Stone moved, duly seconded, to put **House Bill 934** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 934** on Third Reading and Final Passage.

House Bill 934 – Delegates McIntosh, G. Clagett, Conaway, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, ~~Conaway~~, Donoghue, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kullen, Love, Manno, Minnick, Montgomery, Morhaim, Niemann, Olszewski, Pendergrass, Reznik, Rice, Riley, Stein, ~~and Weir~~ Weir, Holmes, Norman, Serafini, Shewell, Sossi, and Stull

AN ACT concerning

~~Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions~~
Vehicle Laws – Commercial Vehicles – Handheld Telephones Utilizing Push-to-Talk Technology

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 36 Negative – 0 (See Roll Call No. 1425)

The Bill was then sent to the House of Delegates.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1120 – Delegate Niemann (Task Force to Study Motor Vehicle Towing Practices) and Delegates Beidle, Frush, Gaines, Glenn, Holmes, and Stukes

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

HB1120/598874/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1120
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “vehicle;” insert “authorizing a court to enter a judgment of restitution for a certain victim under certain circumstances;”.

On page 2, after line 38, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–603

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 5, strike beginning with “A LICENSED” in line 2 down through “OR” in line 3.

On page 10, in line 7, strike “\$1,200” and substitute “\$1,000”; and after line 20, insert:

“Article – Criminal Procedure

11–603.

(a) A court may enter a judgment of restitution that orders a defendant or child respondent to make restitution in addition to any other penalty for the commission of a crime or delinquent act, if:

(1) as a direct result of the crime or delinquent act, property of the victim was stolen, damaged, destroyed, converted, or unlawfully obtained, or its value substantially decreased;

(2) as a direct result of the crime or delinquent act, the victim suffered:

(i) actual medical, dental, hospital, counseling, funeral, or burial expenses or losses;

(ii) direct out-of-pocket loss;

(iii) loss of earnings; or

(iv) expenses incurred with rehabilitation;

(3) the victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental unit;

(4) a governmental unit incurred expenses in removing, towing, transporting, preserving, storing, selling, or destroying an abandoned vehicle as defined in § 25–201 of the Transportation Article;

(5) the Criminal Injuries Compensation Board paid benefits to a victim; [or]

(6) the Department of Health and Mental Hygiene or other governmental unit paid expenses incurred under Subtitle 1, Part II of this title; OR

(7) THE VICTIM INCURRED EXPENSES RELATED TO THE REMOVAL, TOWING, TRANSPORTING, PRESERVING, STORING, SELLING, OR DESTRUCTION OF A VEHICLE AS A RESULT OF A CRIME OR DELINQUENT ACT.

(b) A victim is presumed to have a right to restitution under subsection (a) of this section if:

(1) the victim or the State requests restitution; and

(2) the court is presented with competent evidence of any item listed in subsection (a) of this section.

(c) (1) A judgment of restitution does not preclude the property owner or the victim who suffered personal physical or mental injury, out-of-pocket loss of earnings, or support from bringing a civil action to recover damages from the restitution obligor.

(2) A civil verdict shall be reduced by the amount paid under the criminal judgment of restitution.

(d) In making a disposition on a finding that a child at least 13 years old has committed an act of graffiti under § 6-301(d) of the Criminal Law Article, the court shall order the child to perform community service or pay restitution or both.

On page 18, in line 4, strike “DIFFERENT” and substitute “LOWER”; in line 20, after the second “A” insert “LOWER”; in line 22, strike “\$300” and substitute “\$175”; in the same line, strike “\$30” and substitute “\$10”; and in line 27, strike “\$1,200” and substitute “\$1,000”.

On page 19, in line 27, strike “employ” and substitute “HIRE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1120/963821/1

BY: Senator Raskin

AMENDMENTS TO HOUSE BILL 1120

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 24, after “circumstances,” insert “requiring a tower that tows or removes a vehicle from a parking lot without the authority to do so to pay the vehicle owner a certain amount of money for certain purposes.”.

AMENDMENT NO. 2

On page 21, in line 22, before “Any” insert “(A)”; and after line 28, insert:

“(B) A TOWER THAT UNDERTAKES THE TOWING OR REMOVAL OF A VEHICLE FROM A PARKING LOT WITHOUT THE AUTHORITY TO DO SO SHALL PAY THE OWNER OF THE WRONGLY TOWED OR REMOVED VEHICLE:

(1) \$150 FOR INCONVENIENCING THE OWNER OF THE VEHICLE;
AND

(2) \$150 PER DAY FOR EACH DAY THE VEHICLE IS WRONGLY HELD AND UNAVAILABLE TO THE OWNER OF THE VEHICLE.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Jacobs moved, duly seconded, to put **House Bill 1120** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1120** on Third Reading and Final Passage.

House Bill 1120 – Delegate Niemann (Task Force to Study Motor Vehicle Towing Practices) and Delegates Beidle, Frush, Gaines, Glenn, Holmes, and Stukes

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1426)

The Bill was then sent to the House of Delegates.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1457 – Delegates Dumais, Anderson, Barnes, Carter, Conaway, Dwyer, Frank, Jennings, Levi, McComas, McConkey, Rosenberg, Schuler, and Valderrama

AN ACT concerning

**Civil Liability – AMBER, Silver, or Emergency Alert Dissemination –
Immunity for Broadcast Media**

HB1457/398273/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1457

(Third Reading File Bill)

On page 3, in line 3, strike "THE" and substitute ":

(1) THE;

in lines 4, 9, and 26, strike "**(1)**", "**(2)**", and "**(3)**", respectively, and substitute "**(I)**", "**(II)**", and "**(III)**", respectively; in lines 12, 16, and 21, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and in line 30, after "SUBSECTION" insert "**;AND**

(2) THE ACT OR OMISSION DOES NOT CONSTITUTE:

(I) WILLFUL OR WANTON MISCONDUCT;

(II) GROSS NEGLIGENCE; OR

(III) INTENTIONALLY TORTIOUS CONDUCT".

The preceding amendment was read only.

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

The motion was adopted.

CONCURRENCE CALENDAR #47**AMENDED IN THE HOUSE**

**Senate Bill 69 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Woodland Incentives Program – Prohibition on Use of Federal Funds –
Repeal**

Senator Conway moved that the Senate concur in the House amendments.

SB0069/450213/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 69
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “funds;” insert “prohibiting certain persons from receiving in excess of a certain amount of certain woodland management cost share assistance; making a technical correction;”.

AMENDMENT NO. 2

On page 1, in line 16, before “An” insert “(A)”.

On page 2, after line 15, insert:

“(B) AN OWNER MAY NOT RECEIVE A TOTAL OF STATE AND FEDERAL COST SHARE ASSISTANCE IN AN AMOUNT THAT EXCEEDS 100% OF THE ACTUAL COST OF THE APPROVED PRACTICE.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1427)

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

Department of Natural Resources – Vessel Noise – Limitation

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

The motion was adopted.

AMENDED IN THE HOUSE

Senate Bill 152 – Senators Glassman, Harris, and Jacobs

AN ACT concerning

Harford County – Sheriff's Office – Power to Enforce Noise Control Laws

Senator Conway moved that the Senate concur in the House amendments.

SB0152/993128/1

BY: Delegate Jennings

AMENDMENTS TO SENATE BILL 152
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “County;” insert “providing certain exceptions relating to target shooting and hunting;”.

AMENDMENT NO. 2

On page 2, in line 1, after “**EXCEPT**” insert “**ENFORCEMENT**”; in the same line, strike “**TRAPSHOOTING,**” and substitute “:

(I) TRAPSHOOTING,”;

and in line 4, after “**COUNTY**” insert “:

**(II) LAWFUL TRAPSHOOTING, SKEETSHOOTING, OR OTHER
TARGET SHOOTING BETWEEN THE HOURS OF 9 A.M. AND 8 P.M.; OR**

(III) LAWFUL HUNTING”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1428)

AMENDED IN THE HOUSE

Senate Bill 174 – Senator Glassman

AN ACT concerning

~~Charter~~ Counties – Local Laws – Digital Copies

Senator Conway moved that the Senate concur in the House amendments.

SB0174/480113/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 174

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Digital”; in the same line, after “Copies” insert “for Legislative Delegations”; strike beginning with “authorizing” in line 3 down through “Services” in line 8 and substitute “authorizing certain counties to provide a certain notice regarding a digital copy of the county’s compilation of local laws to each member of the county’s legislative delegation as an alternative to furnishing each member a printed copy of the compilation under certain circumstances; clarifying that copies of compilations of local laws and enactments of local laws furnished by certain counties to certain units of State government under certain circumstances shall be printed copies;”; in line 12, after “to” insert “copies of”; in line 13, strike “codes” and substitute “enactments”; in the same line, after “laws” insert “of counties”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article 25 – County Commissioners

Section 32A

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“Article 25 – County Commissioners32A.

Whenever the board of county commissioners or county council of any county in this State publishes or issues in printed, mimeographed or similar duplicated form a code or compilation containing all or a portion of the public local laws of the county, the board or council shall deposit **PRINTED** copies free of charge with the following State agencies: State Archives, one copy; State Law Library, one copy; State Department of Legislative Services, five copies.”;

strike beginning with “1.” in line 17 down through “(II)” in line 21; in line 21, after “FURNISH” insert “PRINTED”; in the same line, after “COPIES” insert “OF THE COMPILATION”; in line 22, after “LIBRARY” insert “; AND”

(II) ONCE EACH YEAR:

1. NOTIFY EACH MEMBER OF THE COUNTY’S LEGISLATIVE DELEGATION THAT A DIGITAL COPY OF THE COMPILATION IS AVAILABLE ON THE INTERNET; OR

2. FURNISH A PRINTED COPY OF THE COMPILATION TO EACH MEMBER OF THE COUNTY’S LEGISLATIVE DELEGATION”;

in line 24, strike “PARAGRAPHS (2)(I)2 AND (II)” and substitute “PARAGRAPH (2)”; and in line 28, strike “PRINTED COPY” and substitute “4 PRINTED COPIES”.

On page 3, in line 11, after “that” insert “PRINTED”; and in line 17, after “supply” insert “PRINTED”.

On page 4, in line 9, before “copies” insert “PRINTED”; strike beginning with “1.” in line 23 down through “(II)” in line 27; in line 27, after “FURNISH” insert “PRINTED”; in the same line after “AND” insert “TO”; in line 28, after “LIBRARY” insert “; AND”

(II) ONCE EACH YEAR:

1. NOTIFY EACH MEMBER OF THE COUNTY'S LEGISLATIVE DELEGATION THAT A DIGITAL COPY OF THE COMPILATION IS AVAILABLE ON THE INTERNET; OR

2. FURNISH A PRINTED COPY OF THE COMPILATION TO EACH MEMBER OF THE COUNTY'S LEGISLATIVE DELEGATION;

and in lines 29 and 30, strike "**PARAGRAPHS (2)(I)2 AND (II)**" and substitute "**PARAGRAPH (2)**".

On page 5, in line 2, strike "**A PRINTED COPY**" and substitute "**4 PRINTED COPIES**"; in line 16, after "that" insert "**PRINTED**"; and in line 18, after "supply" insert "**PRINTED**".

On page 6, in line 3, after "deposit" insert "**PRINTED**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1429)

AMENDED IN THE HOUSE

Senate Bill 546 – Senators Peters, Muse, Conway, Currie, Exum, Harrington, Jones, King, Klausmeier, Kramer, Pinsky, Pugh, Robey, and Rosapepe

AN ACT concerning

Procurement – Minority Business Enterprises – Review of Application for Certification and Notice to Applicant

Senator Conway moved that the Senate concur in the House amendments.

SB0546/326887/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 546
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 7 down through “period” in line 10; and in line 10, after the semicolon, insert “authorizing the agency to extend a certain notification requirement for a certain period of time if the agency provides the applicant with a certain notice and explanation:”.

AMENDMENT NO. 2

On page 2, in line 22, strike “THE” and substitute “A”; in the same line, after “APPLICATION” insert “THAT INCLUDES ALL OF THE INFORMATION NECESSARY FOR THE AGENCY TO MAKE A DECISION”; strike beginning with the comma in line 23 down through “APPLICANT,” in line 24 and substitute “DESIGNATED TO CERTIFY MINORITY BUSINESS ENTERPRISES”; strike beginning with “TIME” in line 24 down through “THAN” in line 26 and substitute “NOTIFICATION REQUIREMENT ESTABLISHED UNDER ITEM (II) OF THIS ITEM ONCE, FOR NO MORE THAN AN ADDITIONAL”; and in line 26, after “DAYS” insert “, IF THE AGENCY PROVIDES THE APPLICANT WITH A WRITTEN NOTICE AND EXPLANATION”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1430)

AMENDED IN THE HOUSE

Senate Bill 556 – Senators Conway, Della, Frosh, Garagiola, Gladden, Harrington, Jones, Kelley, Kramer, Madaleno, Miller, Muse, Pugh, and Raskin

AN ACT concerning

Environment – Decabrominated Diphenyl Ether – Prohibitions

Senator Conway moved that the Senate concur in the House amendments.

SB0556/880910/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 556

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “processing” and substitute “leasing, selling”; in line 7, after “circumstances;” insert “providing that this Act does not prohibit certain persons from recycling certain products that contain decabrominated diphenyl ether; providing that this Act does not prohibit a certain person from selling, leasing, recycling, or disposing of certain products that contain recycled decabrominated diphenyl ether; providing that this Act does not prohibit certain activities involving a product that contains decabrominated diphenyl ether that occur at a certain time;”; and in line 10, after “terms;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 10, after “(A)” insert “(1)”; and after line 13, insert:

“(2) THIS SECTION DOES NOT APPLY TO:

(I) ORIGINAL EQUIPMENT MANUFACTURER REPLACEMENT SERVICE PARTS OR OTHER PRODUCTS MANUFACTURED BEFORE JANUARY 1, 2011, IF THE PART OR PRODUCTS WERE MANUFACTURED IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAWS; AND

(II) 1. A VEHICLE, AS DEFINED IN § 11-176 OF THE TRANSPORTATION ARTICLE; OR

2. A PRODUCT, PART, OR REPLACEMENT PART FOR USE IN A VEHICLE.”.

AMENDMENT NO. 3

On page 3, strike beginning with “ON” in line 13 down through the second comma in line 14; in line 15, strike “**THE REMAINING INVENTORY OF THE PRODUCT; OR**” and substitute “**A PRODUCT THAT IS IN THE RETAILER’S OR LESSOR’S INVENTORY ON OR AFTER THE DATE THAT THE PROHIBITION TAKES EFFECT;**”; after line 15, insert:

“(2) A PERSON FROM RECYCLING A PRODUCT THAT CONTAINS DECABDE;

(3) A PERSON FROM SELLING, LEASING, RECYCLING, OR OTHERWISE DISPOSING OF A PRODUCT THAT CONTAINS RECYCLED DECABDE;

(4) ANY ACTIVITY INVOLVING A PRODUCT THAT CONTAINS DECABDE THAT OCCURS SUBSEQUENT TO FIRST SALE AT RETAIL; OR”;

and in line 16, strike “(2)” and substitute “(5)”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1431)

AMENDED IN THE HOUSE

Senate Bill 847 – Senators Kittleman, Astle, Brinkley, Colburn, Harris, and Jacobs

AN ACT concerning

Hunting Licenses – Exemption for Disabled Armed Forces Members

Senator Conway moved that the Senate concur in the House amendments.

SB0847/700415/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 847 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “license” insert “under certain circumstances”; and in line 5, after “disability;” insert “providing that the exemption applies only to hunting on private property;”.

AMENDMENT NO. 2

On page 2, in line 32, strike “ANY” and substitute “WITH RESPECT TO HUNTING ON PRIVATE PROPERTY, ANY”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1432)

AMENDED IN THE HOUSE

Senate Bill 849 – Senator Harrington

AN ACT concerning

Procurement – Minority Business Enterprise ~~Directory~~ Program – ~~List of Contracts~~ Directory and Report

Senator Conway moved that the Senate concur in the House amendments.

SB0849/546684/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 849
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Directory and”; strike beginning with the second “the” in line 4 down through “directory” in line 5 and substitute “a certain report to include”; and in line 13, strike “14–304(a) and”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 28 on page 2, inclusive.

On page 3, in line 14, after the semicolon insert:

“(IV) FOR EACH MINORITY BUSINESS INCLUDED IN THE REPORT UNDER ITEM (III) OF THIS PARAGRAPH, LIST ALL PROCUREMENT CONTRACTS AWARDED BY A UNIT TO THE MINORITY BUSINESS ENTERPRISE, INCLUDING A DESCRIPTION OF THE CONTRACT;”;

and in line 15, strike “**(IV)**” and substitute “**(V)**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1433)

AMENDED IN THE HOUSE

Senate Bill 904 – Senator Dyson

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Class A Off-Sale License Quota

Senator Conway moved that the Senate concur in the House amendment.

SB0904/203698/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 904

(Third Reading File Bill)

On page 2, in line 12, strike “**ITEM**” and substitute “**PARAGRAPH**”; in line 18, strike “**ITEM (I)**” and substitute “**PARAGRAPH (1)(I)**”; and in the same line, strike “**PARAGRAPH**” and substitute “**SUBSECTION**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1434)

CONCURRENCE CALENDAR #49

Senate Bill 114 – Senator Gladden

AN ACT concerning

Voter's Rights Protection Act of 2010

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

SB0114/765262/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 114

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “preventive” and substitute “injunctive”; and in line 17, strike “16–101 and”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 24, inclusive.

On page 3, in line 26, strike “§ 16–101 OR”.

The motion was adopted.

CONCURRENCE CALENDAR #50

AMENDED IN THE HOUSE

**Senate Bill 286 – The President (By Request – Administration) and Senators
Currie and Conway**

AN ACT concerning

Governor’s P-20 Leadership Council of Maryland

Senator Conway moved that the Senate concur in the House amendments.

SB0286/425764/2

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 286

(Third Reading File Bill)

On page 4, in lines 10 and 11, strike “**A REPRESENTATIVE OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS**” and substitute “**TWO MEMBERS OF EMPLOYEE ORGANIZATIONS THAT REPRESENT ELEMENTARY AND SECONDARY SCHOOL PERSONNEL IN THE STATE**”; and in line 29, strike “AND”.

On page 5, in line 2, after “COMMUNITY” insert “;**AND**”

(XV) SIX ADDITIONAL MEMBERS WITH EXPERIENCE AND KNOWLEDGE THAT WILL BENEFIT THE WORK OF THE COUNCIL”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1435)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #44

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James,

Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdales, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1436)

The Bill was then sent to the House of Delegates.

House Bill 1011 – Delegates Carter, Anderson, Oaks, Pena-Melnyk, and Simmons

AN ACT concerning

Juvenile Law – Lead Testing – ~~Required~~ Authorized

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1437)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

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

FLOOR AMENDMENT

HB1218/963120/1

BY: Senator Harris

AMENDMENTS TO HOUSE BILL 1218

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “or Intimidate”; and in lines 6 and 8, in each instance, strike “or intimidate”.

AMENDMENT NO. 2

On page 2, in line 4, strike “**BUILDING OR REAL PROPERTY, PUBLIC OR PRIVATE**” and substitute “**PRIVATE BUILDING OR PRIVATE REAL PROPERTY**”; and in line 6, strike “**OR INTIMIDATE**”.

The preceding 2 amendments were read only.

Senator Harris moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 1454 – Delegate McConkey

AN ACT concerning

Family Law – Child Support – Change of Address or Employment

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1438)

The Bill was then sent to the House of Delegates.

House Bill 1473 – Delegate Anderson

AN ACT concerning

Public Safety – Missing Offenders – Blue Alert Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1439)

The Bill was then sent to the House of Delegates.

House Bill 1514 – Delegates Beidle and Stein

AN ACT concerning

Real Property – Condominiums – Cancellation of Insurance

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1440)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: HB 0254

SPONSOR: Dels Schuh and Smigiel

SUBJECT: Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Simmons, Chairman

Delegate Anderson, and

Delegate Carter.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

Senator Jacobs moved, duly seconded, that the Senate recede on its amendments.

The motion was adopted.

HB0254/268770/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 254

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Jessica’s Law Enhancement” and substitute “Penalties”.

AMENDMENT NO. 2

On page 2, in lines 16, 18, and 24, in each instance, strike “15” and substitute “20”.

On page 3, in lines 11, 13, and 19, in each instance, strike “15” and substitute “20”.

Senate recessed and the amendment was removed.

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1441)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0254

SPONSOR: Dels Schuh and Smigiel

SUBJECT: Crimes – Sexual Offenses Against Children – Jessica’s Law Enhancement

The Senate recesses from its position on HB 0254.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0192

SPONSOR: Dels Malone and Kach

SUBJECT: Motor Vehicles – Reading Text Message While Driving – Prohibition

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Malone, Chairman

Delegate Stein, and

Delegate Serafini.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0192

SPONSOR: Dels Malone and Kach

SUBJECT: Motor Vehicles – Reading Text Message While Driving – Prohibition

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Malone, Chair

Delegate Stein

Delegate Serafini

The Senate appoints:
Senator Raskin, Chairman
Senator Stone
Senator Forehand.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0325
SPONSOR: Del Donoghue
SUBJECT: State Board of Physical Therapy Examiners – Licensure and Regulation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Donoghue, Chairman
Delegate Bromwell, and
Delegate McDonough.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0325

SPONSOR: Del Donoghue

SUBJECT: State Board of Physical Therapy Examiners – Licensure and Regulation

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Donoghue, Chair
Delegate Bromwell
Delegate McDonough

The Senate appoints:
Senator Harris, Chairman
Senator Conway
Senator Dyson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0275

SPONSOR: The Pres (Admin), et al

SUBJECT: Education – Maryland Longitudinal Data System

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Pinsky, Chair
Senator Reilly
Senator Conway

The House appoints:
Delegate Olszewski, Chairman
Delegate Gilchrist, and
Delegate Myers.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

AMENDED IN THE HOUSE

Senate Bill 259 – Senators Dyson, Colburn, and Middleton

AN ACT concerning

Calvert, Charles, and St. Mary's Counties – Deer Hunting

Senator Conway moved that the Senate not concur in the House amendments.

SB0259/550214/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 259 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “conditions” in line 11 and substitute “authorizing, in certain counties, the Department of Natural Resources to allow a person to hunt deer on private property on certain Sundays”; in line 12, strike “Damage” and substitute “Management”; in line 14, strike “defining a certain term” and substitute “stating the intent of the General Assembly that the Department evaluate certain deer hunting opportunities on certain public lands for certain purposes; authorizing, in St. Mary's County, a person who holds a certain permit to hunt deer with a shotgun on private property during certain months;

providing for the termination of certain provisions of this Act”; strike beginning with “in” in line 15 down through “counties” in line 16; after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)”;

in line 19, strike “10–408.2 and”; and strike lines 22 and 23 in their entirety.

On page 2, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 9 on page 3, inclusive.

On page 3, after line 9, insert:

“10–410.

(a) (1) Except as provided in paragraphs (2), [and] (3), AND (5) of this subsection, a person may not hunt any game bird or mammal on Sundays.

(2) The following persons may hunt the specified game birds and mammals on Sundays:

(i) A person using State certified raptors to hunt game birds or mammals during open season;

(ii) An unarmed person participating in an organized fox chase to chase foxes;

(iii) Provided that the provisions of § 10–906(b)(3) of this title are met, a person:

1. Using a regulated shooting ground under § 10–906 of this title to hunt the following pen-reared game birds:

A. Pheasants;

B. Bobwhite quail;

C. Chukar partridge;

D. Hungarian partridge;

E. Tower released flighted mallard ducks; and

F. Turkey on a regulated shooting ground that was permitted to release turkey before September 1, 1992; and

2. Having the written permission of the owner of the land or other person designated by the owner of the land, if the land is owned or leased by a person other than the person hunting on Sundays; and

(iv) Subject to the provisions of § 10–411 of this subtitle, in Dorchester, Frederick, [St. Mary’s,] Somerset, Washington, Wicomico, and Worcester counties, a person hunting deer on private property with a bow and arrow during open season on the last three Sundays in October and the second Sunday in November.

(3) Provided that the provisions of § 10–415 of this subtitle are met and subject to paragraph (4) of this subsection, the Department may allow a person to hunt deer on private property on the first Sunday of:

(i) The bow hunting season in November; and

(ii) The deer firearms season.

(4) The Sunday deer hunting provisions under paragraph (3) of this subsection do not apply:

(i) In Baltimore, CALVERT, Carroll, CHARLES, Howard, [and] Prince George’s, AND ST. MARY’S counties; and

(ii) In Baltimore City.

(5) (I) THIS PARAGRAPH APPLIES ONLY IN CALVERT COUNTY, CHARLES COUNTY, AND ST. MARY’S COUNTY.

(II) SUBJECT TO §§ 10–411 AND 10–415 OF THIS SUBTITLE, THE DEPARTMENT MAY ALLOW A PERSON TO HUNT DEER ON PRIVATE PROPERTY FROM THE FIRST SUNDAY IN OCTOBER THROUGH THE SECOND SUNDAY IN JANUARY OF THE FOLLOWING YEAR, INCLUSIVE.”.

AMENDMENT NO. 3

On page 3, in line 10, strike “(3)” and substitute:

“10–415.

(D) (1)”;

in line 11, strike “DAMAGE” and substitute “MANAGEMENT”; in line 12, after “COUNTY” insert “, ISSUED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT,”; and after line 13, insert:

“(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT EVALUATE POTENTIAL DEER HUNTING OPPORTUNITIES ON PUBLIC LANDS MANAGED BY THE DEPARTMENT IN CALVERT COUNTY, CHARLES COUNTY, AND ST. MARY’S COUNTY TO:

(I) MINIMIZE THE IMPACT OF CROP DAMAGE CAUSED BY DEER ON AGRICULTURAL LANDS; AND

(II) MAINTAIN A LOCAL DEER POPULATION APPROPRIATE FOR THE NATURAL ENVIRONMENT.”;

and strike in their entirety lines 14 and 15 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

10-415.

(D) (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ST. MARY'S COUNTY, A PERSON WHO HOLDS A VALID DEER MANAGEMENT PERMIT ISSUED IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT MAY HUNT DEER WITH A SHOTGUN ON PRIVATE PROPERTY DURING THE MONTHS OF SEPTEMBER AND OCTOBER.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010. Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2010, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect."

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0259

SPONSOR: Sen Dyson, et al

SUBJECT: Calvert, Charles, and St. Mary's Counties – Deer Hunting

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 485 – Senator Munson

AN ACT concerning

State Board of Physical Therapy Examiners – Licensure and Regulation

Senator Conway moved that the Senate not concur in the House amendments.

SB0485/516584/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 485

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 24, strike “using”; in line 25, after “(i)” insert “**TAKING**”; in line 26, strike “Radioactive” and substitute “**USING RADIOACTIVE**”; and in line 27, strike “Electricity” and substitute “**USING ELECTRICITY**”.

AMENDMENT NO. 3

On page 4, in line 5, strike “**(1)**”; in line 7, strike “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**”; in the same line, after “MAIL” insert “**TO THE LAST KNOWN ELECTRONIC MAIL ADDRESS OF THE LICENSEE**”; in lines 10, 11, and 13, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; and strike in their entirety, lines 14 through 16, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0485

SPONSOR: Sen Munson

SUBJECT: State Board of Physical Therapy Examiners – Licensure and Regulation

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Harris, Chairman
Senator Dyson
Senator Conway.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #53**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 272 – Delegate King

AN ACT concerning

Classroom Placement – Multiple–Birth Children – Parental Discretion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 272** on Third Reading on the same day in compliance with the Constitution.

Two–thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 272** on Third Reading and Final Passage.

House Bill 272 – Delegate King

AN ACT concerning

Classroom Placement – Multiple–Birth Children – Parental Discretion

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1442)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 298 – Delegates Morhaim, Nathan–Pulliam, and Stein

AN ACT concerning

**Office of Student Financial Assistance – Service Obligation – ~~Waiver~~
Financial Counseling Session Required**

HB0298/904937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 298
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Service” in line 2 down through “Required” in line 3 and substitute “Maryland Loan Assistance Repayment Program for Physicians – Information”; strike beginning with “require” in line 7 down through “regulations;” in line 10 and substitute “provide to certain physicians, before the physicians sign a certain contract, clear and detailed information on the requirements of a certain service obligation and certain financial penalties for breach of a certain contract; requiring a certain contract to include an example of certain potential financial penalties;”; strike beginning with “a” in line 11 down through “by” in line 12; in line 13, after “Assistance” insert “and the Maryland Loan Assistance Repayment Program for Physicians”; strike in their entirety lines 14 through 18, inclusive; and in line 21, strike “18–206” and substitute “18–2805.1”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 through line 21 on page 3, inclusive.

On page 3, after line 21, insert:

“18-2805.1.

(A) BEFORE A PHYSICIAN MAY SIGN A CONTRACT ACCEPTING ASSISTANCE IN REPAYMENT OF AN EDUCATION LOAN UNDER THE PROGRAM, THE OFFICE SHALL PROVIDE THE PHYSICIAN WITH CLEAR AND DETAILED INFORMATION ON:

(1) THE REQUIREMENTS OF THE SERVICE OBLIGATION COMPONENT OF THE AGREEMENT; AND

(2) ANY FINANCIAL PENALTIES FOR DEFAULTING IN THE PERFORMANCE OF A SERVICE OBLIGATION OR BREACHING THE TERMS OF THE PROGRAM PARTICIPATION CONTRACT.

(B) A CONTRACT SIGNED BY A PHYSICIAN AND THE OFFICE TO PARTICIPATE IN THE PROGRAM SHALL INCLUDE AN EXAMPLE OF THE POTENTIAL FINANCIAL PENALTIES FOR BREACH OF TERMS OF THE CONTRACT.”;

in line 24, strike “§ 18-1502(c) of the Education Article or”; and in line 25, strike “24” and substitute “28”.

The preceding 2 amendments were read only.

Senator Pinsky moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 462 – Delegates Kaiser, McIntosh, ~~and Mizour~~ Mizeur, Pendergrass, Benson, Costa, Kullen, Montgomery, Nathan-Pulliam, Pena-Melnyk, Tarrant, and V. Turner

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 973 – Delegates Aumann, Bates, Beitzel, Bronrott, Burns, Frank, Gaines, Gutierrez, Haynes, Howard, Jennings, Kach, Lafferty, McComas, Morhaim, Nathan–Pulliam, Olszewski, Pena–Melnik, Shank, Shewell, Sossi, Stein, Stocksdale, Stukes, Weir, and Wood

AN ACT concerning

Public Schools – Maryland Youth Crisis Hotline – Distribution of Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 973** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 973** on Third Reading and Final Passage.

House Bill 973 – Delegates Aumann, Bates, Beitzel, Bronrott, Burns, Frank, Gaines, Gutierrez, Haynes, Howard, Jennings, Kach, Lafferty, McComas, Morhaim, Nathan–Pulliam, Olszewski, Pena–Melnik, Shank, Shewell, Sossi, Stein, Stocksdale, Stukes, Weir, and Wood

AN ACT concerning

Public Schools – Maryland Youth Crisis Hotline – Distribution of Information

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1443)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1164 – Delegate Niemann

AN ACT concerning

Green Maryland Act of 2010

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 1164** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1164** on Third Reading and Final Passage.

House Bill 1164 – Delegate Niemann

AN ACT concerning

Green Maryland Act of 2010

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1444)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

AN ACT concerning

~~Education~~ **Task Force to Study the Creation of a Maryland Center for School Safety**

HB1312/474032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1312

(Third Reading File Bill)

On page 8, strike line 2 in its entirety; in lines 3, 4, 5, 6, 7, 9, and 10, strike “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, and “(viii)”, respectively, and substitute “(i)”, “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, and “(vii)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 1312** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1312** on Third Reading and Final Passage.

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

AN ACT concerning

~~Education~~ – Task Force to Study the Creation of a Maryland Center for School Safety

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1445)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1362 – Delegates Boteler, Aumann, Bartlett, Barve, Elmore, George, Kach, Murphy, Myers, Schuler, Shank, Shewell, Sossi, Stocksdales, and Stukes

AN ACT concerning

Education – Public Schools – Virtual Schools

HB1362/964430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1362
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “terms,” insert “providing for a delayed effective date.”

AMENDMENT NO. 2

On page 5, in line 12, strike “October 1, 2010” and substitute “September 1, 2011”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Harris moved, duly seconded, to put **House Bill 1362** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1362** on Third Reading and Final Passage.

House Bill 1362 – Delegates Boteler, Aumann, Bartlett, Barve, Elmore, George, Kach, Murphy, Myers, Schuler, Shank, Shewell, Sossi, Stocksdale, and Stukes

AN ACT concerning

Education – Public Schools – Virtual Schools

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1446)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

HB1527/594932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1527

(Third Reading File Bill)

On page 1, in line 3, after “prohibiting” insert “, on or after a certain date,”; and in line 5, strike “on or after a certain date”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 1527** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1527** on Third Reading and Final Passage.

House Bill 1527 – Delegate Rudolph

AN ACT concerning

Heating Oil – Sulfur Content

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1447)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1568 – Delegates Conway and Mathias

EMERGENCY BILL

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky moved, duly seconded, to put **House Bill 1568** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1568** on Third Reading and Final Passage.

House Bill 1568 – Delegates Conway and Mathias

EMERGENCY BILL

AN ACT concerning

**Board of Public Works – Licenses to Dredge and Fill on State Wetlands –
Working Marinas**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1448)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #39

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 639 – Delegates Burns, Benson, Bronrott, Glenn, Kelly, Minnick, Morhaim, Myers, Smigiel, ~~and Walker~~ Walker, Aumann, Cardin, Frank, Holmes, Hubbard, Jennings, Jones, Kach, Lafferty, Levi, McDonough, Nathan-Pulliam, Schuler, Stein, and Weir

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts**HB0639/558475/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 639
(Third Reading File Bill)

On page 2, in line 2, strike “three members” and substitute “one member”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 756 – Delegates Levi, James, Anderson, Beidle, Bohanan, Dumais, Dwyer, Feldman, Frank, Jameson, Jennings, Kelly, Kramer, Mathias, McComas, McHale, Morhaim, Rice, Riley, Tarrant, Valderrama, Vaughn, ~~and Walker~~ Walker, Waldstreicher, Simmons, Barnes, Carter, Lee, McConkey, Rosenberg, Love, Costa, George, King, Kipke, Schuh, Sophocleus, and Smigiel

AN ACT concerning

Maryland Gang Prosecution Act of 2010**HB0756/338973/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 756
(Third Reading File Bill)

On page 1, in the sponsor line, strike “Tarrant,”.

The preceding amendment was read only.

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

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1156 – Delegates Dwyer, Anderson, Barnes, Beidle, Boteler, Bronrott, Carter, Conaway, Costa, Dumais, Eckardt, Frank, Heller, Hubbard, Jennings, Kach, Kelly, Kipke, Kramer, Krebs, Levi, McComas, McConkey, Olszewski, Pena-Melnyk, Riley, Robinson, Rosenberg, Schuh, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Valderrama, Vallario, Waldstreicher, and Wood

AN ACT concerning

Victims' Rights – Fatal Vehicular Accident – Suspension of License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Simonaire moved, duly seconded, to put **House Bill 1156** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1156** on Third Reading and Final Passage.

House Bill 1156 – Delegates Dwyer, Anderson, Barnes, Beidle, Boteler, Bronrott, Carter, Conaway, Costa, Dumais, Eckardt, Frank, Heller, Hubbard, Jennings, Kach, Kelly, Kipke, Kramer, Krebs, Levi, McComas, McConkey, Olszewski, Pena-Melnyk, Riley, Robinson, Rosenberg, Schuh, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Valderrama, Vallario, Waldstreicher, and Wood

AN ACT concerning

Victims' Rights – Fatal Vehicular Accident – Suspension of License

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1449)

The Bill was then sent to the House of Delegates.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1389 – Delegates Vallario, Conway, Anderson, Aumann, Bohanan, Branch, Bronrott, Cane, DeBoy, Doory, Eckardt, Elmore, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Haynes, Heller, James, Jones, Levy, Mathias, Mizeur, Proctor, Robinson, Rosenberg, ~~and Wood Wood~~, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Traffic Cases – ~~Funds for~~ State Police Helicopters and Ambulance, Fire, and Rescue Companies

HB1389/248479/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1389
(Third Reading File Bill)

On page 4, in line 4, strike “ANNUALLY”.

The preceding amendment was withdrawn.

Favorable report adopted

Read the second time and ordered prepared for Third Reading.

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

The motion was adopted.

CONCURRENCE CALENDAR

AMENDED IN THE HOUSE

Senate Bill 882 – Senators Edwards and Miller

AN ACT concerning

Gaming – Video Lottery Terminals

Senator Currie moved that the Senate concur in the House amendments.

SB0882/405965/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 882

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “proceeds” insert “from a certain account”; and in line 21, after the second “the” insert “State Racing”.

AMENDMENT NO. 2

On page 8, in line 32, after “FACILITY” insert “LOCATED IN ALLEGANY COUNTY”.

AMENDMENT NO. 3

On page 15, in line 11, strike “issuance” and substitute “AWARD”.

AMENDMENT NO. 4

On page 15, strike beginning with “BECOMES” in line 19 down through “FACILITY” in line 20, and substitute “IS ISSUED THE LICENSE BY THE COMMISSION”.

AMENDMENT NO. 5

On page 17, in line 19, after “(5)” insert “(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM,”; after line 21, insert:

“(II) FOR THE FIRST 5 YEARS OF OPERATIONS AT A VIDEO LOTTERY FACILITY IN ALLEGANY COUNTY, 2.5% TO THE VIDEO LOTTERY OPERATION LICENSEE THAT SATISFIES THE REQUIREMENT UNDER SUBSECTION (B) OF THIS SECTION;”;

in line 26, strike “FOR A LOCATION” and substitute “FOR THE FIRST 5 YEARS OF OPERATIONS AT A VIDEO LOTTERY FACILITY”; in line 28, strike “PERCENTAGE” and substitute “PERCENTAGES AUTHORIZED IN SUBSECTION (A)(2) AND (5)(II) OF THIS SECTION AS”; strike beginning with the colon in line 29 down through “YEARS” in line 30; in line 30, after “APPLICANT” insert “THAT IS AWARDED THE”; in line 31, strike “FOR A”; and in line 32, strike “; AND” and substitute a period.

On page 18, strike in their entirety lines 1 through 4, inclusive.

AMENDMENT NO. 6

On page 26, in line 12, after “Resort,” insert “Section 2 of”.

The preceding 6 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1450)

ADJOURNMENT

At 11:40 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:41 P.M. on Legislative Day April 10, 2010, Calendar Day, Monday, April 12, 2010.

Annapolis, Maryland
Legislative Day: April 10, 2010
Calendar Day: Monday, April 12, 2010
11:39 P.M. Session

The Senate met at 11:41 P.M.

QUORUM CALL

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

(See Roll Call No. 1451)

The Journal of April 9, 2010 was read and approved.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #45

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

**Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a
Certain Manner**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1452)

The Bill was then sent to the House of Delegates.

**House Bill 1098 – ~~Delegate Oaks~~ Delegates Oaks, Anderson, Conaway, Glenn,
Hammen, Haynes, McHale, McIntosh, Robinson, Rosenberg, Stukes,
and Tarrant**

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

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

The motion was adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 190** SPONSOR: **Delegate Malone**

SUBJECT: **Motor Vehicles - Use of Video and Electronic Display Equipment**

THIRD READING CALENDAR HOUSE NO. **58** SENATE NO. **41**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Judicial Proceedings Committee Amendments (HB190/398470/1) be adopted.

Senate Members:

House Members:

Chair, **Norman R. Stone, Jr.**

Chair, **Dana Stein**

Jennie M. Forehand

H. Wayne Norman

C. Anthony Muse

Cheryl D. Glenn

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read only.

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

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #40

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

House Bill 180 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

HB0180/837177/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 180

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain activity” and substitute “a certain image”; and strike beginning with “providing” in line 8 down through “machine;” in line 9.

AMENDMENT NO. 2

On page 2, in line 22, after “OWNED” insert “BY”; in line 26, strike “ALL ACTIVITY” and substitute “AN IMAGE”; and in line 30, after “**45**” insert “CALENDAR”.

On page 3, strike beginning with “**A**” in line 1 down through “(D)” in line 4.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton moved, duly seconded, to put **House Bill 180** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 180** on Third Reading and Final Passage.

House Bill 180 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1453)

The Bill was then sent to the House of Delegates.

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

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

AN ACT concerning

**State Government – Employees – Suicide Awareness and Prevention
~~Program~~**

HB1273/217476/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1273
(Third Reading File Bill)

On page 2, in line 28, strike “**BY**” and substitute “**FROM**”.

On page 3, in line 11, strike “December 31, 2010” and substitute “March 31, 2011”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pugh moved, duly seconded, to put **House Bill 1273** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1273** on Third Reading and Final Passage.

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

AN ACT concerning

**State Government – Employees – Suicide Awareness and Prevention
~~Program~~**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1454)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

House Bill 1389 – Delegates Vallario, Conway, Anderson, Aumann, Bohanan, Branch, Bronrott, Cane, DeBoy, Doory, Eckardt, Elmore, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Haynes, Heller, James, Jones, Levy, Mathias, Mizeur, Proctor, Robinson, Rosenberg, ~~and Wood~~ Wood, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kullen, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

**Traffic Cases – ~~Funds for~~ State Police Helicopters and Ambulance, Fire, and
Rescue Companies**

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

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1455)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #51

AMENDED IN THE HOUSE

Senate Bill 726 – Cecil County Senators

AN ACT concerning

Cecil County – Collective Bargaining – Representation of Deputy Sheriffs
~~**– Arbitration – Referendum**~~

Senator Middleton moved that the Senate concur in the House amendments.

SB0726/814264/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 726

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “for” insert “a”; in the same line, strike “means” and substitute “method”; in line 16, after “agreement,” insert “requiring the governing body of Cecil County to enact a certain local ordinance;”; and strike beginning with “providing” in line 20 down through the first “Act;” in line 21.

AMENDMENT NO. 2

On page 7, in lines 30 and 32, in each instance, strike “**FIRST**”.

On page 8, in line 28, strike “**FIRST**”.

On page 9, in line 10, strike “**FIRST**”.

On page 10, in line 9, strike “**A.**”; in the same line, strike “**IF**” and substitute “**THE GOVERNING BODY OF CECIL COUNTY SHALL ENACT A LOCAL ORDINANCE**”.

THAT ALLOWS FOR NONBINDING ARBITRATION IF"; in line 12, strike "**, ANY OF THE PARTIES MAY DEMAND AN ARBITRATOR**".

On pages 10 and 11, strike in their entirety the lines beginning with line 13 on page 10 through line 8 on page 11, inclusive.

On page 12, in lines 9 and 11, in each instance, strike "**FIRST**"; and strike in their entirety lines 23 through 35, inclusive.

On page 13, strike "**(VII)**" and substitute "**(VI)**".

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1456)

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 275** SPONSOR: **The President**

SUBJECT: **Education - Maryland Longitudinal Data System**

THIRD READING CALENDAR HOUSE NO. **44** SENATE NO. **51**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Committee on Ways and Means Amendments (SB0275/945666/1) be adopted.

(2) That the attached Conference Committee Amendment (SB0275/233721/1) be adopted.

SB0275/945666/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 275
(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “requiring” in line 24 on page 1 down through “plan;” in line 4 on page 2.

On page 2, in lines 4 and 5, strike “providing for the termination of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 3, in line 10, strike “AND”; in line 11, after “DATA” insert “; AND”

(IX) SUSPENSION AND EXPULSION RECORDS;

in line 14, after the semicolon insert “AND”; and strike beginning with “; AND” in line 15 down through “RECORDS” in line 16.

On page 4, in line 3, after “SYSTEM” insert “THAT SHALL BE FULLY OPERATIONAL BY DECEMBER 31, 2014”.

On page 11, strike in their entirety lines 20 through 22, inclusive.

On page 12, in line 13, strike “and”; in line 16, after “Board” insert “; and”

(3) a data security and safeguarding plan for the Center;

strike in their entirety lines 17 through 24, inclusive; in lines 26 and 27, strike “federal or other funds that are not from the General Fund of the State be used first for the funding of” and substitute “the State shall make every effort to seek federal funding to support”; strike in their entirety lines 30 through 36, inclusive; in lines 8, 25, and 37, strike “3.”, “5.”, and “8.”, respectively, and substitute “2.”, “3.”, and “4.”, respectively; and in lines 37 and 38, strike “, except as provided in Section 7 of this Act.”.

SB0275/233721/1

BY: Conference Committee

AMENDMENT TO SENATE BILL 275, AS AMENDED
(Third Reading File Bill)

On page 3 of the bill, in line 10, after “**ENROLLMENT;**” insert “**AND**”; and in line 15, after “**RECORDS**” insert “**;AND**”

(IV) DISCIPLINE RECORDS”.

On page 1 of the Committee on Ways and Means Amendments (SB0275/945666/1), in Amendment No. 2, strike beginning with “**AND**” in line 1 down through “**RECORDS**” in line 2; and in line 3, strike the first “**AND**”.

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **John A. Olszewski, Jr.**

Edward R. Reilly

Jim Gilchrist

Joan Carter Conway

LeRoy E. Myers, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to: ☐ Chief Clerk
 ☒ Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 1457)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #54**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 211 – ~~Delegate Morhaim~~ Delegates Hammen, Pendergrass, Benson, Costa, Donoghue, Elliott, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

State Government – Open Meetings Act – Notice and Complaints

HB0211/104631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 211

(Third Reading File Bill)

On page 1, in the sponsor line, after “Delegates” insert “Morhaim,”.

The preceding amendment was read only.

Senator Jones moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 359 – Delegates James, Riley, Ali, Barkley, Boteler, Burns, DeBoy, Elmore, Hixson, Kach, Kipke, Lafferty, Love, McDonough, Minnick, Mizeur, Montgomery, Robinson, Rudolph, Shewell, Sophocleus, Sossi, Stocksdales, Stukes, F. Turner, and Wood Wood, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Jenkins, Krebs, Kullen, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

**Procurement – ~~Service-Disabled Veteran~~ Veteran-Owned Small Business
Enterprise Participation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Harrington moved, duly seconded, to put **House Bill 359** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 359** on Third Reading and Final Passage.

House Bill 359 – Delegates James, Riley, Ali, Barkley, Boteler, Burns, DeBoy, Elmore, Hixson, Kach, Kipke, Lafferty, Love, McDonough, Minnick, Mizeur, Montgomery, Robinson, Rudolph, Shewell, Sophocleus, Sossi, Stocksdales, Stukes, F. Turner, ~~and Wood~~ Wood, Benson, Bromwell, Costa, Donoghue, Elliott, Hubbard, Jenkins, Krebs, Kullen, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

Procurement – ~~Service-Disabled Veteran~~ Veteran-Owned Small Business Enterprise Participation

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1458)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 409 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Home Improvement Commission – Guaranty Fund Jurisdiction

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

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 870 – ~~Delegate Reznik~~ Delegates Reznik, Kach, Kipke, Montgomery, and V. Turner

AN ACT concerning

**State Board of Physicians – Offices or Facilities for Performing Elective
Cosmetic Surgical Procedures**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Harris moved, duly seconded, to put **House Bill 870** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 870** on Third Reading and Final Passage.

House Bill 870 – ~~Delegate Reznik~~ Delegates Reznik, Kach, Kipke, Montgomery, and V. Turner

AN ACT concerning

**State Board of Physicians – Offices or Facilities for Performing Elective
Cosmetic Surgical Procedures**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1459)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 927 – Delegates Nathan-Pulliam, Griffith, Benson, Howard, Kach, Morhaim, Oaks, Pena-Melnyk, Reznik, Robinson, Tarrant, and V. Turner

AN ACT concerning

State Board of Social Work Examiners – Out-of-State Applicants – Licensure

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Harris moved, duly seconded, to put **House Bill 927** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 927** on Third Reading and Final Passage.

House Bill 927 – Delegates Nathan–Pulliam, Griffith, Benson, Howard, Kach, Morhaim, Oaks, Pena–Melnik, Reznik, Robinson, Tarrant, and V. Turner

AN ACT concerning

State Board of Social Work Examiners – Out-of-State Applicants – Licensure

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1460)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1137 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Public Accountancy – Educational Requirements for Examination and Licensure

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

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1188 – Delegate Hubbard

AN ACT concerning

State Board of Professional Counselors and Therapists – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Harris moved, duly seconded, to put **House Bill 1188** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1188** on Third Reading and Final Passage.

House Bill 1188 – Delegate Hubbard

AN ACT concerning

State Board of Professional Counselors and Therapists – Membership

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1461)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

House Bill 409 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Home Improvement Commission – Guaranty Fund Jurisdiction

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway moved, duly seconded, to put **House Bill 409** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 409** on Third Reading and Final Passage.

House Bill 409 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Home Improvement Commission – Guaranty Fund Jurisdiction

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1462)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #41

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

House Bill 392 – Delegates Vaughn, Barkley, Bobo, Bronrott, Gutierrez, Hecht, Heller, Hucker, James, Jameson, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lee, Levy, Manno, Minnick, Reznik, and Waldstreicher

AN ACT concerning

Commercial Law – Debt Settlement Services – Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pugh moved, duly seconded, to put **House Bill 392** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 392** on Third Reading and Final Passage.

House Bill 392 – Delegates Vaughn, Barkley, Bobo, Bronrott, Gutierrez, Hecht, Heller, Hucker, James, Jameson, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lee, Levy, Manno, Minnick, Reznik, and Waldstreicher

AN ACT concerning

Commercial Law – Debt Settlement Services – Study

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 1463)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 310** SPONSOR: **Senator Kasemeyer**

SUBJECT: **Education - Maintenance of Effort Requirement
- Process and Factors**

THIRD READING CALENDAR HOUSE NO. **26** SENATE NO. **50**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Committee on Ways and Means Amendments (SB0310/655060/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0310/153521/1) be adopted.

SB0310/153521/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 310

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “waiver;” insert “requiring the State Superintendent to provide a certain preliminary assessment to the State Board of Education;”; in line 9, after “denied;” insert “requiring the Maryland State Department of Education to report to the General Assembly on or before a certain date; providing for the

application of this Act;"; and in line 10, after "measure;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 3, in line 14, strike "**MAY 1**" and substitute "**APRIL 20**"; after line 14, insert:

"(III) THE STATE SUPERINTENDENT SHALL PROVIDE A PRELIMINARY ASSESSMENT OF A WAIVER APPLICATION TO THE STATE BOARD PRIOR TO ANY PUBLIC HEARING UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH.";

and in lines 15 and 18, strike "**(III)**" and "**(IV)**", respectively, and substitute "**(IV)**" and "**(V)**", respectively.

AMENDMENT NO. 3

On page 4, in lines 7 and 11, strike "**(V)**" and "**(VI)**", respectively, and substitute "**(VI)**" and "**(VII)**", respectively; in line 9, strike "**45**" and substitute "**30**"; in line 10, strike "**JUNE 1**" and substitute "**MAY 20**"; after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all waiver applications beginning with applications for waivers for fiscal year 2011.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2012, the Maryland State Department of Education shall report to the House Ways and Means Committee and the Senate Budget and Taxation Committee, in accordance with § 2-1246 of the State Government Article, on the implementation of this Act.";

in line 17, strike "2." and substitute "**4.**"; and in line 21, after "enacted." insert "**It shall remain effective through June 30, 2013, and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."**".

Senate Members:

House Members:

Chair, **Edward J. Kasemeyer**

Chair, **Craig L. Rice**

James N. Robey

John A. Olszewski, Jr.

David R. Brinkley

Anne R. Kaiser

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk

(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1464)

The Bill was then sent to the House of Delegates.

SUMMARY REPORT OF THE SENATE EXECUTIVE NOMINATIONS COMMITTEE –
2010 SESSION OF THE MARYLAND GENERAL ASSEMBLY

(See Exhibit O of Appendix III)

REPORT ON THE STATE OPERATING BUDGET (SENATE BILL 140)
AND THE STATE CAPITAL BUDGET (SENATE BILL 142)
AND RELATED RECOMMENDATIONS BY THE CHAIRMEN
OF THE SENATE BUDGET AND TAXATION COMMITTEE AND
HOUSE APPROPRIATIONS COMMITTEE – JOINT CHAIRMEN’S REPORT

(See Exhibit P of Appendix III)

MESSAGE TO THE SENATE

APRIL 12, 2010

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

WE PROPOSE WITH YOUR CONCURRENCE, THAT WHEN THE GENERAL ASSEMBLY ADJOURNS APRIL 12, 2010 AT TWELVE O’CLOCK MIDNIGHT, 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 APRIL 12, 2010, AT TWELVE O'CLOCK 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

MESSAGE TO THE HOUSE OF DELEGATES

April 12, 2010

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

We have received your message proposing that when the General Assembly adjourns, April 12, 2010, at Twelve o'clock Midnight, 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 Kasemeyer and Kittleman.

By Order,

William B.C. Addison, Jr.
Secretary

At 12:02 A.M. on motion of Senator Kasemeyer the Senate adjourned Sine Die.

Senate Rules are not available electronically.

Please see the printed Senate Journal.

Appendix I

Roll Calls

**Senate of Maryland
2010 Regular Session**

ELECTION OF TEMPORARY PRESIDING OFFICER

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

ELECTION OF THE PERMANENT PRESIDING OFFICER

44 Yeas 0 Nays 0 Excused 3 Not Voting 0 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kelley	Peters
Astle	Forehand	King	Pinsky
Brinkley	Frosh	Kittleman	Pipkin
Brochin	Garagiola	Klausmeier	Pugh
Colburn	Gladden	Kramer	Raskin
Conway	Glassman	Lenett	Robey
Currie	Haines	Madaleno	Rosapepe
DeGrange	Harrington	McFadden	Simonaire
Della	Jacobs	Middleton	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin

Voting Nay - 0

Not Voting - 3

Harris	Mooney	Reilly

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

RULES

**ADOPTION OF RULES
(EXCEPT RULE 116)**

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

ORDERS

DESK OFFICERS

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 72	VETOED BILLS	Chair EHE Committee	.
Higher Education-Institutions of Postsecondary			.
Education-Exempt Institutions			.
Shall the bills pass notwithstanding the objections			.
of the Chief Executive?			.

0 Yeas 45 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 0

Voting Nay - 45

Mr. President	Frosh	Kittleman	Pugh
Astle	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	
Forehand	King	Pipkin	

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Brinkley	McFadden

**Senate of Maryland
2010 Regular Session**

SB 721	VETOED BILLS	.
Sen. Pinsky		.
Private Wastewater Treatment Act of 2009		.
Shall the bill pass notwithstanding the objections		.
of the Chief Executive?		.

0 Yeas 45 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 0

Voting Nay - 45

Mr. President	Frosh	Kittleman	Pugh
Astle	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	
Forehand	King	Pipkin	

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Brinkley McFadden

**Senate of Maryland
2010 Regular Session**

VETOED BILLS
CONSENT CALENDAR OF VETOED SENATE BILLS #1
Duplicative Bills

Shall the bills pass notwithstanding the objections
of the Chief Executive?

0 Yeas 46 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 0

Voting Nay - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

McFadden

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Astle	Frosh	King	Pinsky
Brinkley	Garagiola	Kittleman	Pipkin
Brochin	Gladden	Klausmeier	Pugh
Colburn	Glassman	Kramer	Raskin
Conway	Haines	Lenett	Reilly
DeGrange	Harrington	Madaleno	Robey
Della	Harris	McFadden	Rosapepe
Dyson	Jacobs	Mooney	Simonaire
Edwards	Jones	Munson	Stoltzfus
Exum	Kasemeyer	Muse	Stone
Forehand	Kelley	Peters	Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Mr. President	Currie	Middleton

**Senate of Maryland
2010 Regular Session**

QUORUM

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Astle	Frosh	King	Pinsky
Brinkley	Garagiola	Kittleman	Pipkin
Brochin	Gladden	Klausmeier	Pugh
Colburn	Glassman	Kramer	Raskin
Conway	Haines	Lenett	Reilly
DeGrange	Harrington	Madaleno	Robey
Della	Harris	McFadden	Rosapepe
Dyson	Jacobs	Mooney	Simonaire
Edwards	Jones	Munson	Stoltzfus
Exum	Kasemeyer	Muse	Stone
Forehand	Kelley	Peters	Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Mr. President	Currie	Middleton

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Pipkin

**Senate of Maryland
2010 Regular Session**

MOTION TO SUSPEND RULE #23 - NUMBERING
IN ORDER TO BYPASS SENATE BILLS 140 THROUGH 142

45 Yeas 0 Nays 0 Excused 1 Not Voting 1 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	Kittleman	Pugh
Astle	Frosh	Klausmeier	Raskin
Brinkley	Garagiola	Kramer	Reilly
Brochin	Gladden	Lenett	Robey
Colburn	Glassman	Madaleno	Rosapepe
Conway	Haines	McFadden	Simonaire
Currie	Harrington	Middleton	Stoltzfus
DeGrange	Jacobs	Mooney	Stone
Della	Jones	Munson	Zirkin
Dyson	Kasemeyer	Muse	
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Harris

Excused from Voting - 0

Excused (Absent) - 1

Pipkin

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Pipkin

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Conway

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Conway

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President
Astle
Brinkley
Brochin
Colburn
Currie
DeGrange
Della
Dyson
Edwards
Exum
Forehand

Frosh
Garagiola
Gladden
Glassman
Haines
Harrington
Harris
Jacobs
Jones
Kasemeyer
Kelley
King

Kittleman
Klausmeier
Kramer
Lenett
Madaleno
McFadden
Middleton
Mooney
Munson
Peters
Pinsky
Pipkin

Pugh
Raskin
Reilly
Robey
Rosapepe
Simonaire
Stoltzfus
Stone
Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Conway

Muse

**Senate of Maryland
2010 Regular Session**

QUORUM

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Frosh	Kittleman	Pugh
Astle	Garagiola	Klausmeier	Raskin
Brinkley	Gladden	Kramer	Reilly
Brochin	Glassman	Lenett	Robey
Colburn	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	
Forehand	King	Pipkin	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Conway Muse

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

SB 72	Third Reading (SB) Calendar No. 1	
	Chair, EHE Com.	(EHE)
Maryland Militia - Membership		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

SB 73	Third Reading (SB) Calendar No. 1	
	Chair, EHE Com.	(EHE)
Maryland Emergency Management Agency - Director		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

SB 78	Third Reading (SB) Calendar No. 1	
	Chair, EHE Com.	(EHE)
Washington Cemetery Board of Trustees		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

SB 79	Third Reading (SB) Calendar No. 1	
	Chair, EHE Com.	(EHE)
Office of the Deaf and Hard of Hearing -		
Responsibilities		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to the
UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE in recogni-
tion of the progress made in solving mysteries of
the common cold by completing genomic sequencing of
the viruses. This work will lead to cures for colds.

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Middleton

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
ROBERT BEALLE
in recognition of winning the 2009-2010 Federal Duck
Stamp Act contest, the oldest and most prestigious
wildlife art competition in America.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Clarksburg High School Boys Varsity Soccer Team
in recognition of winning the 2009 Maryland State 3A
Soccer Championship, the school's first state
championship in a team sport.

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Mooney

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Margaret "Terri" O'Connell
in recognition of receiving the 2009 Maryland
History Day Teacher of the Year award.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Tuscarora Titans Girls Soccer Team
in recognition of the discipline, passion, and resilience demonstrated in winning the Division 3A State championship. We applaud your outstanding season.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 18	Third Reading (SB) Calendar No. 2	
	Sen. Raskin et al	(JPR)
Vehicle Laws - Manufacturers, Distributors, and		
Factory Branches - Benefits to Empls of Dealers		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Carol Greider, Ph.D.
in recognition of receiving the 2009 Nobel Prize in
Medicine for discovering how chromosomes are protect-
ed by telomeres & discovering the enzyme, telomerase.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

Senate Rule Amendment
Rule No. 38
SR0038/903826/1

Question is on the adoption of the amendment to
Senate Rule 38.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

**SPECIAL ORDERS
RULE 116 CHANGE IN RULES**

Question is on the adoption of Rule 116.

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 1

Rosapepe

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 34	Third Reading (SB) Calendar No. 3	
	Sen. Middleton	(FIN)
Joint Committee on Unemployment Insurance		
Oversight - Repeal of Termination Date		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 54	Third Reading (SB) Calendar No. 3	
	Ch., Finance Com.	(FIN)
Business and Economic Development - Maryland		
Economic Adjustment Fund		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 55	Third Reading (SB) Calendar No. 3	
	Ch., Finance Com.	(FIN)
Business and Econ Dev - Md Military Installation		
Council - Sunset Repeal, Mbrshp, and Terms		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 56	Third Reading (SB) Calendar No. 3	
	Ch., Finance Com.	(FIN)
Health Insurance - Medicare Supplement Policies -		
Repeal of Requirement to Offer Plan I		
On Third Reading		

45 Yeas 0 Nays 0 Excused 2 Not Voting 0 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	Kittleman	Pugh
Astle	Frosh	Klausmeier	Raskin
Brinkley	Garagiola	Kramer	Reilly
Brochin	Gladden	Lenett	Robey
Colburn	Glassman	Madaleno	Rosapepe
Conway	Haines	McFadden	Simonaire
Currie	Harrington	Mooney	Stoltzfus
DeGrange	Harris	Munson	Stone
Della	Jones	Muse	Zirkin
Dyson	Kasemeyer	Peters	
Edwards	Kelley	Pinsky	
Exum	King	Pipkin	

Voting Nay - 0

Not Voting - 2

Jacobs	Middleton

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Rosapepe
Conway	Haines	Madaleno	Simonaire
Currie	Harrington	McFadden	Stoltzfus
DeGrange	Harris	Middleton	Stone
Della	Jacobs	Mooney	Zirkin
Dyson	Jones	Muse	
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Munson Robey

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
MARYLANDERS WITH DISABILITIES
in recognition of the 20th Anniversary of the signing
of the Americans with Disabilities Act.

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Rosapepe
Conway	Haines	Madaleno	Simonaire
Currie	Harrington	McFadden	Stoltzfus
DeGrange	Harris	Middleton	Stone
Della	Jacobs	Mooney	Zirkin
Dyson	Jones	Muse	
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Munson Robey

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
ALEX GRIFFITH
in recognition of his being selected a "2009 CNN
HERO".

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Rosapepe
Conway	Haines	Madaleno	Simonaire
Currie	Harrington	McFadden	Stoltzfus
DeGrange	Harris	Middleton	Stone
Della	Jacobs	Mooney	Zirkin
Dyson	Jones	Muse	
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Munson Robey

**Senate of Maryland
2010 Regular Session**

QUORUM

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Rosapepe
Conway	Haines	Madaleno	Simonaire
Currie	Harrington	McFadden	Stoltzfus
DeGrange	Harris	Middleton	Stone
Della	Jacobs	Mooney	Zirkin
Dyson	Jones	Muse	
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Munson Robey

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
GISSELLE MARIE GRZYMALA in recognition of being
crowned Miss Maryland Junior Teen 2009 and establish-
ing the Gisselle Marie Grzymala's Our Heroes' Legacy
Scholarship Fund for children or fallen or injured.

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Gladden	Lenett	Reilly
Colburn	Glassman	Madaleno	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
JENNIFER RANKIN
in recognition of being selected
2010 Maryland Teacher of the Year.

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 2	Third Reading (SB) Calendar No. 4	
	Sen. Conway et al	(EHE)
Task Force on the Minority Business Enterprise		
Program and Equity Investment Capital		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 41	Third Reading (SB) Calendar No. 4	
	Sen. Colburn	(EHE)
Dorchester County - Alcoholic Beverages - Clubs -		
Membership		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 52	Third Reading (SB) Calendar No. 4	
	Ch., Finance Com.	(FIN)
Department of Disabilities - Maryland Commission		
on Disabilities - Duties and Responsibilities		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 69	Third Reading (SB) Calendar No. 4	
	Chair, EHE Com.	(EHE)
Woodland Incentives Program - Prohibition on Use of Federal Funds - Repeal On Third Reading		

45 Yeas 0 Nays 0 Excused 1 Not Voting 1 Excused (Absent)

Voting Yea - 45

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Stoltzfus

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 71	Third Reading (SB) Calendar No. 4	
	Chair, EHE Com.	(EHE)
Procurement - Small Business Reserve Program -		
Sunset Extension		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 75	Third Reading (SB) Calendar No. 4	
	Chair, EHE Com.	(EHE)
Education - Nonpublic School Employees - Criminal		
Convictions		
On Third Reading		

44 Yeas 0 Nays 0 Excused 2 Not Voting 1 Excused (Absent)

Voting Yea - 44

Mr. President	Forehand	Kittleman	Pinsky
Astle	Frosh	Klausmeier	Pipkin
Brochin	Garagiola	Kramer	Pugh
Colburn	Gladden	Lenett	Raskin
Conway	Haines	Madaleno	Reilly
Currie	Harrington	McFadden	Robey
DeGrange	Harris	Middleton	Rosapepe
Della	Jacobs	Mooney	Simonaire
Dyson	Kasemeyer	Munson	Stoltzfus
Edwards	Kelley	Muse	Stone
Exum	King	Peters	Zirkin

Voting Nay - 0

Not Voting - 2

Glassman	Jones

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 76	Third Reading (SB) Calendar No. 4	
	Chair, EHE Com.	(EHE)
Education - Disruptive Youth - Funding		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

SB 87	Third Reading (SB) Calendar No. 4	
	Chair, EHE Com.	(EHE)
Ed - Physical Ed & Athletic Programs for Students with Disabilities - Reporting Requirements		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Brinkley

Joint Session of the General Assembly
State of the State
February 2, 2010
SENATE ROLL CALL

	YEAS	NAYS
MR. PRESIDENT.....	✓	
ASTLE.....	✓	
BRINKLEY.....	<i>Excused</i>	
BROCHIN.....	✓	
COLBURN.....	✓	
CONWAY.....	✓	
CURRIE.....	✓	
DEGRANGE.....	✓	
DELLA.....	✓	
DYSON.....	✓	
EDWARDS.....	✓	
EXUM.....	✓	
FOREHAND.....	✓	
FROSH.....	✓	
GARAGIOLA.....	✓	
GLADDEN.....	✓	
GLASSMAN.....	✓	
HAINES.....	✓	
HARRINGTON.....	✓	
HARRIS.....	✓	
JACOBS.....	✓	
JONES.....	✓	
KASEMEYER.....	✓	
KELLEY.....	✓	

	YEAS	NAYS
KING.....	✓	
KITTLEMAN.....	✓	
KLAUSMEIER.....	✓	
KRAMER.....	✓	
LENETT.....	✓	
MADALENO.....	✓	
McFADDEN.....	✓	
MIDDLETON.....	✓	
MOONEY.....	✓	
MUNSON.....	✓	
MUSE.....	✓	
PETERS.....	✓	
PINSKY.....	✓	
PIPKIN.....	✓	
PUGH.....	✓	
RASKIN.....	✓	
REILLY.....	✓	
ROBEY.....	✓	
ROSAPEPE.....	✓	
SIMONAIRE.....	✓	
STOLTZFUS.....	✓	
STONE.....	✓	
ZIRKIN.....	✓	

Roll Call No. 101A

Total 46

**Maryland House of Delegates
2010 Regular Session**

JOINT SESSION

HOUSE QUORUM

136 Yeas 0 Nays 0 Excused 2 Not Voting 3 Excused (Absent)

Voting Yea - 136

Speaker Busch	DeBoy	Hubbard	McConkey	Schuler
Ali	Donoghue	Hucker	McDonough	Serafini
Anderson	Doory	Impallaria	McHale	Shank
Aumann	Dumais	Ivey	McIntosh	Shewell
Barkley	Dwyer	James	Miller	Simmons
Barnes	Eckardt	Jameson	Minnick	Smigiel
Bartlett	Elliott	Jenkins	Mizeur	Sophocleus
Barve	Elmore	Jennings	Montgomery	Sossi
Bates	Feldman	Jones	Morhaim	Stein
Beidle	Frank	Kach	Murphy	Stifler
Beitzel	Frick	Kaiser	Myers	Stocksdale
Benson	Frush	Kelly	Nathan-Pulliam	Stukes
Bobo	Gaines	King	Niemann	Stull
Bohanan	George	Kipke	Norman	Tarrant
Boteler	Gilchrist	Kirk	Oaks	Taylor
Branch	Glenn	Kramer	O'Donnell	Turner, F.
Bromwell	Griffith	Krebs	Olszewski	Turner, V.
Bronrott	Gutierrez	Krysiak	Pena-Melnyk	Valderrama
Burns	Guzzone	Kullen	Pendergrass	Vallario
Cane	Haddaway	Lafferty	Proctor	Vaughn
Cardin	Hammen	Lee	Ramirez	Waldstreicher
Carr	Harrison	Levi	Reznik	Walker
Carter	Healey	Levy	Riley	Weir
Clagett, G.	Hecht	Love	Robinson	Wood
Conaway	Heller	Malone	Rosenberg	
Conway	Hixson	Manno	Ross	
Costa	Holmes	Mathias	Rudolph	
Davis	Howard	McComas	Schuh	

Voting Nay - 0

Not Voting - 2

Haynes Rice

Excused from Voting - 0

Excused (Absent) - 3

Braveboy Clagett, V. Walkup

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
THE MARYLAND CHAPTER OF THE AMERICAN RED CROSS
in recognition of the swift response to provide imme-
and long-term relief to the people of Haiti affected
by the devastating earthquakes.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
CATOCTIN HIGH SCHOOL FOOTBALL TEAM
in recognition of your winning the Maryland Class 1A
Football Championship. Congratulations on an
undefeated season!

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Garagiola

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President
Astle
Brochin
Colburn
Conway
Currie
DeGrange
Della
Dyson
Edwards
Exum
Forehand

Frosh
Garagiola
Gladden
Glassman
Haines
Harrington
Harris
Jacobs
Jones
Kasemeyer
Kelley
King

Kittleman
Klausmeier
Kramer
Lenett
Madaleno
McFadden
Middleton
Mooney
Munson
Muse
Peters
Pinsky

Pipkin
Pugh
Raskin
Reilly
Robey
Rosapepe
Simonaire
Stoltzfus
Stone
Zirkin

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 53	Third Reading (SB) Calendar No. 5	
	Ch., Finance Com.	(FIN)
Workers' Compensation - Average Weekly Wage -		
Militia		
On Third Reading		

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 58	Third Reading (SB) Calendar No. 5	
	Ch., Finance Com.	(FIN)
Workers' Compensation - Division of Rehabilitation		
Services - Unpaid Work-Based Learning Experiences		
On Third Reading		

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President
Astle
Brinkley
Brochin
Colburn
Conway
Currie
DeGrange
Della
Dyson
Edwards
Exum

Forehand
Frosh
Garagiola
Gladden
Glassman
Haines
Harrington
Harris
Jacobs
Jones
Kasemeyer
Kelley

Kittleman
Klausmeier
Kramer
Lenett
Madaleno
McFadden
Middleton
Mooney
Munson
Muse
Peters
Pinsky

Pipkin
Pugh
Raskin
Reilly
Robey
Rosapepe
Simonaire
Stoltzfus
Stone

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

King

Zirkin

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Head Coach Disney, the Assistant Coaches, and players
in recognition of 3 undefeated seasons and 3 consecu-
tive football championships with the Chesapeake Beach
Buccaneers.

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Gladden	Lenett	Reilly
Colburn	Glassman	Madaleno	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

King Zirkin

**Senate of Maryland
2010 Regular Session**

**SPECIAL ORDERS
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 1
Shall the Senate advise and consent to the
nominations of the Chief Executive?

44 Yeas 0 Nays 0 Excused 1 Not Voting 2 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kelley	Peters
Astle	Forehand	Kittleman	Pinsky
Brinkley	Frosh	Klausmeier	Pipkin
Brochin	Garagiola	Kramer	Pugh
Colburn	Gladden	Lenett	Raskin
Conway	Glassman	Madaleno	Reilly
Currie	Haines	McFadden	Robey
DeGrange	Harrington	Middleton	Rosapepe
Della	Harris	Mooney	Simonaire
Dyson	Jacobs	Munson	Stoltzfus
Edwards	Kasemeyer	Muse	Stone

Voting Nay - 0

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 2

King Zirkin

**Senate of Maryland
2010 Regular Session**

QUORUM

44 Yeas 0 Nays 0 Excused 1 Not Voting 2 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kelley	Peters
Astle	Forehand	Kittleman	Pinsky
Brinkley	Frosh	Klausmeier	Pipkin
Brochin	Garagiola	Kramer	Pugh
Colburn	Gladden	Lenett	Raskin
Conway	Glassman	Madaleno	Reilly
Currie	Haines	McFadden	Robey
DeGrange	Harrington	Middleton	Rosapepe
Della	Harris	Mooney	Simonaire
Dyson	Jacobs	Munson	Stoltzfus
Edwards	Kasemeyer	Muse	Stone

Voting Nay - 0

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 2

King Zirkin

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

42 Yeas 0 Nays 0 Excused 0 Not Voting 5 Excused (Absent)

Voting Yea - 42

Mr. President	Forehand	Kelley	Pipkin
Astle	Frosh	King	Pugh
Brinkley	Garagiola	Kittleman	Raskin
Brochin	Gladden	Klausmeier	Reilly
Colburn	Glassman	Lenett	Robey
Currie	Haines	Madaleno	Rosapepe
DeGrange	Harrington	McFadden	Simonaire
Della	Harris	Mooney	Stone
Dyson	Jacobs	Munson	Zirkin
Edwards	Jones	Peters	
Exum	Kasemeyer	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 5

Conway	Middleton	Stoltzfus
Kramer	Muse	

**Senate of Maryland
2010 Regular Session**

QUORUM

42 Yeas 0 Nays 0 Excused 1 Not Voting 4 Excused (Absent)

Voting Yea - 42

Mr. President	Frosh	King	Pipkin
Astle	Garagiola	Kittleman	Pugh
Brochin	Gladden	Klausmeier	Raskin
Colburn	Glassman	Kramer	Reilly
Currie	Haines	Lenett	Robey
DeGrange	Harrington	Madaleno	Rosapepe
Della	Harris	McFadden	Simonaire
Dyson	Jacobs	Mooney	Stone
Edwards	Jones	Munson	Zirkin
Exum	Kasemeyer	Peters	
Forehand	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 4

Conway	Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 42	Third Reading (SB) Calendar No. 6	
	Sen. Colburn et al	(B&T)
Caroline County - Orphans' Court Judges - Pensions		
On Third Reading		

42 Yeas 0 Nays 0 Excused 1 Not Voting 4 Excused (Absent)

Voting Yea - 42

Mr. President	Frosh	King	Pipkin
Astle	Garagiola	Kittleman	Pugh
Brochin	Gladden	Klausmeier	Raskin
Colburn	Glassman	Kramer	Reilly
Currie	Haines	Lenett	Robey
DeGrange	Harrington	Madaleno	Rosapepe
Della	Harris	McFadden	Simonaire
Dyson	Jacobs	Mooney	Stone
Edwards	Jones	Munson	Zirkin
Exum	Kasemeyer	Peters	
Forehand	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 4

Conway	Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 59	Third Reading (SB) Calendar No. 6	
	Ch., Budget & Tax	(B&T)
Agricultural Land Transfer Tax - Distribution and		
Use of Revenue		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Forehand	Kelley	Pinsky
Astle	Frosh	King	Pipkin
Brinkley	Garagiola	Kittleman	Pugh
Brochin	Gladden	Klausmeier	Raskin
Colburn	Glassman	Kramer	Reilly
Currie	Haines	Lenett	Robey
DeGrange	Harrington	Madaleno	Rosapepe
Della	Harris	McFadden	Simonaire
Dyson	Jacobs	Mooney	Stone
Edwards	Jones	Munson	Zirkin
Exum	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Conway	Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 64	Third Reading (SB) Calendar No. 6	
	Ch., Budget & Tax	(B&T)
Maryland Research and Development Tax Credit -		
Sunset Extension		
On Third Reading		

41 Yeas 0 Nays 0 Excused 2 Not Voting 4 Excused (Absent)

Voting Yea - 41

Mr. President	Frosh	Kittleman	Pugh
Astle	Garagiola	Klausmeier	Raskin
Brinkley	Gladden	Kramer	Reilly
Brochin	Glassman	Lenett	Robey
Colburn	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Mooney	Stone
Della	Jacobs	Munson	Zirkin
Edwards	Jones	Peters	
Exum	Kasemeyer	Pinsky	
Forehand	Kelley	Pipkin	

Voting Nay - 0

Not Voting - 2

Dyson	King

Excused from Voting - 0

Excused (Absent) - 4

Conway	Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Mr. President
Astle
Brinkley
Brochin
Colburn
Conway
Currie
DeGrange
Della
Dyson
Edwards

Exum
Forehand
Frosh
Garagiola
Gladden
Glassman
Haines
Harrington
Harris
Jacobs
Jones

Kasemeyer
Kelley
King
Kittleman
Klausmeier
Kramer
Lenett
Madaleno
McFadden
Mooney
Munson

Peters
Pinsky
Pipkin
Pugh
Raskin
Reilly
Robey
Rosapepe
Simonaire
Stone
Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Middleton

Muse

Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Mr. President
Astle
Brinkley
Brochin
Colburn
Conway
Currie
DeGrange
Della
Dyson
Edwards

Exum
Forehand
Frosh
Garagiola
Gladden
Glassman
Haines
Harrington
Harris
Jacobs
Jones

Kasemeyer
Kelley
King
Kittleman
Klausmeier
Kramer
Lenett
Madaleno
McFadden
Mooney
Munson

Peters
Pinsky
Pipkin
Pugh
Raskin
Reilly
Robey
Rosapepe
Simonaire
Stone
Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Middleton

Muse

Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 26	Third Reading (SB) Calendar No. 7	
	Sen. Miller et al	(SRU)
Maryland Constitutional Convention - Sense of the		
Voters		
On Third Reading		

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kasemeyer	Peters
Astle	Forehand	Kelley	Pinsky
Brinkley	Frosh	King	Pipkin
Brochin	Garagiola	Kittleman	Pugh
Colburn	Gladden	Klausmeier	Raskin
Conway	Glassman	Kramer	Reilly
Currie	Haines	Lenett	Robey
DeGrange	Harrington	Madaleno	Rosapepe
Della	Harris	McFadden	Simonaire
Dyson	Jacobs	Mooney	Stone
Edwards	Jones	Munson	Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kasemeyer	Peters
Astle	Forehand	Kelley	Pinsky
Brinkley	Frosh	King	Pipkin
Brochin	Garagiola	Kittleman	Pugh
Colburn	Gladden	Klausmeier	Raskin
Conway	Glassman	Kramer	Reilly
Currie	Haines	Lenett	Robey
DeGrange	Harrington	Madaleno	Rosapepe
Della	Harris	McFadden	Simonaire
Dyson	Jacobs	Mooney	Stone
Edwards	Jones	Munson	Zirkin

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Middleton	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

32 Yeas 0 Nays 0 Excused 0 Not Voting 15 Excused (Absent)

Voting Yea - 32

Mr. President	Edwards	Kasemeyer	Munson
Astle	Forehand	Kelley	Peters
Brochin	Frosh	King	Pinsky
Colburn	Garagiola	Kittleman	Pipkin
Conway	Gladden	Klausmeier	Pugh
Currie	Haines	Kramer	Reilly
DeGrange	Harrington	Lenett	Robey
Della	Jones	Mooney	Simonaire

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 15

Brinkley	Harris	Middleton	Stoltzfus
Dyson	Jacobs	Muse	Stone
Exum	Madaleno	Raskin	Zirkin
Glassman	McFadden	Rosapepe	

**Senate of Maryland
2010 Regular Session**

BILL INTRODUCTIONS

suspend Rule 32 to bypass Rules and refer bills
directly to standing committees

32 Yeas 0 Nays 0 Excused 0 Not Voting 15 Excused (Absent)

Voting Yea - 32

Mr. President	Edwards	Kasemeyer	Munson
Astle	Forehand	Kelley	Peters
Brochin	Frosh	King	Pinsky
Colburn	Garagiola	Kittleman	Pipkin
Conway	Gladden	Klausmeier	Pugh
Currie	Haines	Kramer	Reilly
DeGrange	Harrington	Lenett	Robey
Della	Jones	Mooney	Simonaire

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 15

Brinkley	Harris	Middleton	Stoltzfus
Dyson	Jacobs	Muse	Stone
Exum	Madaleno	Raskin	Zirkin
Glassman	McFadden	Rosapepe	

**Senate of Maryland
2010 Regular Session**

QUORUM

32 Yeas 0 Nays 0 Excused 0 Not Voting 15 Excused (Absent)

Voting Yea - 32

Mr. President	Edwards	Kasemeyer	Munson
Astle	Forehand	Kelley	Peters
Brochin	Frosh	King	Pinsky
Colburn	Garagiola	Kittleman	Pipkin
Conway	Gladden	Klausmeier	Pugh
Currie	Haines	Kramer	Reilly
DeGrange	Harrington	Lenett	Robey
Della	Jones	Mooney	Simonaire

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 15

Brinkley	Harris	Middleton	Stoltzfus
Dyson	Jacobs	Muse	Stone
Exum	Madaleno	Raskin	Zirkin
Glassman	McFadden	Rosapepe	

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

BILL INTRODUCTIONS

suspend Rules 32 to bypass Rules and refer bills
directly to standing committees

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

Third Reading (SB) Calendar No. 8
Consent Calendar No. 1

On Third Reading

SB 40 SB 47

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 3	Third Reading (SB) Calendar No. 9
	Sen. Klausmeier et al (EHE)
Environment - Wetlands and Waterways Program Fees	
- Aquaculture	
On Third Reading	

42 Yeas 0 Nays 0 Excused 1 Not Voting 4 Excused (Absent)

Voting Yea - 42

Mr. President	Exum	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Haines	Lenett	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stone
Della	Jones	Munson	Zirkin
Dyson	Kasemeyer	Peters	
Edwards	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Forehand

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 60	Third Reading (SB) Calendar No. 9	(EHE)
	Chair, EHE Com.	
Commission on Environmental Justice and Sustainable Communities - Membership On Third Reading		

42 Yeas 0 Nays 0 Excused 1 Not Voting 4 Excused (Absent)

Voting Yea - 42

Mr. President	Exum	King	Pipkin
Astle	Forehand	Kittleman	Pugh
Brinkley	Frosh	Klausmeier	Raskin
Brochin	Garagiola	Kramer	Reilly
Colburn	Gladden	Lenett	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stone
Della	Jones	Munson	Zirkin
Dyson	Kasemeyer	Peters	
Edwards	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Jacobs

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 62	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Maryland Horse Industry Fund - Fees		
On Third Reading		

34 Yeas 9 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 34

Mr. President	Exum	Kelley	Peters
Astle	Forehand	King	Pinsky
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Conway	Gladden	Kramer	Robey
Currie	Haines	Lenett	Rosapepe
DeGrange	Harrington	McFadden	Zirkin
Della	Jones	Middleton	
Edwards	Kasemeyer	Munson	

Voting Nay - 9

Colburn	Jacobs	Reilly
Dyson	Mooney	Simonaire
Harris	Pipkin	Stone

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 81	Third Reading (SB) Calendar No. 9
	Chair, EHE Com. (EHE)
State Bd of Veterinary Medical Examiners - License	
Suspensions and Revocs - Max Penalties	
On Third Reading	

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 82	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Maryland Commercial Feed Law - Definitions -		
Prohibition on Sale		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 83	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Department of Housing and Community Development -		
Group Home Financing Program - Refinancing		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 84	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Tidal Fisheries Advisory Commission - Sport		
Fisheries Advisory Commission - Membership		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 88	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Environment - Controlled Hazardous Substance		
Advisory Council		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 90	Third Reading (SB) Calendar No. 9	
	Chair, EHE Com.	(EHE)
Secretary of Agriculture - Farm Quarantine		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 11	Third Reading (SB) Calendar No. 10	
	Sen. Conway et al	(EHE)
Business Regulation - Returnable Containers -		
Plastic Secondary Packaging		
On Third Reading		

42 Yeas 0 Nays 0 Excused 1 Not Voting 4 Excused (Absent)

Voting Yea - 42

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 1

Zirkin

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 13	Third Reading (SB) Calendar No. 10	
	Sen. Raskin	(JPR)
Civil Proceedings - Foreign Defamation Judgments -		
Enforceability and Bases of Personal Jurisdiction		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 43	Third Reading (SB) Calendar No. 10	
	Sen. Haines	(EHE)
Public Safety - Board of Boiler Rules - Membership		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 46	Third Reading (SB) Calendar No. 10	
	Sen. Colburn et al	(JPR)
Veh Laws - Registr and Driver's Lic Renewal Fees -		
No Charge for Recipients of Medal of Honor		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 51	Third Reading (SB) Calendar No. 10	
	Sen. Raskin et al	(JPR)
Vehicle Laws - Bicycles, EPAMDs, and Motor		
Scooters - Rules of the Road		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 61	Third Reading (SB) Calendar No. 10	
	Ch., Jud. Proceed.	(JPR)
Fam Law - Crim Hist Rcds Chcks - Empls and Emps in		
Facs & Other Inds That Care for or Sup Chdrn		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 74	Third Reading (SB) Calendar No. 10	
	Chair, EHE Com.	(EHE)
Education - Comprehensive Master Plans		
On Third Reading		

41 Yeas 0 Nays 0 Excused 2 Not Voting 4 Excused (Absent)

Voting Yea - 41

Mr. President	Exum	Kittleman	Pugh
Astle	Forehand	Klausmeier	Raskin
Brinkley	Frosh	Kramer	Reilly
Brochin	Garagiola	Lenett	Robey
Colburn	Gladden	McFadden	Rosapepe
Conway	Haines	Middleton	Simonaire
Currie	Harrington	Mooney	Stone
DeGrange	Harris	Munson	Zirkin
Della	Jacobs	Peters	
Dyson	Kasemeyer	Pinsky	
Edwards	Kelley	Pipkin	

Voting Nay - 0

Not Voting - 2

Jones	King

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

SB 77 Third Reading (SB) Calendar No. 10
Chair, EHE Com. (EHE)
Health General - Disease Prevention and Testing -
Inmates of Correctional Institutions
On Third Reading

Voting Yea - 42

Voting Nay - 0

Not Voting - 1

Excused from Voting - 0

Excused (Absent) - 4

COPY

**Senate of Maryland
2010 Regular Session**

SB 80	Third Reading (SB) Calendar No. 10	
	Chair, EHE Com.	(EHE)
Maryland Higher Education Commission - Office of		
Student Financial Assistance		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 91	Third Reading (SB) Calendar No. 10	
	Chair, EHE Com.	(EHE)
Maryland Higher Education Commission - Exempt		
Institutions		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 109	Third Reading (SB) Calendar No. 10
	Ch., Jud. Proceed. (JPR)
Criminal Procedure - Expiration Date of Sentences	
- Repeal	
On Third Reading	

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

SB 245	Third Reading (SB) Calendar No. 10	
	Sen. Simonaire	(JPR)
School Bus Seat Belt Corrective Language Act		
On Third Reading		

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM

43 Yeas 0 Nays 0 Excused 0 Not Voting 4 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	Kelley	Pinsky
Astle	Forehand	King	Pipkin
Brinkley	Frosh	Kittleman	Pugh
Brochin	Garagiola	Klausmeier	Raskin
Colburn	Gladden	Kramer	Reilly
Conway	Haines	Lenett	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 4

Glassman	Madaleno	Muse	Stoltzfus

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Madaleno

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Madaleno

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 7	Third Reading (SB) Calendar No. 11	
	Sen. Garagiola	(FIN)
Business Regulation - State Amusement Ride Safety		
Advisory Board - Membership		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 27	Third Reading (SB) Calendar No. 11	
	Sen. Conway	(FIN)
Health Insurance - Benefits for In Vitro		
Fertilization - Donor Sperm		
On Third Reading		

23 Yeas 23 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 23

Conway	Garagiola	King	Middleton
Currie	Gladden	Klausmeier	Pinsky
Della	Glassman	Kramer	Pipkin
Exum	Harrington	Lenett	Pugh
Forehand	Jones	Madaleno	Raskin
Frosh	Kasemeyer	McFadden	

Voting Nay - 23

Astle	Edwards	Mooney	Rosapepe
Brinkley	Haines	Munson	Simonaire
Brochin	Harris	Muse	Stoltzfus
Colburn	Jacobs	Peters	Stone
DeGrange	Kelley	Reilly	Zirkin
Dyson	Kittleman	Robey	

Not Voting - 1

Mr. President

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 57	Third Reading (SB) Calendar No. 11	
	Ch., Finance Com.	(FIN)
HLTH INS - Mental HLTH Benefits and Med and Surg		
Benefits for Mastectomies - Parity with Fed Law		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 99	Third Reading (SB) Calendar No. 11	
	Sen. DeGrange et al	(FIN)
Junk Dealers and Scrap Metal Processors - Required		
Records		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 328	Third Reading (SB) Calendar No. 11	
	Sen. Middleton et al	(FIN)
Hospitals - Financial Assistance and Debt Collection		
On Third Reading		

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Currie

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SJ 2	Third Reading (SB) Calendar No. 12	
	The President	(B&T)
Governor's Salary Comm - Salary Recommendations		
for Governor and Lieutenant Governor		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

SJ 4 Third Reading (SB) Calendar No. 12
The President (B&T)
Judicial Compensation Commission - Recommendations
On Third Reading

136

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland offers its sincerest
congratulations to
Dr. Elizabeth Morgan
in recognition of being chosen the 2010 National
Superintendent of the Year by the American Assn. of
School Administrators.

44 Yeas 0 Nays 0 Excused 3 Not Voting 0 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	King	Peters
Astle	Forehand	Kittleman	Pinsky
Brinkley	Frosh	Klausmeier	Pipkin
Brochin	Garagiola	Kramer	Pugh
Colburn	Glassman	Lenett	Raskin
Conway	Haines	Madaleno	Reilly
Currie	Harrington	McFadden	Robey
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Kasemeyer	Munson	Stone
Edwards	Kelley	Muse	Zirkin

Voting Nay - 0

Not Voting - 3

Gladden	Jones	Rosapepe

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland offers its sincerest
congratulations to Boy Scouts of America in
recognition of the 100th anniversary of Scouting
We commend your vision to prepare the youth of
America to become responsible, participating citizens
and leaders. Congratulations!

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Gladden	Lenett	Reilly
Colburn	Glassman	Madaleno	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Simonaire
DeGrange	Harris	Mooney	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
The Students of Towson University in recognition
the 11th successful Tiger Pride Advocacy Day.

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Forehand

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SJ 5	Special Orders	
	The President	(B&T)
General Assembly Compensation - Recommendations		
On 2nd rdg and open to amendment		
Motion to Special Order Harris		

14 Yeas 32 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 14

Brinkley	Haines	Mooney	Simonaire
Brochin	Harris	Munson	Stoltzfus
Colburn	Jacobs	Pipkin	
Edwards	Kittleman	Reilly	

Voting Nay - 32

Mr. President	Forehand	King	Peters
Astle	Frosh	Klausmeier	Pinsky
Conway	Garagiola	Kramer	Pugh
Currie	Gladden	Lenett	Raskin
DeGrange	Harrington	Madaleno	Robey
Della	Jones	McFadden	Rosapepe
Dyson	Kasemeyer	Middleton	Stone
Exum	Kelley	Muse	Zirkin

Not Voting - 1

Glassman

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SJ 5	Special Orders	
	The President	(B&T)
General Assembly Compensation - Recommendations		
Floor amendment Harris /793126/1		

15 Yeas 31 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 15

Brinkley	Glassman	Kittleman	Reilly
Brochin	Haines	Mooney	Simonaire
Colburn	Harris	Munson	Stoltzfus
Edwards	Jacobs	Pipkin	

Voting Nay - 31

Mr. President	Frosh	Klausmeier	Pinsky
Astle	Garagiola	Kramer	Pugh
Currie	Gladden	Lenett	Raskin
DeGrange	Harrington	Madaleno	Robey
Della	Jones	McFadden	Rosapepe
Dyson	Kasemeyer	Middleton	Stone
Exum	Kelley	Muse	Zirkin
Forehand	King	Peters	

Not Voting - 1

Conway

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 70	Special Orders	
	Chair, EHE Com.	(EHE)
Department of Natural Resources - Vessel Noise -		
Limitation		
Floor amendment Pipkin /793820/3		

28 Yeas 19 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 28

Astle	Glassman	Klausmeier	Raskin
Brinkley	Haines	Kramer	Reilly
Colburn	Harris	McFadden	Robey
DeGrange	Jacobs	Middleton	Simonaire
Della	Kasemeyer	Mooney	Stoltzfus
Edwards	King	Munson	Stone
Garagiola	Kittleman	Pipkin	Zirkin

Voting Nay - 19

Mr. President	Exum	Jones	Peters
Brochin	Forehand	Kelley	Pinsky
Conway	Frosh	Lenett	Pugh
Currie	Gladden	Madaleno	Rosapepe
Dyson	Harrington	Muse	

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 70	Special Orders	
	Chair, EHE Com.	(EHE)
Department of Natural Resources - Vessel Noise - Limitation		
Floor amendment Jacobs /383129/1		

7 Yeas 40 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 7

Colburn	Jacobs	Mooney	Reilly
Harris	Kittleman	Pipkin	

Voting Nay - 40

Mr. President	Exum	Kelley	Peters
Astle	Forehand	King	Pinsky
Brinkley	Frosh	Klausmeier	Pugh
Brochin	Garagiola	Kramer	Raskin
Conway	Gladden	Lenett	Robey
Currie	Glassman	Madaleno	Rosapepe
DeGrange	Haines	McFadden	Simonaire
Della	Harrington	Middleton	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 198	Third Reading (SB) Calendar No. 13	
	Sen. Glassman et al	(FIN)
Farmer's Markets - Agricultural Product Sales -		
Producer Mobile Farmer's Market License		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

SB 199 Third Reading (SB) Calendar No. 13
Sen. Glassman et al (FIN)
Seasonal Farmer's Market Producer Sampling License
On Third Reading

**Senate of Maryland
2010 Regular Session**

SB 236	Third Reading (SB) Calendar No. 13	
	Sen. Middleton et al	(FIN)
Insurance - Premium Increase for Commercial and Workers' Compensation Insurance - Notice On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

**SPECIAL ORDER
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 2 (except #1 & #12)
**Shall the Senate advise and consent to the
nominations of the Chief Executive?**

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

**SPECIAL ORDER
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 2 Nominee #12
**Shall the Senate advise and consent to the
nominations of the Chief Executive?**

43 Yeas 4 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 43

Mr. President	Exum	King	Pinsky
Astle	Forehand	Kittleman	Pugh
Brinkley	Frosh	Klausmeier	Raskin
Brochin	Garagiola	Kramer	Reilly
Colburn	Gladden	Lenett	Robey
Conway	Glassman	Madaleno	Rosapepe
Currie	Haines	McFadden	Simonaire
DeGrange	Harrington	Middleton	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	

Voting Nay - 4

Harris	Jacobs	Mooney	Pipkin

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 27	Special Orders	
	Sen. Conway	(FIN)
Health Insurance - Benefits for In Vitro Fertilization - Donor Sperm		
Motion to place bill back on 2nd reading		

44 Yeas 3 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 44

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brochin	Garagiola	Klausmeier	Pugh
Colburn	Gladden	Kramer	Raskin
Conway	Glassman	Lenett	Reilly
Currie	Haines	Madaleno	Robey
DeGrange	Harrington	McFadden	Rosapepe
Della	Jacobs	Middleton	Simonaire
Dyson	Jones	Munson	Stoltzfus
Edwards	Kasemeyer	Muse	Stone
Exum	Kelley	Peters	Zirkin

Voting Nay - 3

Brinkley	Harris	Mooney

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 70	Third Reading (SB) Calendar No. 14	
	Chair, EHE Com.	(EHE)
Department of Natural Resources - Vessel Noise -		
Limitation		
On Third Reading		

43 Yeas 1 Nays 0 Excused 3 Not Voting 0 Excused (Absent)

Voting Yea - 43

Mr. President	Frosh	Kittleman	Pinsky
Astle	Garagiola	Klausmeier	Pipkin
Brinkley	Gladden	Kramer	Pugh
Brochin	Glassman	Lenett	Raskin
Conway	Haines	Madaleno	Reilly
Currie	Harrington	McFadden	Robey
DeGrange	Harris	Middleton	Rosapepe
Della	Jones	Mooney	Simonaire
Dyson	Kasemeyer	Munson	Stone
Edwards	Kelley	Muse	Zirkin
Exum	King	Peters	

Voting Nay - 1

Jacobs

Not Voting - 3

Colburn

Forehand

Stoltzfus

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SJ 5	Third Reading (SB) Calendar No. 14	
	The President	(B&T)
General Assembly Compensation Commission -		
Recommendations		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
OXON HILL HIGH SCHOOL VOCAL DEPARTMENT in recognition
of receiving the prestigious 2010 Stella Award for
the Children's Performance of the Year under the
direction of Dr. Emory Andrews

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Mooney

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland offers its sincerest
congratulations to
DAVE PIETRAMALA, HEAD COACH, JOHNS HOPKINS MEN'S
LACROSSE TEAM in recognition of your being one of
only three coaches in the history of Johns Hopkins
University to win 100 games.

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pipkin
Astle	Frosh	Kittleman	Pugh
Brinkley	Garagiola	Klausmeier	Raskin
Brochin	Gladden	Kramer	Reilly
Colburn	Glassman	Lenett	Robey
Conway	Haines	Madaleno	Rosapepe
Currie	Harrington	McFadden	Simonaire
DeGrange	Harris	Middleton	Stoltzfus
Della	Jacobs	Munson	Stone
Dyson	Jones	Muse	Zirkin
Edwards	Kasemeyer	Peters	
Exum	Kelley	Pinsky	

Voting Nay - 0

Not Voting - 1

Mooney

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Frosh	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	

Voting Nay - 0

Not Voting - 1

Brinkley

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
NASA'S GODDARD SPACE FLIGHT CENTER in recognition of
the 20th Anniversary of the Hubble Space Telescope.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland offers its sincerest
congratulations to
TREES FOR THE FUTURE in recognition of two decades
of global activity restoring degraded lands, provid-
sustainable livelihoods, and cutting carbon emissions
through the planting of more than 65 million trees.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 27	Third Reading (SB) Calendar No. 16	
	Sen. Conway	(FIN)
Health Insurance - Benefits for In Vitro		
Fertilization - Donor Sperm		
On Third Reading		

25 Yeas 20 Nays 0 Excused 2 Not Voting 0 Excused (Absent)

Voting Yea - 25

Mr. President	Garagiola	Klausmeier	Pipkin
Conway	Gladden	Kramer	Pugh
Currie	Glassman	Lenett	Raskin
Della	Harrington	Madaleno	Rosapepe
Exum	Jones	McFadden	
Forehand	Kasemeyer	Middleton	
Frosh	King	Pinsky	

Voting Nay - 20

Astle	Dyson	Kittleman	Robey
Brinkley	Edwards	Mooney	Simonaire
Brochin	Haines	Munson	Stoltzfus
Colburn	Harris	Peters	Stone
DeGrange	Jacobs	Reilly	Zirkin

Not Voting - 2

Kelley	Muse

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 96	Third Reading (SB) Calendar No. 16	
	The President	(EHE)
Washington Suburban Sanitary Commission		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 164	Third Reading (SB) Calendar No. 16	(EHE)
	Sen. Conway	
Advisory Committee on the Naming of State Facilities, Roads, and Bridges - Repeal On Third Reading		

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 1

Stoltzfus

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 217	Third Reading (SB) Calendar No. 16	
	Sen. Stone	(EHE)
Maryland Locksmiths Act - Exemptions -		
Repossession of Property		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

SB 249 Third Reading (SB) Calendar No. 16
The President (EHE)
Public Utilities and Washington Suburban Sanitary
Commission - Cross-References
On Third Reading

**Senate of Maryland
2010 Regular Session**

SB 469	Third Reading (SB) Calendar No. 16	
	The President	(SRU)
Annual Curative Bill		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 470	Third Reading (SB) Calendar No. 16	
	The President	(SRU)
Annual Corrective Bill		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

SB 103 Third Reading (SB) Calendar No. 17
The President (EHE)
State Board of Examiners of Landscape Architects -
Sunset Extension and Program Evaluation
On Third Reading

177

SB 104 Third Reading (SB) Calendar No. 17
The President (EHE)
St Bd of Chiropractic and Massage Thrpy Exmrs -
Sunset Ext and Program Evaluation
On Third Reading

178

**Senate of Maryland
2010 Regular Session**

SB 145	Third Reading (SB) Calendar No. 17	
	The President	(EHE)
State Board of Examiners in Optometry - Sunset		
Extension and Program Evaluation		
On Third Reading		

45 Yeas 0 Nays 0 Excused 2 Not Voting 0 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	Kittleman	Pipkin
Astle	Garagiola	Klausmeier	Pugh
Brinkley	Gladden	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Zirkin
Dyson	Kasemeyer	Muse	
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 2

Frosh	Stone

Excused from Voting - 0

Excused (Absent) - 0

SB 146 Third Reading (SB) Calendar No. 17
 The President (EHE)
State Board of Physical Therapy Examiners - Sunset
Extension and Program Evaluation
On Third Reading

Voting Yea - 47

Voting Nay - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 147	Third Reading (SB) Calendar No. 17	
	The President	(EHE)
State Board for Professional Land Surveyors -		
Sunset Extension and Program Evaluation		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 148	Third Reading (SB) Calendar No. 17	
	The President	(EHE)
State Board of Pilots - Sunset Extension and Program Evaluation		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 149	Third Reading (SB) Calendar No. 17	
	The President	(EHE)
State Board of Plumbing - Sunset Extension and Program Evaluation		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

44 Yeas 0 Nays 0 Excused 0 Not Voting 3 Excused (Absent)

Voting Yea - 44

Mr. President	Frosh	King	Peters
Astle	Garagiola	Kittleman	Pinsky
Brinkley	Gladden	Klausmeier	Pipkin
Brochin	Glassman	Kramer	Pugh
Colburn	Haines	Lenett	Raskin
Conway	Harrington	Madaleno	Reilly
Currie	Harris	McFadden	Robey
DeGrange	Jacobs	Middleton	Rosapepe
Della	Jones	Mooney	Simonaire
Exum	Kasemeyer	Munson	Stoltzfus
Forehand	Kelley	Muse	Stone

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 3

Dyson	Edwards	Zirkin

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
ROBERT BONNELL in recognition of your outstanding
and dedicated service to the students of the
Baltimore City Public Schools as the Chairman of the
Board for the Educational Opportunity Program.

44 Yeas 0 Nays 0 Excused 1 Not Voting 2 Excused (Absent)

Voting Yea - 44

Mr. President	Frosh	Kittleman	Pinsky
Astle	Garagiola	Klausmeier	Pipkin
Brinkley	Gladden	Kramer	Pugh
Brochin	Glassman	Lenett	Raskin
Colburn	Haines	Madaleno	Reilly
Conway	Harrington	McFadden	Robey
Currie	Harris	Middleton	Rosapepe
DeGrange	Jacobs	Mooney	Simonaire
Della	Kasemeyer	Munson	Stoltzfus
Exum	Kelley	Muse	Stone
Forehand	King	Peters	Zirkin

Voting Nay - 0

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 2

Dyson

Edwards

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Genesis HealthCare - Spa Creek Center
in recognition of receiving the American Health Care
Association's National Step II Quality Award for
quality care in the long-term profession.

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Garagiola	Klausmeier	Pugh
Astle	Gladden	Kramer	Raskin
Brinkley	Glassman	Lenett	Reilly
Brochin	Haines	Madaleno	Robey
Colburn	Harrington	McFadden	Rosapepe
Conway	Harris	Middleton	Simonaire
Currie	Jacobs	Mooney	Stoltzfus
DeGrange	Jones	Munson	Stone
Della	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	
Frosh	Kittleman	Pipkin	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Dyson Edwards

**Senate of Maryland
2010 Regular Session**

QUORUM

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Garagiola	Klausmeier	Pugh
Astle	Gladden	Kramer	Raskin
Brinkley	Glassman	Lenett	Reilly
Brochin	Haines	Madaleno	Robey
Colburn	Harrington	McFadden	Rosapepe
Conway	Harris	Middleton	Simonaire
Currie	Jacobs	Mooney	Stoltzfus
DeGrange	Jones	Munson	Stone
Della	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	
Frosh	Kittleman	Pipkin	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Dyson Edwards

**Senate of Maryland
2010 Regular Session**

Third Reading (SB) Calendar No. 15
Consent Calendar No. 2

On Third Reading

SB 122 SB 173

45 Yeas 0 Nays 0 Excused 0 Not Voting 2 Excused (Absent)

Voting Yea - 45

Mr. President	Garagiola	Klausmeier	Pugh
Astle	Gladden	Kramer	Raskin
Brinkley	Glassman	Lenett	Reilly
Brochin	Haines	Madaleno	Robey
Colburn	Harrington	McFadden	Rosapepe
Conway	Harris	Middleton	Simonaire
Currie	Jacobs	Mooney	Stoltzfus
DeGrange	Jones	Munson	Stone
Della	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	
Forehand	King	Pinsky	
Frosh	Kittleman	Pipkin	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 2

Dyson Edwards

**Senate of Maryland
2010 Regular Session**

SB 476	Laid-over Bills	
	Sen. Currie et al	(B&T)
Maintenance of Effort - Penalty		
Floor amendment Kittleman /193927/1		

11 Yeas 34 Nays 0 Excused 1 Not Voting 1 Excused (Absent)

Voting Yea - 11

Brinkley	Glassman	Jacobs	Reilly
Brochin	Haines	Kittleman	Stoltzfus
Colburn	Harris	Pipkin	

Voting Nay - 34

Astle	Garagiola	Lenett	Pugh
Conway	Gladden	Madaleno	Raskin
Currie	Harrington	McFadden	Robey
DeGrange	Jones	Middleton	Rosapepe
Della	Kasemeyer	Mooney	Simonaire
Dyson	Kelley	Munson	Stone
Exum	King	Muse	Zirkin
Forehand	Klausmeier	Peters	
Frosh	Kramer	Pinsky	

Not Voting - 1

Mr. President

Excused from Voting - 0

Excused (Absent) - 1

Edwards

**Senate of Maryland
2010 Regular Session**

SB 106	Laid-over Bills	
	The President et al	(B&T)
Labor and Employment - Job Creation and Recovery		
Tax Credit		
Floor amendment Mooney /393625/1		

6 Yeas 40 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 6

Harris	Kittleman	Reilly
Jacobs	Mooney	Simonaire

Voting Nay - 40

Mr. President	Exum	Kelley	Peters
Astle	Forehand	King	Pinsky
Brinkley	Frosh	Klausmeier	Pipkin
Brochin	Garagiola	Kramer	Pugh
Colburn	Gladden	Lenett	Raskin
Conway	Glassman	Madaleno	Robey
Currie	Haines	McFadden	Rosapepe
DeGrange	Harrington	Middleton	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Edwards

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 112	Third Reading (SB) Calendar No. 18	
	Sen. Stone	(B&T)
Baltimore County - Property Tax Credit - Rosewald		
Beach Civic League		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 144	Third Reading (SB) Calendar No. 18	
	The President	(FIN)
St Bd of Exmrs of Nursing Home Administrators -		
Sunset Ext and Program Evaluation		
On Third Reading		

45 Yeas 0 Nays 0 Excused 1 Not Voting 1 Excused (Absent)

Voting Yea - 45

Mr. President	Forehand	Klausmeier	Pugh
Astle	Frosh	Kramer	Raskin
Brinkley	Garagiola	Lenett	Reilly
Brochin	Glassman	Madaleno	Robey
Colburn	Haines	McFadden	Rosapepe
Conway	Harrington	Middleton	Simonaire
Currie	Harris	Mooney	Stoltzfus
DeGrange	Jacobs	Munson	Stone
Della	Jones	Muse	Zirkin
Dyson	Kasemeyer	Peters	
Edwards	King	Pinsky	
Exum	Kittleman	Pipkin	

Voting Nay - 0

Not Voting - 1

Kelley

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 179	Third Reading (SB) Calendar No. 18	
	Sen. McFadden	(B&T)
Baltimore City Public School System - Exclusion		
from Amount of Bonds Outstanding		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 213	Third Reading (SB) Calendar No. 18	
	Sen. Frosh et al	(FIN)
Child Care Articles Containing Bisphenol-A -		
Prohibition		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 223	Third Reading (SB) Calendar No. 18	
	Sen. Colburn	(B&T)
Dorchester County - County Transfer Tax - Repeal of Sunset Provision		
Floor amendment Garagiola		
Floor amendment Frosh		

42 Yeas 4 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 42

Mr. President	Exum	Kittleman	Pipkin
Astle	Forehand	Klausmeier	Pugh
Brinkley	Frosh	Kramer	Raskin
Brochin	Garagiola	Lenett	Reilly
Colburn	Glassman	Madaleno	Robey
Conway	Haines	McFadden	Rosapepe
Currie	Harrington	Middleton	Stoltzfus
DeGrange	Jones	Munson	Stone
Della	Kasemeyer	Muse	Zirkin
Dyson	Kelley	Peters	
Edwards	King	Pinsky	

Voting Nay - 4

Harris	Jacobs	Mooney	Simonaire

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 302	Third Reading (SB) Calendar No. 18	
	Sen. Glassman	(FIN)
Commercial Law - Equipment Dealer Contract Act -		
Outdoor Power Sports Equipment		
On Third Reading		

43 Yeas 0 Nays 0 Excused 3 Not Voting 1 Excused (Absent)

Voting Yea - 43

Mr. President	Forehand	Kittleman	Pinsky
Astle	Frosh	Klausmeier	Pipkin
Brinkley	Garagiola	Kramer	Pugh
Brochin	Glassman	Lenett	Raskin
Colburn	Haines	Madaleno	Reilly
Conway	Harrington	McFadden	Robey
Currie	Harris	Middleton	Rosapepe
DeGrange	Jacobs	Mooney	Simonaire
Della	Jones	Munson	Stoltzfus
Dyson	Kelley	Muse	Zirkin
Edwards	King	Peters	

Voting Nay - 0

Not Voting - 3

Exum	Kasemeyer	Stone

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 313	Third Reading (SB) Calendar No. 18	
	Sen. King et al	(FIN)
Health Insurance - Annual Preventive Care		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 408	Third Reading (SB) Calendar No. 18	
	Sen. Peters et al	(FIN)
Public Health - Disposition of Remains - Armed		
Forces Members		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 68	Third Reading (SB) Calendar No. 19	
	Ch., Jud. Proceed.	(JPR)
State Government - Human Relations -		
Closed-Captioning Activation Required		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 118	Third Reading (SB) Calendar No. 19	
	Sen. Zirkin et al	(JPR)
Courts - Jury Trials in Civil Actions - Amount in		
Controversy		
On Third Reading		

33 Yeas 13 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 33

Mr. President	Exum	Lenett	Raskin
Astle	Forehand	Madaleno	Robey
Brochin	Frosh	McFadden	Rosapepe
Conway	Garagiola	Middleton	Stoltzfus
Currie	Harrington	Munson	Stone
DeGrange	Jones	Muse	Zirkin
Della	Kasemeyer	Peters	
Dyson	King	Pinsky	
Edwards	Klausmeier	Pugh	

Voting Nay - 13

Brinkley	Harris	Kramer	Simonaire
Colburn	Jacobs	Mooney	
Glassman	Kelley	Pipkin	
Haines	Kittleman	Reilly	

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 119	Third Reading (SB) Calendar No. 19	
	Sen. Zirkin et al	(JPR)
Civil Jury Trials - Amount in Controversy		
On Third Reading		(Const)

32 Yeas 13 Nays 0 Excused 1 Not Voting 1 Excused (Absent)

Voting Yea - 32

Mr. President	Edwards	Klausmeier	Pinsky
Astle	Exum	Lenett	Pugh
Brochin	Forehand	Madaleno	Raskin
Conway	Frosh	McFadden	Robey
Currie	Garagiola	Middleton	Rosapepe
DeGrange	Harrington	Munson	Stoltzfus
Della	Kasemeyer	Muse	Stone
Dyson	King	Peters	Zirkin

Voting Nay - 13

Brinkley	Harris	Kramer	Simonaire
Colburn	Jacobs	Mooney	
Glassman	Kelley	Pipkin	
Haines	Kittleman	Reilly	

Not Voting - 1

Jones

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

SB 125	Third Reading (SB) Calendar No. 19	
	Sen. Brochin et al	(JPR)
Criminal Procedure - Strip Search or Body Cavity		
Search of an Arrestee - Restrictions		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

SB 231 Third Reading (SB) Calendar No. 19
Sen. Kelley et al (JPR)
Maryland Uniform Adult Guardianship and Protective
Proceedings Jurisdiction Act
On Third Reading

207

SB 251 Third Reading (SB) Calendar No. 19
Sen. Astle (JPR)
Anne Arundel County - Motorcycle Dealers - Sunday
Operations
On Third Reading

Voting Yea - 46

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

HJ 3	Third Reading (HB) Calendar No. 1	
	The Speaker	(B&T)
Governor's Salary Comm - Salary Recommendations		
for Governor and Lieutenant Governor		
On Third Reading		

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

QUORUM

46 Yeas 0 Nays 0 Excused 0 Not Voting 1 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	Kittleman	Pipkin
Astle	Frosh	Klausmeier	Pugh
Brinkley	Garagiola	Kramer	Raskin
Brochin	Glassman	Lenett	Reilly
Colburn	Haines	Madaleno	Robey
Conway	Harrington	McFadden	Rosapepe
Currie	Harris	Middleton	Simonaire
DeGrange	Jacobs	Mooney	Stoltzfus
Della	Jones	Munson	Stone
Dyson	Kasemeyer	Muse	Zirkin
Edwards	Kelley	Peters	
Exum	King	Pinsky	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 1

Gladden

**Senate of Maryland
2010 Regular Session**

QUORUM - ATTENDANCE

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

The Senate of Maryland
offers its sincerest congratulations to
Alpha Kappa Alpha Sorority, Inc.,
Iota Gamma Omega Chapter in recognition of 40 years
of dedicated community service to the citizens of
Prince George's County.

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

**SPECIAL ORDER
EXECUTIVE NOMINATIONS COMMITTEE**

REPORT NO. 3

Question is shall the Senate advise and consent to
the nominations of the Chief Executive?

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stone
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 1

Stoltzfus

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

QUORUM

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 92	Third Reading (SB) Calendar No. 20	
	Chair, EHE Com.	(EHE)
Department of Natural Resources - Boating Safety		
Requirements		
On Third Reading		(Emerg)

44 Yeas 3 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 44

Mr. President	Exum	Kelley	Peters
Astle	Forehand	King	Pinsky
Brinkley	Frosh	Kittleman	Pipkin
Brochin	Garagiola	Klausmeier	Pugh
Colburn	Gladden	Kramer	Raskin
Conway	Glassman	Lenett	Reilly
Currie	Haines	Madaleno	Robey
DeGrange	Harrington	McFadden	Rosapepe
Della	Harris	Middleton	Simonaire
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin

Voting Nay - 3

Jacobs	Mooney	Stoltzfus

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 106	Third Reading (SB) Calendar No. 20	
	The President et al	(B&T)
Labor and Employment - Job Creation and Recovery		
Tax Credit		
On Third Reading		(Emerg)

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 129	Third Reading (SB) Calendar No. 20	
	Sen. Pugh et al	(FIN)
International Marriage Brokers - Regulation		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 139	Third Reading (SB) Calendar No. 20	
	Sen. Madaleno et al	(B&T)
Property Tax - Exemp for Disabled Public Health		
Service and NOAA Officers and Surviving Spouses		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 237	Third Reading (SB) Calendar No. 20	
	Sen. Zirkin et al	(B&T)
Sales and Use Tax - Exemptions - Veterans'		
Organizations		
On Third Reading		

47 Yeas 0 Nays 0 Excused 0 Not Voting 0 Excused (Absent)

Voting Yea - 47

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Stone
Edwards	Kasemeyer	Muse	Zirkin
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 0

Excused from Voting - 0

Excused (Absent) - 0

**Senate of Maryland
2010 Regular Session**

SB 323	Third Reading (SB) Calendar No. 20	
	Sen. V. Jones et al	(B&T)
Office of Legislative Audits - Auditing Local		
School Systems		
On Third Reading		

46 Yeas 0 Nays 0 Excused 1 Not Voting 0 Excused (Absent)

Voting Yea - 46

Mr. President	Forehand	King	Pinsky
Astle	Frosh	Kittleman	Pipkin
Brinkley	Garagiola	Klausmeier	Pugh
Brochin	Gladden	Kramer	Raskin
Colburn	Glassman	Lenett	Reilly
Conway	Haines	Madaleno	Robey
Currie	Harrington	McFadden	Rosapepe
DeGrange	Harris	Middleton	Simonaire
Della	Jacobs	Mooney	Stoltzfus
Dyson	Jones	Munson	Zirkin
Edwards	Kasemeyer	Muse	
Exum	Kelley	Peters	

Voting Nay - 0

Not Voting - 1

Stone

Excused from Voting - 0

Excused (Absent) - 0