Journal *of* Proceedings

of the

Senate
of
Maryland

2012 Regular Session

Volume IV

Compiled and edited by:

Donald G. Hopkins
Journal Clerk

…

William B.C. Addison, Jr.
Secretary of the Senate

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Annapolis, Maryland
Legislative Day: March 22, 2012
Calendar Day: Monday, March 26, 2012
6:00 P.M. Session

The Senate met at 6:27 P.M.

Prayer by Rabbi Nissim Levin, Director of Synagogue Youth of Greater Washington, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 21, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Jacobs be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 712)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #46

Senate Bill 76 – Senators Kelley, DeGrange, Forehand, Jacobs, Manno, Montgomery, ~~and Rosapepe~~ Rosapepe, Raskin, Shank, and Reilly

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Research – Synthetic Cannabinoids

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

Affirmative – 46 Negative – 0 (See Roll Call No. 713)

The Bill was then sent to the House of Delegates.

Senate Bill 261 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Northeast Maryland Higher Education Advisory Board

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

Affirmative – 46 Negative – 0 (See Roll Call No. 714)

The Bill was then sent to the House of Delegates.

Senate Bill 397 – Senator Forehand

AN ACT concerning

Estates and Trusts – Allowance for Funeral Expenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 715)

The Bill was then sent to the House of Delegates.

Senate Bill 465 – Senators Frosh, Benson, Conway, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young

AN ACT concerning

Natural Resources – Shark or Elasmobranch Fins – ~~Prohibition~~ Restriction on Possession or Distribution

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

Affirmative – 42 Negative – 4 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

Senate Bill 591 – Senator Stone

AN ACT concerning

Real Property – Manufactured Homes – ~~Conversion~~ Affixation to and Severance from Real Property

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

Affirmative – 46 Negative – 0 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

Senate Bill 647 – Senators Ramirez, Colburn, Forehand, Jacobs, Raskin, Shank, Stone, and Zirkin

AN ACT concerning

Domestically Related Crimes – Reporting

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

Affirmative – 46 Negative – 0 (See Roll Call No. 718)

The Bill was then sent to the House of Delegates.

Senate Bill 725 – Senator Kelley

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 755 – Senators Young, Brinkley, Madaleno, Pinsky, Raskin, and Rosapepe

AN ACT concerning

Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels

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

Affirmative – 46 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

Senate Bill 868 – Senator Conway

AN ACT concerning

Residential Child and Youth Care Practitioners – Certification – Modifications

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

Affirmative – 46 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the House of Delegates.

Senate Bill 885 – Senator Peters

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 722)

The Bill was then sent to the House of Delegates.

Senate Bill 895 – Senator Conway

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

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

Affirmative – 46 Negative – 0 (See Roll Call No. 723)

The Bill was then sent to the House of Delegates.

Senate Bill 967 – Senator Conway

AN ACT concerning

Maryland Higher Education Commission – Student Transfer Advisory Committee

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

Affirmative – 46 Negative – 0 (See Roll Call No. 724)

The Bill was then sent to the House of Delegates.

Senate Bill 1044 – Senators Colburn and Mathias

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses – Follow–Up Records Checks

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

Affirmative – 46 Negative – 0 (See Roll Call No. 725)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

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

Affirmative – 42 Negative – 4 (See Roll Call No. 726)

The Bill was then sent to the House of Delegates.

Senate Bill 257 – Senator Colburn

SECOND PRINTING

AN ACT concerning

Education – Talbot County – Participation in High School Athletic Programs

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

Affirmative – 46 Negative – 0 (See Roll Call No. 727)

The Bill was then sent to the House of Delegates.

Senate Bill 272 – Senators Peters~~, Astle, Kittleman~~, ~~and Klausmeier~~ Pugh, Young, Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Muse

AN ACT concerning

Labor and Employment – Workplace Fraud Act – Revisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 728)

The Bill was then sent to the House of Delegates.

Senate Bill 455 – Senators Middleton, Frosh, Garagiola, Jones–Rodwell, Klausmeier, and Pugh

AN ACT concerning

State Personnel – Special Appointments – Status

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

Affirmative – 46 Negative – 0 (See Roll Call No. 729)

The Bill was then sent to the House of Delegates.

Senate Bill 531 – Senator Middleton

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

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

Affirmative – 46 Negative – 0 (See Roll Call No. 730)

The Bill was then sent to the House of Delegates.

Senate Bill 540 – ~~Senator Astle~~ Senators Astle, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Maryland Health Care Commission – Preauthorization of ~~Medical Services and Pharmaceuticals – Standards~~ Health Care Services – Benchmarks

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

Affirmative – 46 Negative – 0 (See Roll Call No. 731)

The Bill was then sent to the House of Delegates.

Senate Bill 610 – Senators Benson, Colburn, Klausmeier, and Ramirez

AN ACT concerning

Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing Business License Revocation for a Second or Subsequent Violation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 732)

The Bill was then sent to the House of Delegates.

Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel Management System – Criminal History Records Check

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

Affirmative – 46 Negative – 0 (See Roll Call No. 733)

The Bill was then sent to the House of Delegates.

Senate Bill 920 – Senators Raskin, Ferguson, Getty, McFadden, Miller, Ramirez, Robey, ~~and Simonaire~~ Simonaire, and Kittleman

AN ACT concerning

Ethics Online Disclosure Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 734)

The Bill was then sent to the House of Delegates.

Senate Bill 941 – Senators Klausmeier, Benson, Colburn, Forehand, Garagiola, Montgomery, ~~and Stone~~ Stone, Middleton, Astle, Glassman, Kelley, Kittleman, Mathias, Muse, and Pugh

AN ACT concerning

Fiduciary Institutions – Protection of Elder Adults from Financial Abuse – Reporting Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 735)

The Bill was then sent to the House of Delegates.

Senate Bill 1073 – Senator Middleton

AN ACT concerning

Electricity – Certificate of Public Convenience and Necessity – Overhead Transmission Lines

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

Affirmative – 46 Negative – 0 (See Roll Call No. 736)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 558 – Senator Forehand

AN ACT concerning

Crimes – Solicitation – Statute of Limitations

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

Affirmative – 46 Negative – 0 (See Roll Call No. 737)

The Bill was then sent to the House of Delegates.

Senate Bill 616 – Senator Jennings

~~CONSTITUTIONAL AMENDMENT~~

AN ACT concerning

~~Judges – Mandatory~~ Commission to Study the Retirement of Judges

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

Affirmative – 46 Negative – 0 (See Roll Call No. 738)

The Bill was then sent to the House of Delegates.

Senate Bill 652 – Senators Middleton, Young, Garagiola, Manno, Mathias, and Rosapepe

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

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

Affirmative – 46 Negative – 0 (See Roll Call No. 739)

The Bill was then sent to the House of Delegates.

Senate Bill 726 – Senator Muse

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope ~~and Penalties~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 740)

The Bill was then sent to the House of Delegates.

Senate Bill 744 – Senators Madaleno, Colburn, Conway, Currie, Forehand, Glassman, Jones–Rodwell, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Raskin, Rosapepe, ~~and Stone~~ Stone, Astle, Kittleman, Kelley, and Middleton

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage ~~and~~, Workgroup, and Technical Advisory Group

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

Affirmative – 46 Negative – 0 (See Roll Call No. 741)

The Bill was then sent to the House of Delegates.

Senate Bill 787 – Senator Forehand

AN ACT concerning

Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts

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

Affirmative – 46 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

Senate Bill 792 – Senators Garagiola, Glassman, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Muse, Pugh, Raskin, Robey, ~~and Young~~ Young, Middleton, and Astle

AN ACT concerning

~~State Procurement – Banking Services Preference~~ Linked Deposit Program for Small Businesses – Lend Local Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

Senate Bill 861 – Senator Klausmeier

AN ACT concerning

Portable Electronics Insurance

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

Affirmative – 46 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

Senate Bill 889 – Senator Stone

AN ACT concerning

Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations

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

Affirmative – 46 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

Senate Bill 1077 – Senator Middleton

AN ACT concerning

Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #49

Senate Bill 238 – The President (By Request – Administration) and Senators King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, Raskin, Robey, ~~and Rosapepe~~ Rosapepe, Kelley, Klausmeier, and Middleton

AN ACT concerning

Maryland Health Benefit Exchange Act of 2012

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

Affirmative – 35 Negative – 12 (See Roll Call No. 747)

The Bill was then sent to the House of Delegates.

Senate Bill 318 – Senators Dyson and Colburn

AN ACT concerning

Natural Resources Police Force – Number of Officers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the House of Delegates.

Senate Bill 604 – Senators Kelley, Middleton, and Pugh

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement

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

Affirmative – 46 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the House of Delegates.

Senate Bill 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

Read the third time and failed for want of a constitutional majority:

Affirmative – 23 Negative – 23 (See Roll Call No. 750)

Senate Bill 708 – Senator Montgomery

AN ACT concerning

County Boards of Education – Green Product Cleaning Supplies – Written Policies

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

Affirmative – 45 Negative – 0 (See Roll Call No. 751)

The Bill was then sent to the House of Delegates.

Senate Bill 783 – Senators Pugh, Manno, Montgomery, Peters, Pinsky, Ramirez, Rosapepe, and Young

AN ACT concerning

State Personnel – Collective Bargaining – Applicability

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

Affirmative – 36 Negative – 10 (See Roll Call No. 752)

The Bill was then sent to the House of Delegates.

Senate Bill 814 – Senator Astle

AN ACT concerning

Public Safety – Elevators – ~~Board Membership, Accessibility Lifts, and Lift Mechanics~~ Accessibility Lift Mechanic License

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

Affirmative – 45 Negative – 0 (See Roll Call No. 753)

The Bill was then sent to the House of Delegates.

Senate Bill 1018 – Senator Kasemeyer

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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

Affirmative – 46 Negative – 0 (See Roll Call No. 754)

The Bill was then sent to the House of Delegates.

Senate Bill 1024 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Multiple Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 755)

The Bill was then sent to the House of Delegates.

Senate Bill 1040 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Middletown Wine Festival License

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

Affirmative – 46 Negative – 0 (See Roll Call No. 756)

The Bill was then sent to the House of Delegates.

Senate Bill 1075 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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

Affirmative – 46 Negative – 0 (See Roll Call No. 757)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 294 – Senators Miller, Young, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Reilly, Robey, Shank, ~~and Stone~~ Stone, Forehand, Jones–Rodwell, Kittleman, and Simonaire

AN ACT concerning

Family Farm Preservation Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 758)

The Bill was then sent to the House of Delegates.

Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

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

Affirmative – 46 Negative – 0 (See Roll Call No. 759)

The Bill was then sent to the House of Delegates.

Senate Bill 415 – Senators Montgomery, Benson, Colburn, Forehand, Garagiola, Madaleno, Manno, McFadden, Peters, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, and Stone

AN ACT concerning

Handling Human Remains with Dignity Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 760)

The Bill was then sent to the House of Delegates.

Senate Bill 498 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Contribution Rates and Reinvestment of Savings – Technical Clarifications

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

Affirmative – 46 Negative – 0 (See Roll Call No. 762)

The Bill was then sent to the House of Delegates.

Senate Bill 570 – Senators King, Brinkley, Colburn, Currie, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Peters, Pugh, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses ~~– Small Business Refund~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 763)

The Bill was then sent to the House of Delegates.

Senate Bill 611 – Senators Benson, Klausmeier, and Montgomery

AN ACT concerning

Health – Pregnant Women – Hepatitis B Testing

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

Affirmative – 46 Negative – 0 (See Roll Call No. 764)

The Bill was then sent to the House of Delegates.

Senate Bill 802 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Budgetary Processes

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

Affirmative – 46 Negative – 0 (See Roll Call No. 765)

The Bill was then sent to the House of Delegates.

Senate Bill 921 – Senator Conway

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 766)

The Bill was then sent to the House of Delegates.

Senate Bill 969 – Senator Conway

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure of Clinical Professional Art Therapists

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

Affirmative – 46 Negative – 0 (See Roll Call No. 767)

The Bill was then sent to the House of Delegates.

Senate Bill 1066 – ~~Senator Kasemeyer~~ Senators Kasemeyer, Brinkley, Colburn, Currie, DeGrange, Edwards, Jones–Rodwell, King, Madaleno, Manno, McFadden, and Peters

AN ACT concerning

Income Tax – Film Production Credit – Extension and Increase

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

Affirmative – 46 Negative – 0 (See Roll Call No. 768)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

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

The motion was adopted.

Senate Bill 273 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

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

Affirmative – 46 Negative – 0 (See Roll Call No. 769)

The Bill was then sent to the House of Delegates.

Senate Bill 463 – Chair, Anne Arundel County Senators

AN ACT concerning

Local Government Self–Insurance Funds – Exclusion from Investment Guidelines

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

Affirmative – 46 Negative – 0 (See Roll Call No. 770)

The Bill was then sent to the House of Delegates.

Senate Bill 567 – Senators King, Colburn, Currie, Garagiola, Glassman, Jennings, Manno, McFadden, and Robey

AN ACT concerning

~~Telecommunications~~ Communications Taxes – Reform Commission ~~and Moratorium~~

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

Affirmative – 44 Negative – 1 (See Roll Call No. 771)

The Bill was then sent to the House of Delegates.

Senate Bill 672 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

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

Affirmative – 45 Negative – 0 (See Roll Call No. 772)

The Bill was then sent to the House of Delegates.

Senate Bill 779 – ~~Senator Pugh~~ Senators Pugh, Currie, Jones–Rodwell, and McFadden

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

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

Affirmative – 46 Negative – 0 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

Senate Bill 807 – Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones–Rodwell, Manno, Montgomery, Peters, Ramirez, ~~and Raskin~~ Raskin, and McFadden

AN ACT concerning

Income Tax – Subtraction Modification – Land Acquisition for ~~Transportation–Related Projects~~ Department of Transportation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

Senate Bill 880 – Senator Jones–Rodwell

AN ACT concerning

State Retirement and Pension System – Transfer of Members Between Systems

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

Affirmative – 46 Negative – 0 (See Roll Call No. 775)

The Bill was then sent to the House of Delegates.

Senate Bill 976 – Senators Middleton, Astle, Brinkley, Colburn, Dyson, Edwards, Garagiola, Getty, Glassman, Jennings, Klausmeier, Manno, Mathias, Miller, Pipkin, ~~and Zirkin~~ Zirkin, Kasemeyer, Currie, DeGrange, Jones–Rodwell, King, Madaleno, McFadden, and Peters

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

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

Affirmative – 46 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 264 – Senators Brinkley and Young

AN ACT concerning

Frederick County – Raffles

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

Affirmative – 46 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the House of Delegates.

Senate Bill 296 – Senators Manno, Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, King, Klausmeier, Mathias, McFadden, Peters, Pipkin, Pugh, Ramirez, Reilly, Robey, Stone, and Young

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

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

Affirmative – 46 Negative – 0 (See Roll Call No. 778)

The Bill was then sent to the House of Delegates.

Senate Bill 447 – Senator Colburn

AN ACT concerning

Dorchester County – Restriction on Sunday Gaming – Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 779)

The Bill was then sent to the House of Delegates.

Senate Bill 542 – Senator Jones–Rodwell

AN ACT concerning

Local Government Investment Pool – Authorized Participants

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

Affirmative – 46 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

Senate Bill 580 – Senators Peters, Conway, Currie, Ferguson, Garagiola, King, Manno, McFadden, Muse, Pugh, Ramirez, Raskin, ~~and Robey~~ Robey, Kasemeyer, Brinkley, Colburn, DeGrange, Edwards, Jones–Rodwell, and Madaleno

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

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

Affirmative – 46 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

Senate Bill 622 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

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

Affirmative – 45 Negative – 1 (See Roll Call No. 782)

The Bill was then sent to the House of Delegates.

Senate Bill 661 – Carroll County Senators

AN ACT concerning

Carroll County – Gaming

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

Affirmative – 46 Negative – 0 (See Roll Call No. 783)

The Bill was then sent to the House of Delegates.

Senate Bill 670 – Senators Shank and Edwards

AN ACT concerning

Washington County – Tip Jars – Accountability and Oversight

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

Affirmative – 46 Negative – 0 (See Roll Call No. 784)

The Bill was then sent to the House of Delegates.

Senate Bill 852 – Senators King, Brinkley, Colburn, DeGrange, Glassman, Jacobs, and Klausmeier

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Calculation of Tax

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

Affirmative – 46 Negative – 0 (See Roll Call No. 785)

The Bill was then sent to the House of Delegates.

Senate Bill 1093 – Senator Dyson

AN ACT concerning

Calvert County – County Commissioners – Pensions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 786)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 70 – Delegate Kach

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

FOR the purpose of ~~requiring~~ authorizing the State Board of Morticians and Funeral Directors to require certain applicants or licensees to submit to a mental or physical examination under certain circumstances; ~~providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances;~~ providing that a certain report ~~or testimony~~ of a certain health care practitioner is confidential, except under certain circumstances; ~~providing that the failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding;~~ requiring certain applicants or ~~licensees~~ the Board to pay the reasonable cost of certain examinations; and generally relating to the authority of the State Board of Morticians and Funeral Directors to require examinations.

BY adding to
Article – Health Occupations
Section 7–208 and 7–319(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 162 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

FOR the purpose of altering the timing of a certain reimbursement to certain accumulation funds for certain administrative and operational expenses of the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency; requiring that certain reimbursements to certain accumulation funds be done in a certain manner; requiring the Board of

Trustees to offset certain reimbursements in a certain manner; requiring the Board of Trustees ~~for the State Retirement and Pension System~~ to send certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before ~~certain dates~~ a certain date; and generally relating to certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–303(d) and 21–316
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 209 – Delegates Mitchell, Anderson, Arora, Clippinger, Cluster, Dumais, Glenn, Hubbard, McDermott, B. Robinson, Simmons, Stukes, Summers, Tarrant, Valentino–Smith, Waldstreicher, Washington, and Zucker

AN ACT concerning

Public Safety – Possession of Firearms – Crimes Committed in Other States

FOR the purpose of prohibiting a person from possessing a regulated firearm, rifle, or shotgun if the person was previously convicted of an offense under the laws of another state or the United States that would constitute a certain crime if committed in this State; and generally relating to restrictions on possession of a regulated firearm, rifle, or shotgun.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133(c)(1) and 5–206(a)
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 213 – Delegates Branch, McIntosh, Anderson, Clippinger, Glenn, Hammen, McHale, Mitchell, Oaks, B. Robinson, and Washington

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

FOR the purpose of establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; requiring that a certain portion of certain revenues from certain projects and certain other money be paid into the Fund; requiring the Comptroller to pay certain money from the Fund to the Mayor and City Council of Baltimore City in a certain manner; authorizing the Mayor and City Council to use or make awards of money received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; stating certain findings of the General Assembly; providing for the application of this Act; providing for the purposes of certain provisions of this Act; defining certain terms; and generally relating to the Baltimore City Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 1–101(e)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY adding to
Article – Economic Development
Section 15–101 through 15–107 to be under the new title "Title 15. Baltimore City Community Enhancement Transit–Oriented Development Fund"
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63. and 10–306
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 245 – Charles County Delegation

AN ACT concerning

Charles County – School Buses – Length of Operation

FOR the purpose of altering the length of time a school bus may be operated in Charles County; and generally relating to school bus operation in Charles County.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 446 – The Speaker (By Request – Administration) and Delegates Beidle, Bobo, Clippinger, Feldman, Frush, Gaines, Glenn, Hucker, McIntosh, Mitchell, Niemann, S. Robinson, and Rosenberg

AN ACT concerning

Environment – Bay Restoration Fund – Fees and Uses

FOR the purpose of ~~increasing~~ altering certain Bay Restoration Fees paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks beginning on a certain date; ~~providing for the collection of the fees by certain billing authorities under certain circumstances~~ altering certain Bay Restoration Fees for certain buildings, groups of buildings, or nonresidential users beginning on a certain date; altering the manner in which the Bay Restoration Fee is calculated for certain buildings, groups of buildings, and nonresidential users; authorizing the Bay Restoration Fee to be calculated in a certain manner for a nonresidential user under certain circumstances; prohibiting a change in the manner of determining the Bay Restoration Fee that will reduce the amount of funds available for a certain purpose; requiring a local government or a

certain billing authority to establish a certain hardship program, subject to approval by the Maryland Water Quality Financing Administration; establishing a maximum amount of funds that may be transferred to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture for certain activities beginning in a certain fiscal year; requiring certain funds remaining after certain distributions are made to be deposited in a certain account; requiring the Bay Restoration Fund to be used for grants to local governments for a certain purpose and in accordance with certain requirements in certain fiscal years; providing for a delayed effective date for certain provisions of this Act; repealing certain obsolete language; and generally relating to ~~increasing~~ Bay Restoration Fees.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(b), (d), and (i)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)
(As enacted by Chapter 428 of the Acts of the General Assembly of 2004)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(b)(1)(i)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 465 – Delegate Hammen

AN ACT concerning

Health Insurance – Health Benefit Plan Premium Rate Review

FOR the purpose of prohibiting a carrier that issues or delivers a health benefit plan in the State from charging a premium to certain persons or changing a premium before the applicable premium rate or premium rate change is filed with and approved by the Maryland Insurance Commissioner; requiring any applicable premium rate or premium rate change to be filed with the Commissioner ~~at least a certain period of time before its proposed effective date; requiring the Commissioner to require a carrier to provide certain information under certain circumstances; extending the period of time before the proposed effective date of a premium rate filing under certain circumstances; authorizing the Commissioner to authorize an earlier or later effective date of a premium rate filing; providing that a premium rate filing is deemed approved unless disapproved by the Commissioner within a certain period of time~~ in accordance with certain provisions of law and certain regulations applicable to certain carriers; requiring the Commissioner to disapprove or modify a proposed premium rate filing under certain circumstances; requiring the Commissioner to consider certain factors in a certain manner in determining whether to disapprove or modify a premium rate filing; requiring each premium rate filing and any supporting information filed to be open to public inspection; authorizing a carrier to request a certain finding by the Commissioner; authorizing a person to obtain copies of a premium rate filing and any supporting information; authorizing the Commissioner to require a carrier to demonstrate that its premium rates and method for setting premium rates for a health benefit plan are not inadequate, unfairly discriminatory, or excessive in relation to benefits, notwithstanding the Commissioner's previous approval; requiring the Commissioner to issue a certain order to a carrier under certain circumstances; requiring the Commissioner to hold a hearing before issuing a certain order and to provide written notice of the hearing; providing that an order does not affect a certain health benefit plan; providing that each decision or finding of the Commissioner about premium rates is subject to judicial review; providing that a nonprofit health service plan and a health maintenance organization that offer a certain health benefit plan are subject to certain provisions of law; establishing the provisions of law that prevail if there is a conflict between certain provisions of law; providing for the application of this Act; defining certain terms; and generally relating to health benefit plan premium rate review under health insurance.

BY adding to
Article – Insurance
Section 11–601 through 11–603 to be under the new subtitle "Subtitle 6. Health Benefit Plan Premium Rate Review"
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–126(a) and (b)(3)
Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–713(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 470 – Delegates Tarrant, Cullison, Hubbard, Krebs, Morhaim, Murphy, Nathan–Pulliam, and Reznik

AN ACT concerning

Maryland Health Care Commission – Preauthorization of ~~Medical Services and Pharmaceuticals – Standards~~ Health Care Services – Benchmarks

FOR the purpose of requiring the Maryland Health Care Commission to ~~adopt regulations to establish standards for the preauthorization of medical services and pharmaceuticals by certain payors, pharmacy benefits managers, and providers; requiring certain standards to include a certain exemption process; providing that certain standards may include certain penalties;~~ work with payors and providers to attain benchmarks for standardizing and automating the process required by payors for preauthorizing health care services; requiring the benchmarks to include, on or before certain dates, establishment or utilization of certain features; providing that the benchmarks do not apply to certain preauthorizations; requiring the Commission to establish by regulation a process through which a payor or provider may be waived from attaining the benchmarks for certain extenuating circumstances; requiring the Commission, on or before a certain date, to reconvene a certain workgroup for a certain purpose; requiring payors to report to the Commission on or before certain dates on their attainment and plans for attainment of certain benchmarks; requiring the Commission, on or before certain dates, to report to the Governor and the General Assembly on the progress in attaining the benchmarks and, taking into account the recommendations of the workgroup, any adjustment needed to certain benchmark dates; authorizing the Commission to adopt certain regulations; defining certain terms; and generally relating to the Maryland Health Care Commission and ~~certain preauthorization standards~~ benchmarks for preauthorization of health care services.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–101
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 19–108.2
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 508 – Delegates Healey and Norman

AN ACT concerning

Real Property – Foreclosure – Mortgage Foreclosure Property Values Protection Act of 2012

FOR the purpose of requiring a purchaser in a foreclosure sale, within a certain period of time after the entry of a final and nonappealable order ratifying the foreclosure sale, to close on a certain transaction and record a certain deed or record among certain land records the final order of ratification and certain information ~~within a certain period of time after the entry of a final order ratifying a foreclosure sale~~; defining a certain term; and generally relating to recordation requirements and foreclosure sales.

BY adding to
Article – Real Property
Section 3–102.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 556 – Delegates Hubbard, Cluster, Boteler, Bromwell, Kach, Krebs, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Costa, Cullison, Elliott, Frank, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Continuing Care Retirement Communities – Regulation

FOR the purpose of requiring certain providers to set aside operating reserves that, before a certain date, equal a certain percentage of certain expenses of a facility; requiring certain providers to set aside operating reserves that, ~~on or after~~ beginning on a certain date, equal a certain percentage of certain expenses of a facility; beginning on a certain date, providing for the manner in which certain requirements under this Act relating to assets held by providers as operating reserves shall be met; beginning on a certain date, providing that certain assets

held by providers may be encumbered under certain circumstances; requiring providers of certain facilities, for purposes of a certain operating reserve requirement, to make a certain calculation based on certain operating expenses; adding to the information to be included in a disclosure statement; requiring certain providers to make certain information related to meetings of a governing body available to subscribers within a certain time period; requiring providers to make a certain response to a grievance in writing; requiring providers to make available a copy of a certain budget; requiring certain marketing materials to include a certain disclaimer; providing that certain providers may not sell or make certain transfers of ownership of a facility unless the Department of Aging approves the sale or transfer; providing for the application of certain provisions of this Act; adding to the information to be included in a continuing care agreement; authorizing the Department of Aging to consider whether a continuing care agreement complies with certain laws; providing for the circumstances under which a provider is not required to submit certain agreements to the Department of Aging for approval; requiring a provider to make certain statements in its continuing care agreement under certain circumstances; authorizing a provider to include certain provisions in its continuing care agreement; ~~requiring the Secretary of Aging and the Insurance Commissioner to conduct certain studies and make certain reports on or before certain dates;~~ making the provisions of this Act severable; making certain stylistic and conforming changes; and generally relating to the regulation of continuing care retirement communities.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–420(b), 10–423(a), 10–425(a), 10–427, 10–428, 10–429, 10–432, 10–444(a) and (b), and 10–445
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY adding to
Article – Human Services
Section 10–430 and 10–443
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

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

House Bill 571 – Delegates Frick, Feldman, Barkley, Barve, Bobo, Cardin, George, Guzzone, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, A. Miller, W. Miller, Minnick, Mizeur, Murphy, Reznik, Serafini, Stocksdale, Summers, Vaughn, Walker, ~~and Zucker~~ Zucker, Barnes, McHale, and Olszewski

AN ACT concerning

~~State Procurement – Banking Services Preference~~ Linked Deposit Program for Small Businesses – Lend Local Act of 2012

FOR the purpose of ~~requiring the State Treasurer, when deciding whether to designate or make an agreement with a financial institution to provide certain banking services to the State or an agency of the State, to consider whether the financial institution is operating in the State with certain total assets and commits to make loans to small businesses in the State in an aggregate amount of at least a certain percentage of certain incremental funds; and generally relating to the procurement of banking services by the State~~ establishing a Linked Deposit Program for Small Businesses in the Department of Housing and Community Development for a certain purpose; specifying that certain loans qualify under the Program; requiring the Department of Housing and Community Development to confirm with the Department of General Services that certain loans are made to certain businesses; requiring the Department of Housing and Community Development to establish certain procedures for a certain notification; requiring the Department of Housing and Community Development to receive loan applications from small businesses and forward loan applications to lenders; requiring the Department of Housing and Community Development to require small businesses to notify the Department of Housing and Community Development concerning final loan disposition; requiring the Department of Housing and Community Development to report annually to the Governor, the Treasurer, and the General Assembly on the overall performance of the Program; authorizing the Treasurer to establish the Program for investment of deposits in certain financial institutions; authorizing the Treasurer to make certain interest bearing deposits; authorizing the Treasurer to accept a rate that is a certain percent below current market rates or a certain index; authorizing the Treasurer to use up to a certain amount to make certain interest bearing deposits; requiring the Treasurer to reduce a certain loan amount on a certain notification; prohibiting a certain small business from being considered unqualified for certain purposes under certain circumstances; providing that a certain loan is not a debt of the State or a pledge of the credit of the State; providing that the Treasurer and the State are not liable to certain financial institutions for certain payments of a loan assisted by a linked deposit; authorizing the Treasurer and the Department of Housing and Community Development to adopt certain regulations; requiring the Treasurer to meet with representatives from the Maryland banking industry and certain related stakeholders for certain purposes; requiring the Treasurer to report to the General Assembly on or before a certain date; and generally relating to the establishment of a Linked Deposit Program for Small Businesses.

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–201(a), (b), (c), and (f)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–203~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY adding to
Article – State Finance and Procurement
Section 6–212
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 573 – Delegates K. Kelly, Cluster, Hough, McDermott, Smigiel, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Bail Bondsman Solicitation – Penalty

FOR the purpose of prohibiting an employee of a courthouse or correctional facility from performing certain acts on the grounds of a courthouse or correctional facility; clarifying that a certain person at a certain location may not approach, entice, or invite a person to use the services of a specific bail bondsman; altering the penalties for a violation of this Act; and generally relating to bail bondsmen.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–210
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 584 – Delegates Tarrant, Cullison, Kach, Krebs, Murphy, Reznik, and V. Turner

AN ACT concerning

Health Occupations – Physician Assistants – Patient's Access to Supervising Physician

FOR the purpose of ~~requiring certain patients to have access to certain physicians who supervise certain physician assistants under certain circumstances;~~ repealing a requirement that certain patients be seen by certain physicians who supervise

certain physician assistants under certain circumstances; requiring certain delegation agreements to contain a certain statement; and generally relating to a patient's access to a physician assistant's supervising physician.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 15–301 and 15–302(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 15–302(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 641 – Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Morhaim, Murphy, Oaks, B. Robinson, Tarrant, ~~and V. Turner~~ V. Turner, Lee, Pena–Melnyk, Kach, Reznik, A. Kelly, and Cullison

AN ACT concerning

Hepatitis B and Hepatitis C Viruses – Public Awareness, Treatment, and Outreach

FOR the purpose of requiring the Department of Health and Mental Hygiene, as funds are available, to conduct a certain needs assessment, initiate a certain statewide public awareness campaign, solicit certain funding, and review and recommend certain initiatives related to the hepatitis B virus; requiring the Department, as funds are available, to coordinate with the Maryland Office of Minority Health and Health Disparities to ~~activate~~ develop certain hepatitis B virus and hepatitis C virus plans; requiring the Department, as funds are available, to develop a certain plan and certain recommendations and to collaborate with the Maryland Insurance Administration to make certain recommendations regarding certain insurance coverage; requiring the Maryland Health Care Commission to examine certain research findings and make a certain report to the Governor and certain committees of the General Assembly on or before a certain date; repealing the termination date for provisions of law that require the Department to conduct certain outreach and public awareness campaigns and make certain reports regarding the hepatitis C virus; and generally relating to public awareness, treatment, and outreach relating to the hepatitis B and hepatitis C viruses.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–1001
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–1002
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Chapter 457 of the Acts of the General Assembly of 2006, as amended by Chapter 125 of the Acts of the General Assembly of 2009
Section 4

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 766 – Delegates Vallario, Proctor, Alston, Bohanan, Braveboy, Davis, Elliott, Frush, Gaines, Healey, Hershey, Holmes, Hough, Howard, Hubbard, Ivey, K. Kelly, Lee, McDermott, Niemann, Summers, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, ~~and Wilson~~ Wilson, Hammen, Pendergrass, Bromwell, Costa, Cullison, Frank, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

FOR the purpose of requiring the Governor annually to proclaim a certain day in April as Crime Victim and Advocate Commemorative Day to honor certain crime victims and advocates in the State; requiring the Governor annually to take certain steps to publicize Crime Victim and Advocate Commemorative Day; and generally relating to the commemoration of crime victims and the advocates who serve those victims.

BY adding to
Article – State Government
Section 13–410
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 769 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Coverage – Victims of Domestic Violence

FOR the purpose of providing that certain information provided to the Secretary of Labor, Licensing, and Regulation related to whether a claimant for unemployment insurance left employment as a result of domestic violence is confidential and not subject to disclosure except under certain circumstances; authorizing the Secretary to notify an employing unit in general terms that a claimant has left employment as a result of domestic violence; prohibiting the Secretary from disclosing certain information to an employing unit unless the employing unit provides certain information; requiring the Secretary to take certain action before disclosing certain information to an employing unit; prohibiting an employing unit from disseminating certain information; specifying that certain information related to the status of a claimant or a claimant's ~~immediate family member~~ spouse, minor child, or parent as a victim of domestic violence is not public information subject to certain disclosure; authorizing the Secretary to adopt certain regulations; prohibiting the Secretary from charging certain unemployment insurance benefits against the earned rating record of an employing unit; authorizing the Secretary to find that a cause of voluntarily leaving employment is good cause if it is directly attributable to the individual or individual's ~~immediate family member~~ spouse, minor child, or parent being a victim of domestic violence and the individual has a certain reasonable belief and provides certain information; providing for the application of this Act; and generally relating to unemployment insurance coverage for victims of domestic violence.

BY adding to
Article – Labor and Employment
Section 8–105.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–611(e) and 8–1001
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 770 – Delegate Davis

~~EMERGENCY BILL~~

AN ACT concerning

Public Service Commission – Electric Companies – New Generation Facilities and Customer Credits

FOR the purpose of ~~providing that the Public Service Commission may not require a certain electric company to construct, acquire, or lease, and operate, its own generating facilities and certain transmission facilities;~~ providing that if a certain party to a merger or acquisition of an electric company or an affiliate of an electric company is required to distribute a credit to certain customers under an agreement with the Commission, the party or electric company may not pay the credit directly to the customers but shall deposit the amount of the credit in the electric universal service program fund to be disbursed in a certain manner; ~~providing for the application of certain provisions of this Act; making this Act an emergency measure;~~ and generally relating to new electric generating facilities and electric customer credits.

~~BY repealing and reenacting, with amendments,~~
~~Article – Public Utilities~~
~~Section 7–510(e)(6)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–512.1(e) and (f)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Public Utilities
Section 7–512.1(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 786 – Delegates Olszewski, Frick, Arora, and Clagett

AN ACT concerning

Financial Institutions – Credit Unions and Depository Institutions – Authority to Conduct Savings Promotion Raffles

FOR the purpose of repealing a certain contingency on certain provisions of law that authorize certain depository institutions and credit unions to conduct certain savings promotion raffles; altering the circumstances under which certain depository institutions may conduct certain savings promotion raffles; requiring a depository institution or credit union offering a savings promotion raffle to post and disclose in certain materials a certain statement; clarifying language; altering certain definitions; and generally relating to the conduct of savings promotion raffles by financial institutions.

BY repealing
Chapter 627 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, with amendments,
Chapter 627 of the Acts of the General Assembly of 2010
Section 3

BY repealing
Chapter 628 of the Acts of the General Assembly of 2010
Section 2

BY repealing and reenacting, with amendments,
Chapter 628 of the Acts of the General Assembly of 2010
Section 3

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–305(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, ~~with~~ without amendments,
Article – Criminal Law
Section 12–106(c)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 1–211
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, ~~without~~ with amendments,
Article – Financial Institutions
Section 6–716
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)
(As enacted by Chapters 627 and 628 of the Acts of the General Assembly of 2010)

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

House Bill 805 – Prince George's County Delegation

AN ACT concerning

Prince George's County Board of Education – Recycling Program – School Facilities
PG 403–12

FOR the purpose of requiring the Prince George's County Board of Education to develop and implement a certain recycling program for all facilities under the jurisdiction of the county board; requiring the county board to address certain issues while developing a certain recycling program; requiring the county board to submit a certain report including certain information to the Prince George's County Delegation to the General Assembly on or before a certain date regarding a certain recycling program; defining certain terms; and generally relating to a recycling program in school facilities in Prince George's County.

BY adding to
Article – Education
Section 4–127
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Child Abuse and Neglect – ~~Child Welfare –~~ Alternative Response

FOR the purpose of authorizing the Secretary of Human Resources to establish an alternative response program for certain reports of child abuse or neglect; requiring the Department of Human Resources to establish ~~an~~ a certain advisory council ~~to participate in the development of the alternative response implementation plan~~; specifying the composition and duties of the advisory council; providing for the chair of the advisory council; prohibiting certain reports of child abuse or neglect from being assigned for an alternative response; authorizing certain reports assigned for an alternative response to be reassigned for an immediate investigation based on certain factors; authorizing certain reports assigned for an investigation to be reassigned for an alternative response based on certain factors; requiring a local department to take certain actions following a report assigned for an alternative response; providing for the confidentiality ~~and~~, maintenance, and expungement of certain records; requiring the ~~Social Services Administration of the~~ Department to develop a certain data collection process; requiring the Department to contract with an independent agency to conduct an evaluation of the alternative response program; prohibiting the Department from beginning actual implementation of alternative response before a certain date; requiring the Department to submit a certain preliminary assessment and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Department to submit a certain final report to the Governor and the General Assembly on or before a certain date; defining a certain term; and generally relating to child abuse and neglect and alternative response ~~plans with respect to reports of child abuse and neglect~~.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–706
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 875 – Delegates Conway, Cane, Jacobs, Malone, Otto, Rudolph, and Wood

AN ACT concerning

Public Safety – Explosives – Package of Components

FOR the purpose of altering the definition of "explosives" to include two or more components that are ~~packaged together for sale and when combined create a bomb or destructive device designed to operate by chemical, mechanical, or explosive action~~ advertised and sold together with instructions on how to combine the components to create a certain explosive; and generally relating to explosives.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 11–101(a), 11–105(a), and 11–114
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 11–101(c)
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 876 – Delegate Jameson

AN ACT concerning

Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases

FOR the purpose of altering the scope of certain provisions of law that require an insurer to send to certain persons a certain notice of a premium increase for policies of commercial insurance and policies of workers' compensation insurance; providing that the provisions of law do not apply to policies for which the renewal policy premium is in excess of a certain amount and a certain ~~percentage~~ increase over the expiring policy premium; providing for the application of this Act; and generally relating to notices of premium increases for property and casualty insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 879 – Delegate Morhaim

AN ACT concerning

Environment – Statewide Electronics Recycling Program

FOR the purpose of altering the application of certain provisions of law relating to certain registration requirements under the Statewide Electronics Recycling

Program; altering certain registration requirements and fees; requiring certain sales data to be treated as confidential and proprietary; requiring the Department of the Environment to maintain a certain list on its Web site; requiring a certain electronic device manufacturer that has implemented a certain takeback program to ~~destroy or sanitize~~ provide information relating to the destruction and sanitization of data from a returned electronic device in a certain manner; altering certain fines; repealing the authority of the Comptroller to assess and forward certain fines in a certain manner; authorizing the Department to assess certain fines; declaring the intent of the General Assembly; requiring the Department to convene a certain workgroup and report to certain Legislative Committees on or before a certain date; altering a certain definition; and generally relating to the Statewide Electronics Recycling Program.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1701(f), 9–1727, 9–1728, and 9–1730
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 9–1728.2
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 902 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Utilization Program – Termination Extension
PG/MC 102–12

FOR the purpose of continuing until a certain date certain provisions relating to procurement from minority business enterprises by the Washington Suburban Sanitary Commission; and generally relating to procurement by the Washington Suburban Sanitary Commission from minority business enterprises.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 20–208
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 942 – Delegates Vallario, Alston, Dumais, Simmons, Valentino–Smith, Waldstreicher, and Wilson

AN ACT concerning

Criminal Procedure – Sex Offender Registration Requirements – Kidnapping

FOR the purpose of altering the offenses for which a person can be required to register on a certain registry; providing for the application of this Act; and generally relating to sex offender registration requirements and the crime of kidnapping.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(q)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 987 – Delegates Hucker, Bobo, Carr, Frush, Gilchrist, Glenn, Gutierrez, Holmes, Kramer, Lafferty, Luedtke, Niemann, S. Robinson, Waldstreicher, ~~and Zucker~~ Zucker, and Cardin

AN ACT concerning

Stormwater Management – Watershed Protection and Restoration Program

FOR the purpose of requiring ~~each~~ a county ~~and~~ or municipality subject to a certain municipal stormwater permit to adopt certain laws or ordinances to establish a watershed protection and restoration program on or before a certain date; exempting a certain county or municipality from the requirements of this Act if the county or municipality has enacted and implemented a certain system of charges in a certain manner by a certain date; requiring a watershed protection and restoration program to include a stormwater remediation fee and a local watershed protection and restoration fund; requiring ~~each~~ a county ~~and~~ or municipality to maintain ~~and~~ or administer a local watershed protection and restoration fund in accordance with this Act; establishing the purpose of a local watershed protection and restoration fund; requiring ~~each~~ a county ~~and~~ or municipality to collect a stormwater remediation fee in accordance with this Act; requiring ~~each~~ a county ~~and~~ or municipality to set the amount of a ~~residential~~ stormwater remediation fee in a certain manner; ~~requiring each a county and or municipality to set the amount of a nonresidential stormwater~~

~~remediation fee in a certain manner;~~ providing that a stormwater remediation fee is separate from certain other charges; ~~authorizing~~ requiring a county or municipality to reduce a stormwater remediation fee in accordance with certain policies and procedures for a certain purpose; requiring the policies and procedures to include certain items; prohibiting, with certain exception, a county from imposing a stormwater remediation fee on a property located within a municipality; authorizing a municipality to authorize a county to impose a stormwater remediation fee on a property located within a municipality in place of a municipal stormwater remediation fee; requiring ~~each~~ a county ~~and~~ or municipality to establish a procedure for a property owner to appeal the imposition of a stormwater remediation fee; requiring ~~each~~ a county ~~and~~ or municipality to determine the method, frequency, and enforcement of the collection of the stormwater remediation fee and to deposit the fee into a local watershed protection and restoration fund; specifying the money to be deposited in a local watershed protection and restoration fund and the uses of the money in the fund; providing that money in a local watershed and restoration fund may not revert or be transferred to the general fund of any county or municipality; requiring each county and municipality to make publicly available a report on certain information; requiring a county or municipality to establish a certain hardship program; authorizing the Department of the Environment to adopt certain regulations; defining a certain term; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–201.1
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 4–202.1
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1001 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Kaiser, Luedtke, A. Miller, Ross, Stukes, Summers, and F. Turner

AN ACT concerning

Public Library – Essential Community Service – Designation

FOR the purpose of designating public libraries as providing essential community services during an emergency for certain purposes; and generally relating to public libraries.

BY adding to
Article – Public Safety
Section 14–110.2
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1009 – Delegate Hubbard

AN ACT concerning

State Board of Professional Counselors and Therapists – Alcohol and Drug Counselor Trainees – Registry and Code of Ethics Requirements

FOR the purpose of requiring the State Board of Professional Counselors and Therapists to maintain a certain registry of certain trainees; requiring the Board to adopt a certain code of ethics for certain trainees; and generally relating to maintaining a registry of and adopting a code of ethics for individuals working as trainees under the supervision of approved alcohol and drug counselor supervisors.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–205(b)(1) and (3)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 17–406(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1028 – Delegates Barkley, Boteler, Burns, Harrison, Hershey, Impallaria, Minnick, Schulz, and Vaughn

AN ACT concerning

Electric Companies ~~and Electric Cooperatives~~ – Standard Offer Service – Service Rights Auctions

FOR the purpose of requiring the Public Service Commission to study and make recommendations about the advisability of conducting certain auctions related to the right of certain electric companies ~~and electric cooperatives~~ to provide electric service to customers using standard offer service in certain service territories and the manner in which the auctions should be conducted, including certain items; requiring the Commission to report certain recommendations by a certain date to the Senate Finance Committee and the House Economic Matters Committee; defining a certain term; and generally relating to standard offer service.

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

House Bill 1235 – Delegates Zucker, Clagett, DeBoy, Bohanan, and Guzzone

AN ACT concerning

Public Safety – Emergency Number System – Next Generation 9–1–1 Services

FOR the purpose of altering the responsibilities of the Emergency Number Systems Board to include establishing planning guidelines for next generation 9–1–1 services system plans and deployment of next generation 9–1–1 ~~service~~ services; ~~authorizing the Board to limit a request for reimbursement to counties for the cost of enhancing a 9–1–1 system;~~ defining a certain term; and generally relating to emergency number systems and next generation 9–1–1 services.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–301 and 1–306
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1275 – Delegates Cardin, George, and Summers

AN ACT concerning

Election Law – Petition Fund Reports – Available Online

FOR the purpose of requiring the State Board of Elections to make certain statements of contributions and expenditures for certain petitions available on its Internet site; requiring a person with whom a certain statement of contributions and expenditures for a certain petition is filed to forward a copy of the statement to

the State Board within a certain period of time; and generally relating to making information concerning the financing of petitions available online.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 7–104(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1280 – Delegates McHale ~~and Malone~~, Malone, Haddaway–Riccio, and Jameson

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

FOR the purpose of altering certain definitions of "electricity supplier" and "public service company" to exclude, for purposes of certain provisions of law, a person that owns or operates equipment used for charging electric vehicles; altering a certain definition of "retail electric customer" to include certain persons and to exclude, for purposes of certain provisions of law, a person that charges an electric vehicle at an electric vehicle charging station, with a certain exception; and generally relating to exclusions from certain provisions of law for electric vehicle users and charging stations.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 1–101(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 1–101(j), (x), and (cc)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1303 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Agriculture – Cost Sharing for Water Pollution Control

FOR the purpose of altering the maximum amount of State cost sharing for certain water pollution control projects; and generally relating to State cost sharing for water pollution control.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–704
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1304 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Animal Waste Technology Fund

FOR the purpose of repealing the provisions relating to financial assistance for certain animal waste technology projects from the Maryland Economic Development Assistance Fund in the Department of Business and Economic Development; establishing the Animal Waste Technology Fund, a special, nonlapsing fund in the Department of Agriculture, establishing the purposes, uses, and funding sources of the Fund; requiring the Secretary of Agriculture to administer the Fund and establish certain procedures; authorizing the Secretary to contract for certain services and impose certain fees; establishing an Animal Waste Technology Fund Advisory Committee; establishing the membership, staffing, role, and responsibilities of the Advisory Committee; authorizing the Secretary to take certain actions to protect the interests of the Department of Agriculture in certain financing transactions; defining certain terms; and generally relating to funding for animal waste technology projects.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–301, 5–311, 5–313, 5–316, and 5–321(b)(1)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY adding to
Article – Agriculture
Section 8–7A–101 through 8–7A–105 to be under the new subtitle "Subtitle 7A. Animal Waste Technology Fund"
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1334 – Delegates McDermott and Cluster

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)

FOR the purpose of altering the penalty for causing life–threatening injury as a result of negligently driving, operating, or controlling a motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to controlled dangerous substance offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–211(f)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1369 – Chair, Health and Government Operations Committee (By Request – Departmental – Minority Affairs, Office of) and Delegates Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Office of Minority Affairs – Duties of Special Secretary – Minority Business Enterprises

FOR the purpose of expanding the duties of the Special Secretary of the Office of Minority Affairs to include the promotion and coordination of certain training and participation in certain plans, programs, and operations concerning minority business enterprises; and generally relating to the duties of the Special Secretary of the Office of Minority Affairs.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–305
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1370 – Chair, Health and Government Operations Committee (By Request – Departmental – Transportation) (By Request – Departmental – Minority Affairs, Office of) and Delegates Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Procurement – Minority Business Participation

FOR the purpose of establishing certain legislative findings; replacing a certain numerical percentage goal with a biennial process by which the State's overall minority business enterprise participation goal shall be established, based on certain factors, and adopted by regulation; requiring the Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish certain guidelines biennially for units to follow while determining whether to set certain subgoals for certain minority groups; requiring the Special Secretary of Minority Affairs, in establishing the guidelines, to provide for public participation by consulting with certain persons; requiring the Special Secretary of Minority Affairs to adopt certain regulations; clarifying the factors to be used by certain units in evaluating each contract to determine the appropriate minority business enterprise participation goals for the contract; requiring certain units to monitor and collect certain data and institute corrective actions relating to contractor compliance; prohibiting the use of quotas and certain goal setting processes; requiring the Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish through regulation certain procedures related to participation of minority business enterprises as prime contractors; establishing circumstances under which a minority business enterprise participation schedule may not be amended; clarifying that minority business enterprise participation schedules are part of certain contracts; prohibiting a contractor from terminating certified minority business enterprises under certain circumstances; requiring that certain bidders or offerors complete certain documents; requiring that certain documents completed by bidders or offerors be made part of certain contracts; requiring that all contracts relating to minority business enterprise participation contain certain provisions; continuing until a certain date the provisions of the State Procurement Law relating to procurement from minority businesses; requiring the certification agency, in consultation with the General Assembly and the Office of the Attorney General, to initiate a certain study of the Minority Business Enterprise Program for certain purposes; authorizing the Board of Public Works to adopt certain regulations; requiring the final report of

the study to be submitted to the Legislative Policy Committee before a certain date; making the provisions of this Act severable; defining certain terms; and generally relating to minority business participation in State procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301, 14–302, 14–303, and 14–309
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 14–301.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1412 – Delegates Bohanan, Kaiser, Jones, Conway, Hixson, Branch, Guzzone, Luedtke, and Morhaim

EMERGENCY BILL

AN ACT concerning

Education – Maintenance of Effort

FOR the purpose of authorizing a county governing body, for a certain purpose and under certain circumstances, to set a property tax rate that is higher than the rate authorized under the county's charter or to collect more property tax revenues than are authorized under the county's charter, notwithstanding any provision of ~~a~~ the county charter that places certain limits on that county's property tax rate or revenues; requiring a county to appropriate to the local board of education certain revenues under certain circumstances; prohibiting a county from reducing certain funding to the local board of education under certain circumstances; ~~requiring the Comptroller to make certain distributions under certain circumstances to a county board; authorizing a county governing body, for a certain purpose under certain circumstances for a certain time, to set an income tax rate that is higher than the rate authorized under certain provisions of law;~~ establishing a certain penalty for a county that does not fund the local share of the foundation program or the maintenance of effort requirement; excluding the cost of debt service incurred for school construction projects from a certain calculation; requiring a county to apply to the State Board of Education for a waiver from the maintenance of effort requirement under certain circumstances; establishing a penalty for a county that fails to apply for a waiver and fails to fund the maintenance of effort requirement;

establishing the following years' required maintenance of effort amount under certain circumstances; establishing the application procedure for a maintenance of effort waiver; requiring the State Superintendent of Schools to make a preliminary assessment of a waiver application; requiring the State Board to hold a public hearing; establishing certain factors that the State Board shall consider when deciding whether to grant a waiver request; requiring the Department to consult with certain State agencies when making certain calculations; requiring the State Board to grant a waiver under certain circumstances; limiting the amount of a waiver that the State Board may grant under certain circumstances; authorizing a county to request a rebasing waiver under certain circumstances; requiring the State Board to consider certain factors when deciding whether to grant a rebasing waiver; requiring the Comptroller to withhold from a county a certain amount under certain circumstances and distribute the amount to the county board; establishing a certain assessment under certain circumstances; requiring the maintenance of effort amount to increase by a certain amount under certain circumstances; ~~requiring the Comptroller to withhold certain funds from certain counties for a certain fiscal year; requiring counties to apply for a waiver from the maintenance of effort requirement for a certain fiscal year under certain circumstances~~ waiving the penalty for not meeting the maintenance of effort requirement in a certain year; establishing the maintenance of effort amount for a certain fiscal year for certain counties; requiring counties to provide a certain report under certain circumstances; ~~establishing the required maintenance of effort amount for a certain year;~~ requiring the Superintendent to make a certain report annually; defining certain terms; providing for the application of certain provisions of this Act; providing for the effective date of certain provisions of this Act; making this Act an emergency measure; and generally relating to local funding of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–104, 5–202(d), and 5–213
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 5–213.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 2–604, 2–605(a), 2–606(a), and 2–607(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–608(a) ~~and 10–106~~
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

~~BY adding to~~
~~Article – Education~~
~~Section 5–213.1~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(d)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)
(As enacted by Section ~~3~~ 2 of this Act)

Read the first time and referred to the Committee on Budget and Taxation.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 149 – Delegates Beidle, Olszewski, Stein, Glenn, Lafferty, Niemann, ~~and Norman~~ and Kipke

AN ACT concerning

Mopeds and Motor Scooters – Titling, ~~Registration,~~ Insurance, and Required Use of Protective Headgear

FOR the purpose of authorizing a certain insurer to exclude a moped and motor scooter from certain insurance benefits; expanding the pool of vehicles eligible to be covered by the Maryland Automobile Insurance Fund; requiring a moped or motor scooter in the State to be titled ~~and registered~~ by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain certain security; ~~requiring an application for the registration of a moped or motor scooter to be submitted electronically; requiring a licensed dealer of mopeds or motor scooters under certain circumstances to obtain a moped or motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of mopeds and motor scooters; establishing an annual registration fee and surcharge for mopeds and motor scooters~~ requiring an application for a

certificate of title for a motor scooter or moped to be submitted electronically; requiring the Administration to issue a permanent decal to the owner of a motor scooter or moped for which a certificate of title is issued; requiring an owner of a motor scooter or moped to display the decal in a certain manner; requiring a decal to display a unique number sequence assigned by the Administration; requiring the Administration to establish a certain fee for the decal and adopt certain regulations; prohibiting a person from operating a motor scooter or moped unless the motor scooter or moped displays the decal in a certain manner; establishing a certain fee for a certificate of title issued for a motor scooter or moped; establishing the criteria for determining the fair market value of a motor scooter or a moped for the purpose of determining the excise tax under certain circumstances; requiring the owner of a motor scooter or moped to certify at the time of titling that the vehicle is covered by a certain security; requiring the operator of a motor scooter or moped to carry evidence of a certain required security when operating the motor scooter or moped; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing certain protective headgear and a certain eye–protective device; authorizing the Motor Vehicle Administrator to approve or disapprove certain headgear and eye–protective devices and adopt and enforce certain regulations; requiring the Administrator to publish a certain list; establishing that the failure of certain individuals to wear certain protective headgear or a certain eye–protective device may not be considered certain evidence or diminish the recovery of certain damages; establishing that certain provisions relating to moped and motor scooter headgear and eye–protective devices do not limit certain liabilities or rights; requiring certain procedures in certain civil proceedings; ~~providing that certain vehicle equipment and inspection requirements do not apply to mopeds and motor scooters;~~ requiring the Motor Vehicle Administration to waive certain fees associated with titling a moped or motor scooter for certain individuals under certain circumstances; altering certain definitions; making certain stylistic changes and technical corrections; and generally relating to mopeds and motor scooters.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–505(c) and 20–501
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.1, 11–134.5, ~~13–101.1, 13–402(a)(1), 17–104(a) and (b),~~ 21–1207, ~~23–101(a),~~ and 23–104~~, 23–107(a)(1), 23–202(a)(1), and 23–206(a)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation

Section ~~11–135, 11–176, 13–403, 13–954,~~ 13–102, 13–104(a), 13–106, 13–802, 13–809(a)(1), (2), and (3), and 22–101(e)(1)~~, 23–101(i)(3), and 23–206.2(e)~~
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section ~~13–939.3~~ 17–104.1, 21–1306.1, and 23–206.2(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 423 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Agricultural Preservation Advisory Board – Membership

FOR the purpose of altering the membership of the agricultural preservation advisory board in St. Mary's County to require that at least a certain number of members are actively pursuing the production of agricultural products for profit; and generally relating to the membership of the agricultural preservation advisory board in St. Mary's County.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–504.1(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–504.1(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 425 – Delegates S. Robinson, Arora, Barkley, Barve, Carr, Clippinger, Cullison, Gilchrist, Gutierrez, Holmes, Hucker, Kach, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Otto, Reznik, Summers, Washington, Wilson, ~~and Zucker~~ Zucker, Donoghue, Kipke, Morhaim, Oaks, and Pena–Melnyk

AN ACT concerning

Procurement – Required Disclosure – Conflict Minerals Originated in the Democratic Republic of the Congo

FOR the purpose of prohibiting a unit of State government from procuring supplies or services from persons that fail to disclose in a certain manner as required by federal law certain information relating to conflict minerals that originated in the Democratic Republic of the Congo or its neighboring countries; requiring a unit of State government to provide notice of the prohibition in any solicitation for supplies or services; defining certain terms; and generally relating to required disclosure of information related to conflict minerals originated in the Democratic Republic of the Congo or its neighboring countries.

BY adding to
Article – State Finance and Procurement
Section 14–413
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 442 – The Speaker (By Request – Administration) and Delegates Davis, Feldman, Frick, Mizeur, and Washington

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Maryland Innovation Initiative

FOR the purpose of establishing the Maryland Innovation Initiative in the Maryland Technology Development Corporation; establishing the membership, qualifications, and the requirements for participation in the Initiative; establishing the purpose of the Initiative; establishing the Maryland Innovation Initiative Fund; providing that the Fund is a certain special, nonlapsing fund; requiring the State Treasurer to hold the Fund separately and to invest the money in the Fund; requiring the Comptroller to account for the Fund; providing for the funding of the Initiative and requiring funds to be used only for certain financial assistance and administrative expenses; authorizing the Initiative to award grants to certain entities under certain circumstances; authorizing the members of the Initiative to establish a certain committee with a certain membership and certain duties; requiring the Board of Regents of the University System of Maryland and the Board of Regents of Morgan State University to undertake certain high impact economic development activities; requiring the ~~Board~~ Boards of Regents to adopt certain policies and procedures related to certain high impact economic development activities; authorizing a

University System of Maryland institution and Morgan State University to establish, invest in, finance, or operate a certain entity that supports high impact economic development activity and authorizing certain employees to participate in the entity; requiring the Corporation and the ~~Board~~ Boards of Regents to provide certain reports that include certain information; providing that a certain requirement that interest and other income be credited to the General Fund does not apply to the Fund; altering the amount and the types of contracts required for a certain Board of Public Works review; defining certain terms; making stylistic changes; and generally relating to economic development, the commercialization of technology in the State, and the Maryland Innovation Initiative.

BY adding to
Article – Economic Development
Section 10–454 through ~~10–459~~ 10–460 to be under the new part "Part V. Maryland Innovation Initiative"
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY adding to
Article – Education
Section 12–104.1 and 14–104.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 12–113 and 14–110
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(1) and (2)(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)62. and 63. and 11–203(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

House Bill 456 – Delegates Reznik, Mizeur, Kipke, Donoghue, A. Kelly, and Ready

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

FOR the purpose of altering the definition of "small business" under the Small Business Reserve Program under the State procurement law; including small businesses that meet either the limitation on employees employed by the business or the limitation on gross sales of the business under the Small Business Reserve Program; requiring the Department of General Services to report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and general relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–501(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 475 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Redistricting Board – Revisions

FOR the purpose of requiring a Redistricting Board to be appointed in St. Mary's County following each decennial census of the United States; requiring the Board to be appointed between certain dates and in the year following each decennial census; requiring the Board to be composed of certain appointees; requiring a certain County Commissioner to appoint a person to fill a certain vacancy; requiring each member of the Board to be a registered voter and a

resident of St. Mary's County; prohibiting a certain person from serving as a member of the Board; requiring the Board to propose a certain redistricting plan; requiring the Board to elect a chair and hold certain meetings; authorizing the Board to solicit advice from certain experts, hold public forums, and request that the Board of County Commissioners of St. Mary's County provide certain assistance; requiring that the proceedings and records of the Board comply with certain laws; requiring the Board to conduct certain public hearings; specifying that notice of certain hearings be given in accordance with certain requirements; requiring the Board to prepare and submit a redistricting plan to the Board of County Commissioners by a certain date and after public hearings have been held; specifying that a redistricting plan becomes effective for a certain election a certain number of days after the plan is submitted to the Board of County Commissioners; providing that a Board appointed before a certain date is conclusively presumed to have been lawfully constituted and that a certain redistricting plan is conclusively presumed to have become law; and generally relating to the Redistricting Board in St. Mary's County.

BY repealing
The Public Local Laws of St. Mary's County
Section 26–2
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

BY adding to
The Public Local Laws of St. Mary's County
Section 26–2
Article 19 – Public Local Laws of Maryland
(2007 Edition and January 2011 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 511 – Chair, Environmental Matters Committee and Delegate Hubbard

AN ACT concerning

State Board of Environmental Health Specialists – Transfer of Responsibilities

FOR the purpose of renaming the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transferring the Board and certain functions, powers, duties, assets, liabilities, and records from the Department of the Environment to the Department of Health and Mental Hygiene; renaming environmental sanitarians to be environmental health specialists; altering the length of terms for certain Board members; altering a certain date relating to the staggering of the terms of Board members; altering

the number of terms certain Board members may serve; requiring the Board to notify certain environmental health specialists of certain vacancies on the Board and provide the Secretary of Health and Mental Hygiene with a list of a certain number of candidates for each vacancy; requiring the Board to determine the duties of certain officers; clarifying certain quorum requirements; authorizing the Board to employ certain staff in accordance with the budget of the Board; authorizing the Board to sue to enforce certain provisions by injunction and issue certain subpoenas, summon certain witnesses, administer certain oaths, take certain affidavits, and take certain testimony; establishing a State Board of Environmental Health Specialists Fund as a continuing, nonlapsing fund that is not subject to certain provisions of law; authorizing the Board to set certain fees for certain purposes; requiring certain fees to be set so as to approximate the cost of maintaining the Board; requiring certain funds to be generated by certain fees; requiring the Board to remit certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the Fund; requiring the Fund to be used to cover certain costs; prohibiting the transfer or reversion of certain unspent portions of the Fund to the General Fund; prohibiting other State money to be used to support the Fund; requiring a designee of the Board to administer the Fund; requiring the legislative auditor to audit certain accounts and transactions of the Fund in accordance with certain provisions of law; altering the list of persons employed in certain job classifications that are not required to be licensed under this Act; requiring that certain applicants be of good moral character and at least a certain age; authorizing the Board to waive certain education and training requirements for an applicant to qualify to take the licensing examination under certain conditions; authorizing the Board to send certain notices by electronic means; requiring the Board to maintain certain records and a certain database regarding disciplinary matters; establishing a certain violation for failing to cooperate with certain investigations; prohibiting certain persons from using certain titles and initials; altering certain penalties; extending the termination date of the Board; requiring that the Department of Legislative Services evaluate the Board by a certain date; providing that certain Board members may continue to serve for a certain term and that certain provisions will apply to certain vacancies on the Board; providing measures for continuity for certain license and certificate holders during a certain transition period; ~~expressing the intent of the General Assembly that the Department of the Environment and the Department of Health and Mental Hygiene cooperate to ensure adequate funding is available to support the Board during a certain fiscal year~~ requiring the Department of Health and Mental Hygiene to ensure adequate funding for the Board during a certain fiscal year; authorizing the Department of Health and Mental Hygiene to transfer certain funds to the Board from certain other boards under certain circumstances; expressing the intent of the General Assembly that the Board implement certain measures; requiring the Board to adopt certain regulations; repealing laws inconsistent with this Act; requiring the Board to repeal certain regulations; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to automatically make certain corrections in a certain

manner; repealing certain obsolete provisions; making certain technical, conforming, and stylistic changes; defining certain terms; and generally relating to the State Board of Environmental Health Specialists.

BY transferring
Article – Environment
Section 11–101 through 11–502, respectively, and the title "Title 11. Environmental Sanitarians"
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)
to be
Article – Health Occupations
Section 21–101 through 21–502, respectively, and the title "Title 21. Environmental Sanitarians"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–406
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 21–101; 21–201 through ~~21–205~~ 21–206 to be under the amended subtitle "Subtitle 2. State Board of Environmental Health Specialists"; 21–301 through 21–310, 21–312 through 21–315, 21–401, 21–402, 21–501, and 21–502 to be under the amended title "Title 21. Environmental Health Specialists"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 21–102, ~~21–206,~~ 21–207, and 21–311
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(22)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 598 – Delegates McComas, Afzali, Clippinger, Frush, Kach, McDonough, B. Robinson, Sophocleus, Stocksdale, and Vitale

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

FOR the purpose of authorizing ~~a law enforcement officer to take a child into custody with an arrest warrant issued by the court~~ an intake officer of the Department of Juvenile Services, after conducting a certain inquiry, to file with a court an application for an arrest warrant prepared by a law enforcement officer; providing certain requirements relating to an application for an arrest warrant under this Act; providing that an arrest warrant under this Act may only be issued by the court on a finding of probable cause; requiring an arrest warrant issued under this Act to direct the law enforcement officer to take immediate custody of the child who is the subject of the warrant; making a certain conforming change; and generally relating to the authority of a law enforcement officer to take a child into custody.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–14
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–14.1
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 713 – Delegate Feldman

AN ACT concerning

Commercial Law – Uniform Commercial Code – Secured Transactions – Revision

FOR the purpose of altering the circumstances under which a secured party has control of electronic chattel paper; authorizing a certain registered organization and a branch or agency of a certain bank to designate its state of location in a

certain manner; establishing certain rules applicable to collateral to which a security interest attaches within a certain period of time; establishing certain rules applicable to a financing statement naming an original debtor that is filed pursuant to the law of a certain jurisdiction; altering the circumstances under which a certain licensee or buyer of certain collateral takes free of a security interest; altering the circumstances under which a security interest created by a new debtor is perfected; altering the applicability of certain provisions of law governing terms in certain agreements or promissory notes; altering and clarifying certain provisions of law that establish when a financing statement sufficiently provides the name of the debtor and when the name of the debtor becomes insufficient; altering the circumstances under which a filing does not occur with respect to certain records; authorizing a person to file an information statement with respect to a certain record under certain circumstances; specifying the contents of an information statement; providing that the filing of an information statement does not affect the effectiveness of a certain financing statement or record; altering the circumstances under which a filing office that accepts written records is prohibited from refusing to accept certain documents; establishing certain transition provisions; altering certain definitions; defining certain terms; making certain stylistic, conforming, and clarifying changes; providing for a delayed effective date; and generally relating to secured transactions.

BY renumbering
Article – Commercial Law
Section 9–102(a)(69) and (70) and (72) through (81), respectively
to be Section 9–102(a)(70) and (71) and (73) through (82), respectively
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 9–102(a)(7), (10), (50), and (71), 9–105, 9–307(f), 9–311(a), 9–317(b) and (d), 9–326, 9–406(e), 9–408(b), <u>9–502(c),</u> 9–503(a) and (b), 9–507, 9–515(f), 9–516, 9–518, 9–521, and 9–607(b)
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY adding to
Article – Commercial Law
Section 9–102(a)(69), 9–316(h) and (i), and 9–503(f), (g), and (h); and 9–801 through 9–810 to be under the new subtitle "Subtitle 8. Transition Provisions for 2012 Amendments"
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law

Section 9–406(d), 9–408(a), and 9–607(a)(3)
Annotated Code of Maryland
(2002 Replacement Volume and 2011 Supplement)

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

House Bill 715 – Delegate Feldman

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement

FOR the purpose of providing that written consent by an uninsured motorist insurer to acceptance of a certain settlement offer may not be construed to limit the right of the uninsured motorist insurer to raise certain issues in an action against the uninsured motorist insurer and does not constitute an admission by the uninsured motorist insurer as to any issue raised in the action; and generally relating to uninsured motorist coverage.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–511
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 723 – Montgomery County Delegation

AN ACT concerning

Montgomery County – On–Site Sewage Disposal System and Well Easements – Rural Zones
MC 7–12

FOR the purpose of providing that, with certain exceptions, in Montgomery County an on–site sewage disposal system or well located in a certain rural zone may serve a certain property under certain easements under certain circumstances; establishing certain exceptions; defining a certain term; and generally relating to on–site sewage disposal system and well easements in Montgomery County.

BY adding to
Article – Environment
Section 9–1110
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 762 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

FOR the purpose of establishing that certain communications made in the course of and relating to certain mediations may not be disclosed by the mediators, parties to the mediations, or certain persons who participate in or are present for the mediations, under certain circumstances; establishing certain exceptions for certain communications; providing for the application of this Act; defining certain terms; providing that this Act may be cited as the Maryland Mediation Confidentiality Act; and generally relating to confidentiality of mediation communications.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1801 through 3–1806 to be under the new subtitle "Subtitle 18. Maryland Mediation Confidentiality Act"
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 772 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts

FOR the purpose of establishing certain requirements concerning allocation of principal and income for a distribution to a marital trust from an individual retirement account, qualified retirement plan account, or certain similar account or plan, or annuity; requiring a trustee of a marital trust to perform certain duties on request of a surviving spouse under certain circumstances; requiring a marital trust to increase receipts payable to a beneficiary under certain circumstances; requiring payment of income tax on receipts from a certain business entity to be charged in a certain manner; altering a certain definition; defining a certain term; providing for the application of certain provisions of this Act; and generally relating to the Maryland Uniform Principal and Income Act and certain payments to and from certain trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 15–516 and 15–527
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 982 – Delegate Davis

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

FOR the purpose of authorizing an insurance producer who is licensed to sell health insurance to charge reasonable fees for ~~services related to the administration of a health benefit plan~~ an administrative service that is sold by the insurance producer to an employer ~~and covers eligible employees of the employer~~; providing that fees may not be charged by an insurance producer for certain services; requiring an insurance producer to disclose certain information on a certain form and in a certain manner before a fee for administrative services is charged; requiring the disclosure form to be signed by the insurance producer and an authorized representative of the employer and retained by the insurance producer as required by regulations adopted by the Maryland Insurance Commissioner; defining a certain term; and generally relating to fees for administrative services provided by insurance producers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–216(a)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 27–216(g)
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 997 – Delegates Washington, Anderson, Arora, Bobo, Braveboy, Carr, Clippinger, Conaway, Cullison, Davis, Feldman, Frick, Frush, Gaines, Glenn, Howard, Hucker, Jameson, Kaiser, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy,

Nathan–Pulliam, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Summers, Tarrant, Vaughn, Walker, and Zucker

AN ACT concerning

Commercial Law – Rental–Purchase Agreements Best Practices Act

FOR the purpose of ~~requiring certain annual percentage rates to be disclosed in a rental–purchase agreement; prohibiting certain items from being included in a rental–purchase agreement; altering the circumstances under which a consumer may reinstate a rental–purchase agreement; requiring a reduction in certain payments under certain circumstances;~~ requiring a certain lessor to maintain certain records for a certain period of time; ~~establishing a certain maximum price that may be charged to a consumer under certain circumstances; establishing a certain maximum total amount paid by a certain consumer over a certain period of time;~~ requiring a lessor to provide a written receipt and a written statement to a consumer under certain circumstances; requiring a certain written receipt to contain certain information; ~~requiring a certain percentage rate to be stated on certain advertisements; authorizing certain attorney's fees and court costs for a certain violation; providing that a certain violation is an unfair or deceptive trade practice under the Maryland Consumer Protection Act; providing that a rental–purchase agreement is void under certain circumstances; providing for certain penalties if the agreement is void;~~ prohibiting a lessor from bringing a certain court action unless a certain notice is given to the consumer; ~~requiring a rental–purchase agreement to be written in a certain manner; altering a certain form used to satisfy certain disclosure requirements; requiring a bill or invoice sent to a consumer to contain certain information; authorizing the Attorney General's Office to adopt and enforce certain regulations and bring a certain civil action;~~ requiring the Attorney General's ~~Office to place certain items on its~~ Web site to include a certain sample rental–purchase agreement; requiring certain information to be disclosed by the lessor; altering a certain short title; ~~defining certain terms; altering certain definitions;~~ and generally relating to rental–purchase agreements best practices.

BY repealing and reenacting, with amendments,
Article – Commercial Law
~~Section 12–1101, 12–1104 through 12–1107, and 12–1109 through 12–1112~~
Section 12–1107 and 12–1112
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

~~BY repealing and reenacting, without amendments,~~
~~Article – Commercial Law~~
~~Section 12–1102, 12–1103, and 12–1108~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2011 Supplement)~~

BY adding to
Article – Commercial Law
Section 12–1106.1, 12–1110.1, and 12–1111.1~~, and 12–1111.2~~
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

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

House Bill 1023 – Calvert County Delegation

AN ACT concerning

Calvert County – Litter Control Law – Local Ordinance

FOR the purpose of authorizing the governing body of Calvert County to adopt a certain ordinance to prohibit littering and to impose certain criminal and civil penalties for a violation of the ordinance; and generally relating to the litter control law.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–110
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1059 – Delegate Feldman

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

FOR the purpose of authorizing an insurer to rescind a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance if the applicant's initial premium payment is made by a check or other remittance that is ~~dishonored and returned by~~ not honored on presentation to a financial institution for a certain reason under certain circumstances; requiring that an insurer, to rescind the policy or binder, send a certain notice to ~~the applicant~~ certain persons within a certain period of time, in a certain manner, and to ~~a certain address~~ certain addresses; requiring the notice to contain certain statements; providing for the application of this Act; and generally relating to the rescission of policies and binders of property and casualty insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 12–106(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 12–106(j)
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1068 – Delegates Burns, Braveboy, Haddaway–Riccio, Harrison, Hucker, Impallaria, Kramer, W. Miller, Minnick, Olszewski, Schuh, Schulz, and Vaughn

AN ACT concerning

Homeowner's Insurance – Limitation on Number of Claims Made – Notice

FOR the purpose of requiring certain insurers that issue policies of homeowner's insurance in the State to provide applicants and insureds with a notice that states ~~the number of claims that may be made under a policy of homeowner's insurance before the insurer cancels or refuses~~ certain claim–related grounds under which the insurer may cancel or refuse to renew the policy; requiring insurers to provide the notice at certain times and in a certain manner; ~~providing that insurers are deemed to be in compliance with the notice requirement under certain circumstances; authorizing a notice required to be sent by certificate of mailing to be sent with a certain other required notice and statement;~~ providing for the application of this Act; and generally relating to notice of the limitation on the number of claims that may be made under policies of homeowner's insurance.

BY adding to
Article – Insurance
Section 19–214
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1103 – Delegates Cardin and Summers

AN ACT concerning

Election Law – Campaign Contributors – Occupation and Employer

FOR the purpose of requiring the treasurer of a campaign finance entity to record the occupation and employer of an individual who makes contributions of a certain cumulative amount to the campaign finance entity during an election cycle; requiring the treasurer to include in a campaign finance report the occupation and employer of an individual who makes contributions to the campaign finance entity of a certain cumulative amount; requiring the State Board of Elections to provide certain notice to a treasurer of a campaign finance entity if a contributor makes cumulative contributions exceeding a certain amount during a certain period; requiring the State Board to require a certain standard response that a treasurer shall include in a campaign finance report if a contributor does not provide certain information to the treasurer; and generally relating to reporting the occupation and employer of certain contributors to campaign finance entities.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–221 and 13–304(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1140 – Delegates Pendergrass, Hammen, Hubbard, A. Kelly, Kipke, McDermott, Nathan–Pulliam, and Pena–Melnyk

AN ACT concerning

Physicians – Sharing of Information with Maryland Health Care Commission

FOR the purpose of adding the Maryland Health Care Commission to the list of entities to which the Health Services Cost Review Commission may disclose certain physician information; requiring the State Board of Physicians to disclose information contained in a record to the Maryland Health Care Commission for a certain purpose; adding the Maryland Health Care Commission to the list of entities that must adopt regulations for a certain transfer of information in a record; altering the date by which the regulations must be adopted; and generally relating to sharing information about physicians with the Maryland Health Care Commission for the purpose of identifying practice patterns and investigating quality or utilization of care in certain regulated entities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–218

Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–411(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–411(d) and (e)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1186 – Delegates Jameson, Hucker, Afzali, Barkley, Barve, Beitzel, Carr, Eckardt, Elliott, Feldman, Jacobs, Krebs, Love, McComas, Murphy, Myers, Norman, Otto, Serafini, Stein, Stocksdale, and Wood

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

FOR the purpose of specifying that energy generated from a geothermal heating and cooling system is eligible for inclusion in meeting the renewable energy portfolio standard; entitling a certain person or entity to receive a renewable energy credit under certain circumstances; ~~specifying the method by which energy generation and consumption shall be measured~~ specifying the methods by which the Commission shall determine the energy savings of geothermal heating and cooling systems; requiring geothermal heating and cooling system installation to comply with certain standards; defining a certain term; altering the definition of a certain term; providing for the application of this Act; and generally relating to geothermal heating and cooling systems.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Public Utilities
Section 7–701(c–1) and 7–704(h)
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–701(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1187 – Delegates Jameson, Barkley, Barnes, Barve, Feldman, Hershey, Hucker, Kramer, Love, Minnick, Schuh, and Vaughn

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

FOR the purpose of altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in certain years; authorizing the Public Service Commission, in consultation with the Maryland Energy Administration, to identify an equivalent certification for measurement for energy generated by certain solar water heating systems for certain purposes; authorizing the Commission, in consultation with the Administration, to approve an equivalent certification body to set certain standards; providing for the application of this Act; and generally relating to solar energy.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–703 and 7–704(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1196 – Delegates Ready and Pena–Melnyk

AN ACT concerning

Participation in Procurement – Conflict of Interest – Exemption

FOR the purpose of ~~authorizing certain units of State government to solicit certain comments relating to certain specifications for State procurement of health, human, social, or educational services before issuing certain requests for proposals; authorizing a person that submits certain comments relating to a procurement to submit a proposal for the procurement under certain~~

~~circumstances;~~ providing that assisting in the drafting of certain specifications, invitations for bids, or requests for proposals does not include submitting certain oral comments on certain specifications; providing that assisting in the drafting of certain specifications, invitations for bids, or requests for proposals for certain procurements of health, human, social or educational services does not include certain comments solicited from certain persons as part of certain requests for information; requiring certain units that receive certain comments to retain certain written comments and certain records of certain oral comments; and generally relating to conflicts of interest and participation in procurement.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–508
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1207 – Delegates Pendergrass, Hammen, Carr, K. Kelly, McHale, Pena–Melnyk, ~~and B. Robinson~~ B. Robinson, Hubbard, ~~and Morhaim~~ Morhaim, and Clippinger

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure of Clinical Professional Art Therapists

FOR the purpose of altering the membership of the State Board of Professional Counselors and Therapists ~~to include two members who are licensed as clinical professional art therapists~~; requiring certain individuals to be licensed by the Board as clinical professional art therapists before performing certain work in the State; establishing certain education and experience requirements to qualify for a license to practice clinical professional art therapy; requiring the Board to waive certain requirements under certain circumstances; providing that a license authorizes certain individuals to practice clinical professional art therapy while a license is effective; authorizing the Board to adopt certain regulations allowing certain individuals to practice as licensed graduate professional art therapists under certain supervision; establishing certain requirements to qualify for a license to practice as a licensed graduate professional art therapist; authorizing certain individuals to practice graduate professional art therapy under certain supervision for a certain period of time; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; authorizing the State or the Board to maintain a certain action

to enjoin certain unauthorized practice or certain conduct; providing that certain action is in addition to and not instead of certain prosecution; authorizing certain committees or certain associations to be a counselor or therapist rehabilitation committee; providing that a counselor and therapist rehabilitation committee evaluates and provides assistance to certain professional art therapists under certain circumstances; prohibiting certain individuals from engaging in certain actions or making certain representations in the State or using certain titles unless licensed by the Board; providing for the appointment of ~~certain members~~ a certain member of the Board; ~~requiring certain vacancies on the Board to remain unfilled in accordance with provisions of this Act altering the membership of the Board;~~ and generally relating to the establishment of a license for clinical professional art therapy and the State Board of Professional Counselors and Therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–101, 17–202, 17–301, 17–308, 17–309, 17–508, 17–509, 17–513, 17–515, 17–601, and 17–602
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 17–103 and 17–201
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health Occupations
Section 17–304.1, 17–304.2, and 17–307.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1238 – Delegate Dumais

AN ACT concerning

Maryland Legal Services Corporation Fund – Net Interest Earnings

FOR the purpose of including the Maryland Legal Services Corporation Fund in the list of funds whose net interest earnings do not accrue to the General Fund of the State; specifying that certain charges may not be made against the Fund under certain circumstances; and generally relating to net interest earnings of the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 11–402
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

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

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1257 – Delegates Kramer, Arora, Barkley, Bates, Bobo, Carr, Clagett, Conway, Cullison, DeBoy, Dumais, Frick, Frush, Glass, Howard, Hucker, A. Kelly, K. Kelly, McDonough, Morhaim, Reznik, B. Robinson, S. Robinson, Rudolph, Simmons, Stein, Summers, Valderrama, ~~and Waldstreicher~~ Waldstreicher, Barnes, Davis, Haddaway–Riccio, Hershey, Jameson, Love, McHale, Stifler, and Vaughn

AN ACT concerning

Fiduciary Institutions – Protection of Elder Adults from Financial Abuse – Reporting Requirements

FOR the purpose of requiring certain fiduciary institutions to report suspected financial abuse of an elder adult under certain circumstances; requiring the report to be made to certain individuals and entities, at certain times, and by certain means; providing that a fiduciary institution is not required to investigate certain allegations by an elder adult or make an abuse report if the same matter already has been reported; providing that an abuse report is confidential and that the information contained in the report may be disclosed only under certain circumstances; providing that certain provisions of this Act may not be construed to allow the disclosure of certain reports or records or prohibit the disclosure of certain reports or records under certain circumstances; providing that certain provisions of this Act do not prohibit or limit the disclosure of certain financial records; requiring a fiduciary institution to establish and implement a certain training program for employees; prohibiting a fiduciary institution or an officer, employee, agent, or director of a fiduciary institution from declining to provide certain information in connection with an investigation of suspected financial abuse; establishing certain civil penalties for violations of certain provisions of this Act; providing that the penalties may be recovered only in a certain civil action brought against a fiduciary institution and shall be paid by the fiduciary institution; defining certain terms; altering a

certain definition; making certain stylistic and conforming changes; and generally relating to fiduciary institutions and requirements for reporting suspected financial abuse of elder adults.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 1–101(a) and (g) and 1–301(a) and (b)
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 1–305 and 1–306
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

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

House Bill 1326 – Delegate Norman

AN ACT concerning

Harford County – Disposition of Fee for Performing Marriage Ceremony – Funds for Historical Society

FOR the purpose of altering the distribution of the Clerk or deputy clerk's fee collected for performing a marriage ceremony in Harford County to require a certain amount of the fee to be paid to the Historical Society of Harford County, Inc.; and generally relating to the distribution of the fee for performing a marriage ceremony in Harford County.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 2–410(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–410(a)(2) and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1327 – Delegate Lafferty

AN ACT concerning

Community Legacy Program – Sustainable Community Designation – Time Extension

FOR the purpose of extending the date until which existing community legacy areas and designated neighborhoods will be considered sustainable communities for the purposes of the Community Legacy Program; extending the date by which sponsors of existing community legacy areas and designated neighborhoods are required to file for redesignation as a sustainable community for the purposes of financial assistance under the Program; and generally relating to the designation of sustainable communities and the Community Legacy Program.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–204, 6–205, 6–206, and 6–305
Annotated Code of Maryland
(2006 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2010
Section 2, 4, and 5

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1364 – Delegates Schulz, Afzali, Bates, Clagett, Eckardt, Elliott, Frank, George, Haddaway–Riccio, Hershey, Hogan, Jacobs, Krebs, McComas, W. Miller, Minnick, Norman, O'Donnell, Otto, Schuh, Stifler, ~~and Vitale~~ Vitale, Barkley, Davis, Feldman, Jameson, Love, McHale, Olszewski, and Vaughn

AN ACT concerning

Labor and Employment – ~~Determination of Independent Contractor Status –~~ Workplace Fraud Act ~~and Unemployment Insurance~~ – Revisions

FOR the purpose of establishing an exception for an employer that produces certain documents for inspection to the presumption that an employer–employee relationship exists for purposes of the Workplace Fraud Act; ~~repealing the requirement that the Commissioner of Labor and Industry consider certain factors as strong evidence that an employer did not violate a certain provision of law; providing for a presumption, under certain circumstances, that an individual working for remuneration is an independent contractor under certain circumstances; prohibiting the Commissioner, under certain circumstances, from entering a place of business or work site to review and copy certain records;~~ authorizing an employer to comply with a certain requirement to

provide records by producing copies of the records; altering the number of days within which an employer is required to produce certain records; ~~repealing a certain provision of law regarding the issuance of citations by the Commissioner for violations of the Workplace Fraud Act;~~ requiring the Commissioner to take certain action regarding an alleged violation of the Workplace Fraud Act within a certain time after the Commissioner receives certain records from an employer; providing that an employer is entitled to a certain hearing within a certain number of days after the hearing is requested unless the right is waived; ~~repealing a certain notification requirement;~~ requiring that a copy of a certain order be submitted to a public body under certain circumstances; altering the requirement that a certain public body withhold certain funds from an employer; ~~repealing the requirement that a certain public body release certain funds on issuance of a certain order; establishing that certain work is not covered employment for the purposes of unemployment insurance if the Secretary of Labor, Licensing, and Regulation is satisfied that the individual performing the work entered into a certain contract with the employer;~~ altering a certain provision of law regarding the issuance of citations by the Commissioner for violations of the Workplace Fraud Act; and generally relating to the ~~determination of independent contractor status~~ Workplace Fraud Act.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–903 ~~through 3–906, 3–913, and 8–205~~ 3–905, 3–906, and 3–913
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Labor and Employment
Section 3–903.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 1418 – Delegates Anderson, Alston, Carter, Simmons, Valentino–Smith, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Coram Nobis – Failure to Seek Appeal

FOR the purpose of providing that the failure to seek an appeal in a criminal case may not be construed as a waiver of the right to file a petition for writ of error coram nobis; and generally relating to coram nobis.

BY adding to
Article – Criminal Procedure
Section 8–401 to be under the new subtitle "Subtitle 4. Coram Nobis" and the amended title "Title 8. Other Postconviction Review"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 21 – Delegate McConkey

AN ACT concerning

~~Environment – Reduction of Lead Risk in Housing – Repeal of Obsolete Language~~
Certificate of a Qualified Expert – Lead Paint Poisoning Claims

FOR the purpose of ~~removing obsolete language in provisions relating to reduction of lead risk in rental housing; making conforming changes; and generally relating to the repeal of obsolete language in provisions relating to reduction of lead risk in rental housing~~ requiring the court to dismiss a certain claim filed in a circuit court or a United States District Court against a person for injury caused by the ingestion of lead–based paint or lead–contaminated dust if the person does not file a certificate of a qualified expert for each defendant; specifying the contents of the certificate; requiring the certificate to be filed within a certain period of time and be served on certain persons, subject to certain exceptions; requiring a person who files a certificate of a qualified expert to provide a defendant with a certain list of qualifications; requiring a defendant to produce certain evidence under certain circumstances; altering a certain time period for filing a certificate of a qualified expert under certain circumstances; providing that the failure to provide certain evidence constitutes a certain waiver; authorizing the court to waive or modify the requirement to file a certificate of a qualified expert under certain circumstances; requiring a defendant of a certain claim to file a written response to a certificate of a qualified expert; specifying the contents of the written response; requiring the written response to be filed within a certain period of time and be served on certain persons; providing that a failure to file a written response constitutes a certain admission; requiring the court to schedule and hold a hearing regarding the certificate of a qualified expert and the written response to a certificate of a qualified expert; authorizing the court to recall a former judge for temporary assignment for certain purposes; requiring the court to allow the claimant and defendant an opportunity to be heard; authorizing the court to enter summary judgment in favor of or against the claimant or defendant under certain circumstances; defining certain terms;

providing for the application of this Act; and generally relating to lead paint poisoning claims.

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 6–811(a)(1), 6–812, 6–819, 6–820, 6–823, 6–843(a), (b), and (c), and 6–846(a)~~
~~Annotated Code of Maryland~~
~~(2007 Replacement Volume and 2011 Supplement)~~

BY adding to
Article – Courts and Judicial Proceedings
Section 3–2D–01 through 3–2D–04 to be under the new subtitle "Subtitle 2D. Lead Paint Poisoning Claims"
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 90 – ~~**Delegates Aumann, Frank, Boteler, Cluster, Impallaria, Kach, and Szeliga**~~ **Baltimore County Delegation**

AN ACT concerning

Election Law – Baltimore County Republican Party Central Committee – Election of Chairman

FOR the purpose of requiring the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large; altering the number of members of the central committee; and generally relating to the election of the Chairman of the Baltimore County Republican Party Central Committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–202 and 4–203(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 138 – Carroll County Delegation

AN ACT concerning

Carroll County – Polling Places – Electioneering Boundaries

FOR the purpose of making Carroll County subject to the general rule for locating the line beyond which electioneering is prohibited outside a polling place; requiring that the line be as near as practicable to a certain distance from the entrance and exit of the polling place; repealing an exception, applicable to Carroll County, regarding the boundaries for electioneering outside a polling place; and generally relating to electioneering at a polling place in Carroll County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–206
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 140 – Delegates Hough, Afzali, Boteler, Cluster, Dwyer, Eckardt, Frank, George, Hogan, Kaiser, Kipke, McComas, McDermott, McDonough, McMillan, Parrott, Ready, and Smigiel

AN ACT concerning

Department of Public Safety and Correctional Services – ~~Annual Report~~ Study and Reports on Effectiveness of Programs for Offenders

FOR the purpose of ~~requiring~~ authorizing the Department of Public Safety and Correctional Services to study the effectiveness of certain programs for offenders; ~~requiring~~ authorizing the study to contain certain information; ~~requiring~~ providing that, if a certain study is conducted, the intent of the General Assembly is that the Department ~~to~~ report ~~annually~~ certain information to the Governor and the General Assembly on or before a certain date and at certain intervals thereafter; and generally relating to the Department of Public Safety and Correctional Services and reports on effectiveness of programs for offenders.

BY adding to
Article – Correctional Services
Section 2–601 to be under the new subtitle "Subtitle 6. Reports"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 250 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Elections – Baltimore City – Election Dates

FOR the purpose of altering the dates of certain elections for municipal offices in Baltimore City; specifying the terms of municipal officers in Baltimore City who were elected in a certain year; and generally relating to elections in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–201 and 8–301
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 300 – Delegates Cluster, Alston, Boteler, Clippinger, Dwyer, Hough, K. Kelly, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valentino–Smith

AN ACT concerning

Public Safety – Handgun Permits – Renewal Period for Retired Law Enforcement

FOR the purpose of establishing that a handgun permit issued to a retired law enforcement officer of the State or a county or municipal corporation of the State expires on the last day of the holder's birth month following a certain period after the date the permit is issued and may be renewed for successive periods of a certain period each under certain circumstances; and generally relating to handgun permits.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d) and 5–304(b)(1) and (d)(2)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–309
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 346 – Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Tobacco Products – Tobacco Tax – Exemptions and Penalties

FOR the purpose of altering certain exemptions from the tobacco tax for cigarettes and other tobacco products brought into the State by certain consumers; establishing certain mandatory fines for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid; ~~establishing additional penalties of terms of imprisonment for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid;~~ and generally relating to the tobacco tax on cigarettes and other tobacco products.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–104 and 13–1015
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

FOR the purpose of establishing a reduced penalty for a person convicted of the use or possession of less than a certain quantity of marijuana; providing that, with a certain exception, the use or possession of less than a certain quantity of marijuana may not be considered a lesser included crime of any other crime; providing that a sentence imposed under this Act shall be stayed under certain circumstances without requiring an appeal bond; and generally relating to penalties for possession of marijuana.

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

Section 5–601
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 353 – Delegates Holmes and Glenn

AN ACT concerning

Jury Service – Employers – Prohibited Acts

FOR the purpose of prohibiting an employer from requiring an individual to work during a certain time period on a day in which the individual is expected to perform jury service or acts related to jury service~~, subject to a certain exception~~ or on a day after the individual performs jury service or acts related to jury service; prohibiting an employer from depriving an individual of employment or coercing, intimidating, or threatening to discharge an individual for exercising a certain right to refrain from work for performing jury service or acts relating to jury service; and generally relating to jury service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–501
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 480 – Delegates Braveboy, Jameson, Alston, Barnes, Carter, Frush, Gaines, Holmes, Howard, Pena–Melnyk, Proctor, Ross, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

FOR the purpose of authorizing a law enforcement agency to make a certain request to a certain State's Attorney to have a certain unexecuted warrant, summons, or other criminal process invalidated and destroyed under certain circumstances; ~~requiring~~ authorizing the State's Attorney to petition a certain administrative judge for the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process; authorizing the State's Attorney to argue against the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process under certain circumstances; providing for the manner in which a court may order the invalidation and destruction of a

certain unexecuted warrant, summons, or other criminal process; prohibiting an arrest from being made under the authority of a certain warrant or other criminal process; authorizing the State's Attorney to enter a nolle prosequi or place a certain case on the stet docket at a certain time; providing for the application of this Act; and generally relating to the invalidation and destruction of unexecuted warrants, summons, or other criminal processes.

BY adding to
Article – Criminal Procedure
Section 4–109
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 509 – Delegates K. Kelly, Beitzel, Clippinger, Cluster, Dumais, Hough, McConkey, Myers, Parrott, Valentino–Smith, and Wilson

AN ACT concerning

Public Health – Inmates – HIV Testing

FOR the purpose of authorizing certain courts to order certain inmates to furnish to certain correctional institutions blood samples or cheek swabs to be tested for the presence of human immunodeficiency virus (HIV) under certain circumstances; requiring certain courts, before ordering a certain test, to hold certain hearings under certain circumstances; requiring a certain correctional employee or the correctional employee's representative and a certain inmate or the inmate's representative to be notified of certain information; providing that certain courts may admit only certain evidence at certain hearings; requiring a certain written request of a correctional employee or the correctional employee's representative to be filed by a certain State's Attorney with a certain court and sealed by the court; requiring certain courts to hold certain hearings and issue certain orders within certain time periods; defining a certain term; and generally relating to HIV testing of inmates.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 513 – Delegates K. Kelly, Beitzel, Cluster, Dumais, McDermott, Parrott, Simmons, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Custody of Arrested Persons Before Release

FOR the purpose of requiring a police officer to keep custody of an arrested person from the time of arrest until the person is committed by lawful authority to a State or local correctional facility, released from custody, or in the custody of another police officer; ~~requiring~~ authorizing a correctional ~~employee~~ officer assigned to ~~monitor~~ supervise and transport inmates to keep custody of or provide transport for certain arrested persons under certain circumstances; and generally relating to the custody of arrested persons.

BY adding to
Article – Criminal Procedure
Section 2–106.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 515 – Delegates Stein, Arora, Bobo, Cardin, DeBoy, Frick, Kach, A. Kelly, Kipke, Kramer, Lafferty, Morhaim, Olszewski, Reznik, B. Robinson, Stukes, ~~and Zucker~~ Zucker, Howard, and Walker

AN ACT concerning

State Government – Financial Education and Capability Commission

FOR the purpose of establishing the Financial Education and Capability Commission; providing for the composition, co–chairs, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to meet at least a certain number of times each year; requiring the Commission to monitor the implementation of public and private initiatives to improve the financial education and capability of residents of the State and to make recommendations regarding certain matters; requiring the Commission to make certain reports to the Governor and the General Assembly on or before a certain date each year; defining a certain term; specifying the terms of the initial appointed members of the Commission; and generally relating to the Financial Education and Capability Commission.

BY adding to
Article – State Government
Section 9–801 through 9–804 to be under the new subtitle "Subtitle 8. Financial Education and Capability Commission"
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 526 – Delegates Clagett, Anderson, Barkley, Bohanan, Guzzone, Haynes, Hucker, Jones, Mizeur, Proctor, B. Robinson, Washington, and Zucker

AN ACT concerning

State Personnel – Special Appointments – Status

FOR the purpose of repealing certain provisions of law that designate certain positions and employees as special appointments in the State Personnel Management System; authorizing the Chief Executive Officer of the Maryland Correctional Enterprises to hire certain individuals consistent with certain policies and procedures as of a certain date; establishing that certain special appointment positions in the Maryland Correctional Enterprises are managerial, supervisory, and confidential positions; repealing a provision of law that certain employees in the Maryland Correctional Enterprises may be in the skilled service category of the State Personnel Management System; providing that ~~assistant~~ certain attorneys ~~general~~ and certain positions that provide direct support to the Attorney General and certain positions are special appointments in the State Personnel Management System; providing that certain at–will positions that are encumbered on a certain date shall remain at–will positions until the positions are vacant; providing that the Attorney General retains certain authority for certain positions as of a certain date; and generally relating to State personnel and special appointments.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–506
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–105(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 545 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Oaks

AN ACT concerning

Crimes – Theft from a Motor Vehicle ~~– Penalties~~

FOR the purpose of prohibiting a person from ~~knowingly and willfully obtaining or exerting unauthorized control over personal property located in or on a motor vehicle if the person intends to deprive the owner of the property, uses, conceals, or abandons the property in a manner that deprives the owner of the property, or uses, conceals, or abandons the property knowing that the use, concealment, or abandonment will deprive the owner of the property; establishing penalties for a violation of this Act; providing that a court may not impose certain penalties for a second or subsequent violation of this Act unless the State's Attorney serves a certain notice on the defendant or defendant's counsel within a certain period; providing that this Act does not preclude a certain prosecution for theft; establishing that a conviction under this Act does not merge for sentencing purposes into a certain other conviction; defining a certain term~~ being in or on the motor vehicle of another with the intent to commit theft of property that is on the motor vehicle; establishing that a certain penalty applies to a violation of this Act; and generally relating to thefts from motor vehicles.

~~BY adding to~~
~~Article – Criminal Law~~
~~Section 7–105.2~~
~~Annotated Code of Maryland~~
~~(2002 Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–206
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 563 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, and Summers

AN ACT concerning

~~Telecommunications~~ Communications Taxes – Reform Commission ~~and Moratorium~~

FOR the purpose of establishing the ~~Telecommunications~~ Communications Tax Reform Commission; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses;

requiring the Commission to assess the feasibility and fiscal implications of a competitively neutral ~~telecommunications~~ communications tax and fee system that eliminates the disparate treatment of similar ~~telecommunications~~ communications service providers; requiring the Commission to examine certain taxes and fees in conducting its assessment; requiring the Comptroller and the State Department of Assessments and Taxation to collect data from the State, local governments, and ~~telecommunications~~ communications service providers concerning revenue collected from current ~~telecommunications~~ communications taxes and fees; requiring that the data collected be provided to the Commission by a certain date; prohibiting certain data collected from ~~telecommunications~~ communications service providers from being publicly disclosed unless it is aggregated in a certain manner; requiring a State or local government agency or a ~~telecommunications~~ communications service provider to cooperate reasonably with data collection efforts under this Act; authorizing the Comptroller or the State Department of Assessments and Taxation to subpoena a State or local government agency or a ~~telecommunications~~ communications service provider that fails to cooperate reasonably with data collection under this Act; authorizing a petition to a circuit court to compel compliance with a subpoena; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before ~~a~~ certain ~~date~~ dates; ~~prohibiting the State or a county government from imposing a tax or fee on a telecommunications service that is not in effect on a certain date during a certain period; prohibiting the State or a county government from increasing a tax or fee on a telecommunications service above the amount in effect on a certain date during a certain period; defining a certain term;~~ providing for the termination of this Act; and generally relating to the ~~Telecommunications~~ Communications Tax Reform Commission.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 600 – Delegates Zucker, Anderson, Barve, Branch, Clippinger, Glass, Haynes, Howard, Ivey, Kaiser, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Ready, S. Robinson, Rosenberg, Ross, Serafini, Stukes, Vaughn, Walker, ~~and Washington~~ Washington, Cardin, and F. Turner

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

FOR the purpose of allowing a subtraction modification under the Maryland income tax for income from the discharge of certain indebtedness related to certain costs incurred with respect to a principal residence; providing that the amount of the subtraction may not exceed a certain amount for certain taxpayers; providing for an addition modification if a property is sold or exchanged under certain circumstances; providing for the application and termination of this Act;

and generally relating to an income tax subtraction modification for income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a) and ~~10–208(a)~~ 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–205(k) and ~~10–208(r)~~ 10–207(y)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 604 – Delegates Parrott, Afzali, Aumann, Bates, Beitzel, Boteler, Burns, DeBoy, Dwyer, Eckardt, Elliott, Frush, George, Glass, Hogan, Hough, Impallaria, Kach, Kipke, Krebs, McDonough, Niemann, Ready, B. Robinson, Serafini, Sophocleus, Stifler, Stocksdale, Vitale, and Wood

AN ACT concerning

Justice's Law

FOR the purpose of expanding the list of persons who can be convicted of first–degree child abuse under certain circumstances; increasing the maximum penalty for first–degree child abuse resulting in death of the victim; increasing the maximum penalty for a subsequent conviction of child abuse resulting in death of the victim; and generally relating to child abuse.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–601
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 662 – Delegates Barkley, Barnes, Burns, Feldman, Gilchrist, Haddaway–Riccio, Harrison, Hershey, Impallaria, Jameson, Love, W. Miller, Minnick, Olszewski, Reznik, S. Robinson, Rudolph, Schulz, Summers, and Vaughn

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

FOR the purpose of stating the intent of the General Assembly with regard to a gas infrastructure replacement surcharge; authorizing a gas company to recover certain costs associated with certain gas infrastructure replacement projects through a certain surcharge on customer bills; requiring project cost calculations to include certain elements; specifying when costs shall be collectable; specifying how the pre–tax rate of return shall be calculated and adjusted and what it shall include; prohibiting the monthly surcharge from exceeding a certain amount; ~~specifying certain criteria for~~ providing that certain adjustments for return on equity shall only be considered and determined in a certain base rate case; requiring the Public Service Commission to consider certain factors when establishing revenue requirements; authorizing the Commission to hold a public hearing on a plan within a certain time frame; requiring the Commission to take final action on a plan within a certain time frame; requiring the Commission to take final action on an amendment to a plan within a certain time frame; authorizing the Commission to approve a plan under certain circumstances; requiring the Commission to approve a cost recovery schedule under certain circumstances; requiring that a surcharge be in effect for a certain time; requiring a gas company to file base rate case applications within a certain time frame; specifying costs to be included in a surcharge when base rate applications are filed; authorizing a gas company to implement a plan under certain circumstances; requiring a gas company implementing a plan to make certain refunds under certain circumstances; requiring the Commission to authorize the gas company to increase a surcharge under certain circumstances; prohibiting the Commission from considering certain factors when reviewing a plan except under certain circumstances; requiring a gas company to file certain plan amendments each year with the Commission; authorizing the Commission to review certain plans and take certain actions based on the review; requiring a gas company to file a revised base rate schedule with the Commission to subtract certain costs from a surcharge under certain circumstances; defining certain terms; and generally relating to natural gas rate regulation and gas infrastructure replacement surcharges.

BY adding to
Article – Public Utilities
Section 4–210
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 680 – Delegates Rosenberg, Luedtke, and Washington

AN ACT concerning

Education – ~~Development of Guidelines to Incorporate~~ Task Force to Explore Including Sustainable ~~Agricultural Education~~ Agriculture in Existing Curricular Areas

FOR the purpose of requiring the State Board of Education and the University of Maryland Extension, after consultation with local boards of education, the Maryland Agricultural Education Foundation, and certain other entities, to ~~jointly develop guidelines to incorporate education about~~ create a task force to explore options for including sustainable agriculture ~~into science curricula~~ and other agricultural issues in all existing curricular areas; providing for the termination of this Act; and generally relating to the ~~development of guidelines to incorporate education about~~ creation of a task force to include sustainable agriculture ~~into science curricula~~ in existing curricular areas.

BY adding to
Article – Education
Section 4–111.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 721 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation and Collection of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program MC 10–12

FOR the purpose of authorizing the Montgomery County Council to enact a local law to require a person to obtain a certain permit before standing in a roadway or median divider or on a sidewalk adjacent to a roadway to solicit and collect money or donations of any kind from the occupant of a vehicle; prohibiting a person from standing, or causing, encouraging, allowing, or petitioning a person to stand in a roadway, median divider, or intersection, or on a sidewalk adjacent to a roadway, to solicit or collect money or donations from the occupant of a vehicle, if a certain permit is required under a local law enacted under this Act ~~and the~~ except in compliance with a permit ~~has not been~~ obtained in accordance with the local law; prohibiting a local law enacted under this Act from authorizing a permit to be issued to a minor for certain purposes; and generally relating to the solicitation and collection of money or donations from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–507(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 740 – Delegate Braveboy

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

FOR the purpose of making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that purports to shorten the statute of limitations applicable to certain claims, purports to waive the application of a certain rule or other accrual date applicable to certain claims, operates to prevent a unit owner or the council of unit owners from asserting a certain claim in a certain manner within the applicable statute of limitations, or requires a unit owner or the council of unit owners to assert a certain claim within a certain period of time under certain circumstances; making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that requires a certain vote of unit owners as a precondition to the institution or maintenance of certain proceedings unless the council of unit owners adopts the provision under certain circumstances; providing for the applicability of this Act; and generally relating to claims provisions in the governing documents of a residential condominium.

BY adding to
Article – Real Property
Section 11–134.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 745 – Delegates Serafini, Bates, and McComas

AN ACT concerning

Education – Maryland Advisory Council for Virtual Learning – Establishment

FOR the purpose of establishing the Maryland Advisory Council for Virtual Learning within the Department of Education; requiring the Department to provide staff for the Council; establishing the mission of the Council; identifying the membership of the Council; establishing the membership term; requiring the

State Superintendent or the Governor to appoint a member in the event of a vacancy; requiring the Council members to elect the Council chair; prohibiting a member from receiving compensation except under certain circumstances; establishing a quorum of the Council; requiring the Council to meet for a certain number of times; establishing the responsibilities of the Council; requiring the Council to submit a certain report by a certain time; defining a certain term; and generally relating to the Maryland Advisory Council for Virtual Learning.

BY adding to
Article – Education
Section 7–10B–01 through 7–10B–06 to be under the new subtitle "Subtitle 10B. Maryland Advisory Council for Virtual Learning"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 757 – Delegates Luedtke and Wilson

AN ACT concerning

Education – ~~Children in State-Supervised Care – Geographical Attendance Area~~ Domicile Requirements for Attendance – Exception

FOR the purpose of ~~authorizing a child to remain in a school in a certain geographical attendance area regardless of whether the child resides within the area under certain circumstances; requiring that certain determinations regarding the best interests of certain children in State-supervised care be made in accordance with certain factors;~~ requiring a county superintendent to allow a child to remain at a certain school ~~in the county regardless of where the child is currently domiciled~~ under certain circumstances; requiring the Secretary of Human Resources and the Secretary of Juvenile Services each to adopt certain regulations establishing certain factors relating to the best interests of certain children; requiring the State Department of Education to adopt certain regulations to implement certain provisions of a certain federal law; and generally relating to authorizing a child ~~in State-supervised care~~ to remain in a school regardless of ~~whether the child resides in the geographical area of the school~~ the domicile requirements for attendance at that school.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~4–109 and~~ 7–101(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 827 – Delegate Hubbard

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

FOR the purpose of altering the examination requirements for a license to practice polysomnography to require a certain examination approved by the Board of Physicians to be accredited by a certain accrediting organization; altering the education requirements for a license to practice polysomnography; requiring the State Board of Physicians to waive certain education requirements for a license to practice polysomnography if, in addition to meeting certain other requirements, an applicant has a passed a certain examination on or before a certain date; and generally relating to education and examination requirements for polysomnographic technologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–5C–09 and 14–5C–10
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 833 – Delegates Reznik, Cullison, Donoghue, and Kach

AN ACT concerning

Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions

FOR the purpose of providing that a licensed respiratory care practitioner has the right to practice respiratory care within the scope of practice of the respiratory care practitioner's license, including practicing respiratory care in a sleep laboratory; providing that the licensing requirements to practice polysomnography do not apply to a certain respiratory care practitioner licensed by the State Board of Physicians on or before a certain date; and generally relating to licensing exceptions to the practice of polysomnography by respiratory care practitioners.

BY repealing and reenacting, with amendments,
Article – Health Occupations

Section 14–5C–02 and 14–5C–08
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 860 – Delegate Stein

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

FOR the purpose of altering the definition of "sexual abuse" for provisions of law relating to children in need of assistance, child abuse, and child neglect to include certain actions relating to human trafficking, obscene material, pornography, and prostitution; and generally relating to child sexual abuse.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a) and 3–802(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–801(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–701(a) and 5–702
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 903 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Adults with Developmental Disabilities Citizen's Advisory Committee
PG 407–12

FOR the purpose of establishing the Adults with Developmental Disabilities Citizen's Advisory Committee in Prince George's County; providing for the purposes, membership, and duties of the Advisory Committee; requiring the Advisory Committee to elect officers from among its members; requiring a certain office in the Developmental Disabilities Administration to provide certain assistance to the Advisory Committee; providing that a member of the Advisory Committee may not receive certain compensation; requiring the Advisory Committee to meet at least once each month; requiring representatives from the Advisory Committee to meet with certain individuals on a certain basis; defining a certain term; providing for the termination of this Act; and generally relating to the establishment of the Adults with Developmental Disabilities Citizen's Advisory Committee in Prince George's County.

BY renumbering
Article – Health – General
Section 7–1201 and the subtitle "Subtitle 12. Short Title"
to be Section 7–1301 and the subtitle "Subtitle 13. Short Title"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 7–1201 to be under the new subtitle "Subtitle 12. Prince George's County – Adults with Developmental Disabilities Citizen's Advisory Committee"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 918 – Delegates Hixson, Afzali, Barve, Cardin, Frick, George, Howard, Ivey, Kaiser, Kipke, Luedtke, McDonough, McMillan, A. Miller, W. Miller, Rosenberg, Ross, Rudolph, Stocksdale, and Summers

AN ACT concerning

Sales and Use Tax – Alcoholic Beverages – Calculation of Tax

FOR the purpose of ~~altering the definition of "taxable price" under the sales and use tax to include a mandatory gratuity charge or service charge in the nature of a tip for serving certain items to a group containing at least a certain number of~~

~~individuals;~~ altering the sales and use tax rate for a mandatory gratuity charge or service charge in the nature of a tip under certain circumstances; modifying the calculation of the sales and use tax rate applicable to charges for labor, materials, or property used in connection with the sale of an alcoholic beverage; and generally relating to the sales and use tax and alcoholic beverages.

~~BY repealing and reenacting, without amendments,~~
~~Article – Tax – General~~
~~Section 11–101(l)(1)~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

BY adding to
Article – Tax – General
Section ~~11–101(l)(5) and~~ 11–104(h)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–104(g)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 957 – Delegates Cullison, Bromwell, Frank, Kach, A. Kelly, Krebs, Luedtke, Murphy, Oaks, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health Occupations – Public Disclosure of Professional Credentials and Reports on Advertising Regulations and Policies

FOR the purpose of ~~requiring certain advertisements for health care services to identify and fully spell out the license or certification of certain health care practitioners; prohibiting a certain advertisement from being misleading; specifying what constitutes a misleading advertisement under this Act; requiring certain health care practitioners to disclose the practitioner's licensure or certification by wearing a certain identification tag; providing for the application of a certain provision of this Act; providing that health care practitioners that fail to comply with certain provisions of this Act are subject to certain disciplinary actions; authorizing the appropriate regulatory board to investigate an alleged violation of certain provisions of this Act; requiring certain regulatory boards to adopt certain regulations;~~ prohibiting a physician from making certain representations to the public under certain circumstances; authorizing the Board to approve a certain certifying board if the certifying

board requires certain physicians to meet certain qualifications; altering the authority of a physician to advertise; ~~defining certain terms;~~ requiring certain health occupation boards to submit certain information related to advertising by health care practitioners to certain committees of the General Assembly on or before a certain date; and generally relating to the public disclosure of professional credentials by health care practitioners.

~~BY adding to~~
~~Article – Health Occupations~~
~~Section 1–701 through 1–705 to be under the new subtitle "Subtitle 7. Public Disclosure of Professional Credentials"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–503
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1055 – Delegates A. Kelly, Alston, Arora, Barkley, Carr, Cullison, Frick, Glenn, Gutierrez, Hixson, Howard, Hubbard, Hucker, Ivey, Kaiser, Kipke, Lee, Luedtke, Mizeur, Pena–Melnyk, Reznik, S. Robinson, Tarrant, F. Turner, Valentino–Smith, Waldstreicher, Washington, Wilson, ~~and Zucker~~ Zucker, Hammen, Pendergrass, Bromwell, Costa, Donoghue, Elliott, Kach, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, and Ready

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage ~~and~~, Workgroup, and Technical Advisory Group

FOR the purpose of ~~altering the age under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage of habilitative services;~~ specifying the format in which certain insurers, nonprofit health service plans, and health maintenance organizations must provide a certain notice about the coverage ~~must be provided~~ of habilitative services; requiring that certain determinations made by certain insurers, nonprofit health service plans, and health maintenance organizations be made in accordance with certain regulations beginning on a certain date; requiring the Department of Health and Mental Hygiene, in consultation with the Maryland Insurance Commissioner, to establish a technical advisory group on the medically necessary and appropriate use of habilitative services to treat autism

and autism spectrum disorders; establishing the composition of the technical advisory group; requiring the technical advisory group to develop certain recommendations and obtain certain input; requiring the Commissioner, on or before a certain date, to adopt certain regulations based on the recommendations of the technical advisory group; requiring the ~~Maryland Insurance~~ Commissioner to establish a workgroup on access to habilitative services benefits; specifying the composition of the workgroup; requiring the workgroup to make certain determinations; requiring the Commissioner to ~~report~~ submit certain reports on the findings and recommendations of the workgroup, on or before ~~a certain date~~ certain dates, to certain legislative committees; altering a certain definition; providing for the construction of this Act; and generally relating to health insurance coverage of habilitative services.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–835
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1149 – Delegates Lee, Smigiel, Afzali, Beitzel, Clagett, Conaway, Cullison, DeBoy, Hammen, Healey, Howard, Jameson, Kach, A. Kelly, McComas, Nathan–Pulliam, Pendergrass, B. Robinson, Stocksdale, Tarrant, ~~and V. Turner~~ V. Turner, Bromwell, Costa, Donoghue, Elliott, Frank, Hubbard, Kipke, Krebs, McDonough, Morhaim, Murphy, Oaks, Pena–Melnyk, Ready, and Reznik

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide ~~the same~~ coverage for health care services delivered ~~in person or~~ through ~~a~~ telemedicine ~~service~~ in a certain manner; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding a health care service from coverage solely because it is delivered by ~~a~~ telemedicine ~~service~~ and not in another manner; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to reimburse health care providers for certain services ~~on a certain basis~~ under certain circumstances; authorizing the imposition of a deductible, copayment, coinsurance amount, or annual dollar maximum~~, or lifetime dollar maximum under certain circumstances~~ for certain services; prohibiting the imposition of a lifetime dollar maximum for certain services; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to undertake certain utilization review under

certain circumstances; prohibiting a health insurance policy or contract from distinguishing between patients in rural or urban locations in providing certain coverage; providing that a certain decision constitutes a certain adverse decision under certain circumstances; ~~requiring the Maryland Medical Assistance Program to provide certain reimbursement under certain circumstances;~~ making certain provisions of this Act applicable to health maintenance organizations; ~~providing that the health benefit options that the Secretary of Budget and Management includes in the State Employee and Retiree Health and Welfare Benefits Program may not discriminate in a certain manner and shall provide certain coverage;~~ requiring the Department of Public Safety and Correctional Services to make a certain study and report to the General Assembly on or before a certain date; requiring the Department of Health and Mental Hygiene to conduct a certain review, make a certain determination, conduct a certain analysis, and report to certain committees of the General Assembly on or before a certain date concerning telemedicine and the Maryland Medical Assistance population; defining a certain term; providing for the application of this Act; and generally relating to coverage for telemedicine ~~services~~ under health insurance.

BY adding to
Article – Insurance
Section 15–139
Annotated Code of Maryland
(2011 Replacement Volume)

~~BY repealing and reenacting, with amendments,~~
~~Article – Health – General~~
~~Section 15–105.2~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY adding to
Article – Health – General
Section 19–706(llll)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

~~BY adding to~~
~~Article – State Personnel and Pensions~~
~~Section 2–518~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

House Bill 1182 – Charles County Delegation

AN ACT concerning

Charles County Sheriff – Collective Bargaining – Binding Arbitration

FOR the purpose of authorizing a certain collective bargaining agreement in Charles County to contain a grievance procedure providing for binding arbitration of ~~certain grievances~~ the interpretation of contract terms and clauses; and generally relating to collective bargaining agreements for the Office of the Sheriff in Charles County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(j)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 1189 – Howard County Delegation

AN ACT concerning

Howard County – Deputy Sheriffs – Collective Bargaining
Ho. Co. 11–12

FOR the purpose of authorizing the representatives of certain full–time deputy sheriffs in the Office of the Sheriff of Howard County to bargain collectively with the Sheriff on certain issues; authorizing certain deputy sheriffs to take certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization and the Sheriff to follow certain procedures for collective bargaining; providing for a certain method to resolve a dispute if the certified labor organization and the Sheriff are unable to negotiate a certain agreement; establishing that any additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; establishing a certain method for requesting certain additional funding; requiring a collective bargaining agreement to contain certain matters; providing for certain rights and responsibilities of the Sheriff that are not impaired by the provisions of this Act; establishing that any additional funding required as a result of a certain agreement is subject to approval by the County Executive and County Council; providing for the construction of this Act; and generally relating to collective bargaining for deputy sheriffs in Howard County.

BY adding to
Article – Courts and Judicial Proceedings

Section 2–309(o)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

House Bill 1193 – Delegates Nathan–Pulliam, Costa, Cullison, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Oaks, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

State Personnel – Traumatic Events – Mental Health Support Services

FOR the purpose of requiring a certain unit of State government to ~~make available~~ obtain mental health support services ~~to~~ for certain individuals affected by a traumatic event that occurs in a facility of the unit and results in the death of an individual; requiring certain mental health support services to be made available to certain employees ~~for a certain purpose and~~ within a certain period of time; defining ~~a certain term~~ certain terms; and generally relating to the provision of mental health support services by units of State government.

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–306(a)(4)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 5–401 to be under the new subtitle "Subtitle 4. Mental Health Services for Traumatic Events"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1228 – Delegate Bohanan

AN ACT concerning

Regional Higher Education Centers – Funding Formula

FOR the purpose of ~~requiring~~ authorizing operating funds for regional higher education centers~~,~~ administered by the Maryland Higher Education Commission ~~including regional higher education centers administered by the University System of Maryland,~~ to be ~~calculated and allocated~~ distributed using

a certain funding formula, as provided in the State budget; ~~by a certain fiscal year; requiring the Maryland Higher Education Commission to certify to the Governor the amount of funding due to each regional higher education center under the funding formula and requiring the Governor to include that amount in the annual budget submission by a certain fiscal year; clarifying that certain operating funds for certain regional higher education centers that are included in the University System of Maryland Office as a separate line item may not exceed the amount of funding calculated using a certain funding formula;~~ clarifying that a regional higher education center must obtain certain approval before the center can operate in the State; requiring the Commission to adopt certain regulations to implement a certain funding formula; requiring the Commission to study and make recommendations regarding the inclusion of outcome or performance measures in a certain funding formula and requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining certain terms; and generally relating to a funding formula for regional higher education centers.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~10–203(d) and~~ 11–105(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 11–105(b)(7) and (8)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1306 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Aquaculture Leasing

FOR the purpose of authorizing the Department of Natural Resources, in consultation with the Aquaculture Coordinating Council, to charge an application fee, rent, and an aquaculture development surcharge for water column leases; reducing the length of time that the Department is required to advertise an aquaculture lease application in a local newspaper; prohibiting a leaseholder from placing certain oysters on a lease; altering a certain restriction on the location of a demonstration lease; repealing provisions of law that authorize and govern the dredging of oysters on leased ground in certain areas of the State; repealing

provisions of law that restrict the Department's authority to regulate the taking, possession, transportation, or sale of certain oysters; and generally relating to aquaculture leasing.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–11A–09(a), (d), and (g)(1), 4–11A–10(c), 4–11A–11(d), and 4–11A–19
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–11A–11(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing
Article – Natural Resources
Section 4–11A–15
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1455 – Delegates Costa and Hubbard

AN ACT concerning

Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension

FOR the purpose of extending the termination date of certain provisions of law requiring the Mortality and Quality Review Committee to make certain reports, recommendations, and findings regarding incidents of injury and requiring the Office of Health Care Quality to provide certain data to the Committee; and generally relating to the Mortality and Quality Review Committee and reportable incidents of injury.

BY repealing and reenacting, with amendments,
Chapter 268 of the Acts of the General Assembly of 2006, as amended by Chapter 49 of the Acts of the General Assembly of 2009
Section 3

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 9 – ~~Delegate Howard~~ Delegates Howard, Cane, Healey, and B. Robinson

AN ACT concerning

Education – Children and Youth – Reporting of Information Concerning Student Health, Well–Being, and Growth

FOR the purpose of ~~requiring each county superintendent of schools to report certain information concerning certain matters relating to student growth, health, and well–being to the State Superintendent of Schools on or before a certain date each year;~~ requiring the State Department of Education to report certain information to the Governor and the General Assembly concerning certain matters relating to student growth, health, and well–being on or before a certain date each year; encouraging county boards of education to incorporate certain lessons into the county boards' health education curriculum; and generally relating to the reporting of information relating to children and youth in educational programs and schools in the State.

BY adding to
Article – Education
Section 4–111.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–401 and 7–411.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 97 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax

imposed by Baltimore City be appropriated to a certain association for certain purposes; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (40)(e)
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 130 – Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington

AN ACT concerning

Laser Safety Act

FOR the purpose of making it a misdemeanor to knowingly and willfully ~~cause or attempt to cause bodily injury by shining, pointing, or focusing~~ shine, point, or focus the beam of a laser pointer on an individual operating ~~a motor vehicle, vessel, or~~ an aircraft; exempting certain individuals from this Act under certain circumstances; specifying a penalty; specifying that a sentence imposed under this Act is in addition to a certain other sentence; defining a certain term; and generally relating to the criminal use of a laser pointer.

BY adding to
Article – Criminal Law
Section 3–807
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 135 – Carroll County Delegation

AN ACT concerning

Carroll County – Board of Elections – Membership

FOR the purpose of altering the number of regular members and eliminating substitute members on the Carroll County Board of Elections; requiring the members of the board to be of certain political parties; requiring that a vacancy on the board be filled in a certain manner; providing for a delayed effective date; and generally relating to the Carroll County Board of Elections.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 2–201(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 158 – Delegates Beidle ~~and Vitale~~, Vitale, Summers, A. Miller, Boteler, Stukes, Walker, Myers, Kaiser, Ross, Hixson, Rosenberg, Howard, F. Turner, Cardin, Ivey, Frick, George, and Luedtke

AN ACT concerning

Property Tax – High Performance Building Tax Credit – National Green Building Standards

FOR the purpose of altering a certain definition for purposes of the high performance building tax credit; providing for the application of this Act; and generally relating to tax credits for high performance buildings.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–242
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

House Bill 239 – Frederick County Delegation

AN ACT concerning

Frederick County Board of Education – Membership and Employment

FOR the purpose of repealing a certain provision of law prohibiting certain individuals in Frederick County from being elected to or serving on the county board of education; repealing a certain provision of law prohibiting certain individuals in Frederick County from being hired as an administrator or a teacher under

certain circumstances; and generally relating to certain individuals who may serve on and may be hired by the Frederick County Board of Education.

BY repealing and reenacting, without amendments,
Article – Education
Section 3–5B–01(a) and (b)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Education
Section 3–5B–02
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY renumbering
Article – Education
Section 3–5B–03, 3–5B–04, and 3–5B–05, respectively
to be Section 3–5B–02, 3–5B–03, and 3–5B–04, respectively
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 390 – Delegates Luedtke ~~and Reznik~~, Reznik, Afzali, Boteler, Cardin, Howard, Ivey, and F. Turner

AN ACT concerning

~~Libraries – Maryland~~ Task Force to Study the Establishment of a Deaf Culture Digital Library

FOR the purpose of ~~requiring the Division of Library Development and Services in the State Department of Education to establish and coordinate the Maryland Deaf Culture Digital Library; requiring the Division to coordinate with the Governor's Office of the Deaf and Hard of Hearing in establishing the digital library; specifying a certain purpose and content of the digital library~~ creating the Task Force to Study the Establishment of a Deaf Culture Digital Library; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to ~~the establishment of~~ the ~~Maryland~~ Task Force to Study the Establishment of a Deaf Culture Digital Library.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 23–105~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 434 – Delegate O'Donnell

AN ACT concerning

Sales and Use Tax – Sales of Dyed Diesel Fuel

FOR the purpose of providing that for the sale of certain diesel fuel the sales and use tax is to be applied to a certain percentage of the gross receipts; defining certain terms; creating a collection exception for certain diesel fuel sales by certain marinas; requiring certain marinas to assume or absorb the sales and use tax imposed on a retail sale or use and to pay the sales and use tax on behalf of the buyer; and generally relating to the sales and use tax on certain sales of certain diesel fuel by certain marinas.

BY adding to
Article – Tax – General
Section 11–104(h) and 11–410
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–302
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 439 – The Speaker (By Request – Administration) and Delegates Nathan–Pulliam, Cardin, Cullison, Hammen, Hixson, Holmes, Howard, Hubbard, Lee, Mizeur, Morhaim, Pena–Melnyk, Ross, ~~and V. Turner~~ V. Turner, Pendergrass, Oaks, A. Kelly, Tarrant, Donoghue, and Reznik

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to designate certain areas as Health Enterprise Zones in a certain manner; specifying the purpose of establishing Health Enterprise Zones; ~~requiring~~ authorizing the ~~Department~~ Secretary, in consultation with the Community Health Resources Commission, to adopt certain regulations; requiring the Secretary to consult with the Office of Minority Health and Health Disparities in implementing this Act; authorizing certain nonprofit community–based organizations or local government agencies to apply to the ~~Commission~~ Secretary on behalf of certain areas for designation as Health Enterprise Zones; establishing certain procedures and requirements in connection with the application process; requiring the Commission to make certain recommendations to the Secretary; requiring the Secretary to consider certain factors when designating areas as health enterprise zones and authorizing the Secretary to direct the Commission to conduct certain outreach efforts; authorizing the Secretary to limit the number of areas designated as Health Enterprise Zones; requiring the Commission and Secretary to give priority to applications in a certain manner; requiring the Commission to provide funding in accordance with the designation of the Secretary of a Health Enterprise Zone; authorizing certain licensed health care providers who practice in the Health Enterprise Zones to receive certain benefits, including certain grants; authorizing certain nonprofit community–based organizations or local government agencies to receive certain grants; establishing a Health Enterprise Zone Reserve Fund; requiring the Commission and the ~~Department~~ Secretary to submit certain annual reports; allowing a credit against the State income tax for certain health care providers who practice in Health Enterprise Zones under certain circumstances; ~~allowing certain nonprofit community-based organizations or local government agencies to assign certain tax credits~~ allowing a refundable State income tax credit in certain circumstances for certain health care providers who practice in, and hire certain health care providers to practice in, a Health Enterprise Zone; requiring the Department to certify to the Comptroller the applicability of the credit for each health care provider and the amount of each credit assigned; limiting the amount of the credits allowed for a fiscal year; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring a certain evaluation system to establish and incorporate a certain set of measures regarding racial and ethnic variations in quality and outcomes and include certain information on certain actions taken relating to health disparities; requiring a certain community benefit report to include certain information relating to health disparities; requiring certain institutions of higher education to make a certain annual report to the Governor and the General Assembly relating to health disparities; requiring the Health Services Cost Review Commission and the Maryland Health Care Commission to conduct a certain study, develop certain regulations, and report to the Governor and General Assembly on or before a certain date; requiring the Maryland Health Quality and Cost Council to convene a certain workgroup and issue a certain report on or before a certain date; defining certain terms; providing for the application of certain provisions of this Act; providing for the termination of certain provisions of this Act; and

generally relating to health improvement and the reduction of health disparities.

BY adding to
Article – Health – General
Section 20–904; and 20–1401 through ~~20–1406~~ 20–1407 to be under the new subtitle "Subtitle 14. Health Enterprise Zones"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–731
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–134(c) and 19–303(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

House Bill 443 – The Speaker (By Request – Administration) and Delegates Barnes, Gaines, Griffith, Hammen, Haynes, Hucker, Jones, Morhaim, Pena–Melnyk, Pendergrass, Proctor, V. Turner, ~~and Waldstreicher~~ Waldstreicher, Hubbard, Reznik, A. Kelly, Oaks, Donoghue, Nathan–Pulliam, Cullison, and Murphy

AN ACT concerning

Maryland Health Benefit Exchange Act of 2012

FOR the purpose of requiring the Board of Trustees of the Maryland Health Benefit Exchange, subject to a certain waiver, to submit certain regulations to certain legislative committees under certain circumstances; requiring the Board to have a certain number of standing advisory committees; requiring the Maryland Health Benefit Exchange to make certain qualified dental plans and qualified vision plans available to certain individuals and employers in a certain manner and on or before a certain date; requiring the Exchange, to the extent necessary, to modify a certain format to accommodate differences in certain plan options; requiring the Exchange to establish and implement certain navigator programs; prohibiting the Exchange from making available any vision plan that is not a qualified vision plan; authorizing the Exchange to enter into certain agreements or memoranda of understanding with another state under certain

circumstances; requiring the Exchange to seek to achieve a certain enrollment and ~~use a certain market impact to pursue certain objectives~~ decrease the number of State residents without health insurance coverage; authorizing the Exchange to employ certain alternative contracting options and active purchasing strategies under certain circumstances and for a certain purpose; requiring certain participation requirements for certain carriers to be suspended under certain circumstances; requiring the Exchange, before employing an alternative contracting option or active purchasing strategy, to submit a certain plan, within a certain timeframe, to certain legislative committees for review and comment; providing that the SHOP Exchange shall be a separate insurance market within the Exchange for small employers and may not be merged with the individual market of the Individual Exchange; requiring the SHOP Exchange to be designed in a certain manner; requiring the SHOP Exchange to allow qualified employers to designate a certain coverage level ~~or~~, or a carrier or a certain insurance holding company system, for a certain purpose; authorizing the SHOP Exchange to allow qualified employers to designate certain qualified dental plans and qualified vision plans to be made available to their employees; authorizing the SHOP Exchange to reassess and modify the design of the SHOP Exchange under certain circumstances; requiring the SHOP Exchange to implement any modification of offerings and choice through regulations adopted by the SHOP Exchange; establishing certain navigator programs for the SHOP Exchange and the Individual Exchange; establishing certain requirements for the navigator programs; ~~authorizing~~ requiring a SHOP Exchange navigator program and an Individual Exchange navigator program to take certain actions; establishing certain duties of a SHOP Exchange navigator and an Individual Exchange navigator; prohibiting a SHOP Exchange navigator and an Individual Exchange navigator from taking certain actions; prohibiting the Maryland Insurance Commissioner, in the Commissioner's role as a member of the Board, from participating in certain matters under certain circumstances; providing that a carrier is not responsible for the activities and conduct of a SHOP Exchange navigator, an Individual Exchange navigator entity, or an Individual Exchange navigator; establishing a certain licensing process and qualifications for SHOP Exchange navigators; requiring the SHOP Exchange and the Exchange to establish and administer certain insurance producer authorization ~~programs~~ processes; requiring the SHOP Exchange and the Exchange to develop, implement, and update certain training programs; requiring the Individual Exchange to consult with the Commissioner and the Department of Health and Mental Hygiene for a certain purpose; requiring the Commissioner to enter into certain memoranda of understanding; authorizing the Commissioner to require the Individual Exchange to make certain information available to the Commissioner and submit a certain corrective plan under certain circumstances; requiring the Exchange to establish and administer a certain Individual Exchange navigator certification program; specifying the consumer assistance services that are required, and are not required, to be provided by an Individual Exchange navigator; providing for the authorization of Individual Exchange navigator entities; specifying the scope of the authorization; authorizing and requiring an

Individual Exchange navigator entity to take certain actions; prohibiting an Individual Exchange navigator entity from receiving certain compensation and providing certain information or services; authorizing the Commissioner to take certain disciplinary actions against an Individual Exchange navigator entity under certain circumstances; establishing certain qualifications for certification as an Individual Exchange navigator; authorizing the ~~Maryland Insurance~~ Commissioner to take certain disciplinary actions against certain individuals under certain circumstances; requiring the Commissioner, the Exchange, the SHOP Exchange, and the Individual Exchange to adopt certain regulations; providing that certain provisions of this Act may not prohibit certain organizations or units of government from providing certain services, subject to certain requirements; providing that certain provisions of this Act do not require certain programs to provide certain financial support to the Individual Exchange for certain services; requiring certain financing arrangements between the Exchange and certain programs to be governed by a certain memorandum of agreement; requiring the Exchange to certify certain dental plans as qualified dental plans and certain vision plans as qualified vision plans; altering certain requirements for certification as a qualified health plan; authorizing the Exchange to determine whether a carrier may elect to include certain nonessential benefits in a qualified health plan; providing that a qualified health plan is not required to provide certain essential benefits under certain circumstances; altering certain provisions of law relating to the offering and pricing of oral and dental benefits; establishing certain requirements for qualified vision plans offered through the Exchange; providing that a managed care organization may not be required to offer a certain plan in the Exchange; authorizing the Exchange to establish additional requirements for qualified dental plans under certain circumstances; providing for the selection of the State benchmark plan; providing for the implementation and operation of certain reinsurance and risk adjustment programs; requiring the Exchange to establish a certain fraud, waste, and abuse detection and prevention program; prohibiting certain health insurance carriers from offering certain health benefit plans in the small group market or the individual market ~~under certain circumstances~~ unless the carriers also offer certain health benefit plans in the SHOP Exchange and the Individual Exchange; establishing certain exemptions to the requirement that the carriers offer the plans; requiring the Commissioner to establish certain procedures for a carrier to submit certain evidence relating to certain exemptions; authorizing the Commissioner, in consultation with the Exchange, to assess the impact of certain exemptions and alter the exemptions based on the assessment; requiring certain health insurance carriers to offer a certain catastrophic plan in the Exchange; defining certain terms; repealing and altering certain definitions; making certain stylistic ~~and~~, clarifying, and conforming changes; providing for the construction of certain provisions of this Act; requiring the Exchange to conduct certain studies, in consultation with certain entities and persons, and report certain findings and recommendations to the Governor and the General Assembly on or before certain dates; establishing a certain joint legislative and executive committee; requiring the committee to conduct a certain study, in consultation with certain entities and

stakeholders, of financing mechanisms for the Exchange and to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing that certain requirements of this Act shall be subject to certain clarification; authorizing the Board to adopt interim policies for a certain purpose, pending adoption of regulations and after receiving certain comment; providing for the effective dates of this Act; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY renumbering
Article – Insurance
Section 31–110
to be Section 31–118
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–101.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1204, 15–1205, 15–1303, 31–101, 31–102(d), 31–106(c) and (g), 31–108, 31–109, and 31–111
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 15–1204.1, 31–109 through 31–114, 31–116, and 31–117
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 543 – Delegates Hough, Afzali, Cluster, Eckardt, Kach, Krebs, McComas, McDermott, Mitchell, Ready, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Criminal Procedure – Victim–Offender Mediation Program

FOR the purpose of ~~authorizing~~ requiring the establishment of a pretrial victim–offender mediation program by the Chief Judge of the District Court;

requiring the Chief Judge of the District Court to establish procedures to implement a certain victim–offender mediation program; establishing the manner in which a certain defendant can be diverted to a certain victim–offender mediation program; providing that a certain defendant under certain circumstances is eligible for diversion to a certain victim–offender mediation program; authorizing a court, under certain circumstances, to enter a certain order; providing for certain procedures; establishing the requirements that may be included in a certain mediation agreement in a certain victim–offender mediation program; providing for the period for and conditions under which a certain mediation agreement is valid; providing for the dismissal of certain charges under certain circumstances; ~~requiring~~ authorizing the Chief Judge of the District Court to establish a certain fee under certain circumstances; providing for the construction of this Act; defining ~~a~~ certain ~~term~~ terms; and generally relating to a victim–offender mediation program.

BY adding to
Article – Criminal Procedure
Section 11–1101 through ~~11–1105~~ 11–1106 to be under the new subtitle "Subtitle 11. Victim–Offender Mediation Program"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 592 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Tax Credit for Businesses That Create New Jobs – Enhanced Credit – Extension

FOR the purpose of extending the duration of certain property tax and State tax credits granted to certain business entities that construct or expand certain business premises under certain circumstances; declaring the intent of the General Assembly; providing for the application of this Act; and generally relating to property and State tax credits granted to certain business entities.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–230(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 726 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies
MC 13–12

FOR the purpose of authorizing the governing body of Montgomery County to grant, by law, a tax credit against the county property tax imposed on certain property owned or leased by certain benefit corporations or benefit limited liability companies; authorizing the governing body of Montgomery County to provide, by law, for eligibility and certification criteria for the credit, the amount and duration of the credit, certain regulations and procedures for the credit, limited amount of the tax credit granted, and any other provision necessary to carry out the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Montgomery County for certain benefit corporations and benefit limited liability companies.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 4A–1101(a) and (b), 4A–1103(a), 5–6C–01(a) and (b), and 5–6C–03(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – Property
Section 9–317(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 774 – Delegate Waldstreicher

AN ACT concerning

Maryland General and Limited Power of Attorney Act

FOR the purpose of ~~specifying requirements to establish the legal sufficiency of certain statutory forms for a~~ clarifying the form of document that may be used to create a certain statutory form power of attorney; providing that a document substantially in the form of a certain statutory form in effect on the date the document is executed shall continue to have a certain meaning and effect notwithstanding enactment of certain legislation; requiring certain coagents to act together unanimously unless otherwise provided in a power of attorney; providing for the designation of coagents in certain statutory forms for a power of attorney; altering certain provisions in certain statutory forms for a power of

attorney relating to authority to make gifts to certain persons, to create or change a beneficiary designation in certain retirement plans, and to nominate a person for appointment as a guardian of property or a guardian of the person; and generally relating to the Maryland General and Limited Power of Attorney Act.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 17–101(a) and (g)
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 17–108(d), 17–201, 17–202, and 17–203
Annotated Code of Maryland
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 802 – Prince George's County Delegation

AN ACT concerning

Education – Prince George's County School Board Budgets – Transparency
PG 410–12

FOR the purpose of requiring a certain Web site of the Prince George's County Board of Education to include certain budget data; requiring the Web site to contain annual data and to be searchable based on individual schools; providing for a delayed effective date; and generally relating to a searchable Web site of the Prince George's County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–118
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

House Bill 803 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Operation of Schools –

Year–Round Basis
PG 405–12

FOR the purpose of authorizing the Prince George's County Board of Education to operate one or more schools within the county on a year–round basis under certain circumstances; and generally relating to the operation of one or more schools in Prince George's County on a year–round basis.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – ~~Sunset Extension and Program Evaluation~~ Appointment and Term of Chair

FOR the purpose of ~~continuing~~ requiring the Governor to appoint the chair of the State Board of Physicians; establishing the term of the office of the chair; and generally relating to appointment and term of the chair of the State Board of Physicians. ~~and certain allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board and the committees; altering to a certain date the termination provision related to the Perfusion Advisory Committee; prohibiting an individual from being appointed to the Board or an allied health advisory committee under certain circumstances; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; specifying that the application for the warrant must meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; specifying that a certain search warrant must include certain information and be executed and returned to a certain person within a certain period of time; authorizing the Board to waive, under certain circumstances, certain training required for licensure; codifying the requirement that the Board provide certain individuals an opportunity to appear before the Board under certain circumstances; requiring the Board to disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring that physician license profiles~~

~~include a summary of charges filed against the physician and a copy of the charging document under certain circumstances; requiring that license profiles include a certain disclaimer; requiring the Board to include certain information on a license profile within a certain time period; specifying that a certain report that certain entities are required to file with the Board include certain information; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; specifying that a certain court reporting requirement is to be enforced by the imposition of a certain fine by a circuit court of the State; requiring the chairs of certain committees to serve in an advisory capacity to the Board, report to the Board a certain number of times a year, and present to the Board certain annual reports; requiring certain committees to submit an annual report to the Board; requiring the Board to consider all recommendations of certain committees, provide a certain explanation to the committees under certain circumstances, and provide a certain report to the committees a certain number of times each year; requiring the Board to create and maintain a certain profile on certain licensees; requiring the profiles to contain certain information; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to maintain certain profiles on the Board's Web site; requiring the Board to provide a mechanism for correcting errors in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; defining certain terms related to the practice of athletic training in the State; altering a certain definition related to the practice of athletic training in the State; authorizing an athletic trainer to accept an outside referral from certain individuals under certain circumstances; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board and the Department of Health and Mental Hygiene to develop and implement a certain strategy on or before a certain date; requiring the Board to assess certain practices and submit a certain long-term fiscal plan to the Department of Legislative Services on or before a certain date; requiring the Board to develop and implement a certain recruitment plan on or before a certain date; requiring the Board to amend the Board's regulations to reflect the procedures of the Board on or before a certain date; requiring certain entities to determine the appropriate entity to investigate and enforce certain provisions of law on or before a certain date; requiring the Board, in consultation with certain persons, to adopt certain regulations on or before a certain date; requiring the Board to issue a license to an individual under a certain provision of law under certain circumstances; requiring the Board to submit a certain report to the Department of Legislative Services on or before a certain date; requiring the Department of Legislative Services to make certain recommendations to certain committees of the General Assembly on or before a certain date; providing for the effective date of certain provisions of this Act; and generally relating to the State Board of Physicians and the related allied health advisory committees.~~

~~BY adding to~~
~~Article – Health Occupations~~
~~Section 14–202(l), 14–206.1, 14–401(l), 14–416, 14–5A–06(e), 14–5A–18.1, 14–5B–05(f), 14–5B–15.1, 14–5C–06(d) and (e), 14–5C–18.1, 14–5D–05(f), 14–5D–16.1, 15–202(f), and 15–316.1~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~14–206(d)(1), 14–307(d) and (g), 14–411(i), 14–411.1(b), (c)(2), and (f), 14–413, 14–414, 14–5A–06(d), 14–5A–07, 14–5A–25, 14–5B–05(e), 14–5B–06, 14–5B–21, 14–5C–07, 14–5C–25, 14–5D–01, 14–5D–05(e), 14–5D–06, 14–5D–11, 14–5D–20, 14–702, 15–202(e), 15–205, and 15–502~~ 14–203
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

~~BY repealing~~
~~Article – Health Occupations~~
~~Section 15–310(c)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Health Occupations~~
~~Section 14–5E–06(d), 14–5E–07, and 14–5E–25~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~
~~(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)~~

~~BY adding to~~
~~Article – Health Occupations~~
~~Section 14–5E–06(e) and 14–5E–18.1~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~
~~(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 838 – ~~Delegate Kipke~~ Delegates Kipke, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

FOR the purpose of altering certain requirements a pharmacy benefits manager must comply with when conducting an audit of a pharmacy or pharmacist; prohibiting a pharmacy benefits manager from disrupting the provision of services to the customers of a pharmacy during an audit; prohibiting a pharmacy benefits manager from taking certain actions relating to an audit of a pharmacy or pharmacist, with a certain exception; prohibiting a pharmacy benefits manager from recouping by setoff certain money until certain conditions are fulfilled; providing for a certain appeal, under certain circumstances; ~~requiring~~ authorizing the Maryland Insurance Commissioner to adopt regulations ~~that standardize~~ regarding certain documentation and a certain process; prohibiting a pharmacy benefits manager from retroactively denying or modifying reimbursement to a pharmacy or a pharmacist for a certain approved claim, with certain exceptions; ~~requiring a pharmacy benefits manager to reimburse a pharmacy or pharmacist for a certain quantity of a prescription drug to meet a certain day's supply; limiting the amount of reimbursement that a pharmacy benefits manager may recoup, require to be repaid, or setoff under certain circumstances;~~ and generally relating to pharmacy benefits managers and audits and reimbursement of pharmacies and pharmacists.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1629
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 15–1631
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 884 – Delegates Summers, Bobo, Braveboy, Gaines, Healey, Holmes, Howard, Ivey, Jacobs, Jones, Kaiser, Lafferty, McDonough, Niemann, B. Robinson, Stocksdale, and Zucker

AN ACT concerning

Electric, Gas, Sewer, and Water Service – Default Notice to Condominium Unit Owners and Residents

FOR the purpose of requiring certain persons that directly bill the governing body of a condominium or a person designated by the governing body for the water, sewer, electric, or gas service to post notice ~~at certain affected condominium units~~ conspicuously at or near the entry to the common area ~~and mail notice to the last known address of the owners of certain affected condominium units~~ when a certain charge is in default for a certain time period; authorizing certain persons to enter onto the common area of certain condominium property at certain times to post a certain notice ~~on~~ at or near the entry ~~of certain units~~ to the common area; providing for the application of certain provisions of this Act; and generally relating to the provision of default notice for electric, gas, sewer, and water service to condominium property.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–662(l) and 9–724(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 9–662(o) and 9–724(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–726.1
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Public Utilities
Section 7–307.2
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 25–504
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

House Bill 886 – Delegates Ivey, Barve, Cardin, Clippinger, Glenn, Kaiser, Lafferty, McIntosh, Mitchell, Pena–Melnyk, B. Robinson, Rosenberg, Ross, Walker, ~~and Washington~~ Washington, A. Miller, and Stukes

AN ACT concerning

Maryland After–School and Summer Opportunity Fund Program

FOR the purpose of transferring the Maryland After–School Opportunity Fund Program from the State Department of Education to the Governor's Office for Children; altering the name of the Program; requiring the Executive Committee of the Program's Advisory Board to use a certain framework and consult with a certain network; altering the membership of the Program's Advisory Board and requiring the Advisory Board to develop a certain strategy; requiring a certain plan to address certain issues; limiting grant eligibility to nonprofit organizations; establishing certain parameters for awarding grants; requiring the Executive Committee to review annually certain regulations and to adopt certain regulations by a certain time; making conforming changes; defining certain terms; and generally relating to the Maryland After–School and Summer Opportunity Fund Program.

BY transferring
Article – Education
Section 7–1201 through 7–1207, respectively, and the subtitle "Subtitle 12. Maryland After–School Opportunity Fund Program"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)
to be
Article – Human Services
Section 8–1101 through 8–1107, respectively, and the subtitle "Subtitle 11. Maryland After–School Opportunity Fund Program"
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–1101 through 8–1107 to be under the amended subtitle "Subtitle 11. Maryland After–School and Summer Opportunity Fund Program"
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 897 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – Installment Payment Schedule
PG 416–12

FOR the purpose of authorizing the governing body of Prince George's County to provide, by law, a ~~six–installment~~ certain installment payment schedule for State, county, municipal, and special taxing district property taxes due on certain residential property under certain circumstances; requiring the governing body of Prince George's County to provide, by law, for additional eligibility criteria for the payment schedule, a process for electing the payment schedule, the due date of each payment installment, and any other provision necessary to carry out the installment payment schedule; providing for the application of this Act; and generally relating to a certain property tax payment schedule in Prince George's County.

BY adding to
Article – Tax – Property
Section 10–204.3(k)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 898 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – ~~Exemption for Economic Development Projects~~ Payment in Lieu of Taxes Agreements
PG 418–12

FOR the purpose of providing for certain exemptions from county property tax under certain circumstances for certain economic development projects located in certain designated focus areas in Prince George's County; setting forth certain requirements in order to qualify for the property tax exemption; requiring certain annual reports on projects for which Prince George's County has entered into payment in lieu of taxes agreements; defining certain terms; requiring the Prince George's County Office of the County Executive to report to certain delegations of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a property tax exemption for certain property located in Prince George's County.

BY adding to
Article – Tax – Property
Section 7–516
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 900 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George's County – Proposed Subdivisions – ~~Escrow Funds~~ Development Impact Fees for Traffic Mitigation
PG/MC 109–12

FOR the purpose of ~~authorizing the Prince George's County Planning Board, if it makes certain findings, to allow a developer of a proposed subdivision that would increase traffic in a certain roadway or intersection beyond a certain level to pay a certain fee into a certain escrow fund instead of making certain necessary improvements to the roadway or intersection; requiring the Prince George's County Department of Public Works and Transportation to maintain an escrow fund established under this Act; specifying the permissible uses for an escrow fund established under this Act; providing for the calculation of the fee to be paid into an escrow fund by a developer of a subdivision; authorizing the Board to require a subdivision to construct certain improvements under certain circumstances; providing for a certain fee deduction or reimbursement if certain improvements are made; providing that this Act applies only in certain areas; defining certain terms~~ repealing a limitation on a certain impact fee; altering the requirement that the Prince George's County Council provide credit in lieu of payment of development impact fees to include certain payments made regarding certain permanent or interim public transportation projects; requiring the County Council to provide credit in lieu of payment of certain development impact fees for certain payments related to subdivision approval; authorizing that a certain local law may allow the Prince George's County Planning Board to impose a certain development impact fee in lieu of certain mandatory transportation improvements if certain requirements are met; repealing the requirement that certain impact fees be retained in a separate account; requiring that certain impact fees be retained in a certain escrow account; altering the permissible uses for certain impact fees; requiring that a certain escrow account be budgeted, maintained, and accounted for in a certain manner by the Prince George's County Department of Finance; authorizing that a certain account be expended only for certain purposes; requiring certain development impact fees collected and maintained by Prince George's County before a certain date be aggregated into a certain escrow account and be expended for certain purposes; making certain conforming changes; and generally relating to proposed subdivisions and ~~escrow funds~~ development impact fees for traffic mitigation in Prince George's County.

~~BY adding to~~

~~Article 28 – Maryland–National Capital Park and Planning Commission~~
~~Section 7–115.1~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–265
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2008/2009 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 923 – Delegates Lafferty, Beidle, Bromwell, Clippinger, Cluster, Holmes, Morhaim, Niemann, ~~and Summers~~ Summers, and Cardin

AN ACT concerning

Property Tax Credit – Neighborhood Conservation Act of 2012

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain owner–occupied, residential real property in certain designated areas; providing for eligibility criteria for the credit; specifying the years in which properties must be purchased to be eligible for the credit; requiring the Department of Housing and Community Development to adopt regulations that establish application procedures for the designation of certain neighborhood conservation areas; requiring the governing body to designate certain geographic areas as neighborhood conservation areas for purposes of the credit; requiring the disclosure of certain annual information to individuals who qualify for the property tax credit; requiring a county or municipal corporation to provide certain reports to the General Assembly on or before certain dates; providing for the application of this Act; and generally relating to property tax credits for certain owner–occupied, residential real property in certain designated areas.

BY adding to
Article – Tax – Property
Section 9–255
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 959 – Delegates Barve, Branch, ~~and Luedtke~~ Luedtke, Cardin, and Walker

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent partnership or limited liability company and its subsidiary or between subsidiaries wholly owned by the same parent partnership or limited liability company under certain circumstances; exempting from the recordation tax and the State transfer tax the transfer of real property between a subsidiary partnership or limited liability company and its parent under certain circumstances; and generally relating to exempting certain transfers of real property between related partnerships or limited liability companies from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(p) and 13–207(a)(9)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 979 – Calvert County Delegation

AN ACT concerning

Calvert County – Annual Financial Report – Filing Date

FOR the purpose of altering the date by which Calvert County may file its annual financial report for the fiscal year with the Department of Legislative Services; and generally relating to the annual financial report of Calvert County.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 37
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1006 – ~~Delegate Jones~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

FOR the purpose of altering the definition of "public school employee" as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a certain unit of certain employees in Baltimore County; ~~establishing a certain unit of certain employees~~ including a unit of certain supervisory employees among certain units authorized in Baltimore County; providing for a delayed effective date; and generally relating to collective bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–401(e), 6–404(c), and 6–505(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1054 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – Conservation Easements

FOR the purpose of authorizing the governing body of Charles County to grant, by law, a property tax credit against the county property tax imposed on certain real property subject to a perpetual conservation easement under certain circumstances; authorizing the governing body of Charles County to provide, by law, for the amount and duration of the credit and any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to a county property tax credit for certain property in Charles County subject to a perpetual conservation easement.

BY adding to
Article – Tax – Property
Section 9–310(i)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1080 – ~~Delegate Walker~~ Delegates Walker, Cardin, Frick, Hixson, Howard, Ivey, Kaiser, A. Miller, Myers, Rosenberg, Stukes, Summers, and F. Turner

AN ACT concerning

Education – Student Athletes – Heat Acclimatization Guidelines

FOR the purpose of requiring the State Department of Education, in collaboration with certain organizations and health care providers, to develop a model policy for preseason–practice heat acclimatization guidelines for student athletes; requiring local boards of education to adopt preseason–practice heat acclimatization guidelines for student athletes; requiring certain guidelines to include requirements for the duration of a practice time, a walk–through, and a recovery period during preseason practice; defining certain terms; and generally relating to requiring the adoption of preseason–practice heat acclimatization guidelines for student athletes.

BY adding to
Article – Education
Section 7–434
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1120 – Delegates Carter, Alston, Anderson, Barnes, Boteler, Braveboy, Cane, Dumais, Haynes, Holmes, Kach, K. Kelly, Lee, Mitchell, Nathan–Pulliam, Oaks, Proctor, B. Robinson, Rosenberg, Simmons, Smigiel, Stukes, Tarrant, F. Turner, Walker, and Washington

AN ACT concerning

Missing Children – Search Efforts and Collaboration
(Phylicia's Law)

FOR the purpose of ~~altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child;~~ altering the requirement that a law enforcement agency institute appropriate search procedures to locate certain missing children to include the coordination of volunteer search teams; clarifying the name of the organization that a law enforcement agency must notify after receiving a certain missing child report; requiring a law enforcement agency that is attempting to locate a child to make an effort to include certain organizations and groups if appropriate; requiring the State Clearinghouse for Missing Children ~~to coordinate certain entities to locate certain missing children; requiring the Clearinghouse to oversee search efforts used to locate certain missing children; requiring the Clearinghouse~~ to publish certain information relating to missing children in the State; authorizing the Clearinghouse to establish and maintain a list of organizations and groups that

provide volunteer search teams or resources relating to missing children; and generally relating to missing children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9–402 and 9–403
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1161 – Charles County Delegation

AN ACT concerning

Charles County – Assessment for Abatement of Zoning Violation

FOR the purpose of authorizing the County Commissioners of Charles County to assess for abatement of zoning violations; adding the assessment to the annual tax bill of the property; specifying how the assessment will be collected; subjecting assessments to certain interest and penalties; specifying that an assessment is a lien against the property; providing for the effective date of this Act; and generally relating to assessment for abatement of zoning violations.

BY adding to
Article – Land Use
Section 9–807
Annotated Code of Maryland
(As enacted by Chapter___(S.B.___/H.B.___)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1188 – Delegates Ross, Ivey, Summers, Vaughn, ~~and Walker~~ Walker, Cardin, and Frick

AN ACT concerning

State Department of Education – Lacrosse Opportunities Program

FOR the purpose of creating the Lacrosse Opportunities Program in the State Department of Education to increase opportunities for minority students to participate in lacrosse in their communities; requiring the State Superintendent of Education to administer the Program; authorizing certain local education agencies to submit an application for a grant under the Program; requiring a grant application to include certain information; requiring the Department, in

making grants under the Program, to require certain matching funds from certain sources; limiting the amount of a grant under the Program; requiring the State Superintendent or the State Superintendent's designee to review applications and provide grants to eligible agencies with programs that will increase opportunities for minority students to participate in lacrosse; requiring the Governor to include a certain amount for the Program in each annual budget submission; requiring the State Superintendent to adopt certain regulations; defining certain terms; and generally relating to the Lacrosse Opportunities Program to increase opportunities for minority students to participate in lacrosse in their communities.

BY adding to
Article – Education
Section 2–305
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1305 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Authority to Establish Free Fishing Areas

FOR the purpose of authorizing the Department of Natural Resources to adopt regulations to create free fishing areas in tidal and nontidal waters of the State where a person may catch finfish for recreational purposes without certain licenses or authorizations; creating a certain exemption to the requirement that a person obtain an angler's license before fishing in the nontidal waters of the State; and generally relating to the establishment of free fishing areas in the waters of the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–214, 4–604(c), and 4–745(d)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1325 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Crabs – Catch Times for Trotline Gear

FOR the purpose of authorizing the Department of Natural Resources to adopt regulations establishing an earlier beginning of the workday for tidal fish licensees who catch crabs using trotline gear; prohibiting the Department from restricting the tidal fish licensees' workday to less than a certain number of hours; prohibiting trotline gear from being set earlier than the catch time established by the Department; and generally relating to catch times for crabs when a tidal fish licensee uses trotline gear.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–803
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1456 – Delegate Mizeur

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

FOR the purpose of authorizing the Comptroller to require by regulation that a taxpayer claiming certain income tax credits claim certain tax credits by certain electronic means; authorizing the Comptroller to require by regulation that certain additional tax credits be claimed by certain electronic means; providing for the application of this Act; and generally relating to requiring the electronic claiming of certain tax credits by certain taxpayers.

BY adding to
Article – Tax – General
Section 10–804(j)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 7 – Delegate Olszewski

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition

FOR the purpose of exempting certain fantasy competitions from gaming prohibitions; defining a certain term; authorizing the Comptroller to adopt certain regulations; and generally relating to fantasy competitions.

BY adding to
Article – Criminal Law
Section 12–114
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 59 – ~~Delegates McConkey, Costa, Dwyer, George, McMillan, Schuh, Sophocleus, and Vitale~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Property Tax Payment Deferral – Eligibility

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel County under certain circumstances to specify the duration and certain amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Anne Arundel County under certain circumstances to provide certain information in a taxpayer's annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; providing for the application of this Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to
Article – Tax – Property
Section 10–204.6
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 120 – ~~**Delegates Sophocleus, Beidle, Costa, Dwyer, Frush, George, Kipke, Love, and Vitale**~~ **Anne Arundel County Delegation**

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County – Warrants

FOR the purpose of authorizing certain warrant officials to certify to the Comptroller the existence of an outstanding warrant; requiring the Comptroller to withhold the Maryland income tax refunds of certain individuals with outstanding warrants under certain circumstances; providing that certain provisions of law apply only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring a certain certification to contain certain information; requiring the Comptroller, under certain circumstances, to withhold an individual's income tax refund and notify the individual of a certain certification; providing that the Comptroller may not pay a Maryland income tax refund until the warrant official notifies the Comptroller that the warrant is no longer outstanding; requiring the Comptroller to withhold and pay certain required amounts before withholding any part of certain income tax refunds; requiring the Office of the Comptroller to submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to
Article – Tax – General
Section 13–935 through 13–939 to be under the new part "Part VII. Income Tax Refund Withholding – Warrants"
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 125 – Frederick County Delegation and Washington County Delegation

AN ACT concerning

Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses

FOR the purpose of authorizing the governing body of Frederick County and the governing body of Washington County to grant, by law, a property tax credit against the county property tax imposed on real property owned or leased by certain business entities that meet certain requirements; providing for the amount and duration of certain property tax credits; requiring a lessor of real

property in Frederick County or in Washington County eligible for certain property tax credits to reduce by a certain amount the amount of tax for which the tenant is contractually liable under the lease under certain circumstances; requiring the governing body of Frederick County and the governing body of Washington County to provide, by law, requirements for eligibility for the property tax credit, any additional limitations on the credit, and any other provision necessary to implement the credit; defining certain terms; providing for the application of this Act; and generally relating to a county property tax credit for certain new or existing business entities located in Frederick County and in Washington County.

BY renumbering
Article – Tax – Property
Section 9–312(i)
to be Section 9–312(j)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – Property
Section 9–312(i) and 9–323(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 136 – Carroll County Delegation

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

FOR the purpose of authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain housing units at independent living retirement communities; authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to provide, by law, for certain provisions necessary to carry out the tax credit; specifying that the full benefit of the tax credit be assigned to certain residents; providing for the application of this Act; defining a certain term; and generally relating to a property tax credit in Carroll County for certain housing units in certain independent living retirement communities.

BY adding to
Article – Tax – Property
Section 9–308(f)

Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 216 – Washington County Delegation

AN ACT concerning

Washington County – Distribution of Amounts to Town of Williamsport – Payments in Lieu of Property Taxes on Electricity Generation Facilities

FOR the purpose of altering the requirement that Washington County distribute certain proceeds of certain payments in lieu of property taxes under certain circumstances; providing for the application of this Act; and generally relating to the distribution of certain proceeds in Washington County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 7–514(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–514(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 224 – Delegate Beitzel

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

FOR the purpose of altering the definition of "transient charge", as it relates to Garrett County, for purposes of certain provisions of law authorizing certain counties to impose a hotel rental tax on certain transient charges collected by certain hotels; altering the maximum hotel rental tax rate in Garrett County; and generally relating to the hotel rental tax ~~rate~~ in Garrett County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–301(f) and 9–304(b)(8)
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 249 – The Speaker (By Request – Judicial Compensation Commission)

AN ACT concerning

Judges' Retirement System – Compensation, Contribution Rates ~~for New Members~~, and Vesting Requirements

FOR the purpose of altering the process under which the salary recommendations of the Judicial Compensation Commission go into effect; altering the rate of member contributions for ~~individuals who become~~ members of the Judges' Retirement System ~~on or after a certain date~~; requiring individuals who become members of the Judges' Retirement System on or after a certain date to earn a certain amount of eligibility service before becoming eligible to receive a vested allowance; and generally relating to the Judges' Retirement System.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–708
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–202
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–301
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 279 – Delegate Barkley

AN ACT concerning

Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death – Payment Limitation

FOR the purpose of increasing the maximum amounts payable from the Maryland Automobile Insurance Fund for certain claims on account of injury to or death of one individual and of more than one individual arising from a motor vehicle accident; and generally relating to claims against the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–602
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 325 – Delegates Conway and McDermott

EMERGENCY BILL

AN ACT concerning

Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds

FOR the purpose of altering a provision so as to require that one–half of the net after payout proceeds from slot machines operated by certain nonprofit organizations in counties on the Eastern Shore must benefit charities; making this Act an emergency measure; and generally relating to slot machines for nonprofit organizations in certain counties.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 12–304(a)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304(c)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 401 – Delegates McHale, Clippinger, and Hammen

AN ACT concerning

Baltimore City – Alcoholic Beverages – Refillable Containers

FOR the purpose of authorizing certain Class B licenses to include a certain off–sale privilege under certain circumstances, notwithstanding certain provisions; creating in Baltimore City a refillable container license; authorizing the Board of Liquor License Commissioners to issue the license to a holder of ~~a Class B beer and light wine or a Class B beer, wine and liquor license issued for a restaurant~~ any class of alcoholic beverages license issued by the Board except a Class C license and a Class M–G license; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container ~~to a certain individual; prohibiting a holder of a license from displaying or providing shelving for beer for off–premises consumption~~; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements ~~be met~~; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to ~~exercise the privileges of the license only if the licensed premises is open for business as a restaurant~~ refill only a refillable container that was branded by the license holder; ~~authorizing~~ requiring the Board to adopt certain regulations; making a technical change; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (22) ~~and~~, 8–203(a) and (b), 9–204.1(f)(1), and 12–108(a)(1)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(d)(1)(v) and (vi), 9–204.1(f)(2), and 12–113(c)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–203(e) and 9–204.1(f)(8)
Annotated Code of Maryland

(2011 Replacement Volume)

~~BY repealing and reenacting, with amendments,~~
~~Article 2B – Alcoholic Beverages~~
~~Section 12–113(c)~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 481 – ~~**Delegates Lafferty, Kach, Aumann, Boteler, DeBoy, Frank, Impallaria, McDonough, and Morhaim**~~ **Baltimore County Delegation**

AN ACT concerning

Baltimore County – Elected School Board

FOR the purpose of establishing a procedure for the election of certain members of the Baltimore County Board of Education; repealing certain provisions governing the appointment of members of the Baltimore County Board of Education; requiring the elected members of the county board to reside in, be a registered voter in, and be elected from certain districts; establishing a certain term of office for the elected members; specifying that a member may not be elected to serve for more than a certain number of consecutive terms; providing for the removal of members under certain circumstances; providing a procedure for filling a vacancy for an elected member on the county board; providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; providing for a School Board Redistricting Commission for Baltimore County; specifying the membership, appointment process, powers and duties, staffing, and termination of the Commission; providing for the termination of the terms of the appointed members of the county board; providing for the staggering of the initial terms of the elected members of the county board; making certain conforming nomenclature changes; and generally relating to the election of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–109 and 3–114
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 3–2A–01 through 3–2A–09 to be under the new subtitle "Subtitle 2A. Baltimore County"

Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–801
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 510 – ~~Delegates Cluster, Boteler, and Bromwell~~ Baltimore County Delegation

AN ACT concerning

Baltimore County Revenue Authority – Purchases – Competitive Bidding

FOR the purpose of requiring the Baltimore County Revenue Authority, when the estimated cost of certain commodities and services exceeds a certain amount, to use a certain competitive bidding process to purchase the commodities and services by written, formal contract from a certain bidder after a certain notice; prohibiting the division of a contract or purchase into smaller parts to avoid certain requirements; and generally relating to the purchase of commodities and services by the Baltimore County Revenue Authority.

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore County
Section 9–1–101(a), (b), and (f) and 10–2–401(b)
Article 3 – Public Local Laws of Maryland
(2003 Edition and September 2011 Supplement, as amended)

BY adding to
The Public Local Laws of Baltimore County
Section 9–1–116.1
Article 3 – Public Local Laws of Maryland
(2003 Edition and September 2011 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 518 – Frederick County Delegation

AN ACT concerning

Frederick County – Tax Sales – Auctioneer's Fees

FOR the purpose of setting the amount of the auctioneer's fee allowed in Frederick County relating to certain tax sales to be the lowest responsive bid <u>for each property sold</u>; and generally relating to tax sales in Frederick County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–813(e)(1)(iv)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–813(e)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

<u>Read the first time and referred to the Committee on Budget and Taxation.</u>

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 499 – ~~Delegate Niemann~~ <u>Delegates Niemann and Frush</u>

AN ACT concerning

Vehicle Laws – Disposition of Vehicle to Automotive Dismantler and Recycler or Scrap Processor

FOR the purpose of repealing a provision of law that authorizes certain persons to transfer certain inoperable 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 vehicle transferors to execute an indemnity agreement; repealing a certain exception for certain vehicles to the requirement that an automotive dismantler and recycler or scrap processor follow certain procedures after taking possession of a vehicle without receiving certain documentary evidence of ownership; establishing that an automotive dismantler and recycler or scrap processor that does not receive certain documentation from a certain police department when taking possession of a vehicle <u>under certain circumstances</u> is required to comply with certain procedures; altering the notice requirements that an automotive dismantler and recycler or scrap processor is required to follow if it takes possession of a vehicle but does not receive certain documentary evidence of ownership; ~~requiring an automotive dismantler and recycler or scrap processor that certifies to the~~

~~Motor Vehicle Administration that it is taking title to a vehicle to include certain additional documentation in the certification~~ clarifying that certain activity related to the delivery of a vehicle to an automotive dismantler and recycler or scrap processor does not require licensure as an automotive dismantler and recycler or scrap processor; providing for the application of provisions of law governing the disposition of a vehicle to an automotive dismantler and recycler or scrap processor; altering the required notice to and notice process for an owner and secured party of a defectively titled vehicle before the vehicle may be obtained by an automotive dismantler and recycler or scrap processor; establishing documentation that an automotive dismantler and recycler or scrap processor is required to obtain and keep on file for a certain period of time for inspection by law enforcement; prohibiting an automotive dismantler and recycler or scrap processor from accepting a defectively titled vehicle that is transported by an improperly registered tow truck; altering the reclamation period for a defectively titled vehicle possessed by an automotive dismantler and recycler or scrap processor; altering the procedures that a law enforcement agency is required to follow in issuing a certificate of authority for a defectively titled vehicle; altering the penalties for violations related to the disposition of a vehicle to an automotive dismantler and recycler or scrap processor; making certain stylistic and clarifying changes; and generally relating to the disposition of a vehicle to an automotive dismantler and recycler or scrap processor.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–502, 15–509, 25–209, and 27–101(c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 25–204, ~~25–205, and 25–209~~ 25–205, and 27–101(a), (b), and (i)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – Transportation
Section 25–210
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Transportation
Section 27–101.2
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 742 – Delegate Barnes

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

FOR the purpose of ~~establishing certain qualifications for licensure as a bail bondsman;~~ authorizing certain bail bondsmen to arrange to accept payment for the premium charged for a bail bond in installments; providing that, if a bail bondsman arranges to accept payment of a bail bond premium in installments, the installment agreement shall include certain information; requiring a bail bondsman to secure a certain affidavit of surety containing certain information under certain circumstances; requiring a bail bondsman, if arranging to accept payment of a bail bond premium in installments, to take certain actions and keep certain records; requiring a bail bondsman to keep certain records in a certain location and to make certain records available to the Maryland Insurance Commissioner for inspection; requiring bail bondsmen to certify to the Commissioner at a certain time the accuracy and truth of certain records; providing certain penalties for certain violations of this Act; providing for the application of this Act; and generally relating to the regulation of surety bondsmen.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 5–203
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–302 ~~and 10–305~~
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 10–309
Annotated Code of Maryland
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 916 – Delegate Braveboy

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

FOR the purpose of requiring the Governor's Office of Minority Affairs to conduct a study of the Maryland State Retirement and Pension System and all funds managed by the Board of Trustees for the State Retirement and Pension System to determine the capacity to select minority fund managers across all asset classes and to determine methods that best assure the recruitment and selection of minority companies for fund–to–fund management or direct management by the Investment Division of the State Retirement Agency; requiring the Governor's Office of Minority Affairs to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the management of the assets of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 21–116(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 920 – Delegate Rosenberg

AN ACT concerning

Maryland Uniform Athlete Agents Act – Definitions and Prohibitions

FOR the purpose of altering the definition of "agency contract" to include a certain agreement in which a student–athlete authorizes a person to assess and plan for the financial benefits that may arise out of the student–athlete's professional sports career; altering the definition of "athlete agent" to include an individual who facilitates or encourages a connection between a student–athlete and another athlete agent; prohibiting an athlete–agent with certain intent from soliciting another individual to commit an act on behalf of the athlete agent that is a violation of the Maryland Uniform Athlete Agents Act; and generally relating to the Maryland Uniform Athletes Agents Act.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 4–401(a) and 4–414
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 4–401(b) and (c) and 4–413
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 924 – Delegate Beitzel

AN ACT concerning

Vehicle Laws – Local Authority – Use of Highways by Snowmobiles

FOR the purpose of altering the authority of local jurisdictions to designate a portion of a highway for snowmobile use to facilitate access between trails by repealing the requirement that the snowmobile trails accessed be designated by the Department of Natural Resources; making certain technical corrections; and generally relating to the authority of local jurisdictions over the use of highways by snowmobiles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–102(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 927 – Calvert County Delegation

AN ACT concerning

Calvert County – Electronic Bingo

FOR the purpose of authorizing an entity in Calvert County that is licensed to offer electronic or instant bingo under a commercial bingo license on a certain date or an entity that is a certain qualified organization to continue to operate a game of electronic or instant bingo under certain circumstances; requiring the State Lottery Commission to establish certain procedures and regulations relating to electronic bingo machines in Calvert County; specifying the manner of distribution of revenue from the State admissions and amusement tax on electronic bingo or electronic tip jars in Calvert County; imposing a certain State admissions and amusement tax rate on certain net proceeds from a certain machine, apparatus, or device; specifying the maximum rate of the Calvert County admissions and amusement tax applicable to net proceeds derived from electronic bingo or electronic tip jars; specifying the maximum rate

of the admissions and amusement tax of any municipal corporation that is applicable to net proceeds derived from electronic bingo or electronic tip jars; providing for the termination of this Act; and generally relating to electronic bingo in Calvert County.

BY adding to
Article – Criminal Law
Section 12–308
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

BY adding to
Article – State Government
Section 9–1B–01 to be under the new subtitle "Subtitle 1B. Electronic Bingo in Calvert County"
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–202(a) and 4–105(a–1)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 2–202(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 929 – Delegates Stein, Frush, and Niemann

AN ACT concerning

Environment – Recycling Rates and Waste Diversion – Statewide Goals

FOR the purpose of altering certain dates by which certain counties must include and implement certain recycling and waste diversion goals in certain plans; increasing certain recycling and waste diversion goals that must be included in certain plans; establishing certain waste diversion and recycling goals; authorizing certain goals to be met through cooperative efforts of certain parties; authorizing a certain county to combine its recycling rate with the recycling rates of certain adjacent counties in a certain manner and under certain circumstances; requiring the Secretary of the Environment to calculate a certain recycling rate for certain counties under certain circumstances;

authorizing a certain county that has met or exceeded a certain percentage reduction of its solid waste stream through recycling in a certain year to submit a letter containing certain certifications to the Secretary by a certain date instead of revising a certain county recycling plan; repealing certain obsolete language; and generally relating to recycling and waste diversion goals in county water and sewerage plans.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–505(a)(18) and (19) and (c), 9–1704, and 9–1706
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 9–1706.1
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 930 – Delegates Proctor, Vallario, Anderson, Aumann, Beitzel, Bohanan, Clagett, Gutierrez, Guzzone, Haynes, Hucker, James, Jones, K. Kelly, McConkey, Mitchell, Mizeur, B. Robinson, Sophocleus, Stocksdale, Stukes, Valderrama, Washington, Wood, and Zucker

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

FOR the purpose of providing that a State correctional officer who receives an emergency suspension without pay after being ~~charge~~ charged with a felony and who is not convicted of the felony shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored; providing that this Act does not apply to a State correctional officer under certain circumstances; and generally relating to the rights of a State correctional officer.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 10–913
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 965 – Delegates Barve and Branch

AN ACT concerning

Income Tax Credit – General Services Administration Schedules Program – Preparation Expenses

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax in a certain amount for qualified preparation expenses related to certain General Services Administration program applications and contract proposals; providing for the application to the Department of Business and Economic Development for approval of the credit and certification to taxpayers of approved credit amounts; limiting the total amount of credits that the Department may approve for any calendar year to a certain amount; requiring the Department to approve a prorated credit for each applicant if the total amount of credits applied for exceeds the maximum amount that may be approved; requiring certain individuals or certain corporations to file amended tax returns in a certain manner to claim a certain tax credit; providing that the credit may not exceed the State income tax for the taxable year and that any unused credit may not be carried over to any other taxable year; requiring the Comptroller to report certain information regarding the credit to the Governor and the General Assembly each year; providing for the application of this Act; defining certain terms; and generally relating to an income tax credit for preparation expenses related to certain General Services Administration programs.

BY adding to
Article – Tax – General
Section 10–731
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 975 – Delegates Kach, Boteler, and Olszewski

AN ACT concerning

Income Tax – Subtraction Modification – Forest Conservation and Management Program Expenses

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain amounts paid by individuals for certain expenses incurred with land preservation under the Forest Conservation and Management Program within the Department of Natural Resources under certain circumstances; defining certain terms; providing for the application of this Act; and generally

relating to a Maryland income tax subtraction modification for certain amounts paid for certain conservation program–related expenses.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–208(r)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 983 – Delegates Frush and Hubbard

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

FOR the purpose of requiring certain local critical area programs to, with a certain exception, prohibit the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area; providing for the application of this Act; prohibiting a certain application of this Act; and generally relating to a prohibition on the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1808(c)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1005 – Washington County Delegation

AN ACT concerning

Washington County – Tip Jars – Accountability and Oversight

FOR the purpose of authorizing the County Commissioners of Washington County to require the Washington County Volunteer Fire and Rescue Association to submit certain financial reports; authorizing the county commissioners to adopt certain regulations; authorizing the county commissioners to withhold certain funds under certain circumstances; requiring the Washington County Volunteer Fire and Rescue Association to submit its budget to the county commissioners each year; requiring the county commissioners to accept or reject the budget in a certain manner; expanding the authority of the county commissioners to establish certain procedures; prohibiting certain funds from being used for certain fire and rescue services; and generally relating to the use of certain tip jar gaming proceeds in Washington County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–2435
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1081 – Delegate Rosenberg

AN ACT concerning

Homestead Property Tax Credit Reform Act of 2012

FOR the purpose of providing that a person who has been granted a homestead property tax credit and is subsequently found to be ineligible for the credit is liable for certain property taxes otherwise due and a penalty equal to a certain amount; requiring a certain penalty to be included on the person's tax bill; establishing that a certain penalty constitutes a lien on the property until paid in full; allowing a person to appeal a certain determination in accordance with certain policies and procedures; ~~requiring a licensed real estate broker, associate broker, salesperson acting as an agent for a seller of residential real property, or the owner of the property under certain circumstances to provide to a certain purchaser or agent assisting the purchaser a written estimate of certain property taxes; requiring the property tax estimate to be based on certain rates and include certain information; requiring the estimate to be updated at certain times; requiring the State Real Estate Commission to adopt certain regulations; establishing certain liability limits for a seller, the seller's agent, or an owner in connection with the sale of residential real property under certain circumstances;~~ providing for the application of this Act; and generally relating to property taxes and residential real property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(a)(1) and (5)(i) and (d)(1) through (3)

Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(n)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

~~BY adding to~~
~~Article – Business Occupations and Professions~~
~~Section 17–531.1~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1089 – Calvert County Delegation

AN ACT concerning

Calvert County – Appointment of Assistant Sheriff – Candidates

FOR the purpose of requiring the Sheriff of Calvert County to appoint as assistant sheriff an individual who is an active duty deputy sheriff and holds a certain rank in the Calvert County Sheriff's Office or an individual who is not a current employee of the Sheriff's Office; establishing that the Sheriff has sole discretion to appoint the assistant sheriff; authorizing the Sheriff to appoint the assistant sheriff without subjecting the candidate to a written examination; establishing that the assistant sheriff serves at the pleasure of the Sheriff; establishing the salary, benefits, and merit status of the assistant sheriff based on the position the assistant sheriff held immediately before appointment; requiring an active duty deputy sheriff who was appointed to the position of assistant sheriff to be permitted to return to the position the assistant sheriff held before appointment including certain salary adjustments; and generally relating to sheriffs in Calvert County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1117 – Delegates Hershey and Jameson

AN ACT concerning

Zoning, Construction, and Stormwater – Permits and Variances – Solar Panels

FOR the purpose of providing that, for the purposes of issuing a permit or a variance relating to zoning, construction, or stormwater for a project to install a solar panel, any calculation relating to the impervious surface of the project required by certain State or local governing authorities may include only ~~a certain portion of~~ the foundation or base supporting the solar panel; establishing a certain exception; defining a certain term; providing for the effective date of this Act; and generally relating to the calculation of impervious surfaces for the purposes of issuing a permit or a variance relating to zoning, construction, or stormwater.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401 and 10–103
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. ___)(2lr0396) of the Acts of the General Assembly of 2012)

BY adding to
Article – Land Use
Section 4–210
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. ___)(2lr0396) of the Acts of the General Assembly of 2012)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1121 – Delegates Guzzone, Anderson, Clagett, Haynes, Jones, K. Kelly, Washington, and Zucker

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

FOR the purpose of requiring the Division of Parole and Probation to ~~establish~~ consider a certain ~~standard~~ caseload for parole and probation employees~~; requiring the caseload standard to be considered during~~ when considering employee disciplinary actions; and generally relating to the performance of Division of Parole and Probation employees.

BY repealing and reenacting, ~~with~~ without amendments,
Article – Correctional Services
Section 6–104
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Correctional Services
Section 6–117
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and Valentino–Smith

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

FOR the purpose of ~~providing that a certain child for whom the juvenile court has waived jurisdiction under certain circumstances is required to remain detained in a juvenile detention facility except under certain circumstances; providing that a certain child is required to be transferred to a certain juvenile facility under certain circumstances; establishing the circumstances under which a certain child may not be transferred to a juvenile facility; prohibiting a child from being transported together with certain adults except under certain circumstances; requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing, to order a certain child to be held in a secure juvenile facility pending a certain determination except under certain circumstances; authorizing a certain defendant to receive certain credit against and a reduction of the term of a certain sentence for all time spent in the custody of a juvenile detention facility under certain circumstances; making stylistic changes~~ requiring the Department of Juvenile Services to make a certain report to the General Assembly on or before a certain date; and generally relating to juveniles and confinement in juvenile facilities.

~~BY repealing and reenacting, with amendments,~~
~~Article – Courts and Judicial Proceedings~~
~~Section 3–8A–06 and 3–8A–16~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Courts and Judicial Proceedings~~

~~Section 3–8A–22~~
~~Annotated Code of Maryland~~
~~(2006 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Criminal Procedure~~
~~Section 4–202 and 6–218~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1180 – Delegates Rudolph and Malone

AN ACT concerning

Vehicle Laws – Required Security – Electronic Reporting Requirements

FOR the purpose of requiring insurers and other providers of required vehicle security to immediately notify the Motor Vehicle Administration electronically of the issuance of certain new insurance policies; requiring insurers and other providers of required vehicle security to notify the Administration electronically within a certain time period of certain changes regarding certain fleet policies of insurance; requiring certain notices regarding the termination or lapse of required security to be made electronically; defining a certain term; and generally relating to vehicle security and the reporting requirements for insurers and other providers of required motor vehicle security.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–101, 17–104, and 17–106(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 17–106(a), (c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1213 – ~~Delegates McComas, Impallaria, James, McDonough, Norman, Stifler, and Szeliga~~ Harford County Delegation

AN ACT concerning

Harford County Board of Education – Student Member ~~– Voting Rights~~

FOR the purpose of providing that the student member of the Harford County Board of Education has certain rights and privileges; prohibiting the student member from voting on or participating in certain matters; providing that certain provisions of law relating to the payment of certain expenses for members of the Harford County Board of Education do not apply to the student member of the Board; making certain clarifying changes; altering a certain definition; and generally relating to the Harford County Board of Education and student member voting rights and expense allowance.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–6A–01 ~~and 3–6A–02~~, 3–6A–02, and 3–6A–04
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1220 – Delegate Haynes

AN ACT concerning

Secondary Education – Electronic Reader Pilot Program ~~in Baltimore City~~ – Study

FOR the purpose of ~~establishing the Electronic Reader Pilot Program to be implemented in middle and high schools in Baltimore City; requiring the Chief Executive Officer of the Baltimore City Board of School Commissioners to award a grant to the Board for implementation of the Pilot Program; providing for the purpose of the Pilot Program; requiring the Chief Executive Officer and a certain organization to develop a plan to implement the Pilot Program; requiring the plan to meet certain requirements; providing for the funding of the Pilot Program; requiring the Baltimore City Board of School Commissioners to submit a certain report on or before a certain date and including certain information; defining certain terms;~~ requiring the State Department of Education to study establishing an electronic reader pilot program in certain public middle schools or high schools in the State in accordance with certain requirements; requiring the Department to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to ~~the Electronic Reader Pilot Program in Baltimore City~~ studying the establishment of an electronic reader pilot program.

~~BY adding to~~
~~Article – Education~~

~~Section 7–10B–01 through 7–10B–08 to be under the new subtitle "Subtitle 10B. Electronic Reader Pilot Program in Baltimore City"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1227 – Delegates Busch, Kaiser, Branch, Conway, Cullison, Gilchrist, Haddaway–Riccio, Kach, Luedtke, McComas, McHale, Mitchell, O'Donnell, Olszewski, Reznik, S. Robinson, Rudolph, Stukes, Waldstreicher, ~~and Zucker~~ Zucker, Cardin, Fisher, Hixson, Howard, Ivey, A. Miller, Myers, Rosenberg, Ross, Serafini, Summers, and F. Turner

AN ACT concerning

Education – Core Content Areas – Accountability Program

FOR the purpose of requiring the State Board of Education and the State Superintendent of Schools to assist each county board of education to establish certain goals and objectives that conform with certain objectives for subject areas that include science and social studies; requiring each public school to survey current student achievement in science and social studies; requiring the State Board and the State Superintendent to ~~design and~~ implement certain assessment programs in certain subjects and requiring the ~~social studies~~ assessment ~~program~~ programs to provide certain information and feedback; requiring certain grade band assessments and end–of–course assessments to be implemented and administered annually at certain levels by a certain school year; requiring the State Department of Education to conduct a certain statewide survey of public schools and public school teachers; requiring the Department to compile and publish the survey results on the Department's Web site; requiring county boards of education to include certain information in the boards' comprehensive master plans and updates to the plans; ~~defining a certain term;~~ requiring the State ~~Department of Education~~ Board to develop and implement ~~a~~ certain ~~State-specific assessment~~ State–specific assessments by a certain school year if ~~a~~ certain ~~determination is~~ determinations are made regarding ~~a~~ certain middle school ~~grade band~~ and high school level ~~assessment;~~ assessments; requiring the Governor to include a certain appropriation in the fiscal year 2014 State budget bill if a certain amount of funding to administer a certain Maryland high school assessment is not provided in the fiscal year 2013 State budget bill; prohibiting implementation of certain provisions of this Act under certain circumstances; defining a certain term; and generally relating to an education accountability program for certain core content areas.

BY repealing and reenacting, without amendments,
Article – Education

Section 5–401(a) and (b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–401(c) and 7–203
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1248 – Delegates Ross, Beidle, Bohanan, James, Luedtke, Rudolph, and Valentino–Smith

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax for certain costs incurred to obtain federal security clearances and to construct or renovate certain sensitive compartmented information facilities; ~~requiring the Department of Business and Economic Development to provide an application process for the credit at least a certain number of times each fiscal year; providing for the total amount of credit certificates that may be issued during a certain application period; providing for the distribution of credit certificates~~ providing for applications to the Department of Business and Economic Development for approval of the credit and certification by the Department to taxpayers of approved credit amounts; limiting the total amount of credits that the Department may approve for any calendar year to a certain amount; requiring the Department to approve a prorated credit for each applicant if the total amount applied for exceeds the maximum that may be approved; requiring certain individuals or certain corporations to file amended tax returns in a certain manner to claim a certain tax credit; ~~providing for the carryforward of the credit; providing that the total amount of credits that may be claimed may not exceed the amount of certificates issued to the individual or corporation; requiring the Department to notify the Comptroller of the maximum amount of each credit certificate; requiring the Comptroller to transfer the amount stated in the credit certificate from a certain Reserve Fund to the General Fund; establishing the Security Clearance Income Tax Credit Reserve Fund as a special, nonlapsing fund; requiring the Secretary of Business and Economic Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money~~

~~in and expenditures from the Fund; requiring the Governor to make certain appropriations in certain fiscal years;~~ requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date each year; defining certain terms; providing for the application of this Act; providing for the termination of certain provisions of this Act; and generally relating to a credit against the State income tax for certain costs ~~incurred to obtain~~ related to federal security clearances.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–204(a) and 10–305(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–204(j) and 10–731
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–305(d)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1268 – Delegates Barnes, Davis, Feldman, Hershey, Impallaria, and W. Miller

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

FOR the purpose of altering the definition of "lead–free" to include a certain standard for individual plumbing fittings and fixtures; allowing for a stricter federal standard for lead–free plumbing fittings and fixtures and pipes and pipe fittings; clarifying which pipes, pipe fittings, plumbing fittings, and fixtures are considered when calculating weighted average lead content; and generally relating to the lead content of materials used in plumbing.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 12–101(a) and (q)
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–101(h–1) and 12–605.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1281 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Cooperative or Joint Administration of Programs

FOR the purpose of authorizing the ~~County Council~~ Board of Education of Baltimore County and the County Executive of Baltimore County to enter into certain agreements for the cooperative or joint administration of certain programs, subject to a certain limitation; and generally relating to the authorization of cooperative or joint administration of programs by the ~~County Council~~ Board of Education of Baltimore County and the County Executive of Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–123
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1301 – Delegate Howard

AN ACT concerning

Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors

FOR the purpose of exempting from the sales and use tax certain sales of certain machinery and equipment to be used for certain purposes and certain utilities used to operate the machinery or equipment; and generally relating to a sales and use tax exemption for certain machinery and equipment and the utilities used to operate the machinery or equipment.

BY adding to
Article – Tax – General
Section 11–210(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1329 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Suburban Transit Commission – Washington Metropolitan Area Transit Authority Board of Directors – Membership

FOR the purpose of altering the requirements for the appointment of the commissioners of the Washington Suburban Transit Commission; requiring that one of the appointees from Montgomery County and one of the appointees from Prince George's County shall serve as alternate members of the Washington Metropolitan Area Transit Authority (WMATA) Board of Directors; requiring that commissioners appointed by the Governor serve as principal members of the Board; prohibiting the commissioners who serve as principal or alternate members of the Board from holding certain elected offices, except under certain circumstances; establishing the eligibility criteria to be met by the commissioners who serve as principal or alternate members of the Board; requiring the commissioners who serve as principal or alternate members of the Board to be regular passengers or customers of certain services of WMATA and to submit certain annual reports; requiring that certain reports cover a certain period of time; altering the length of the terms of the members of the Commission; requiring the terms of the commissioners to be staggered in a certain manner; prohibiting a commissioner from serving more than a certain number of consecutive terms; establishing a certain limit on a certain holdover period; requiring certain county executives and the Governor to submit to the Secretary of Transportation a certain annual letter; providing that all commissioners are "public officials" for purposes of the Maryland Public Ethics Law and are subject to certain restrictions and requirements; requiring certain commissioners appointed by the Governor to file certain financial disclosure statements; making a technical correction; terminating the terms of the commissioners serving at a certain date; providing, for the purposes of certain term limits, that certain terms may not be considered a full term; and generally relating to the membership of the Washington Suburban Transit Commission and the Washington Metropolitan Area Transit Authority Board of Directors.

BY repealing and reenacting, without amendments,
The Public Local Laws of Montgomery County
Section 87–1(b)

Article 16 – Public Local Laws of Maryland
(2004 Edition and January 2012 Supplement, as amended)
(As enacted by Chapter 3 of the Acts of the first Special Session of the General Assembly of 1992)

BY repealing and reenacting, with amendments,
The Public Local Laws of Montgomery County
Section 87–5(a)
Article 16 – Public Local Laws of Maryland
(2004 Edition and January 2012 Supplement, as amended)
(As enacted by Chapter 3 of the Acts of the first Special Session of the General Assembly of 1992)

BY repealing and reenacting, with amendments,
The Public Local Laws of Montgomery County
Section 87–10
Article 16 – Public Local Laws of Maryland
(2004 Edition and January 2012 Supplement, as amended)

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George's County
Part III, Section 1(b)
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2008/2009 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Part III, Section 5(a)
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2008/2009 Supplement, as amended)
(As enacted by Chapter 3 of the Acts of the first Special Session of the General Assembly of 1992)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Part III, Section 10
Article 17 – Public Local Laws of Maryland
(2007 Edition and 2008/2009 Supplement, as amended)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–820
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1372 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Commercial Fishing Licenses, Authorizations, and Permits

FOR the purpose of requiring that certain appropriations for fishery management purposes be allocated in a certain manner between the recreational and commercial fisheries; authorizing the Department of Natural Resources to assess certain costs on certain commercial fishing licensees; applying to all applicants a requirement that certain applicants for a commercial fishing guide license provide certain information related to a federal license as part of a license application; authorizing rather than requiring the Department to set certain targets for the number of certain tidal fish license authorizations; repealing a provision of law limiting the number of participants in the commercial and charter boat fishery; establishing a certain application fee for the transfer of a commercial fishing license or authorization; adding certain relatives to the list of family members eligible for a certain license transfer; expanding the pool of persons eligible to be named the beneficiary of a license or authorization on the death of a licensee; altering the transfer procedures for a license or authorization following the death of a licensee; establishing that the license of a deceased licensee is void under certain circumstances; prohibiting a person from operating under the license of a deceased licensee without certain approval; altering the period of time for which the Department may approve the temporary transfer of a license or authorization; limiting the number of times a license or authorization may be temporarily transferred per license year; establishing that certain prohibited acts that result from certain suspensions of a license of a temporary transferee also result from certain revocations of a license of a temporary transferee; repealing a provision of law that prohibits a person from temporarily transferring a license for remuneration; ~~repealing provisions of law that authorize another~~ altering the requirements and procedures for the authorization of a person to use a certain vessel and license of a licensee to perform certain commercial fishing activities under certain circumstances; altering the eligibility requirements and procedures for the permanent transfer of a license or authorization; altering a certain provision of law governing the relinquishment of a certain license or certain authorizations in exchange for a certain other license or certain authorizations; requiring a licensee to pay to the Department a certain amount for the difference between certain fees; altering the documentation that a person engaged in a commercial fishing activity is required to possess and make available for inspection; providing for and clarifying the distribution and use of certain fisheries fees and surcharges collected by the Department; authorizing a person to transfer a certain crab authorization to apply to a separate tidal fish license; requiring the Department to review certain laws and policies in collaboration with certain entities and report its findings and recommendations to the Governor and the

General Assembly on or before a certain date; requiring the Department to determine the allocation of certain revenues in accordance with the revenues derived from the respective commercial and recreational fisheries; requiring the publishers of the Annotated Code of Maryland to correct certain cross–references and terminology; defining a certain term; clarifying certain language; and generally relating to commercial fishing licenses, authorizations, and permits.

BY renumbering
Article – Natural Resources
Section 4–101(l), (m), (n), (o), (p), (q), and (r), respectively,
to be Section 4–101(m), (n), (o), (p), (q), (r), and (s), respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY adding to
Article – Natural Resources
Section 4–101(l) and 4–205(m)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701 and 4–814
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1427 – Delegates Jameson and Schuh

AN ACT concerning

Electricity – ~~Certificate of Public Convenience and Necessity –~~ Construction of Overhead Transmission Lines and Wind Generating Stations

FOR the purpose of authorizing the Public Service Commission to waive the requirement for an electric company to obtain a certificate of public convenience and necessity under certain circumstances for good cause; requiring the Commission to waive the requirement to obtain a certificate of public

convenience and necessity for construction related to an existing overhead transmission line designed to carry a certain amount of voltage under certain circumstances; authorizing an electric company to undertake construction related to an existing overhead transmission line that is necessary to avoid an imminent safety hazard or reliability risk under certain circumstances; requiring an electric company to file a certain report with the Commission within a certain period of time under certain circumstances; providing that a certain provision that requires a person to obtain certain approval from the Commission before constructing a certain generating station does not apply to a person constructing a certain wind generating station that has wind turbines within a certain distance from the Patuxent River Naval Air Station, as determined by certain regulation; and generally relating to ~~certificates of public convenience and necessity for~~ the construction of overhead electric transmission lines and certain wind generating stations.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–207(b) and 7–207.1(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

SPECIAL ORDERS

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

Senate Bill 818 – Senators Pipkin, Astle, Brinkley, Colburn, and Getty

AN ACT concerning

Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span

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.

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0901/877273/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 901
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "include" insert "<u>, under certain circumstances,</u>"; in line 7, after "vehicle" insert "<u>or of certain collateral</u>"; and strike beginning with "other" in line 9 down through "agreement" in line 10 and substitute "<u>deferred payments and the refundable portion of any financed taxes and charges</u>".

AMENDMENT NO. 2

On page 2, in line 6, after "**OR**" insert "<u>**, IF THE BUYER DOES NOT HAVE INSURANCE THAT COVERS THE LOSS,**</u>"; in lines 7 and 26, in each instance, after "**LOSS,**" insert "<u>**DETERMINED**</u>"; in lines 8 and 27, in each instance, strike "**DEBT CANCELLATION**"; in line 25, after "**OR**" insert "<u>**, IF THE BORROWER DOES NOT HAVE INSURANCE THAT COVERS THE LOSS,**</u>"; and in line 26, strike "**MOTOR VEHICLE**" and substitute "<u>**COLLATERAL**</u>".

AMENDMENT NO. 3

On page 2, in lines 11 and 30, in each instance, after "delinquent" insert "<u>**OR DEFERRED**</u>"; after line 15, insert:

"<u>**(6) THE REFUNDABLE PORTION OF ANY FINANCED TAXES OR CHARGES, INCLUDING CHARGES FOR CREDIT LIFE INSURANCE, CREDIT HEALTH INSURANCE, CREDIT INVOLUNTARY UNEMPLOYMENT BENEFIT INSURANCE, AND MECHANICAL REPAIR CONTRACTS; OR**</u>";

in line 16, strike "(6)" and substitute "**(7)**"; and strike beginning with the semicolon in line 17 down through "**AGREEMENT**" in line 19.

On page 3, after line 3, insert:

"**(6) THE REFUNDABLE PORTION OF ANY FINANCED TAXES OR CHARGES, INCLUDING CHARGES FOR CREDIT LIFE INSURANCE, CREDIT HEALTH INSURANCE, CREDIT INVOLUNTARY UNEMPLOYMENT BENEFIT INSURANCE, AND MECHANICAL REPAIR CONTRACTS; OR**";

in line 4, strike "(6)" and substitute "**(7)**"; and strike beginning with the semicolon in line 5 down through "**AGREEMENT**" in line 7.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0901/703922/1
BY: Senator Raskin

AMENDMENTS TO SENATE BILL 901, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, after "Definitions" insert "and Terms"; in line 4, strike "altering" and substitute "clarifying"; strike beginning with ", to" in line 6 down through "loss" in line 8; in line 10, after the semicolon insert "authorizing a debt cancellation agreement to provide for a certain condition to cancellation of an outstanding balance or remaining loan balance;"; in line 19, strike the second "and" and substitute ", 12–609(b)(4),"; and in the same line, after "(l)" insert ", and 12–1005(c)".

On page 1 of the Finance Committee Amendments (SB0901/877273/1), in line 1 of Amendment No. 1, strike ", under certain circumstances,"; in line 2, strike "or of certain collateral"; and strike beginning with "and" in line 3 down through "charges" in line 4.

AMENDMENT NO. 2

On pages 1 and 2 of the Finance Committee Amendments, strike Amendment Nos. 2 and 3 in their entirety.

On page 2 of the bill, strike beginning with "**OR**" in line 6 down through "**AGREEMENT**" in line 8; in line 11, after "delinquent" insert "**OR DEFERRED**"; in line 15, strike the brackets; strike beginning with "**; OR**" in line 17 down through "**AGREEMENT**" in line 19; after line 19, insert:

"12–609.

(b) (4) **(I)** A seller may contract for, charge for, receive, and finance the cost to the buyer of an optional debt cancellation agreement sold in connection with a motor vehicle, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

(II) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE OUTSTANDING BALANCE PAYABLE UNDER AN INSTALLMENT SALE AGREEMENT, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE MOTOR VEHICLE THAT IS THE SUBJECT OF THE INSTALLMENT SALE AGREEMENT.";

and strike beginning with "**OR**" in line 25 down through "**AGREEMENT**" in line 27.

On page 3 of the bill, in line 3, strike the brackets; strike beginning with "**; OR**" in line 5 down through "**AGREEMENT**" in line 7; and after line 7, insert:

"12–1005.

In addition to interest at a periodic percentage rate or rates permitted by §§ 12–1003 and 12–1004 of this subtitle, a credit grantor may charge and collect:

(c) (1) **(I)** The cost to the borrower of an optional debt cancellation agreement, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

[(2)**]** **(II)** This cost is in addition to the charges permitted under subsections (a), (b), and (d) of this section.

(2) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE REMAINING LOAN BALANCE PAYABLE UNDER AN AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE COLLATERAL THAT IS THE SUBJECT OF THE AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN.".

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for March 27, 2012.

The motion was adopted.

Senate Bill 529 – Senator Robey

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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.

Senate Bill 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

Senator Getty moved, duly seconded, to make the Bill a Special Order for March 27, 2012.

The motion was adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 850 – Senator King

AN ACT concerning

Health Occupations – Qualifications for Licensure – Mortuary Science, Funeral Direction, and Apprenticeship

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0850/434939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 850
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "Board;" insert "providing that certain provisions of this Act do not apply to certain individuals; requiring the Board to adopt certain regulations on or before a certain date;".

AMENDMENT NO. 2

On page 2, after line 10, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That §§ 7–303 and 7–306 of the Health Occupations Article as enacted by Section 1 of this Act, regardless of whether the individual performed clinical embalming in a laboratory or a funeral home setting, do not apply to an individual who:

(1) applied for an apprentice license on or before October 1, 2011; and

(2) had completed two–thirds of the academic credits at an approved mortuary science program at the time of application.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 1, 2012, the State Board of Morticians and Funeral Directors shall adopt regulations to implement §§ 7–303 and 7–306 of the Health Occupations Article as enacted by Section 1 of this Act.";

and in line 11, strike "2." and substitute "4.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1078 – Senator Dyson

AN ACT concerning

Election Law – Absentee Ballots – Internet or Facsimile Transmission

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB1078/174433/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1078
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "ballot;" insert "requiring the State Board of Elections to report to certain committees of the General Assembly on or before a certain date concerning the implementation of this Act;"; after line 9, insert:

"BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(q)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)";

and after line 17, insert:

"1–101.

(q) "Disabled" means having a temporary or permanent physical disability.".

AMENDMENT NO. 2

On page 2, in line 1, strike "**A MILITARY OR OVERSEAS VOTER**" and substitute "**AN ABSENT UNIFORMED SERVICES VOTER OR AN OVERSEAS VOTER, AS THOSE TERMS ARE DEFINED UNDER THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT**"; in lines 6 and 7, strike "**IS NECESSARY TO ALLOW**" and substitute "**WILL ASSIST**"; in line 7, after the second "**THE**" insert "**ACCESSIBLE**"; and in line 8, strike "**9–308**" and substitute "**9–308(C)**".

On page 3, in lines 5 and 6, strike "**A MILITARY OR**" and substitute "**AN ABSENT UNIFORMED SERVICES VOTER OR AN**".

AMENDMENT NO. 3

On page 3, after line 32, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 31, 2013, the State Board of Elections shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act.".

On page 4, in line 1, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1032 – Senator Klausmeier

AN ACT concerning

Natural Resources – Fish and Fisheries – Gill Nets

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1032/164137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1032

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Fish and Fisheries" and substitute "Technical Advisory Group"; strike beginning with "prohibiting" in line 3 down through "prohibiting" in line 6 and substitute "requiring the Department of Natural Resources to establish a technical advisory group on the use of gill nets; requiring the Secretary of Natural Resources to select the members of the technical advisory group; requiring the technical advisory group to be composed of certain numbers of certain individuals; requiring the technical advisory group to make certain recommendations and to submit the recommendations to the Secretary on or before a certain date; requiring the Secretary to consider the adoption of certain regulations based on certain recommendations; providing for the termination of this Act; and generally relating to"; strike in their entirety lines 7 through 22, inclusive; in line 24, strike "the Laws of Maryland read as follows"; and strike in its entirety line 25.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 1 on page 2 through line 27 on page 6, inclusive, and substitute:

"(a) The Department of Natural Resources shall establish a technical advisory group on the use of gill nets, including the effect of the use of gill nets on:

(1) the population of fish in State waters; and

(2) the enforcement of the State's fishery laws.

(b) The technical advisory group shall be composed of individuals, selected by the Secretary of Natural Resources, with experience and expertise in both sportfishing and commercial fishing, and shall include:

(1) two representatives of the Maryland Saltwater Sportfisherman's Association;

(2) two representatives of the Maryland Watermen's Association;

(3) at least one representative of the Natural Resources Police; and

(4) employees of the Fisheries Service in the Department of Natural Resources.

(c) The technical advisory group shall develop recommendations for the regulation of the use of gill nets.

(d) In conducting its work, the technical advisory group shall solicit and obtain public input, including input from:

(1) individuals who work in the commercial fishing industry in the State;

(2) individuals who engage in sportfishing in the State; and

(3) individuals with expertise in marine science.

(e) On or before September 1, 2013, the technical advisory group shall submit its recommendations to the Secretary of Natural Resources.

(f) Based on the recommendations of the technical advisory group, the Secretary of Natural Resources shall consider the adoption of regulations regarding the use of gill nets for catching fish in State waters.".

On page 6, in line 29, after "2012." insert "It shall remain effective for a period of 1 year and, at the end of September 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read only.

Senator Colburn moved, duly seconded, to make the Bill and Amendments a Special Order for March 27, 2012.

The motion was adopted.

Senate Bill 892 – Senators Peters, Colburn, King, Madaleno, Manno, McFadden, and Robey

AN ACT concerning

Gaming – Video Lottery Terminals and Table Games

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

SB0892/709636/1
BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 892
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "CONSTITUTIONAL AMENDMENT"; in the sponsor line, strike "and Robey" and substitute "Robey, and Klausmeier"; in line 5, after "County;" insert "requiring, after a certain date, certain video lottery terminal devices be owned or leased by certain video lottery operation licenses;"; in line 9, strike "altering" and substitute "establishing"; in the same line, strike "pays" and substitute "must pay"; in line 10, after "terminals" insert "at certain locations"; strike beginning with "creating" in line 12 down through "law;" in line 20; and strike beginning with "specifying" in line 25 down through "County;" in line 27.

On page 2, in line 2, after "circumstances;" insert "providing for the calculation of net taxable income for the calculation of certain State aid for education beginning in a certain fiscal year; providing for the calculation of a grant resulting from certain calculations; altering the uses of the Education Trust Fund; prohibiting the Video Lottery Facility Location Commission from awarding a video lottery facility operation license for a facility in a county where a majority of the voters voting on a certain referendum voted against the referred law; proposing an amendment to the Maryland Constitution to provide that, in a certain referendum on the approval of an additional form or expansion of commercial gaming in a single county or Baltimore City, the additional form or expansion of commercial gaming must receive approval by a majority of the qualified voters of the affected county or Baltimore City; submitting the amendment to the qualified voters of the State for their adoption or rejection; making a certain provision of this Act contingent on the adoption of a certain constitutional amendment;"; in line 3, after "submitting" insert "certain provisions of"; in line 4, after "rejection;" insert "providing for a delayed effective date for certain provisions of this Act;"; strike beginning with "BY" in line 6 down through "Supplement)" in line 20; in line 23, after "Section" insert "9–1A–02(c)(1),"; in the same line, after "(d)," insert "9–1A–21(a),"; in the same line, strike "and 9–1A–36(f) through (j)" and substitute "9–1A–30(c), and 9–1A–36(f), (g), (h), (i)"; strike beginning with "BY" in line 27 down through "Supplement)" in line 31; after line 31, insert:

"BY proposing an amendment to the Maryland Constitution
Article XIX – Video Lottery Terminals

Section 1

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(a)(9)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 5–202(a–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

On pages 2 through 3, strike in their entirety the lines beginning with line 34 on page 2 through line 10 on page 3, inclusive.

AMENDMENT NO. 2
On page 3, after line 11, insert:

"9–1A–02.

(c) (1) This subtitle authorizes the operation of video lottery terminals **[**owned or leased by the State**]** that are connected to a central monitor and control system owned or leased by the State that allows the Commission to monitor a video lottery terminal.".

AMENDMENT NO. 3
On page 4, after line 9, insert:

"9–1A–21.

(a) **(1)** **[**Each**]** **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH** video lottery terminal device, the central monitor and control system, and the associated equipment and software shall be:

[(1)**]** **(I)** owned or leased by the Commission; and

[(2)**]** **(II)** under the control of the Commission.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH AFTER JUNE 30, 2013, EACH VIDEO LOTTERY TERMINAL DEVICE AND THE ASSOCIATED EQUIPMENT AND SOFTWARE SHALL BE OWNED OR LEASED BY THE VIDEO LOTTERY OPERATION LICENSEE.

(II) FOR A VIDEO LOTTERY FACILITY LOCATED IN ALLEGANY COUNTY, EACH VIDEO LOTTERY TERMINAL DEVICE AND THE ASSOCIATED EQUIPMENT AND SOFTWARE SHALL BE OWNED OR LEASED BY THE COMMISSION.".

AMENDMENT NO. 4

On page 7, in line 15, strike "**40%**"; strike beginning with the bracket in line 15 down through the comma in line 16 and substitute "**, A PERCENTAGE**"; in line 16, after "exceed" insert "**:**

(I) ON OR BEFORE JUNE 30, 2013,";

in the same line, strike the bracket; and in the same line, after the semicolon insert:

"**(II) ON OR AFTER JULY 1, 2013, 41%; OR**

(III) IF A LICENSE IS ISSUED FOR A SIXTH VIDEO LOTTERY FACILITY, 48%;".

AMENDMENT NO. 5

On page 8, in line 13, after "section" insert "**, EXCEPT THAT THE VIDEO LOTTERY OPERATION LICENSEE IN ALLEGANY COUNTY SHALL RECEIVE 40% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY IN ALLEGANY COUNTY**"; in line 22, strike "**40%**" and substitute "**48%**"; strike beginning with the first "**TO**" in line 23 down through "**COUNTY**" in line 24 and substitute "**IN LOCAL IMPACT GRANTS, IN ACCORDANCE WITH § 9–1A–31 OF THIS SUBTITLE**"; strike in their entirety lines 25 through 29, inclusive; and in line 30, strike "**(6)**" and substitute "**(4)**".

On page 9, in line 1, strike "**(7)**" and substitute "**(5)**"; and in line 3, after "**(D)**" insert:

"**ON A PROPERLY APPROVED TRANSMITTAL PREPARED BY THE COMMISSION, THE COMPTROLLER SHALL PAY THE FOLLOWING AMOUNTS FROM THE PROCEEDS OF TABLE GAMES AT EACH VIDEO LOTTERY FACILITY:**

(1) 10% TO THE LOCAL JURISDICTION IN WHICH THE VIDEO LOTTERY FACILITY IS LOCATED; AND

(2) 90% TO THE VIDEO LOTTERY OPERATION LICENSEE.

(E)".

AMENDMENT NO. 6

On page 9, after line 8, insert:

"9–1A–30.

(c) Money in the Education Trust Fund shall be used to:

(1) provide funding for public elementary and secondary education, through**:**

(I) continuation of the funding and formulas established under the programs commonly known as the Bridge to Excellence in Public Schools Act, first enacted by Chapter 288 of the Acts of the General Assembly of 2002, including the funding for regional differences in the cost of education under § 5–202(f) of the Education Article; **AND**

(II) ADJUSTMENTS TO THE NET TAXABLE INCOME CALCULATION UNDER § 5–202(A) OF THE EDUCATION ARTICLE USED TO CALCULATE STATE EDUCATION AID FORMULAS THAT USE WEALTH, INCLUDING A GRANT TO ASSIST COUNTIES THAT WOULD RECEIVE LESS STATE AID AS A RESULT OF THE CALCULATION BASED ON TAX RETURNS FILED ON OR BEFORE NOVEMBER 1;

(2) provide funds to construct public school buildings and provide public school capital improvements in accordance with §§ 5–301 through 5–303 of the Education Article; **[**and**]**

(3) provide funds for capital projects at community colleges and public senior higher education institutions**; AND**

(4) EXPAND PUBLIC EARLY CHILDHOOD EDUCATION PROGRAMS IN THE STATE.".

On pages 9 and 10, strike in their entirety the lines beginning with line 9 on page 9 through line 10 on page 10, inclusive.

AMENDMENT NO. 7

On page 10, strike in their entirety lines 16 through 23, inclusive.

AMENDMENT NO. 8

On page 13, strike in their entirety lines 11 through 34, inclusive.

AMENDMENT NO. 9

On page 14, after line 22, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Government

9–1A–36.

(g) The Video Lottery Facility Location Commission may not**:**

(1) award more than one video lottery facility operation license in a single county or Baltimore City**; OR**

(2) AWARD A VIDEO LOTTERY FACILITY OPERATION LICENSE FOR A FACILITY IN A COUNTY WHERE A MAJORITY OF THE VOTERS VOTING ON A REFERENDUM AUTHORIZING AN EXPANSION OF GAMING VOTED AGAINST THE REFERRED LAW.

SECTION 4. AND BE IT FURTHER ENACTED, (Three–fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:

Article XIX – Video Lottery Terminals

1.

(a) This article does not apply to:

(1) Lotteries conducted under Title 9, Subtitle 1 of the State Government Article of the Annotated Code of Maryland;

(2) Wagering on horse racing conducted under Title 11 of the Business Regulation Article of the Annotated Code of Maryland; or

(3) Gaming conducted under Title 12 or Title 13 of the Criminal Law Article of the Annotated Code of Maryland.

(b) In this article, "video lottery operation license" means a license issued to a person that allows players to operate video lottery terminals.

(c) (1) Except as provided in subsection (e) of this section, the State may issue up to five video lottery operation licenses throughout the State for the primary purpose of raising revenue for:

(i) Education for the children of the State in public schools, prekindergarten through grade 12;

(ii) Public school construction and public school capital improvements; and

(iii) Construction of capital projects at community colleges and public senior higher education institutions.

(2) Except as provided in subsection (e) of this section, the State may not authorize the operation of more than 15,000 video lottery terminals in the State.

(3) Except as provided in subsection (e) of this section, a video lottery operation license only may be awarded for a video lottery facility in the following locations:

(i) Anne Arundel County, within 2 miles of MD Route 295;

(ii) Cecil County, within 2 miles of Interstate 95;

(iii) Worcester County, within 1 mile of the intersection of Route 50 and Route 589;

(iv) On State property located within Rocky Gap State Park in Allegany County; or

(v) Baltimore City, if the video lottery facility is:

1. Located:

A. In a nonresidential area;

B. Within one–half mile of Interstate 95;

C. Within one–half mile of MD Route 295; and

D. On property that is owned by Baltimore City on the date on which the application for a video lottery operation license is submitted; and

2. Not adjacent to or within one–quarter mile of property that is:

A. Zoned for residential use; and

B. Used for a residential dwelling on the date the application for a video lottery operation license is submitted.

(4) Except as provided in subsection (e) of this section, the State may not award more than one video lottery operation license in a single county or Baltimore City.

(5) A video lottery facility shall comply with all applicable planning and zoning laws of the local jurisdiction.

(d) Except as provided in subsection (e) of this section, on or after November 15, 2008, the General Assembly may not authorize any additional forms or expansion of commercial gaming.

(e) The General Assembly may only authorize additional forms or expansion of commercial gaming if approval is granted through a referendum, authorized by an act of the General Assembly, in a general election by**:**

(1) a majority of the qualified voters in the State; **AND**

(2) IF THE ADDITIONAL FORM OR EXPANSION OF COMMERCIAL GAMING IS PROPOSED FOR A SINGLE COUNTY OR BALTIMORE CITY, BY A MAJORITY OF THE QUALIFIED VOTERS OF THE AFFECTED COUNTY OR BALTIMORE CITY.

(f) The General Assembly may, from time to time, enact such laws not inconsistent with this section, as may be necessary and proper to carry out its provisions.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–202.

(a) (9) "Net taxable income" means the amount certified by the State Comptroller for the second completed calendar year before the school year for which the calculation of State aid under this section is made, based on tax returns filed on or before **[**September**]** **NOVEMBER** 1 after this calendar year.

(A–1) (1) IN THIS SUBSECTION, "NET TAXABLE INCOME ADJUSTMENT" MEANS, WITH RESPECT TO EDUCATION FORMULAS THAT USE WEALTH TO CALCULATE THE AMOUNT OF STATE AID, THE DECREASE IN STATE AID THAT RESULTS FROM THE DIFFERENCE IN THE NET TAXABLE INCOME CALCULATED

BASED ON TAX RETURNS FILED ON OR BEFORE SEPTEMBER 1 AND NOVEMBER 1.

(2) BEGINNING IN FISCAL YEAR 2016, THE AMOUNT THAT RESULTS FROM THE CALCULATION OF THE NET TAXABLE INCOME ADJUSTMENT SHALL BE PROVIDED AS A GRANT TO EACH COUNTY THAT WOULD RECEIVE LESS STATE AID FOR EDUCATION USING TAX RETURNS FILED ON OR BEFORE NOVEMBER 1 INSTEAD OF SEPTEMBER 1.".

AMENDMENT NO. 10

On page 14, in line 6, after "Commission" insert "and subject to § 9–1A–27(d) of the State Government Article"; in line 23, strike "3." and substitute "6."; in line 28, strike "4" and substitute "7"; in line 31, strike "4." and substitute "7.".

AMENDMENT NO. 11

On page 15, after line 5, insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 4 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.

SECTION 9. AND BE IT FURTHER ENACTED, That Section 4 of this Act proposed as an amendment to the Maryland Constitution shall be submitted to the qualified voters of the State at the next general election to be held in November, 2012 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment," as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.

SECTION 10. AND BE IT FURTHER ENACTED, That Section 3 of this Act is contingent on the passage of Section 4 of this Act, a constitutional amendment, and its ratification by the voters of the State.

SECTION 11. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 10 of this Act, Section 3 of this Act shall take effect on the proclamation of the Governor that the constitutional amendment proposed by Section 4 of this Act, having received a majority of the votes cast at the general election, has been adopted by the people of Maryland.

SECTION 12. AND BE IT FURTHER ENACTED, That, Section 5 of this Act shall take effect July 1, 2015.";

in line 6, strike "5." and substitute "13."; in line 7, strike "Section 4" and substitute "Sections 7 and 9 through 12"; and strike beginning with "and" in line 7 down through "Act," in line 8.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0892/803921/1
BY: Senator Peters

AMENDMENTS TO SENATE BILL 892
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "repealing" and substitute "altering"; and in line 7, after "facility" insert "to prohibit an individual or entity from owning an interest in more than two video lottery facilities".

AMENDMENT NO. 2

On page 4, in line 1, in each instance, strike the bracket; in line 2, strike "one" and substitute "**TWO**"; and in the same line, strike "facility" and substitute "**FACILITIES**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0892/853121/1
BY: Senator Muse

AMENDMENTS TO SENATE BILL 892, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0892/709636/1), in Amendment No. 1, strike beginning with "requiring" in line 3 down through "licenses;" in line 4; in line 5, strike "establishing" and substitute "altering"; in line 6, strike "must pay" and substitute "pays"; in the same line, strike "at certain locations"; and in line 26, strike "9–1A–21(a),".

AMENDMENT NO. 2

In the Budget and Taxation Committee Amendments, strike Amendment Nos. 3 and 4 in their entirety.

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

Affirmative – 11 Negative – 35 (See Roll Call No. 787)

FLOOR AMENDMENT

SB0892/953523/1
BY: Senator Klausmeier

AMENDMENTS TO SENATE BILL 892, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0892/709636/1), in line 2 of Amendment No. 1, strike "and Klausmeier" and substitute "Klausmeier, and Ferguson".

AMENDMENT NO. 2

On page 2 of the bill, strike beginning with "requiring" in line 1 down through "circumstances;" in line 2.

AMENDMENT NO. 3

On page 14 of the bill, strike beginning with ", and" in line 28 down through "State" in line 30.

The preceding 3 amendments were read and adopted.

FLOOR AMENDMENT

SB0892/473520/1
BY: Senator Muse

AMENDMENTS TO SENATE BILL 892
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "facility;" insert "requiring an applicant or licensee of a video lottery operation license in Prince George's County to make, to the extent possible, a certain minimum percentage of the total dollar value of the contracts directly or indirectly from certified minority business enterprises;".

On page 2, in line 23, after "(d)" insert ", 9–1A–10(a)(1)".

AMENDMENT NO. 2

On page 4, after line 9, insert:

"9–1A–10.

(a) (1) **(I)** [For] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR** the construction and procurement related to the operation of video lottery terminals, the applicant or licensee shall at a minimum meet the same requirements of a designated unit for minority business participation as described under Title 14, Subtitle 3 of the State Finance and Procurement Article.

(II) FOR THE CONSTRUCTION AND CONTRACTING SERVICES CONTRACTS ASSOCIATED WITH THE OPERATION OF A VIDEO LOTTERY FACILITY IN PRINCE GEORGE'S COUNTY, THE APPLICANT OR LICENSEE SHALL MAKE, TO THE EXTENT POSSIBLE, AN OVERALL MINIMUM OF 35% OF THE TOTAL DOLLAR VALUE OF THE CONTRACTS DIRECTLY OR INDIRECTLY FROM MINORITY BUSINESS ENTERPRISES AS DEFINED IN § 14–301 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.".

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

Affirmative – 10 Negative – 36 (See Roll Call No. 788)

FLOOR AMENDMENT

SB0892/903225/1
BY: Senator Brochin

AMENDMENTS TO SENATE BILL 892
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 5 down through "facility;" in line 7.

On page 2, in line 23, strike "and (d)"; and after line 26, insert:

"BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–05(d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 4, in line 1, strike the brackets.

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

Affirmative – 5 Negative – 39 (See Roll Call No. 789)

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 568 – Delegate Rosenberg

AN ACT concerning

Sustainable Communities Tax Credit Program – Credit Allocation

FOR the purpose of authorizing the allocation of the Sustainable Communities tax credit in a certain manner; providing for the application of this Act; and generally relating to the Sustainable Communities Tax Credit Program.

BY adding to
Article – State Finance and Procurement
Section 5A–303(c)(5)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 572 – Delegates George, Afzali, Aumann, Barnes, Bates, Beidle, Beitzel, Bohanan, Boteler, Burns, Clagett, Cluster, Costa, Davis, DeBoy, Dwyer, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Glass, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Ivey, Jacobs, James, Kach, K. Kelly, Kipke, Krebs, Love, McComas, McConkey, McDermott, McMillan, W. Miller, Minnick, Murphy, Myers, Norman, O'Donnell, Olszewski, Otto, Parrott, Ready, B. Robinson, Schuh, Schulz, Serafini, Sophocleus, Stocksdale, Szeliga, Valentino–Smith, Vitale, Weir, Wood, and Zucker

AN ACT concerning

~~**Elected Public Officials – Criminal Acts – Forfeiture or Suspension of Retirement Benefits**~~
Task Force to Study Retirement Benefits for Public Officials

~~FOR the purpose of subjecting certain retirement benefits of certain elected public officials to forfeiture under certain circumstances related to the conviction of or entry of a plea of nolo contendere for certain crimes; subjecting certain retirement benefits of certain elected public officials when charged with certain criminal offenses to suspension under certain circumstances; providing that certain elected public officials may have certain retirement benefits restored under certain circumstances; providing for the application of this Act; and generally relating to the forfeiture or suspension of certain retirement benefits of certain elected public officials after the charge of the commission of or the conviction of certain criminal offenses.~~

~~BY adding to~~
~~Article – State Personnel and Pensions~~
~~Section 41–101 to be under the new title "Title 41. Forfeiture or Suspension of Retirement Benefits"~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

FOR the purpose of establishing the Task Force to Study Retirement Benefits for Public Officials; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses;

requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Retirement Benefits for Pubic Officials.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 576 – The Speaker (By Request – Administration) and Delegates Arora, Bohanan, Clagett, Gaines, Griffith, Healey, Hixson, Holmes, Howard, James, Jones, Lafferty, Lee, Love, A. Miller, Niemann, Proctor, Ross, Rudolph, Summers, ~~and Washington~~ Washington, Beidle, Glenn, Guzzone, Tarrant, Walker, B. Robinson, Mizeur, and Zucker

AN ACT concerning

Public–Private Partnerships

FOR the purpose of establishing the policy of the State on public–private partnerships; altering provisions of law relating to public–private partnerships; establishing that the Court of Special Appeals has jurisdiction over certain immediate appeals related to certain public–private partnerships; establishing certain time limits related to certain appeals; authorizing a certain agency to establish a public–private partnership and execute ~~a partnership~~ an agreement in connection with ~~certain functions, services, or assets~~ any public infrastructure asset; providing that an agreement executed under a certain provision of law may include certain provisions; prohibiting certain units of State government from establishing a public–private partnership; requiring a certain agency to adopt certain regulations and establish certain processes for the development, solicitation, evaluation, award, and delivery of public–private partnerships; requiring certain legislative committees to review and comment on certain processes and regulations; requiring certain agencies to submit, on or before a certain date each year, certain reports to certain legislative committees; establishing certain requirements for certain reports; establishing deadlines for the review of certain presolicitation reports; requiring certain projects to comply with certain provisions of law; requiring a reporting agency to issue a public notice of solicitation for a public–private partnership under certain circumstances; requiring certain agencies to comply with certain requirements before issuing a solicitation for a public–private partnership; requiring a certain agency to make a certain responsibility determination concerning certain entities; authorizing a reporting agency to reimburse a private entity for certain costs and pay a certain entity for the right to use a certain work product; requiring a reporting agency to adopt certain regulations that establish the process for the reimbursement of a private entity; prohibiting a reporting agency from reimbursing a private entity under certain circumstances; requiring a certain agency to submit certain reports to certain officials and

committees; requiring the Board of Public Works to approve or disapprove each partnership agreement; prohibiting the Board of Public Works from approving a public–private partnership agreement until the completion of certain review by certain officials and committees; establishing deadlines for the review of public–private partnership agreements; requiring a certain agency to post a certain agreement on a certain Web site; requiring certain entities to provide performance bonds; prohibiting a public–private partnership agreement from exceeding a certain number of years, with certain exceptions; prohibiting noncompete agreements for certain assets; authorizing the award of certain compensation under certain circumstances; establishing certain requirements for a final public–private partnership agreement; requiring certain proceeds to accrue to certain funds; requiring a certain agency to post on the Internet a certain final agreement; authorizing a certain agency to establish by regulation certain application fees for certain unsolicited proposals; establishing certain requirements for certain unsolicited proposals; providing that certain provisions of the State ethics law do not preclude a certain individual or firm from entering into a certain agreement; specifying the provisions that a public–private partnership agreement must, may, and may not include; authorizing the Board of Public Works to grant a waiver from a certain time limitation under certain circumstances; providing, under certain circumstances, that the provisions of the Minority Business Enterprise Program apply to public–private partnerships; prohibiting the Board of Public Works from approving a public–private partnership agreement until the reporting agency, in consultation with certain entities, establishes certain minority business enterprise goals and procedures; requiring that certain goals and procedures be based on the requirements of certain provisions of law; requiring a circuit court to decide a certain motion within a certain period of time; exempting public–private partnerships from certain requirements of the State procurement law; altering the requirement that the Maryland Transportation Authority provide certain information to certain entities before entering into a certain contract or agreement; repealing a certain obsolete ~~provisions~~ provision; defining ~~a~~ certain ~~term~~ terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to public–private partnerships.

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

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10A–101
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing
Article – State Finance and Procurement
Section 10A–102
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section 10A–102 through ~~10A–104~~ 10A–105 to be under the new subtitle "Subtitle 1. Definitions; General Provisions"; 10A–201 through 10A–204 to be under the new subtitle "Subtitle 2. Solicited Proposals"; 10A–301 to be under the new subtitle "Subtitle 3. Unsolicited Proposals"; 10A–401 ~~and~~ through ~~10A–402~~ 10A–404 to be under the new subtitle "Subtitle 4. Public–Private Partnership Agreements"; and 11–203(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–205
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Transportation
Section ~~4–205 and~~ 4–406
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 590 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Horse Racing – Maryland Standardbred Race Fund Advisory Committee – Registration of Horses

FOR the purpose of altering a method by which a horse may be registered with the Maryland Standardbred Race Fund Advisory Committee to enable the horse to start in a race of the Foaled Stakes Program; and generally relating to horse racing and the Maryland Standardbred Race Fund Advisory Committee.

BY repealing and reenacting, without amendments,
Article – Business Regulation

Section 11–623(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–632
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 596 – Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly, Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker

AN ACT concerning

Child with a Disability – Individualized Education Program Meeting – Document Access

FOR the purpose of ~~altering the period of time before a certain meeting that appropriate~~ authorizing school personnel ~~must~~ to provide a copy of certain documents relating to the development of an individualized education program for a child with a disability to the parents of the child in a certain manner; defining certain terms; and generally relating to a meeting of the individualized education program team.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~8–405(e)~~ 8–405
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 597 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and Impact Aid and Arabian Breed Racing Authorization

FOR the purpose of extending the time within which a mile thoroughbred racetrack licensee shall pay to the State Racing Commission the State tax imposed on the gross amount, less refunds, of money bet at the track for each racing day; authorizing a licensee at Pimlico Race Course to conduct live racing of Arabian breed horses under certain circumstances; extending the time in which a certain mile thoroughbred licensee shall pay to the Commission $1,000 of the impact aid to be paid to certain political subdivisions for intertrack betting for each day of intertrack betting; defining a certain term; making this Act an emergency measure; and generally relating to horse racing and the State Racing Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–509 and 11–812
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Business Regulation
Section 11–522
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 613 – Delegates Rosenberg, Mitchell, Branch, George, Ivey, Kaiser, Luedtke, Ross, ~~and Walker~~ Walker, Cardin, Howard, A. Miller, and Stukes

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher Scholars

FOR the purpose of establishing the Nancy Grasmick Teacher ~~Grant~~ Award in the Janet L. Hoffman Loan Assistance Repayment Program; ~~requiring the Office of Student Financial Assistance to assist in the repayment of certain higher education loans owed by certain individuals who receive certain degrees from certain institutions of higher education in the State or out of the State;~~ requiring the Office to assist in the repayment of the amount of any higher education loan owed by certain public school teachers in the State who teach certain subjects or teach in certain schools in Maryland for a certain amount of time; providing that a recipient of a Nancy Grasmick Teacher ~~Grant~~ Award shall be known as a Nancy Grasmick Teacher Scholar; requiring that certain regulations establishing priority for participation in the Janet L. Hoffman Loan Assistance Repayment Program include, for teacher applicants only, an individual who qualifies for a Nancy Grasmick Teacher ~~Grant~~ Award and meets other specified qualifications; prohibiting the Office from approving more than a

certain percentage of awards for teacher applicants to Nancy Grasmick Teacher Scholars; and generally relating to the creation of the Nancy Grasmick Teacher ~~Grant~~ Award in the Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–1501, 18–1504, and 18–1505
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1502 and 18–1503
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 640 – Delegates Serafini, Dwyer, Glass, ~~and Ready~~ Ready, Afzali, Barve, Boteler, Cardin, Frick, George, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Myers, Rosenberg, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Income Tax – Subtraction Modification – Credit Card Debt Forgiveness

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the cancellation of certain consumer debt; providing that the amount of the subtraction modification may not exceed a certain amount for certain taxpayers; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the cancellation of certain debt.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Tax – General
Section 10–207(y)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

FOR the purpose of requiring the Department of Public Safety and Correctional Services to establish a program to implement certain earned compliance credits, which create a certain reduction in a certain period of active supervision for certain individuals and develop policies and procedures for the implementation of the program; ~~requiring~~ authorizing the Maryland Parole Commission or the court to adjust a period of supervision for an individual placed on probation by the court or serving a period of parole or mandatory release supervision from a correctional facility under certain circumstances; requiring a supervised individual whose period of active supervision has been completely reduced by earned compliance credits to be placed on abatement for a certain amount of time, with certain exceptions; authorizing a court to place a supervised individual on active supervision if the supervised individual commits a violation of probation while on abatement; requiring that a certain percentage of the savings realized by the Department as a result of the application of earned compliance credits revert to the Department; providing for the construction of this Act; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to parole and probation and earned compliance credits.

BY adding to
Article – Correctional Services
Section 6–117
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 679 – Delegates Nathan–Pulliam, Braveboy, Burns, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Morhaim, Murphy, Oaks, B. Robinson, Ross, Tarrant, V. Turner, and Valderrama

AN ACT concerning

Cultural Competency and Health Literacy – Education

FOR the purpose of requiring the Maryland Office of Minority Health and Health Disparities to work collaboratively with certain universities and colleges of social work, public health, and allied health to develop certain courses; changing the name of the Cultural and Linguistic Health Care Provider Competency

Program to be the Cultural and Linguistic Health Care Professional Competency Program; altering the purpose of the Program; including a certain association and certain entities among the groups that are encouraged to identify, develop, or collaborate in the development of certain training programs; altering the requirements for certain training programs; altering certain definitions; requiring a certain report from certain universities, colleges, and higher education programs to certain committees of the General Assembly and the Maryland Office of Minority Health and Health Disparities on or before a certain date; and generally relating to cultural and linguistic competency and health literacy.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 20–1001(a) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–1004(15) and 20–1301 through 20–1304
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 701 – Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting
MC 9–12

FOR the purpose of authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a certain matter; authorizing the student member of the Montgomery County Board of Education to vote on certain matters; and generally relating to the voting rights of the student member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–901(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 6–202(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 707 – Delegates Valentino–Smith, Cluster, Cullison, A. Kelly, McComas, McDermott, Parrott, Proctor, Valderrama, and Vallario

AN ACT concerning

Wrongful Death and Survival Causes of Action – Criminal Homicide – Time Limits for Bringing Civil Action

FOR the purpose of providing that a wrongful death cause of action or survival cause of action arising from conduct that constitutes a criminal homicide under State or federal law accrues at a certain time under certain circumstances; establishing a presumption that a party should have discovered the identity of a person who contributed to a criminal homicide under certain circumstances; providing for the application of this Act; and generally relating to certain time limits for bringing certain civil actions concerning a criminal homicide.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–904(g)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–904(g)(3) and 5–203.1
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 724 – Delegates Kaiser, Carr, Frick, Luedtke, B. Robinson, Stocksdale, Stukes, Summers, Washington, and Zucker

AN ACT concerning

State Department of Education – School Guidance Counselors and Pupil Personnel Workers – Reporting

FOR the purpose of requiring local school systems to report certain information on school guidance counselors and pupil personnel workers to the State Department of Education on or before a certain date; requiring the State Department of Education to report certain information to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to reporting of information on school guidance counselors and pupil personnel workers.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 725 – Montgomery County Delegation

AN ACT concerning

Montgomery County – County Council Special Elections – Voting by Mail
MC 5–12

FOR the purpose of ~~requiring~~ authorizing the Montgomery County Council to direct that voting by mail be utilized in certain special elections for the Montgomery County Council; specifying the application of certain provisions of law to a special election for the Montgomery County Council; requiring the local board of elections to mail a vote–by–mail ballot to each ~~active~~ registered voter who is eligible to vote in a ~~certain~~ special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote–by–mail ballot; requiring the local board to send a vote–by–mail ballot to each eligible voter at least a certain number of days before the day of a special election; requiring that a postage–paid envelope be provided in which a voter may return a vote–by–mail ballot to the local board; requiring that vote–by–mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring the local board to issue a replacement vote–by–mail ballot to a voter under certain circumstances; ~~requiring the Montgomery County Council to establish the date of a special election; specifying certain deadlines for candidate filing, ballot certification, and mailing of vote–by–mail ballots to voters;~~ requiring the local board to establish ~~at least one polling place~~ a certain number of voting centers for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a ~~polling place~~ voting center established by the local board; authorizing the local board to establish a ~~polling place~~ voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote–by–mail ballot by certain methods; authorizing a voter to designate an agent to return a vote–by–mail ballot to the local board; requiring

that a vote–by–mail ballot be returned to the local board by certain deadlines and meet certain requirements to be considered timely and be counted; ~~providing for the application of this Act; requiring~~ authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections for the Montgomery County Council.

BY adding to
Article – Election Law
Section 9–501 through ~~9–507~~ 9–506 to be under the new subtitle "Subtitle 5. Montgomery County Voting by Mail"
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 764 – Delegates Frick, Afzali, Arora, Bobo, Carr, Clagett, DeBoy, Hixson, Howard, Lafferty, Luedtke, McMillan, Mizeur, Pendergrass, Stein, Stocksdale, Summers, ~~and Zucker~~ Zucker, and A. Miller

AN ACT concerning

Tax Credit Evaluation Act

FOR the purpose of establishing a legislative review and evaluation process for certain credits allowed against certain taxes; establishing dates for review and other legislative action with regard to certain tax credits; ~~providing for termination of certain tax credits under certain circumstances;~~ repealing certain obsolete tax credits; providing for the construction of certain provisions of this Act; and generally relating to a legislative review and evaluation process for certain credits allowed against certain taxes.

BY adding to
Article – Tax – General
Section 1–301 through 1–311 to be under the new subtitle "Subtitle 3. Tax Credit Evaluation Act"
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing
Article – Labor and Employment
Section 11–704; and 11–1101 through 11–1107 and the subtitle "Subtitle 11. Job Creation and Recovery Tax Credit"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing
Article – Tax – General
Section 10–704.9, 10–704.10, 10–713, 10–719, and 10–728
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 804 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Special Elections – ~~Reduction of Polling Places~~
Voting by Mail
PG 404–12

FOR the purpose of ~~authorizing the Prince George's County Board of Elections to direct that a certain minimum number of polling places be open for voting in a special election for the Prince George's County Council or the Prince George's County Board of Education; requiring the board of elections to mail certain information to voters, facilitate absentee voting, and establish polling places during a certain period if the board exercises its authority under this Act; and generally relating to reducing the number of polling places in a special election for the county council or the board of education in Prince George's County~~ authorizing the Prince George's County Council to direct that voting by mail be utilized in certain special elections; specifying the application of certain provisions of law to a special election conducted by mail; requiring the local board of elections to mail a vote–by–mail ballot to each registered voter who is eligible to vote in a special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote–by–mail ballot; requiring the local board to send a vote–by–mail ballot to each eligible voter at least a certain number of days before the day of a special election; requiring that vote–by–mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring the local board to issue a replacement vote–by–mail ballot to a voter under certain circumstances; requiring the local board to establish a certain number of voting centers for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a voting center established by the local board; authorizing the local board to establish a voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of the local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote–by–mail ballot by certain methods; authorizing a voter to designate an agent to return a vote–by–mail ballot to the local board; requiring that a

vote–by–mail ballot be returned to the local board by certain deadlines and meet certain requirements to be considered timely and be counted; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in certain special elections in Prince George's County.

BY adding to
Article – Election Law
Section ~~8–402~~ 9–501 through 9–506 to be under the new subtitle "Subtitle 5. Prince George's County Voting by Mail"
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 806 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to determine the qualifications, appointment, and compensation for certain employees in the Investment Division of the State Retirement Agency; specifying the positions to which the authority applies; prohibiting the Board of Trustees from setting the salary of an employee above a certain amount; prohibiting the Board of Trustees from granting bonuses under certain authority; prohibiting the Board of Trustees from increasing the salary of certain employees by more than a certain amount in a fiscal year; requiring the State Retirement Agency to submit a certain report concerning salaries of certain professional staff in the Investment Division and certain professional staff who terminated employment in the Investment Division during a certain fiscal year; ~~providing for the termination of this Act;~~ and generally relating to the State Retirement Agency.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–122(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 807 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Contribution Rates and Reinvestment of Savings – Technical Clarifications

FOR the purpose of clarifying how certain contribution rates for the employees' and teachers' retirement and pension systems are calculated to reflect legislative changes that result in a change to normal cost or accrued liabilities; repealing a certain requirement that the Board of Trustees for the State Retirement and Pension System certify a calculation of the difference between certain contributions, resulting from certain legislative changes; altering the method for determining a certain amount of reinvested savings required to be included in the annual budget bill; altering certain definitions; defining certain terms; and generally relating to technical clarifications in connection with the determination of certain pension contribution rates and certain requirements to reinvest savings into the State Retirement and Pension System.

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

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 841 – Delegates Frick, Dumais, Eckardt, Feldman, Frank, George, Gilchrist, Haddaway–Riccio, Hixson, Hucker, Kach, A. Kelly, Kipke, Krebs, Lee, McDermott, McDonough, McMillan, A. Miller, Ready, Reznik, Schuh, Stocksdale, ~~and Waldstreicher~~ Waldstreicher, Bromwell, Morhaim, and Pendergrass

AN ACT concerning

Food Service Facilities – Open Windows and Doors ~~– Regulations~~

FOR the purpose of ~~requiring the Department of Health and Mental Hygiene, on or before a certain date, to adopt certain regulations that allow a food service facility to operate with the outer windows or outer doors of the facility open if a certain determination is made by a certain local health department;~~ authorizing a food service facility to operate with the outer doors or outer windows of the facility open unless the local health department finds evidence of certain vermin or flying insects while the facility is operating with the outer doors or outer windows open; requiring a food service facility to take certain actions under certain circumstances; authorizing a local health department to take certain actions under certain circumstances; providing for the application of this Act; and generally relating to ~~regulations for~~ open windows and doors at food service facilities.

BY adding to
Article – Health – General
Section 21–324.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 842 – Delegate Oaks

AN ACT concerning

Maryland Transit Administration – Free Ridership for State Employees

FOR the purpose of requiring the Maryland Transit Administration to extend to employees of the Judicial Branch and the Legislative Branch of State government, the application of any program, policy, or practice through which free ridership on transit vehicles is offered to employees of the Executive Branch of State government; and generally relating to the Maryland Transit Administration and free ridership for State employees.

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

House Bill 865 – Delegates Pena–Melnyk, Barnes, Braveboy, Bromwell, Cardin, Carr, Clagett, Guzzone, Healey, Hucker, Ivey, A. Kelly, Kipke, Lafferty, Mitchell, Mizeur, Nathan–Pulliam, Oaks, Olszewski, Reznik, Rosenberg, Stein, Summers, F. Turner, V. Turner, and Zucker

AN ACT concerning

State Procurement – Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

FOR the purpose of ~~requiring a prospective bidder or offeror to disclose certain information to the Department of General Services concerning plans to relocate jobs to a foreign country when submitting a bid or an offer to a unit of State government; requiring a contractor to notify the Department of certain job relocations within a certain time period; prohibiting a certain contractor from receiving certain benefits or incentives from the State under certain circumstances; requiring a certain contractor to repay certain incentives and benefits within a certain time period;~~ requiring, under certain circumstances, a bidder to disclose certain information regarding whether services required under a procurement contract will be performed outside the United States; providing for the application of this Act; providing that this Act may not impair any existing obligation or contract right; defining certain terms; providing for the termination of this Act; and generally relating to State procurement and ~~the disclosure of certain information concerning the relocation of jobs to foreign~~

~~countries~~ disclosures regarding the location of the performance of services required under procurement contracts.

BY adding to
Article – State Finance and Procurement
Section ~~11–401 through 11–403 to be under the new subtitle "Subtitle 4. Disclosure of the Relocation of Jobs to a Foreign Country"~~ 12–110
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 907 – Delegates McIntosh and Hixson

AN ACT concerning

Environment – Natural Gas Production – Severance Tax

FOR the purpose of requiring the Department of the Environment to establish a separate account within the Oil and Gas Fund for certain purposes; authorizing the Department to recover certain costs in a civil action; imposing a certain tax on the removal of natural gas from certain wells in the State; providing for the calculation of the tax; setting the rate of the tax; requiring certain persons subject to the tax to keep certain records and to submit certain reports to the Department in a certain manner; providing for the collection of the tax by the Department; requiring revenue from the tax to be deposited into a certain separate account within the Fund; altering certain definitions; defining certain terms; and generally relating to the natural gas severance tax.

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–102, 14–122, and 14–123
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 14–1A–01 through 14–1A–04 to be under the new subtitle "Subtitle 1A. Natural Gas Severance Tax"
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 913 – Delegate Davis

AN ACT concerning

Residential Multiple Occupancy Buildings – Master Meters – Heating, Ventilation, and Air Conditioning Services

FOR the purpose of repealing the termination provision of a certain provision on the use of master meters for certain heating, ventilation, and air conditioning services in certain residential multiple occupancy buildings; and generally relating to residential multiple occupancy buildings.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–304.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Chapter 315 of the Acts of the General Assembly of 2010
Section 2

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

House Bill 1401 – Delegates Oaks, Costa, Frank, Kipke, ~~and Pena-Melnyk~~ Pena–Melnyk, and Stukes

AN ACT concerning

State Department of Education – Oral Health Education – ~~Certification and~~ Monitoring

FOR the purpose of ~~requiring certain county superintendents to make certain certifications regarding oral health education on or before a certain date each year;~~ requiring the State Department of Education to support and facilitate certain education and develop a process to monitor certain implementation of certain education; requiring the Department to report certain information to the Governor and General Assembly on or before a certain date ~~each year~~ at certain intervals; and generally relating to oral health education in the State.

BY adding to
Article – Education
Section 4–111.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~

~~Section 7–401(a)~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1429 – Delegates Lee, Nathan–Pulliam, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Howard, Jones, A. Kelly, Love, Luedtke, McComas, A. Miller, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valderrama, ~~and Washington~~ Washington, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, McDonough, Morhaim, Murphy, Oaks, Ready, and Reznik

AN ACT concerning

State Government – Statue of Harriet Tubman

FOR the purpose of requiring the Governor to authorize the gift of a statue of Harriet Tubman to the United States government and to request the United States Congress to place the statue in a certain building; requiring the Governor to establish the Harriet Tubman Statue Commission and appoint certain members; requiring the Commission, under the supervision and direction of the State Treasurer, to raise certain funds and represent the State in selecting a certain sculptor; and generally relating to the statue of Harriet Tubman.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1435 – Delegates Stukes ~~and Mitchell~~, Mitchell, Bromwell, Donoghue, Kach, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, and Tarrant

EMERGENCY BILL

AN ACT concerning

Maryland Veterans Commission – Membership – Revision

FOR the purpose of altering the composition of the Maryland Veterans Commission; making this Act an emergency measure; and generally relating to the membership of the Maryland Veterans Commission.

BY repealing and reenacting, without amendments,
Article – State Government

Section 9–915
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–917(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1438 – Delegate Clagett

AN ACT concerning

City of Frederick – Criminal History Records Check – Taxi Driver ~~and Tow Truck Driver~~ Applicants

FOR the purpose of authorizing the City of Frederick Police Department to request State and national criminal history records checks for taxi driver applicants ~~and tow truck driver applicants~~ in the City of Frederick from the Criminal Justice Information System Central Repository; requiring the Police Department to submit sets of fingerprints of taxi driver applicants ~~and tow truck driver applicants~~ and pay certain fees to the Central Repository as part of the application for a records check; requiring the Central Repository to forward certain information to certain persons; specifying that certain information be confidential, not be redisseminated, and be used only for a certain purpose; authorizing the subject of a criminal history records check to contest the contents of a certain statement in a certain manner; and generally relating to criminal history records checks for taxi driver applicants ~~and tow truck driver applicants~~ in the City of Frederick.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–231
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Criminal Procedure
Section 10–232.1 to be under the amended part "Part IV. Criminal History Records Check Requests – Counties and Municipalities"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1446 – Delegates Otto and McDermott

AN ACT concerning

Somerset and Worcester Counties – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing persons in Somerset County and Worcester County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays in Somerset County and Worcester County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1448 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Queen Anne's County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to hunting on private property on Sundays in Queen Anne's County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date; and generally relating to the contents of commercial feed.

BY adding to
Article – Agriculture
Section 6–107.3
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 339 – Delegate Niemann

SECOND PRINTING

AN ACT concerning

Admissions and Amusement Tax – Returns and Penalties

FOR the purpose of increasing certain penalties for willful failure to file an admissions and amusement tax return under certain circumstances; increasing certain penalties for willfully making a false statement or misleading omission on admissions and amusement tax returns; increasing certain penalties for willful failure to keep admissions and amusement tax records; and generally relating to the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–1001(a), 13–1003(a), 13–1005(a), and 13–1008(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1101 – The Speaker (By Request – Administration) and Delegates Barkley, Barnes, Guzzone, Hucker, Ivey, Malone, McHale, Ross, Valentino–Smith, and Vaughn

AN ACT concerning

Workers' Compensation – Medical Presumptions

FOR the purpose of ~~providing that certain occupational disease presumptions under the workers' compensation law apply only for a certain number of years after an individual separates from service;~~ providing that certain diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a certain manner; ~~limiting a jurisdiction's total benefit payout for certain workers' compensation benefits to a certain amount;~~ and generally relating to the occupational disease presumption for certain diseases and cancers under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1118 – Delegate Morhaim

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

FOR the purpose of prohibiting certain nursing homes or nursing home management firms from knowingly employing or retaining as a consultant an individual who has surrendered a nursing home administrator license under certain circumstances to the State Board of Nursing Home Administrators or has had a nursing home administrator license revoked by the Board based on certain grounds for discipline except in certain circumstances; prohibiting the Department of Health and Mental Hygiene from reimbursing certain nursing homes, related institutions, or management firms of certain nursing homes or related institutions under the Maryland Medical Assistance Program if the facility, related institution, or firm knowingly employs or retains as a consultant a certain individual who has surrendered a certain license under certain circumstances or has had a certain license revoked under certain circumstances;

defining a certain term; and generally relating to prohibiting nursing homes, related institutions, and management firms of nursing homes and related institutions from knowingly employing an individual who has surrendered a nursing home administrator license or has had a nursing home administrator license revoked.

BY adding to
Article – Health Occupations
Section 9–314.2
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–114(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–114(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 15–114(f)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1214 – Delegates Kaiser, Carr, A. Miller, and Stukes

AN ACT concerning

Education – Public ~~High~~ Schools – Maximum Student Enrollment Policy – Study

FOR the purpose of requiring ~~each county board of education on or before a certain date to establish a policy on maximum student enrollment at each public high school within the county board's jurisdiction; requiring each county board to consider certain items and solicit certain input in establishing the policy; requiring each county board, in consultation with its county governing body, on or before a certain date, to develop and determine the cost of a plan to implement the established policy; requiring each county board on or before a certain date to submit the policy and the implementation plan to certain entities~~

the State Department of Education to study the establishment of a policy on maximum student enrollment in public schools on or before a certain date; requiring the Department to submit a certain report on or before a certain date to the General Assembly; providing for the termination of this Act; and generally relating to a study of a maximum student enrollment policy in public ~~high~~ schools.

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~
~~Section 4–109~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1365 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

~~Criminal Procedure~~ Department of Juvenile Services – Restitution ~~and Other Payments~~ – Referral to the Central Collection Unit

FOR the purpose of authorizing the ~~Division of Parole and Probation and the~~ Department of Juvenile Services to refer all restitution ~~payments, court costs, fines, fees, or~~ accounts to the Central Collection Unit of the Department of Budget and Management for collection; ~~authorizing the Central Collection Unit to collect funds in a certain manner and certify certain arrearages in a certain manner; requiring the Division, Department of Juvenile Services, or Central Collection Unit to provide certain notifications if certain costs, fines, fees, or accounts are paid; expanding certain authority of the State Lottery Agency to withhold certain prize money to include certain costs, fines, fees, and accounts;~~ and generally relating to the Central Collection Unit.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–616 ~~and 11–618~~
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1381 – Delegates Rudolph ~~and James~~, James, Szeliga, Aumann, Bates, and Stocksdale

AN ACT concerning

Maryland Higher Education Commission – Proposed 2+2 Facility on a Community College Campus – ~~Approval~~ Decision Required

FOR the purpose of requiring the Maryland Higher Education Commission to ~~grant~~ make all remaining necessary ~~approvals~~ decisions for a 2+2 facility proposed to be built on the campus of a community college on or before a certain date; requiring the Commission to report on the decisions made under this Act to certain committees of the General Assembly on or before a certain date; and generally relating to the ~~approval~~ decision by the Commission ~~of~~ about a proposed 2+2 facility on the campus of a community college.

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

House Bill 1411 – Delegates George, Frush, and Lafferty

AN ACT concerning

Environment – Water Management Administration – Wetlands and Waterways Program Fees

FOR the purpose of altering certain application fees for ~~major wetlands and waterways projects,~~ minor wetlands and waterways projects~~,~~ and major and minor modifications; prohibiting certain fees from being modified without legislative enactment; requiring the Board of Public Works to establish a minimum compensation rate for certain structures in accordance with certain requirements; authorizing the Board to adjust the compensation rate under certain circumstances; requiring the Department of the Environment to convene a certain workgroup to review and assess a certain program and to report to certain legislative committees on or before a certain date; defining certain terms; altering certain definitions; making stylistic changes; establishing the intent of the General Assembly; and generally relating to wetlands and waterways program fees.

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–203.1 and 16–205
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #13

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

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2012 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit G of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit H of Appendix III)

Senator DeGrange moved, duly seconded, that the Bill be laid over under the Rule.

The motion was adopted.

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

Senate Bill 153 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1036 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

SB1037/439036/3
BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1037
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "(AV)" insert "and (BL)"; and in the same line, after "(BH)" insert "and (BQ)".

On page 2, in line 11, strike "and (X)" and substitute ", (X), and (BQ)"; after line 11, insert:

"BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA01(AT) and Item ZA02(AG)";

in line 14, after "ZA02" insert "(L), (N), (P),"; in the same line, after the first "(AD)," insert "(AF), (AH),"; in the same line, after "(AR)," insert "(AX),"; in the same line, strike "and (BB)" and substitute "(BB), and (BJ)"; in the same line, after "ZA03" insert "(L), (P), (Q),"; in the same line, after the second "(AD)," insert "(AH),"; in the same line, after "(AI)," insert "(AM),"; in line 15, after "(AZ)," insert "(BI),"; in line 27, after "(BF)" insert "and (BK)"; in line 30, strike "and (BH)" and substitute ", (U), (BB), and (BH)".

AMENDMENT NO. 2

On page 3, after line 22, insert:

"(BL) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $350,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St. Mary's County)..... 350,000";

and after line 39, insert:

"(BQ) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St. Mary's County)..... 150,000".

AMENDMENT NO. 3

On page 8, after line 17, 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**]** **2013**, to present evidence that a matching fund will be provided (Prince George's County)..... 100,000".

AMENDMENT NO. 4

On page 8, before line 18, insert:

"Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL SENATE INITIATIVES

(AT) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $102,500 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**]** **2013** (Charles County)..... 102,500

ZA02 LOCAL HOUSE INITIATIVES

(AG) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $48,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be

provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**] 2013** (Charles County)..... 48,000".

AMENDMENT NO. 5

On page 8, after line 21, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. Provide a grant equal to the lesser of (i) $45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City)..... 45,000

(N) Port Discovery. 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 Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of

the matching fund provided, to the Board of Directors of Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) ..... 150,000".

On page 9, after line 8, insert:

"(AF) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) 100,000

(AH) Symphony Woods Park. Provide a grant equal to the lesser of (i) $190,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 190,000";

after line 20, insert:

"(AX) Sandy Spring Museum. Provide a grant equal to the lesser of (i) $65,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Sandy Spring Museum, Inc. for the planning, repair, and capital equipping of the Sandy Spring Museum, located in Sandy Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 65,000".

On page 10, after line 4, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. 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 Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Port Discovery. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in

Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 25,000

(Q) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) ..... 150,000";

after line 19, insert:

"(AH) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) ..... 100,000";

after line 29, insert:

"(AM) Symphony Woods Park. Provide a grant equal to the lesser of (i) $60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 60,000".

On page 11, after line 9, insert:

"(BI) Walker Mill Daycare and Training Center. 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 Walker Mill Development, Inc. for the construction and capital equipping of the Walker Mill Daycare and Training Center, located in Capitol Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) 100,000

(BJ) Marlboro Meadows Senior Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Marlboro Meadows Community Development Corporation for the acquisition, planning, design, construction, repair, and renovation of the Marlboro Meadows Senior Center, **INCLUDING ACQUISITION AND INSTALLATION OF SECURITY EQUIPMENT,** located in Upper Marlboro. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT**

EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Prince George's County)..... 50,000".

On page 13, after line 7, insert:

"(BK) Marleigh Community Safety and Surveillance System. Provide a grant of $20,000 to the Board of Directors of the **[**301 Community Corporation, Inc.**]** **MARLEIGH COMMUNITY ASSOCIATION** for the acquisition, construction, and capital equipping of the Marleigh Community Safety and Surveillance System, located in Bowie, subject to a requirement that the grantee provide and expend a matching fund of $6,250 **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County)..... 20,000".

AMENDMENT NO. 6

On page 14, after line 10, insert:

"(U) **[**Morgan Mill Facility.**]** **PROJECT PLASE**. 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 Project PLASE, Inc. for the acquisition and renovation of the **[**Morgan Mill Facility**]** **ST. JOSEPH'S MONASTERY SCHOOL BUILDING**, located in Baltimore City (Baltimore City) ……. 100,000

(BB) Olney Theatre Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olney Theatre Center for the Arts, Inc. for the construction of the main stage building at the Olney Theatre Center, located in Olney. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act**, INCLUDING FUNDS EXPENDED ON OR AFTER JANUARY 1,**

2004 (Montgomery County) ..... 150,000".

AMENDMENT NO. 7

On page 3, in line 7, strike "**2015**" and substitute "**2013**".

On page 3 in line 22, on page 8 in line 34, and on page 9 in line 7, 20, and 34, in each instance, strike "**2014**" and substitute "**2013**".

On page 3 in line 38, on page 4 in lines 19 and 33, on page 5 in lines 23 and 37, on page 6 in line 15, on page 8 in line 31, on page 9 in lines 4, 17, and 31, on page 10 in lines 15, 18, 34, and 38, on page 11 in line 26, and on page 13 in lines 3, 7, 16, and 20, in each instance, strike "**2014**" and substitute "**2013**".

On page 11, in line 23, strike "**2016**" and substitute "**2013**".

The preceding 7 amendments were read only.

Senator DeGrange moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #18

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

Senate Bill 431 – Senators Young and Brinkley

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

SB0431/807275/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 431
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Brinkley" and substitute ", Brinkley, Glassman, Kelley, Klausmeier, and Middleton"; in line 5, after "unit;" insert "altering the definition of "volunteer company" to include a volunteer fire police unit;"; in line 8, after "purposes;" insert "specifying that certain emergency responders who receive a certain membership benefit may not be considered employees for a certain purpose based on receipt of a certain membership benefit;".

AMENDMENT NO. 2

On page 2, in line 28, strike "and"; and in line 29, after "squad" insert "**; AND**

(V) A VOLUNTEER FIRE POLICE UNIT".

On page 6, after line 13, insert:

"**(AA) A MEMBER OF A VOLUNTEER COMPANY WHO IS NOT A COVERED EMPLOYEE UNDER THIS SECTION MAY NOT OTHERWISE BE CONSIDERED A COVERED EMPLOYEE FOR RECEIVING AS A MEMBERSHIP BENEFIT A YEARLY STIPEND OF $5,200 OR LESS TO HELP OFFSET OUT–OF–POCKET EXPENSES.**".

On page 7, strike beginning with "**ADVANCED**" in line 22 down through "**SQUAD**" in line 24 and substitute "**COMPANY, AS DEFINED IN § 9–234 OF THIS TITLE,**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 767 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

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 778 – Senator Pugh

AN ACT concerning

Commercial Law – Rental–Purchase Agreements Best Practices Act

SB0778/417471/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 778
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Best Practices Act" and substitute " – Disclosures"; strike beginning with "requiring" in line 3 down through "circumstances;" in line 7; strike beginning with "establishing" in line 8 down through "time;" in line 11; in line 12, after "circumstances;" insert "requiring a certain written receipt to contain certain information;"; strike beginning with "requiring" in line 13 down through "void;" in line 18; strike beginning with "requiring" in line 19 down through "action;" in line 23; in line 24, strike "Office to place certain items on its"; in the same line, after "site" insert "to include a certain sample rental–purchase agreement"; strike line 25 in its entirety; in line 26, strike "best practices"; and strike line 29 in its entirety and substitute:

"Section 12–1107".

On page 2, strike in their entirety lines 2 through 6, inclusive; in line 9, after "12–1110.1," insert "and"; and in the same line, strike ", and 12–1111.2".

AMENDMENT NO. 2

On pages 2 through 10, strike beginning with "12–1101." in line 15 on page 2 down through "**50%.**" in line 12 on page 10.

On page 10, in line 14, strike "**(A)**"; in the same line, after "**MAINTAIN**" insert "**A COPY OF THE RENTAL–PURCHASE AGREEMENT**"; and in the same line, strike "**4**" and substitute "**3**".

On page 10, strike beginning with the comma in line 15 down through "**PRICE**" in line 28.

On page 11, in line 2, in each instance, strike the brackets; in the same line, strike the comma; in line 3, after "**OR**" insert "**, IF THE PAYMENT IS MADE IN ANY OTHER FORM, ON REQUEST**"; strike beginning with "**ANY**" in line 3 down through "**PAYMENT**" in line 4; and in line 5, after "**(B)**" insert "**THE WRITTEN RECEIPT SHALL CONTAIN THE:**

(1) TOTAL AMOUNT PAID;

(2) TOTAL AMOUNT DUE THAT WEEK OR MONTH; AND

(3) TOTAL REMAINING RENTAL PAYMENTS NECESSARY TO ACQUIRE OWNERSHIP OF THE ITEM.

(C)".

On pages 11 through 13, strike in their entirety the lines beginning with line 7 on page 11 through line 9 on page 13, inclusive.

On page 13, in line 13, strike "**RECEIVED ACTUAL**" and substitute "**BEEN SENT**"; in line 15, strike "**ACTUAL**"; strike beginning with "**ANY**" in line 16 down through "**(D)**" in line 18; and in line 19, after "**AGREEMENT**" insert "**, IF APPLICABLE**".

On pages 13 through 16, strike in their entirety the lines beginning with line 20 on page 13 through line 8 on page 16, inclusive, and substitute:

"**12–1111.1.**".

On pages 15 and 16, strike in their entirety the lines beginning with line 42 on page 15 through line 8 on page 16.

On page 16, in line 9, strike "**(A)**"; strike beginning with "**THE**" in line 9 down through "**(B)**" in line 11; in line 11, after "**INCLUDE**" insert "**THE**"; in line 12, strike "**FORMS AND**"; strike beginning with "**AGREEMENTS**" in line 12 down through

"**LESSORS**" in line 13 and substitute "**AGREEMENT IN § 12–1111 OF THIS SUBTITLE**"; strike in their entirety lines 14 through 24, inclusive; and strike in their entirety lines 25 through 27, 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:

Senate Bill 781 – Senators Pugh, Mathias, Middleton, and Montgomery

AN ACT concerning

Health Insurance – Coverage for Telemedicine Services

SB0781/727479/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 781
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh" insert "and Pipkin"; in the same line, strike "and Montgomery" and substitute "Montgomery, Astle, Glassman, Kelley, Kittleman, and Klausmeier"; in line 2, after "for" insert "Services Delivered Through"; in the same line, strike "Services"; in line 4, strike "the same"; in line 5, strike "in person or"; in the same line, strike "a"; in the same line, strike "service" and substitute "in a certain manner"; in line 8, strike "a"; in the same line, strike "service"; strike beginning with "on" in line 10 down through "basis" in line 11; in line 12, after "amount," insert "or"; strike beginning with the fourth comma in line 12 down through "circumstances" in line 13 and substitute "for certain services"; in line 13, after the semicolon insert "prohibiting the imposition of a lifetime dollar maximum for certain services;"; strike beginning with "requiring" in line 19 down through "circumstances;" in line 20; strike beginning with "providing" in line 21 down through "coverage;" in line 24; in line 26, after "date;" insert "requiring the Department of Health and Mental Hygiene to conduct a certain review, make a certain determination, conduct a certain analysis, and report to certain committees of the General Assembly on or before a

certain date concerning telemedicine and the Maryland Medical Assistance population;"; and in line 28, strike "services".

On page 2, strike in their entirety lines 4 through 8, inclusive; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On page 2, in lines 23 and 30, in each instance, strike "**SERVICE**".

On page 3, in line 12, strike "**THE SAME**"; in line 13, after "**SERVICES**" insert "**APPROPRIATELY**"; in line 14, strike "**IN PERSON OR**"; in the same line, strike "**A**"; in the same line, strike "**SERVICE**"; in line 16, strike "**A**"; in the same line, strike the second "**SERVICE**"; strike beginning with "**ON**" in line 23 down through "**SERVICE**" in line 25 and substitute "**THAT CAN BE APPROPRIATELY PROVIDED THROUGH TELEMEDICINE**"; in line 28, strike "**A**"; and in the same line, strike the second "**SERVICE**".

On page 4, in line 4, after "**(3)**" insert "**(I)**"; in the same line, after "**COPAYMENT,**" insert "**OR**"; in line 5, strike beginning with the first comma through the second "**MAXIMUM**"; in line 7, strike "**A**" and substitute "**THROUGH**"; strike beginning with "**SERVICE**" in line 7 down through "**SERVICES**" in line 9 and substitute "**;**

(II) MAY IMPOSE AN ANNUAL DOLLAR MAXIMUM AS PERMITTED BY FEDERAL LAW; AND

(III) MAY NOT IMPOSE A LIFETIME DOLLAR MAXIMUM";

in line 10, strike "**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**" and substitute "**AN**"; in line 11, after "**REVIEW**" insert "**, INCLUDING PREAUTHORIZATION,**"; in line 13, strike "**A**" and substitute "**THROUGH**"; in line 14, strike "**SERVICE**"; strike in their entirety lines 16 through 18, inclusive; in lines 22, 24, and 27, in each instance, strike "**SERVICE**"; in line 22, strike "**BY A**" and substitute "**THROUGH**"; in line 24, strike "**A**"; and in line 26, strike the second "**THE**".

On pages 4 and 5, strike in their entirety the lines beginning with line 30 on page 4 through line 3 on page 5, inclusive.

On page 5, strike in their entirety lines 7 through 16, inclusive; after line 24, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall:

(1) conduct a review of the current literature and evidence regarding the different types of telemedicine, and conduct a review of other payers' and other State Medicaid agencies' telemedicine policies and procedures;

(2) include in its review the evidence regarding the appropriate use of telemedicine in delivering mental health services;

(3) based on its review, determine which types of patients would be suitable for which types of telemedicine and conduct a fiscal impact analysis that estimates the potential effect of Medicaid coverage of telemedicine on utilization, price, substitution, and effects on other services; and

(4) on or before December 1, 2012, report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the findings of its review and any recommendations on the provision of telemedicine for the Maryland Medical Assistance Program population, including:

(i) any cost–neutral coverage of telemedicine that can be implemented in fiscal year 2013; and

(ii) any recommended coverage of telemedicine that would require additional funding to implement in fiscal year 2014.";

and in lines 25 and 28, strike "3." and "4.", respectively, and substitute "4." and "5.", respectively.

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:

Senate Bill 894 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

SB0894/277274/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 894
(First Reading File Bill)

On page 1, in lines 4 and 18, in each instance, strike "Office of the Attorney General" and substitute "Department of Human Resources".

On page 2, in lines 18 and 19, strike "Office of the Attorney General" and substitute "Department of Human Resources"; and in line 20, strike "Office of the Attorney General" and substitute "Department of Human Resources".

On page 4, in line 6, strike "Office of the Attorney General" and substitute "Department of Human Resources".

The preceding amendment was 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:

Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

SB0899/687577/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 899
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "charge" and substitute "charged"; and in line 7, after "restored;" insert "providing that this Act does not apply to a State correctional officer under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 15, strike "**A**" and substitute "**EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A**"; and after line 20, insert:

"**(4) PARAGRAPH (3) OF THIS SUBSECTION DOES NOT APPLY TO A CORRECTIONAL OFFICER WHO:**

(I) RESIGNS BEFORE THE DISPOSITION OF THE CRIMINAL MATTER FOR WHICH THE SUSPENSION WAS IMPOSED; OR

(II) IS NO LONGER EMPLOYED BY THE DEPARTMENT WHEN A DETERMINATION IS MADE BY A COURT WITH RESPECT TO THE CRIMINAL MATTER FOR WHICH THE SUSPENSION WAS IMPOSED.".

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:

Senate Bill 903 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

SB0903/947774/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 903
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "pharmacist" insert ", with a certain exception"; in line 11, strike "requiring" and substitute "authorizing"; in line 12, strike "that standardize" and substitute "regarding"; and strike beginning with "requiring" in line 15 down through "circumstances;" in line 19.

AMENDMENT NO. 2

On page 3, in line 2, after "**COMMUNICATION**" insert "**AUTHORIZED BY CONTRACT BETWEEN THE PHARMACY AND THE PHARMACY BENEFITS MANAGER**"; strike in their entirety lines 9 and 10; and in lines 11, 14 and 17, strike "**(9)**", "**(10)**", and "**(11)**", respectively, and substitute "**(8)**", "**(9)**", and "**(10)**", respectively.

AMENDMENT NO. 3

On page 3, in line 26, after "**(F)**" insert "**(1)**"; in line 27, strike "**(1)**" and substitute "**(I)**"; and in line 28, after the semicolon insert "**OR**".

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 5, strike "**(4)**" and substitute "**(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:**

1.";

in line 6, after the semicolon, insert "**OR**"; in line 7, strike "**(5)**" and substitute "**2.**"; in line 8, strike "**; OR**" and substitute a period; after line 8, insert:

"**(2) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO THE SHARING OF INFORMATION:**

(I) REQUIRED BY FEDERAL OR STATE LAW;

(II) IN CONNECTION WITH AN ACQUISITION OR MERGER INVOLVING THE PHARMACY BENEFITS MANAGER; OR

(III) AT THE PAYOR'S REQUEST OR UNDER THE TERMS OF THE AGREEMENT BETWEEN THE PHARMACY BENEFITS MANAGER AND THE PAYOR.";

and strike in their entirety lines 9 and 10.

AMENDMENT NO. 4

On page 5, strike beginning with the colon in line 18 down through "**(II)**" in line 21 and substitute a comma; in line 22, strike the second "**THE**" and substitute "**AN**"; and in the same line, after "**APPEAL**" insert "**UNDER SUBSECTION (I) OF THIS SECTION**".

AMENDMENT NO. 5

On page 5, in line 32, strike "**SHALL**" and substitute "**MAY**"; and in lines 32 and 33, strike "**THAT STANDARDIZE**" and substitute "**REGARDING**".

AMENDMENT NO. 6

On page 6, in line 9, strike "**(A)**"; in line 16, strike "**OR**"; and in line 18, after "**PHARMACIST**" insert "**; OR**

(4) SUBJECT TO § 15–1629(H)(2) OF THIS PART, THE CLAIM OTHERWISE CAUSED MONETARY LOSS TO THE PHARMACY BENEFITS MANAGER, PROVIDED THAT THE PHARMACY BENEFITS MANAGER ALLOWED THE PHARMACY A REASONABLE OPPORTUNITY TO REMEDY THE CAUSE OF THE MONETARY LOSS".

On pages 6 and 7, strike in their entirety the lines beginning with line 19 on page 6 through line 8 on page 7, inclusive.

The preceding 6 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:

Senate Bill 928 – Senators Astle and Middleton

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

SB0928/147072/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 928
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "services" in line 5 down through "plan" in line 6 and substitute "an administrative service"; strike beginning with "and" in line 6 down through "employer" in line 7; and in line 13, after "Commissioner;" insert "defining certain terms;".

AMENDMENT NO. 2

On page 2, in line 7, after "**(1)**" insert:

"**(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANING INDICATED.**

(II) "ADMINISTRATIVE SERVICE" MEANS A SERVICE, OTHER THAN A SERVICE RELATED TO THE SALE, SOLICITATION, NEGOTIATION, OR SERVICING OF A HEALTH BENEFIT PLAN, THAT AN INSURANCE PRODUCER PROVIDES TO ASSIST AN EMPLOYER IN:

1. COMPLYING WITH A STATUTORY OR REGULATORY REQUIREMENT;

2. PROVIDING AN EMPLOYEE BENEFIT ON BEHALF OF THE EMPLOYER; OR

3. PERFORMING FUNCTIONS RELATED TO THE MANAGEMENT OF EMPLOYEES OF THE EMPLOYER.

(III) "HEALTH BENEFIT PLAN" HAS THE MEANING STATED IN § 2–112.2 OF THIS ARTICLE.

(2)";

strike beginning with "**SERVICES**" in line 10 down through "**1.**" in line 12 and substitute "**AN ADMINISTRATIVE SERVICE THAT**"; strike beginning with the semicolon in line 13 down through "**EMPLOYER**" in line 15; in line 18, strike "**SIMILAR**" and substitute "**OTHER COMPENSATION**"; in line 19, strike "**REMUNERATION**"; in lines 19 and 20, strike "**FOR THE SALE OF**" and substitute "**, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION RELATED TO**"; in line 20, strike "**TO**" and substitute "**OF**"; in line 24, strike "**(2)**" and substitute "**(3)**"; in line 25, strike "**APPROVED**" and substitute "**ADOPTED**"; in the same line, after "**COMMISSIONER**" insert "**BY REGULATION**"; and in lines 27 and 28 and 29 and 30, in each instance, strike "**OR GROUP OF ADMINISTRATIVE SERVICES**".

On page 3, in line 1, after "**(III)**" insert "**IF THE INSURANCE PRODUCER SELLS A HEALTH BENEFIT PLAN TO THE EMPLOYER,**"; in the same line, strike "**SIMILAR**" and substitute "**OTHER**"; in line 2, strike the second "**THE**" and substitute "**AN**"; in line 3, after "**INSURER**" insert "**, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION**"; in the same line, strike "**FOR THE SALE OF THE HEALTH BENEFIT PLAN TO THE EMPLOYER**" and substitute "**RELATED TO THE HEALTH BENEFIT PLAN**"; in line 4, strike "**(3)**" and substitute "**(4)**"; and in the same line, 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 Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 938 – Senator Mathias

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

SB0938/147372/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 938
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "check" insert "or other remittance"; strike beginning with "dishonored" in line 6 down through "by" in line 7 and substitute "not honored on presentation to"; in line 7, after "reason" insert "under certain circumstances"; in line 8, strike "the applicant" and substitute "certain persons"; and in line 9, strike "a certain address" and substitute "certain addresses".

AMENDMENT NO. 2

On page 2, in line 8, after "**IF**" insert "**:**

(I)";

in lines 10, 12, and 18, in each instance, after "**CHECK**" insert "**OR OTHER REMITTANCE**"; in line 10, strike "**DISHONORED AND RETURNED BY A**" and substitute "**NOT HONORED ON PRESENTATION TO THE**"; in line 11, strike "**AS UNPAID BECAUSE OF INSUFFICIENT FUNDS IN THE ACCOUNT**"; in line 12, strike "**ON WHICH**" and substitute "**WHERE**"; in the same line, after "**DRAWN**" insert "**; AND**

(II) THE INSURER HAS DISCLOSED TO THE APPLICANT AT THE TIME OF APPLICATION THAT NO COVERAGE WILL BE IN EFFECT IF THE INITIAL PAYMENT IS NOT HONORED ON PRESENTATION TO THE FINANCIAL INSTITUTION";

in line 14, strike "**WITHIN 10 DAYS**" and substitute "**IMMEDIATELY OR THE NEXT BUSINESS DAY**"; in the same line, strike "**OF INSUFFICIENT FUNDS**" and substitute "**THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED ON PRESENTATION TO THE FINANCIAL**

INSTITUTION"; in line 15, after "**APPLICANT**" insert "**AND ANY SECURED CREDITOR**"; in the same line, after "**MAIL**" insert "**AND, IF AVAILABLE, BY ELECTRONIC MAIL OR OTHER ELECTRONIC MEANS**"; in line 16, after "**APPLICANT'S**" insert "**AND ANY SECURED CREDITOR'S**"; in lines 19 and 20, strike "**DISHONORED AND RETURNED BECAUSE OF INSUFFICIENT FUNDS**" and substitute "**NOT HONORED ON PRESENTATION TO THE FINANCIAL INSTITUTION**"; and in line 22, after "**BINDER**" insert "**; BUT**

(III) IF THE FINANCIAL INSTITUTION FAILED TO HONOR THE CHECK OR OTHER REMITTANCE IN ERROR, THE INSURER SHALL CONTINUE OR REINSTATE THE POLICY OR BINDER WITHOUT A LAPSE IN COVERAGE IF THE APPLICANT:

1. PROMPTLY NOTIFIES THE INSURER OF THE ERROR; AND

2. PROVIDES DOCUMENTATION OF THE FINANCIAL INSTITUTION'S ERROR TO THE INSURER AS IT BECOMES AVAILABLE AND ON REQUEST OF THE INSURER".

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 FINANCE REPORT #19

Senator Middleton, Chair, for the Committee on Finance and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, and Rosapepe

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

SB0234/757173/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 234
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Rosapepe" and substitute "Rosapepe, and Jones–Rodwell"; in line 5, strike "requiring" and substitute "authorizing"; in line 6, strike "Department" and substitute "Secretary"; in line 7, after the semicolon insert "requiring the Secretary to consult with the Office of Minority Health and Health Disparities in implementing this Act;"; in line 9, strike "Commission" and substitute "Secretary"; in line 12, after the semicolon insert "requiring the Secretary to consider certain factors when designating areas as health enterprise zones and authorizing the Secretary to direct the Commission to conduct certain outreach efforts; requiring the Commission to report to certain committees of the General Assembly on certain information after certain applications are received by the Commission;"; in line 14, after "manner;" insert "requiring the Commission to provide funding in accordance with the designation of the Secretary of a Health Enterprise Zone;"; in line 16, after "benefits" insert ", including certain grants"; in line 18, after "grants;" insert "establishing a Health Enterprise Zone Reserve Fund;"; in the same line, strike "Department" and substitute "Secretary"; and strike beginning with "allowing" in line 21 down through "credits" in line 22 and substitute "allowing a refundable State income tax credit in certain circumstances for certain health care providers who practice in, and hire certain health care providers to practice in, a Health Enterprise Zone".

On page 2, in line 4, after "study" insert ", develop certain regulations,"; and in line 13, strike "20–1406" and substitute "20–1407".

AMENDMENT NO. 2

On page 3, in line 5, strike "rate, and" and substitute "rate; a"; in line 6, after "rate;" insert "and a White rate of completion of advance directives that is 2 times the Minority rate;"; and after line 6, insert:

"WHEREAS, Health disparities exist in urban, suburban, and rural communities in the State; and

WHEREAS, Communities where significant health disparities exist also often face shortages in the primary health care workforce, including nurses; and".

AMENDMENT NO. 3

On page 4, in lines 11 and 20, in each instance, after "**DISPARITIES**" insert "**, INCLUDING RACIAL, ETHNIC, AND GEOGRAPHIC HEALTH DISPARITIES**"; and strike beginning with "**LICENSED**" in line 24 down through "**PRACTITIONER**" in line 28 and substitute "**HEALTH CARE PRACTITIONER WHO IS LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE AND WHO PROVIDES:**

(1) PRIMARY CARE, INCLUDING OBSTETRICS, GYNECOLOGICAL SERVICES, PEDIATRIC SERVICES, OR GERIATRIC SERVICES;

(2) BEHAVIORAL HEALTH SERVICES, INCLUDING MENTAL HEALTH OR ALCOHOL AND SUBSTANCE ABUSE SERVICES; OR

(3) DENTAL SERVICES".

AMENDMENT NO. 4

On page 5, in line 3, after "**HOSPITAL**" insert "**ADMISSIONS AND**"; in line 5, after "**(B)**" insert "**(1)**"; in line 6, strike "**SHALL**" and substitute "**MAY**"; after line 8, insert:

"**(2) THE SECRETARY SHALL CONSULT WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES IN IMPLEMENTING THE PROVISIONS OF THIS SUBTITLE.**";

and in line 12, strike "**COMMISSION**" and substitute "**SECRETARY**".

On page 5 in line 5, on page 7 in line 25, and on page 11 in line 23, in each instance, strike "**DEPARTMENT**" and substitute "**SECRETARY**".

On page 6, in line 2, strike "**AND**"; after line 2, insert:

"**(2) A PROPOSAL TO USE INNOVATIVE PUBLIC HEALTH STRATEGIES TO REDUCE HEALTH DISPARITIES IN THE AREA, SUCH AS THE USE OF COMMUNITY HEALTH WORKERS, HEALTH COACHES, REGISTERED**

DIETICIANS, OPTOMETRISTS, PEER LEARNING, AND COMMUNITY–BASED DISEASE MANAGEMENT ACTIVITIES, THAT COULD BE SUPPORTED BY GRANTS AWARDED UNDER THIS SUBTITLE; AND";

in line 3, strike "**(2)**" and substitute "**(3)**"; in line 5, after "**CARE,**" insert "**EXPAND ACCESS TO FRESH PRODUCE THROUGH GROCERY STORES AND FARMER'S MARKETS,**"; in line 10, after "**(B)**" insert "**(1)**"; after line 11, insert:

"**(2) THE SECRETARY SHALL CONSIDER GEOGRAPHIC DIVERSITY, AMONG OTHER FACTORS, WHEN DESIGNATING AREAS AS HEALTH ENTERPRISE ZONES AND MAY DIRECT THE COMMISSION TO CONDUCT OUTREACH EFFORTS TO FACILITATE A GEOGRAPHICALLY DIVERSE POOL OF APPLICANTS, INCLUDING PROMOTING APPLICATIONS FROM RURAL AREAS.**

(3) AFTER RECEIVING ALL APPLICATIONS SUBMITTED TO THE COMMISSION, THE COMMISSION SHALL REPORT, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE ON THE NAMES OF APPLICANTS AND GEOGRAPHIC AREAS IN WHICH APPLICANTS ARE LOCATED.";

in line 16, after "**FROM**" insert "**AND PARTICIPATION OF**"; in line 17, after "**INCLUDING**" insert "**RESIDENTS OF THE AREA AND**"; and in line 21, strike "**THE SUPPORT**" and substitute "**INTEGRATION WITH THE STATE HEALTH IMPROVEMENT PROCESS AND THE GOALS SET OUT IN THE STRATEGIC PLAN**".

AMENDMENT NO. 5

On page 7 in line 30 and on page 8 in lines 1 and 4, in each instance, strike "**ANY EVIDENCE**" and substitute "**EVIDENCE**".

On page 7 in line 30 and on page 8 in line 1, in each instance, strike "**SUCCESS**" and substitute "**IMPACT**".

On page 8, in line 4, strike "**SUCCESS**" and substitute "**PROGRESS**"; and in line 5, after "**HOSPITAL**" insert "**ADMISSIONS AND**".

AMENDMENT NO. 6

On page 4, after line 13, insert:

"**(D) "FUND" MEANS THE HEALTH ENTERPRISE ZONE RESERVE FUND ESTABLISHED UNDER § 20–1406 OF THIS SUBTITLE.**";

and in lines 14 and 24, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively.

On page 7, after line 22, insert:

"**(C) (1) A HEALTH ENTERPRISE ZONE PRACTITIONER MAY APPLY TO THE SECRETARY FOR A GRANT TO DEFRAY THE COSTS OF CAPITAL OR LEASEHOLD IMPROVEMENTS TO, OR MEDICAL OR DENTAL EQUIPMENT TO BE USED IN, A HEALTH ENTERPRISE ZONE.**

(2) TO QUALIFY FOR A GRANT UNDER PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH ENTERPRISE ZONE PRACTITIONER SHALL:

(I) OWN OR LEASE THE HEALTH CARE FACILITY; AND

(II) PROVIDE HEALTH CARE FROM THAT FACILITY.

(3) (I) A GRANT TO DEFRAY THE COST OF MEDICAL OR DENTAL EQUIPMENT MAY NOT EXCEED THE LESSER OF $25,000 OR 50% OF THE COST OF THE EQUIPMENT.

(II) GRANTS FOR CAPITAL OR LEASEHOLD IMPROVEMENTS SHALL BE FOR THE PURPOSES OF IMPROVING OR EXPANDING THE DELIVERY OF HEALTH CARE IN THE HEALTH ENTERPRISE ZONE.";

and after line 23, insert:

"**(A) THERE IS A HEALTH ENTERPRISE ZONE RESERVE FUND.**

(B) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(C) (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 GENERAL FUND OF THE STATE.

(D) THE MONEY IN THE FUND SHALL BE USED FOR:

(1) ANY ACTIVITY AUTHORIZED UNDER THIS SUBTITLE; AND

(2) THE STATE INCOME TAX CREDIT AUTHORIZED UNDER § 10–731 OF THE TAX – GENERAL ARTICLE.

(E) THE COMMISSION SHALL ADMINISTER THE FUND AND PROVIDE FUNDING IN ACCORDANCE WITH THE DESIGNATION BY THE SECRETARY OF A HEALTH ENTERPRISE ZONE UNDER THIS SUBTITLE.

20–1407.".

On page 8, after line 11, insert:

"**(3) "FUND" MEANS THE HEALTH ENTERPRISE ZONE RESERVE FUND ESTABLISHED UNDER § 20–1406 OF THE HEALTH – GENERAL ARTICLE.** ";

in lines 12 and 14, strike "**(3)**" and "**(4)**", respectively, and substitute "**(4)**" and "**(5)**", respectively; after line 15, insert:

"**(6) "QUALIFIED EMPLOYEE" MEANS A HEALTH ENTERPRISE ZONE PRACTITIONER, COMMUNITY HEALTH WORKER, OR INTERPRETER WHO:**

(I) PROVIDES DIRECT SUPPORT TO A HEALTH ENTERPRISE ZONE PRACTITIONER; AND

(II) EXPANDS ACCESS TO SERVICES IN A HEALTH ENTERPRISE ZONE.

(7) (I) "QUALIFIED POSITION" MEANS A QUALIFIED EMPLOYEE POSITION THAT:

1. PAYS AT LEAST 150% OF THE FEDERAL MINIMUM WAGE;

2. IS FULL TIME AND OF INDEFINITE DURATION;

3. IS LOCATED IN A HEALTH ENTERPRISE ZONE;

4. IS NEWLY CREATED AS A RESULT OF THE ESTABLISHMENT OF, OR EXPANSION OF SERVICES IN, A HEALTH ENTERPRISE ZONE; AND

5. IS FILLED.

(II) "QUALIFIED POSITION" DOES NOT INCLUDE A POSITION THAT IS FILLED FOR A PERIOD OF LESS THAN 12 MONTHS.";

in line 28, strike "**MAY SUBMIT**" and substitute "**THAT SUBMITS**"; and strike beginning with "**REQUESTING**" in line 30 down through "**BY**" in line 31 and substitute "**MAY ALSO SUBMIT TO THE DEPARTMENT A REQUEST FOR CERTIFICATION OF ELIGIBILITY FOR CERTAIN INCOME TAX CREDITS ON BEHALF OF A** ".

On page 9, in line 1, strike "**PRACTITIONERS**" and substitute "**PRACTITIONER**"; strike beginning with "**IF**" in line 5 down through "**YEAR**" in line 18 and substitute:

"**(1) IF THE DEPARTMENT APPROVES A REQUEST FOR CERTIFICATION SUBMITTED UNDER THIS SECTION, A HEALTH ENTERPRISE ZONE PRACTITIONER MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE STATE INCOME TAX EXPECTED TO BE DUE FROM THE HEALTH ENTERPRISE ZONE PRACTITIONER FROM INCOME TO BE DERIVED FROM PRACTICE IN THE HEALTH ENTERPRISE ZONE, AS CERTIFIED BY THE DEPARTMENT FOR THE TAXABLE YEAR.**

(2) (I) IN ADDITION TO THE STATE INCOME TAX CREDIT PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH ENTERPRISE ZONE PRACTITIONER MAY CLAIM A REFUNDABLE CREDIT OF $10,000 AGAINST THE STATE INCOME TAX FOR HIRING FOR A QUALIFIED POSITION IN THE HEALTH ENTERPRISE ZONE, AS CERTIFIED BY THE DEPARTMENT FOR THE TAXABLE YEAR.

(II) TO BE ELIGIBLE FOR THE CREDIT PROVIDED UNDER THIS PARAGRAPH, A HEALTH ENTERPRISE ZONE PRACTITIONER MAY CREATE ONE OR MORE QUALIFIED POSITIONS DURING ANY 24–MONTH PERIOD.

(III) THE CREDIT EARNED UNDER THIS PARAGRAPH SHALL BE TAKEN OVER A 24–MONTH PERIOD, WITH ONE–HALF FOR THE CREDIT AMOUNT ALLOWED EACH YEAR BEGINNING WITH THE FIRST TAXABLE YEAR IN WHICH THE CREDIT IS CERTIFIED.

(IV) IF THE QUALIFIED POSITION IS FILLED FOR A PERIOD OF LESS THAN 24 MONTHS, THE TAX CREDIT SHALL BE RECAPTURED AS FOLLOWS:

1. THE TAX CREDIT SHALL BE RECOMPUTED AND REDUCED ON A PRORATED BASIS, BASED ON THE PERIOD OF TIME THE POSITION WAS FILLED, AS DETERMINED BY THE DEPARTMENT AND REPORTED TO THE COMPTROLLER; AND

2. THE HEALTH ENTERPRISE ZONE PRACTITIONER WHO RECEIVED THE TAX CREDIT SHALL REPAY ANY AMOUNT OF THE CREDIT THAT MAY HAVE ALREADY BEEN REFUNDED TO THE PRACTITIONER THAT EXCEEDS THE AMOUNT RECOMPUTED BY THE DEPARTMENT IN ACCORDANCE WITH ITEM 1 OF THIS SUBPARAGRAPH.

(3) (I) TO BE CERTIFIED AS ELIGIBLE FOR THE CREDITS PROVIDED UNDER THIS SECTION, A HEALTH ENTERPRISE ZONE PRACTITIONER MAY APPLY FOR CERTIFICATION THROUGH THE NONPROFIT COMMUNITY–BASED ORGANIZATION OR LOCAL GOVERNMENT THAT SUBMITS AN

APPROVED PROPOSAL UNDER TITLE 20, SUBTITLE 14 OF THE HEALTH – GENERAL ARTICLE.

(II) 1. ELIGIBILITY FOR THE CERTIFICATION FOR THE CREDITS PROVIDED UNDER THIS SECTION IS LIMITED BY AVAILABILITY OF BUDGETED FUNDS FOR THAT PURPOSE, AS DETERMINED BY THE DEPARTMENT.

2. CERTIFICATES OF ELIGIBILITY SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT ON A FIRST–COME, FIRST–SERVED BASIS, AS DETERMINED BY THE DEPARTMENT IN ITS SOLE DISCRETION";

in lines 19, 23, and 26, strike "**(F)**", "**(G)**", and "**(H)**", respectively, and substitute "**(E)**", "**(F)**", and "**(G)**", respectively; and in line 22, after "**PRACTITIONER**" insert "**, FOR EACH TAXABLE YEAR**".

AMENDMENT NO. 7

On page 8, in line 24, after "**PROGRAM**" insert "**AND FOR UNINSURED PATIENTS**".

On page 10, after line 25, insert:

"**(III) IN IMPLEMENTING PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION, THE COMMISSION SHALL CONSULT WITH APPROPRIATE STAKEHOLDERS, INCLUDING AT LEAST ONE REPRESENTATIVE OF A CARRIER THAT DOES BUSINESS PREDOMINANTLY IN THE STATE AND A CARRIER THAT DOES BUSINESS IN THE STATE AND NATIONALLY, TO DETERMINE NATIONAL STANDARDS FOR EVALUATING THE EFFECTIVENESS OF CARRIERS IN ADDRESSING HEALTH DISPARITIES AND TO FULFILL THE PURPOSES OF PARAGRAPH (3)(II) AND (III) OF THIS SUBSECTION IN A MANNER THAT CAN BE EASILY REPLICATED IN OTHER STATES.**".

On page 11, in line 15, strike beginning with the comma through "**REGULATION**"; and strike beginning with "**INCLUDES**" in line 18 down through "**COURSES**" in line 19 and substitute "**OFFERS A PROGRAM**".

AMENDMENT NO. 8

On page 11, after line 28, insert:

"(2) In coordination with the evaluation of the Maryland Patient Centered Medical Home, develop recommendations for criteria and standards to measure the impact of the Maryland Patient Centered Medical Home on eliminating disparities in health care outcomes;";

in line 29, strike "(2)" and substitute "(3)"; and in line 30, after "feasible" insert "and recommendations for criteria and standards to measure the impact of the Maryland Patient Centered Medical Home on eliminating disparities in health care outcomes".

On page 12, in line 1, strike "(3)" and substitute "(4)"; in line 5, after "That" insert ":

(1)";

in the same line, strike "the" and substitute "The"; in line 7, strike "(1)" and substitute "(i)"; in line 10, strike the second "and" and substitute:

"(ii) Assess the feasibility of and develop recommendations for criteria and standards establishing multicultural health care equity and assessment programs for the Maryland Patient Centered Medical Home program and other health care settings; and

(iii) Recommend criteria for health care providers in the State to receive continuing education in multicultural health care, including cultural competency and health literacy training.

(2) The workgroup established under this section may include representatives from:

(i) The Maryland Health Care Commission;

(ii) The Maryland Office of Minority Health and Health Disparities;

(iii) Academic centers of health literacy and academic centers for health disparities research;

(iv) The Department of Health and Mental Hygiene;

(v) Health Occupations Boards in the State;

(vi) A wide range of health care professionals and providers;

(vii) Experts on health disparities and health literacy;

(viii) Accreditation entities, including the National Committee for Quality Assurance and URAC;

(ix) Members of the Maryland Patient Centered Medical Home Program Learning Collaborative; and

(x) The Maryland Advisory Council on Mental Hygiene/Cultural Competence Advisory Group.

(3) The academic centers of health literacy and the academic centers for health disparities research shall assist the Maryland Health Care Commission and the Department of Health and Mental Hygiene in staffing and leading the workgroup.";

in line 11, strike "(2) Submit" and substitute "(4) The workgroup shall submit"; strike beginning with "Governor" in line 11 down through "Assembly" in line 12 and substitute "Maryland Quality and Cost Council"; and in line 12, strike "January" and substitute "December".

The preceding 8 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:

Senate Bill 541 – Senators Astle and Kittleman

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

SB0541/687073/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike "specifying certain criteria for" and substitute "providing that certain"; and in line 11, after "equity" insert "shall only be considered and determined in a certain base rate case".

AMENDMENT NO. 2

On page 4, strike beginning with the colon in line 23 down through "**(III)**" in line 28.

The preceding 2 amendments were read only.

Senator Rosapepe moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 634 – Senators Frosh, Astle, Colburn, Garagiola, Klausmeier, Manno, Mathias, Middleton, Pipkin, Pugh, and Raskin

AN ACT concerning

Food Service Facilities – Open Windows and Doors – Regulations

SB0634/507275/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 634
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Regulations"; strike beginning with "requiring" in line 3 down through "department;" in line 6 and substitute "authorizing a food service facility to operate with the outer doors or outer windows of the facility open unless the

local health department finds evidence of certain vermin or flying insects while the facility is operating with the outer doors or outer windows open; requiring a food service facility to take certain actions under certain circumstances; authorizing a local health department to take certain actions under certain circumstances; providing for the application of this Act;"; and in line 7, strike "regulations for".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 18 through 23, inclusive, and substitute:

"**(A) THIS SECTION DOES NOT APPLY TO AN OUTER DOOR OF A FOOD SERVICE FACILITY THAT LEADS FROM THE KITCHEN TO THE OUTSIDE.**

(B) A FOOD SERVICE FACILITY MAY OPERATE WITH THE OUTER WINDOWS OR OUTER DOORS OPEN UNLESS, WHILE THE FOOD SERVICE FACILITY IS OPERATING WITH THE OUTER DOORS OR OUTER WINDOWS OPEN, THE LOCAL HEALTH DEPARTMENT:

(1) FINDS EVIDENCE OF VERMIN IN FOOD PREPARATION OR FOOD STORAGE AREAS; OR

(2) FINDS EVIDENCE OF FLYING INSECTS IN FOOD PREPARATION OR FOOD STORAGE AREAS THAT POSE A SIGNIFICANT THREAT TO SANITATION OR PUBLIC HEALTH.

(C) IF A LOCAL HEALTH DEPARTMENT FINDS THAT A FOOD SERVICE FACILITY IS OPERATING IN VIOLATION OF SUBSECTION (B) OF THIS SECTION, THE FOOD SERVICE FACILITY SHALL TAKE IMMEDIATE ACTION TO ELIMINATE THE VERMIN OR FLYING INSECTS.

(D) A LOCAL HEALTH DEPARTMENT MAY CLOSE A FOOD SERVICE FACILITY FOUND TO BE OPERATING IN VIOLATION OF SUBSECTION (B) OF THIS SECTION, OR ORDER A TEMPORARY CLOSURE OF THE OUTER WINDOWS AND OUTER DOORS AT THE FOOD SERVICE FACILITY, UNTIL THE VERMIN OR FLYING INSECTS ARE ELIMINATED FROM THE FOOD PREPARATION OR FOOD STORAGE AREAS, OR UNTIL ANOTHER ACTION APPROVED BY THE LOCAL HEALTH DEPARTMENT IS TAKEN.

(E) A FOOD SERVICE FACILITY FOUND TO BE OPERATING IN VIOLATION OF SUBSECTION (B) OF THIS SECTION ON THREE OR MORE SEPARATE OCCASIONS SHALL KEEP THE OUTER WINDOWS AND OUTER DOORS CLOSED AT ALL TIMES UNTIL:

(1) MODIFICATIONS APPROVED BY THE LOCAL HEALTH DEPARTMENT ARE MADE TO THE FOOD SERVICE FACILITY TO EFFECTIVELY PROTECT AGAINST THE ENTRANCE OF VERMIN AND FLYING INSECTS; OR

(2) ANOTHER ACTION APPROVED BY THE LOCAL HEALTH DEPARTMENT IS TAKEN.".

AMENDMENT NO. 3

On page 2, in line 2, strike "October" and substitute "July".

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 reported favorably with amendments:

Senate Bill 784 – Senators Muse, Colburn, Kittleman, and Klausmeier

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

SB0784/277578/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 784
(First Reading File Bill)

On page 2, in line 12, strike "December 1, 2012" and substitute "June 30, 2013".

The preceding amendment was 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:

Senate Bill 954 – Senator Middleton

AN ACT concerning

Medical Records – HIPAA Consistency Act of 2012

SB0954/927774/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 954
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "HIPAA Consistency Act of 2012" and substitute "Enhancement or Coordination of Patient Care"; strike beginning with the comma in line 3 down through "terms;" in line 11 and substitute "certain health care providers to share medical records and certain information with certain insurance carriers and accountable care organizations for the purposes of enhancing or coordinating patient care and for certain other purposes under certain circumstances and subject to certain limitations; requiring certain notices when certain information is shared between health care providers and carriers or accountable care organizations under certain circumstances; establishing certain limits on the use of certain information shared by health care providers with carriers; clarifying that medical data and claims data is medical information;"; in line 12, strike "by a covered entity"; strike in their entirety lines 13 through 17, inclusive; and in line 20, strike "17–202.1" and substitute "4–305".

AMENDMENT NO.2

On pages 2 and 3, strike in their entirety the lines beginning with line 4 on page 2 through line 4 on page 3, inclusive, and substitute:

"4–305.

(a) This section may not be construed to impose an obligation on a health care provider to disclose a medical record.

(b) A health care provider may disclose a medical record without the authorization of a person in interest:

(1) (i) To the provider's authorized employees, agents, medical staff, medical students, or consultants for the sole purpose of offering, providing, evaluating, or seeking payment for health care to patients or recipients by the provider;

(ii) To the provider's legal counsel regarding only the information in the medical record that relates to the subject matter of the representation; or

(iii) To any provider's insurer or legal counsel, or the authorized employees or agents of a provider's insurer or legal counsel, for the sole purpose of handling a potential or actual claim against any provider if the medical record is maintained on the claimant and relates to the subject matter of the claim;

(2) If the person given access to the medical record signs an acknowledgment of the duty under this Act not to redisclose any patient identifying information, to a person for:

(i) Educational or research purposes, subject to the applicable requirements of an institutional review board;

(ii) Evaluation and management of health care delivery systems; or

(iii) Accreditation of a facility by professional standard setting entities;

(3) Subject to the additional limitations for a medical record developed primarily in connection with the provision of mental health services in § 4–307 of this subtitle, to a government agency performing its lawful duties as authorized by an act of the Maryland General Assembly or the United States Congress;

(4) Subject to the additional limitations for a medical record developed primarily in connection with the provision of mental health services in § 4–307 of this

subtitle, to another health care provider for the sole purpose of treating the patient or recipient on whom the medical record is kept;

(5) If a claim has been or may be filed by, or with the authorization of a patient or recipient on behalf of the patient or recipient, for covered insureds, covered beneficiaries, or enrolled recipients only, to third party payors and their agents, if the payors or agents have met the applicable provisions of §§ 15–10B–01 to 15–10B–18 of the Insurance Article, including nonprofit health service plans, health maintenance organizations, fiscal intermediaries and carriers, the Department of Health and Mental Hygiene and its agents, the United States Department of Health and Human Services and its agents, or any other person obligated by contract or law to pay for the health care rendered for the sole purposes of:

(i) Submitting a bill to the third party payor;

(ii) Reasonable prospective, concurrent, or retrospective utilization review or predetermination of benefit coverage;

(iii) Review, audit, and investigation of a specific claim for payment of benefits; or

(iv) Coordinating benefit payments in accordance with the provisions of the Insurance Article under more than 1 sickness and accident, dental, or hospital and medical insurance policy;

(6) If a health care provider makes a professional determination that an immediate disclosure is necessary, to provide for the emergency health care needs of a patient or recipient;

(7) Except if the patient has instructed the health care provider not to make the disclosure, or if the record has been developed primarily in connection with the provision of mental health services, to immediate family members of the patient or any other individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice;

(8) To an appropriate organ, tissue, or eye recovery agency under the restrictions of § 5–408 of this article for a patient whose organs and tissues may be donated for the purpose of evaluating the patient for possible organ and tissue donation;

(9) To the Department of Health and Mental Hygiene or an organ, tissue, or eye recovery agency designated by the Department for the purpose of conducting death record reviews under § 19–310 of this article;**[** or**]**

(10) Subject to subsection (c) of this section, if the purpose of the medical record disclosure is for the coordination of services and record retention within the Montgomery County Department of Health and Human Services**; OR**

(11) TO A CARRIER, AS DEFINED IN § 15–1301 OF THE INSURANCE ARTICLE, OR AN ACCOUNTABLE CARE ORGANIZATION, AS DEFINED IN § 3022 OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT, FOR THE SOLE PURPOSES OF ENHANCING OR COORDINATING PATIENT CARE, PROVIDED THAT:

(I) A DISCLOSURE UNDER THIS ITEM IS SUBJECT TO THE ADDITIONAL LIMITATIONS IN § 4–307 OF THIS SUBTITLE ON DISCLOSURE OF A MEDICAL RECORD DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL HEALTH SERVICES;

(II) A MEDICAL RECORD MAY BE DISCLOSED ONLY IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, ANY REGULATIONS ADOPTED UNDER THE ACT, AND ANY OTHER APPLICABLE FEDERAL PRIVACY LAWS, AND DISCLOSURES UNDER THIS ITEM MAY NOT BE MADE IN VIOLATION OF THE PROHIBITED USES OR DISCLOSURES UNDER THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996;

(III) A DISCLOSURE UNDER THIS ITEM MAY NOT BE USED FOR UNDERWRITING OR UTILIZATION REVIEW PURPOSES;

(IV) A HEALTH CARE PROVIDER THAT DISCLOSES A MEDICAL RECORD IN ACCORDANCE WITH THIS ITEM SHALL PROVIDE A NOTICE CONSISTENT WITH THE REQUIREMENTS OF 45 C.F.R. § 164.520 SPECIFYING THE INFORMATION TO BE SHARED, WITH WHOM IT WILL BE SHARED, AND THE SPECIFIC TYPES OF USES AND DISCLOSURES THAT THE HEALTH CARE PROVIDER MAY MAKE IN ACCORDANCE WITH THIS ITEM;

(V) THE NOTICE REQUIRED BY ITEM (IV) OF THIS ITEM SHALL INCLUDE AN OPPORTUNITY FOR THE INDIVIDUAL TO OPT–OUT OF THE SHARING OF THE INDIVIDUAL'S MEDICAL RECORD WITH A CARRIER OR AN ACCOUNTABLE CARE ORGANIZATION FOR THE PURPOSES IDENTIFIED IN THIS ITEM; AND

(VI) IF A HEALTH CARE PROVIDER DISCLOSES MEDICAL INFORMATION OR MEDICAL DATA TO A CARRIER OR ACCOUNTABLE CARE ORGANIZATION THROUGH AN INFRASTRUCTURE THAT PROVIDES ORGANIZATIONAL AND TECHNICAL CAPABILITIES FOR THE EXCHANGE OF PROTECTED HEALTH INFORMATION AMONG ENTITIES NOT UNDER COMMON OWNERSHIP, THE HEALTH CARE PROVIDERS ARE SUBJECT TO THE REQUIREMENTS OF §§ 4–302.2 AND 4–302.3 OF THIS SUBTITLE.

(c) (1) The disclosure of medical records under subsection (b)(10) of this section to a person that is not employed by or under contract with the Montgomery County Department of Health and Human Services shall be conducted in accordance with this subtitle.

(2) Under provisions of State law regarding confidentiality, the Montgomery County Department of Health and Human Services shall be considered to be one agency.".

On page 3, strike beginning with "**OR**" in line 7 down through "**ARTICLE**" in line 8.

On page 3 in lines 10, 12, and 18, on page 4 in lines 23 and 26, and on page 5 in line 17, in each instance, after "medical" insert "**OR CLAIMS**";

On page 3 in lines 11 and 17 and on page 4 in line 25, in each instance, after "information" insert "**OR MEDICAL DATA**".

On page 3, in line 20, strike "the contents of" and substitute "**SPECIFIC MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN**"; and in the same line, after the second "medical" insert "**OR CLAIMS**".

On page 4, in line 5, after "policy" insert "**OR TO EVALUATE AND CALCULATE PROVIDER FISCAL INCENTIVES OR OTHER TYPES OF PROVIDER PAYMENTS**"; in line 8, strike "or"; in line 13, after "policyholder" insert "**; OR**

(12) TO THE INSURED'S TREATING PROVIDERS FOR THE SOLE PURPOSES OF ENHANCING OR COORDINATING PATIENT CARE OR ASSISTING THE TREATING PROVIDERS' CLINICAL DECISION MAKING, PROVIDED THAT:

(I) A DISCLOSURE UNDER THIS ITEM IS SUBJECT TO THE ADDITIONAL LIMITATIONS IN § 4–307 OF THE HEALTH – GENERAL ARTICLE ON DISCLOSURE OF A MEDICAL RECORD DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL HEALTH SERVICES;

(II) MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN AN INSURED'S MEDICAL OR CLAIMS RECORDS MAY BE DISCLOSED ONLY IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, ANY REGULATIONS ADOPTED UNDER THE ACT, AND ANY OTHER APPLICABLE FEDERAL PRIVACY LAWS, AND DISCLOSURES UNDER THIS ITEM MAY NOT BE MADE IN VIOLATION OF THE PROHIBITED USES OR DISCLOSURES UNDER THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996;

(III) AN INSURER OR AN INSURANCE SERVICE ORGANIZATION THAT DISCLOSES MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN AN INSURED'S MEDICAL OR CLAIMS RECORDS IN ACCORDANCE WITH THIS ITEM SHALL PROVIDE A NOTICE CONSISTENT WITH THE REQUIREMENTS OF 45 C.F.R. § 164.520 SPECIFYING THE INFORMATION TO BE SHARED, WITH WHOM IT WILL BE SHARED, AND THE SPECIFIC TYPES OF USES AND DISCLOSURES THAT THE INSURER OR INSURANCE SERVICE ORGANIZATION MAY MAKE IN ACCORDANCE WITH THIS ITEM;

(IV) THE NOTICE REQUIRED BY ITEM (III) OF THIS ITEM SHALL INCLUDE AN OPPORTUNITY FOR THE INSURED TO OPT–OUT OF THE SHARING OF THE INSURED'S MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN THE INSURED'S MEDICAL OR CLAIMS RECORDS WITH THE

INSURED'S TREATING PROVIDERS FOR THE PURPOSES IDENTIFIED IN THIS ITEM; AND

(V) IF AN INSURER OR AN INSURANCE SERVICE ORGANIZATION DISCLOSES MEDICAL INFORMATION OR MEDICAL DATA THROUGH AN INFRASTRUCTURE THAT PROVIDES ORGANIZATIONAL AND TECHNICAL CAPABILITIES FOR THE EXCHANGE OF PROTECTED HEALTH INFORMATION, AS DEFINED IN § 4–301 OF THE HEALTH – GENERAL ARTICLE, AMONG ENTITIES NOT UNDER COMMON OWNERSHIP, THE INSURER IS SUBJECT TO THE REQUIREMENTS OF §§ 4–302.2 AND 4–302.3 OF THE HEALTH – GENERAL ARTICLE";

and strike beginning with "**OR**" in line 20 down through "**ARTICLE**" in line 21.

On page 5, in line 14, strike "or"; and in line 19, after "payor" insert "**;**

(8) TO EVALUATE AND ADJUST A CLAIM FOR BENEFITS UNDER A POLICY OR TO EVALUATE AND CALCULATE PROVIDER FISCAL INCENTIVES OR OTHER TYPES OF PROVIDER PAYMENTS; OR

(9) TO THE INDIVIDUAL'S TREATING PROVIDERS FOR THE SOLE PURPOSES OF ENHANCING OR COORDINATING PATIENT CARE OR ASSISTING THE TREATING PROVIDERS' CLINICAL DECISION MAKING, PROVIDED THAT:

(I) A DISCLOSURE UNDER THIS ITEM IS SUBJECT TO THE ADDITIONAL LIMITATIONS IN § 4–307 OF THE HEALTH – GENERAL ARTICLE ON DISCLOSURE OF A MEDICAL RECORD DEVELOPED PRIMARILY IN CONNECTION WITH THE PROVISION OF MENTAL HEALTH SERVICES;

(II) MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN AN INSURED'S MEDICAL OR CLAIMS RECORDS MAY BE DISCLOSED ONLY IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, ANY REGULATIONS ADOPTED UNDER THE ACT, AND ANY OTHER APPLICABLE FEDERAL PRIVACY LAWS, AND DISCLOSURES UNDER THIS ITEM MAY NOT BE MADE IN VIOLATION OF THE PROHIBITED USES

OR DISCLOSURES UNDER THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996;

(III) A NONPROFIT HEALTH SERVICE PLAN OR BLUE CROSS OR BLUE SHIELD PLAN THAT DISCLOSES MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN AN INSURED'S MEDICAL OR CLAIMS RECORDS IN ACCORDANCE WITH THIS ITEM SHALL PROVIDE A NOTICE CONSISTENT WITH THE REQUIREMENTS OF 45 C.F.R. § 164.520 SPECIFYING THE INFORMATION TO BE SHARED, WITH WHOM IT WILL BE SHARED, AND THE SPECIFIC TYPES OF USES AND DISCLOSURES THAT THE NONPROFIT HEALTH SERVICE PLAN OR BLUE CROSS OR BLUE SHIELD PLAN MAY MAKE IN ACCORDANCE WITH THIS ITEM;

(IV) THE NOTICE REQUIRED BY ITEM (III) OF THIS ITEM SHALL INCLUDE AN OPPORTUNITY FOR THE INDIVIDUAL TO OPT–OUT OF THE SHARING OF THE INDIVIDUAL'S MEDICAL INFORMATION OR MEDICAL DATA CONTAINED IN AN INDIVIDUAL'S MEDICAL OR CLAIMS RECORDS WITH THE INDIVIDUAL'S TREATING PROVIDERS FOR THE PURPOSES IDENTIFIED IN THIS ITEM; AND

(V) IF A NONPROFIT HEALTH SERVICE PLAN OR BLUE CROSS OR BLUE SHIELD PLAN DISCLOSES MEDICAL INFORMATION OR MEDICAL DATA THROUGH AN INFRASTRUCTURE THAT PROVIDES ORGANIZATIONAL AND TECHNICAL CAPABILITIES FOR THE EXCHANGE OF PROTECTED HEALTH INFORMATION, AS DEFINED IN § 4–301 OF THE HEALTH – GENERAL ARTICLE, AMONG ENTITIES NOT UNDER COMMON OWNERSHIP, THE NONPROFIT HEALTH SERVICE PLAN OR BLUE CROSS OR BLUE SHIELD PLAN IS SUBJECT TO THE REQUIREMENTS OF §§ 4–302.2 AND 4–302.3 OF THE HEALTH – GENERAL ARTICLE".

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:

Senate Bill 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education and State Employment Facilities – Bicycle and Pedestrian Access

SB0977/327879/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 977
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "and State Employment Facilities"; strike beginning with "and" in line 4 down through "plan" in line 5 and substitute ", when it revises its facility master plan,"; in line 6, after "the" insert "institution's"; in line 7, strike "or employment facility"; and in line 9, strike "and State employment facilities".

AMENDMENT NO. 2

On page 1, in line 22, strike "**BY FISCAL YEAR 2014, EACH**" and substitute "**WHEN A PUBLIC INSTITUTION OF HIGHER EDUCATION REVISES ITS FACILITY MASTER PLAN, THE**"; and in line 23, strike "**AND STATE EMPLOYMENT FACILITY**".

On pages 1 and 2, strike beginning with "**DEVELOP**" in line 23 on page 1 down through "**ADDRESSES**" in line 1 on page 2 and substitute "**ADDRESS**".

On page 2, in lines 3, 4, and 9, in each instance, strike "**OR EMPLOYMENT FACILITY**"; and in lines 6 and 7, strike "**OR EMPLOYMENT FACILITY**".

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:

Senate Bill 997 – Senator Garagiola

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

SB0997/367477/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 997
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "customer"" insert "to include certain persons and"; and in line 8, after "station" insert ", with a certain exception".

AMENDMENT NO. 2

On page 3, in line 14, after "(2)" insert "**"RETAIL ELECTRIC CUSTOMER" INCLUDES:**

(I) A PERSON THAT OWNS OR OPERATES EQUIPMENT USED FOR CHARGING ELECTRIC VEHICLES, INCLUDING:

1. AN ELECTRIC VEHICLE CHARGING STATION;

2. ELECTRIC VEHICLE SUPPLY EQUIPMENT; OR

3. AN ELECTRIC VEHICLE CHARGING STATION SERVICE COMPANY OR PROVIDER; AND

(II) A PERSON THAT CHARGES AN ELECTRIC VEHICLE AT AN ELECTRIC VEHICLE CHARGING STATION THAT THE PERSON OWNS OR OPERATES.

(3)";

in the same line, strike "excludes" and substitute "**DOES NOT INCLUDE**"; in line 20, strike "**AND**" and substitute "**OR**"; and in line 21, after "**(III)**" insert "**EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS SUBSECTION,**".

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 998 – Senator Garagiola

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

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 Joint Resolution 6 – Senators Colburn, Currie, Mathias, Middleton, and Raskin

A Senate Joint Resolution concerning

Health – Prostate Cancer Screening

SJ0006/527873/1
BY: Finance Committee

AMENDMENT TO SENATE JOINT RESOLUTION 6
(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike "and Raskin" and substitute "Raskin, Garagiola, Glassman, Kittleman, Klausmeier, Muse, and Pugh".

On page 2, in line 9, after "do" insert "not".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #2

AMENDED IN THE HOUSE

Senate Bill 150 – The President (By Request – Administration)

Budget Bill

(Fiscal Year 2013)

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

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE
TO THE MARYLAND HOUSE OF DELEGATES – 2012 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 150 – THE BUDGET BILL

(See Exhibit I of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE REPRINT
TO SENATE BILL 150 – THE BUDGET BILL

(See Exhibit J of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE AND HOUSE WAYS AND MEANS COMMITTEE
REPORT ON SENATE BILL 150 – THE BUDGET BILL; SENATE BILL 152 – THE BUDGET
RECONCILIATION AND FINANCING ACT; SENATE BILL 523 – STATE AND LOCAL REVENUE
ACT; AND SENATE BILL 848 – MAINTENANCE OF EFFORT

(See Exhibit K of Appendix III)

SB0150/774169/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 150
(Third Reading File Bill – Committee Reprint)

COMMITTEE AMENDMENT NO. 52

On page 2, under:

Heading: PAYMENTS TO CIVIL DIVISIONS OF THE STATE

Program: A15O00.01

Entitled: Disparity Grants

In line 2, after "Appropriation" insert "<u>, provided that $19,583,662 shall be reduced contingent upon failure of SB 152 requiring local jurisdictions to contribute a portion of retirement costs for teachers.</u>".

SB0150/484762/1
BY: Appropriations Committee

<u>AMENDMENT TO SENATE BILL 150, AS AMENDED</u>
(Third Reading File Bill – Committee Reprint)

<u>COMMITTEE AMENDMENT NO. 53</u>

On page 121, under:

Heading: AID TO EDUCATION

Program: R00A02.01

Entitled: State Share of Foundation Program

In Committee Amendment No. 23, in line 38, strike "<u>$1,658,000</u>" and substitute "<u>$2,817,000</u>".

On page 122, in Committee Amendment No. 23, in line 4, after "<u>Account</u>" insert "<u>and the Problem Gambling Account</u>"; and in line 7, strike "<u>$1,658,000</u>" and substitute "<u>$2,817,000</u>".

On page 122, strike beginning with "<u>, provided</u>" in line 22 down through "<u>grants.</u>" in line 43.

On page 123, in line 4, after "that" insert "<u>$136,644,952 of</u>"; and in Committee Amendment No. 25, strike beginning with "<u>by</u>" in line 6 down through "<u>SB 152</u>" in line 7.

<u>The amendments were read and not concurred in.</u>

MESSAGE TO THE HOUSE OF DELEGATES

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

BILL: **SB 0150**
SPONSOR: The Pres (Admin)
SUBJECT: Budget Bill (Fiscal Year 2013)

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 Kasemeyer, Chair
Senator Madaleno
Senator DeGrange
Senator Robey
Senator Colburn

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell and McFadden.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 152 – The President (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2012

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

HOUSE APPROPRIATIONS COMMITTEE AND HOUSE WAYS AND MEANS COMMITTEE REPORT ON SENATE BILL 150 – THE BUDGET BILL; SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT; SENATE BILL 523 – STATE AND LOCAL REVENUE ACT; AND SENATE BILL 848 – MAINTENANCE OF EFFORT

(See Exhibit K of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE AND HOUSE WAYS AND MEANS COMMITTEE REPRINT TO SENATE BILL 152 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit L of Appendix III)

The 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 0152**
SPONSOR: The Pres (Admin)
SUBJECT: Budget Reconciliation and Financing Act of 2012

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 Kasemeyer, Chair
Senator McFadden
Senator DeGrange
Senator Madaleno
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell and Robey.

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 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

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

Senator Reilly moved, duly seconded, to make the Bill a Special Order for March 27, 2012.

The motion was adopted.

RECONSIDERATION

Senator Frosh moved, duly seconded, to reconsider the vote by which **Senate Bill 678** failed Third Reading.

The motion was adopted.

Senate Bill 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for March 27, 2012.

The motion was adopted.

INTRODUCTION OF SIMPLE RESOLUTIONS

Senator Muse moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the

Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

Senate Simple Resolution 2 – Senator Muse

A Senate Simple Resolution concerning

Trayvon Martin – Call for Investigation

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

QUORUM CALL

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

(See Roll Call No. 790)

ADJOURNMENT

At 9:39 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 23, 2012, Calendar Day, Tuesday, March 27, 2012.

Annapolis, Maryland
Legislative Day: March 23, 2012
Calendar Day: Tuesday, March 27, 2012
10:00 A.M. Session

The Senate met at 10:03 A.M.

Prayer by Reverend Romaine Williams, Union Bethel AME Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of March 22, 2012 was read and approved.

QUORUM CALL

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

(See Roll Call No. 792)

INTRODUCTIONS

Introduction and remarks by Newt Gingrich, Former Speaker of the United States House of Representatives.

The Governor and Lieutenant Governor presented a Citation to Senator Norman R. Stone for 50 years of distinguished and dedicated service to the citizens of Baltimore County and the State of Maryland.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 634 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Edward D. Miller, M.D.
in recognition of
fifteen years of extraordinary vision, significant accomplishments and exemplary leadership of
Johns Hopkins Medicine.

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 793)

RESOLUTIONS

Be it hereby known to all that
The Maryland General Assembly
offers its sincerest congratulations to
The Honorable Norman R. Stone, Jr.
in recognition of
Your 50 years of exemplary public service to the
citizens of Baltimore County and the State of Maryland.
The entire membership extends best wishes on
this memorable occasion and directs this resolution to be
presented on this 27th day of March, 2012.

Senate Resolution No. 554 – Senator Ronald N. Young:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Tuscarora High School Unified Bocce Ball Team
in recognition of
becoming the Maryland Bocce Ball State Champions.
We applaud your outstanding season and wish
you many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2012.

Read and ordered journalized.

Senate Resolution No. 553 – Senator Ronald N. Young:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rachel Watkins
in recognition of

becoming the Maryland 55 Meter Dash State Champion. Your hard work and practice
have truly paid off. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 794)

Senate Resolution No. 637 – Senator James N. Robey:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Municipal Region of Kocaeli Delegation from Turkey
in recognition of
your visit to Maryland and the establishment of
Kocaeli Province of Turkey and the State of
Maryland as Sister–States.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 795)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 742 – Delegate Barnes

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 796)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #53

Senate Bill 892 – Senators Peters, Colburn, King, Madaleno, Manno, McFadden, ~~and Robey~~ Robey, ~~and Klausmeier~~ Klausmeier, and Ferguson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Gaming – Video Lottery Terminals and Table Games

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

Affirmative – 35 Negative – 11 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 153 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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

Affirmative – 47 Negative – 0 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

Senate Bill 529 – Senator Robey

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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

Affirmative – 43 Negative – 4 (See Roll Call No. 799)

The Bill was then sent to the House of Delegates.

Senate Bill 818 – Senators Pipkin, Astle, Brinkley, Colburn, and Getty

AN ACT concerning

Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span

Read the third time and failed for want of a constitutional majority:

Affirmative – 20 Negative – 27 (See Roll Call No. 800)

Senate Bill 850 – Senator King

AN ACT concerning

Health Occupations – Qualifications for Licensure – Mortuary Science, Funeral Direction, and Apprenticeship

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

Affirmative – 47 Negative – 0 (See Roll Call No. 801)

The Bill was then sent to the House of Delegates.

Senate Bill 1036 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 802)

The Bill was then sent to the House of Delegates.

Senate Bill 1078 – Senator Dyson

AN ACT concerning

Election Law – Absentee Ballots – Internet or Facsimile Transmission

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

Affirmative – 43 Negative – 4 (See Roll Call No. 803)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 431 – Senators Young ~~and Brinkley~~, Brinkley, Glassman, Kelley, Klausmeier, and Middleton

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 804)

The Bill was then sent to the House of Delegates.

Senate Bill 767 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Garrett County – County Commissioners – Wind Energy Conversion Systems

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

Affirmative – 46 Negative – 0 (See Roll Call No. 805)

The Bill was then sent to the House of Delegates.

Senate Bill 778 – Senator Pugh

AN ACT concerning

Commercial Law – Rental–Purchase Agreements ~~Best Practices Act~~ – Disclosures

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

Affirmative – 46 Negative – 1 (See Roll Call No. 806)

The Bill was then sent to the House of Delegates.

Senate Bill 781 – Senators Pugh, Pipkin, Mathias, Middleton, ~~and Montgomery~~ Montgomery, Astle, Glassman, Kelley, Kittleman, and Klausmeier

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

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

Affirmative – 47 Negative – 0 (See Roll Call No. 807)

The Bill was then sent to the House of Delegates.

Senate Bill 894 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City – Representation of Child Support Enforcement Administration – Transfer of Employees

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

Affirmative – 47 Negative – 0 (See Roll Call No. 808)

The Bill was then sent to the House of Delegates.

Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

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

Affirmative – 47 Negative – 0 (See Roll Call No. 809)

The Bill was then sent to the House of Delegates.

Senate Bill 903 – Senator Astle

AN ACT concerning

Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists

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

Affirmative – 47 Negative – 0 (See Roll Call No. 810)

The Bill was then sent to the House of Delegates.

Senate Bill 928 – Senators Astle and Middleton

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

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

Affirmative – 47 Negative – 0 (See Roll Call No. 811)

The Bill was then sent to the House of Delegates.

Senate Bill 938 – Senator Mathias

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

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

Affirmative – 47 Negative – 0 (See Roll Call No. 812)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #56

Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, ~~and Rosapepe~~ Rosapepe, and Jones–Rodwell

AN ACT concerning

Maryland Health Improvement and Disparities Reduction Act of 2012

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

Affirmative – 37 Negative – 10 (See Roll Call No. 813)

The Bill was then sent to the House of Delegates.

Senate Bill 634 – Senators Frosh, Astle, Colburn, Garagiola, Klausmeier, Manno, Mathias, Middleton, Pipkin, Pugh, and Raskin

AN ACT concerning

Food Service Facilities – Open Windows and Doors ~~– Regulations~~

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

Affirmative – 47 Negative – 0 (See Roll Call No. 814)

The Bill was then sent to the House of Delegates.

Senate Bill 784 – Senators Muse, Colburn, Kittleman, and Klausmeier

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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

Affirmative – 47 Negative – 0 (See Roll Call No. 815)

The Bill was then sent to the House of Delegates.

Senate Bill 954 – Senator Middleton

AN ACT concerning

Medical Records – ~~HIPAA Consistency Act of 2012~~ Enhancement or Coordination of Patient Care

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

Affirmative – 47 Negative – 0 (See Roll Call No. 816)

The Bill was then sent to the House of Delegates.

Senate Bill 977 – Senator Rosapepe

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

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

Affirmative – 47 Negative – 0 (See Roll Call No. 817)

The Bill was then sent to the House of Delegates.

Senate Bill 997 – Senator Garagiola

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 818)

The Bill was then sent to the House of Delegates.

Senate Bill 998 – Senator Garagiola

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

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

Affirmative – 37 Negative – 10 (See Roll Call No. 819)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 6 – Senators Colburn, Currie, Mathias, Middleton, ~~and Raskin~~ Raskin, Garagiola, Glassman, Kittleman, Klausmeier, Muse, and Pugh

A Senate Joint Resolution concerning

Health – Prostate Cancer Screening

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

Affirmative – 47 Negative – 0 (See Roll Call No. 820)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (65) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2012 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit G of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit H of Appendix III)

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for March 28, 2012.

The motion was adopted.

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB1037/439036/3
BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1037
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "(AV)" insert "and (BL)"; and in the same line, after "(BH)" insert "and (BQ)".

On page 2, in line 11, strike "and (X)" and substitute ", (X), and (BQ)"; after line 11, insert:

"BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA01(AT) and Item ZA02(AG)";

in line 14, after "ZA02" insert "(L), (N), (P),"; in the same line, after the first "(AD)," insert "(AF), (AH),"; in the same line, after "(AR)," insert "(AX),"; in the same line, strike "and (BB)" and substitute "(BB), and (BJ)"; in the same line, after "ZA03" insert "(L), (P), (Q),"; in the same line, after the second "(AD)," insert "(AH),"; in the same line, after "(AI)," insert "(AM),"; in line 15, after "(AZ)," insert "(BI),"; in line 27, after "(BF)" insert "and (BK)"; in line 30, strike "and (BH)" and substitute ", (U), (BB), and (BH)".

AMENDMENT NO. 2

On page 3, after line 22, insert:

"(BL) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $350,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping

of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St. Mary's County)..... 350,000";

and after line 39, insert:

"(BQ) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St.Mary's County)..... 150,000".

AMENDMENT NO. 3

On page 8, after line 17, 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**]** **2013**, to present evidence that a matching fund will be provided (Prince George's County) ..... 100,000".

AMENDMENT NO. 4

On page 8, before line 18, insert:

"Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL SENATE INITIATIVES

(AT) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $102,500 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**]** **2013** (Charles County)..... 102,500

ZA02 LOCAL HOUSE INITIATIVES

(AG) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $48,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**]** **2013** (Charles County)..... 48,000".

AMENDMENT NO. 5

On page 8, after line 21, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. Provide a grant equal to the lesser of (i) $45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 45,000

(N) Port Discovery. 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 Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE**

PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Baltimore City) ..... 150,000".

On page 9, after line 8, insert:

"(AF) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) 100,000

(AH) Symphony Woods Park. Provide a grant equal to the lesser of (i) $190,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 190,000";

after line 20, insert:

"(AX) Sandy Spring Museum. Provide a grant equal to the lesser of (i) $65,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Sandy Spring Museum, Inc. for the planning, repair, and capital equipping of the Sandy

Spring Museum, located in Sandy Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 65,000".

On page 10, after line 4, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. 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 Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Port Discovery. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 25,000

(Q) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) ..... 150,000";

after line 19, insert:

"(AH) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) ..... 100,000";

after line 29, insert:

"(AM) Symphony Woods Park. Provide a grant equal to the lesser of (i) $60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO**

PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Howard County) ..... 60,000".

On page 11, after line 9, insert:

"(BI) Walker Mill Daycare and Training Center. 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 Walker Mill Development, Inc. for the construction and capital equipping of the Walker Mill Daycare and Training Center, located in Capitol Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) 100,000

(BJ) Marlboro Meadows Senior Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Marlboro Meadows Community Development Corporation for the acquisition, planning, design, construction, repair, and renovation of the Marlboro Meadows Senior Center, **INCLUDING ACQUISITION AND INSTALLATION OF SECURITY EQUIPMENT,** located in Upper Marlboro. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County)..... 50,000".

On page 13, after line 7, insert:

"(BK) Marleigh Community Safety and Surveillance System. Provide a grant of $20,000 to the Board of Directors of the [301 Community Corporation, Inc.] **MARLEIGH COMMUNITY ASSOCIATION** for the acquisition, construction, and capital equipping of the Marleigh Community Safety and Surveillance System, located in Bowie, subject to a requirement that the grantee provide and expend a matching fund of $6,250 **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County)..... 20,000".

AMENDMENT NO. 6

On page 14, after line 10, insert:

"(U) [Morgan Mill Facility.] **PROJECT PLASE**. 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 Project PLASE, Inc. for the acquisition and renovation of the [Morgan Mill Facility] **ST. JOSEPH'S MONASTERY SCHOOL BUILDING**, located in Baltimore City (Baltimore City) 100,000

(BB) Olney Theatre Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olney Theatre Center for the Arts, Inc. for the construction of the main stage building at the Olney Theatre Center, located in Olney. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act**, INCLUDING FUNDS EXPENDED ON OR AFTER JANUARY 1, 2004** (Montgomery County) ..... 150,000".

AMENDMENT NO. 7

On page 3, in line 7, strike "**2015**" and substitute "**2013**".

On page 3 in line 22, on page 8 in line 34, and on page 9 in line 7, 20, and 34, in each instance, strike "**2014**" and substitute "**2013**".

On page 3 in line 38, on page 4 in lines 19 and 33, on page 5 in lines 23 and 37, on page 6 in line 15, on page 8 in line 31, on page 9 in lines 4, 17, and 31, on page 10 in lines 15, 18, 34, and 38, on page 11 in line 26, and on page 13 in lines 3, 7, 16, and 20, in each instance, strike "**2014**" and substitute "**2013**".

On page 11, in line 23, strike "**2016**" and substitute "**2013**".

The preceding 7 amendments were read only.

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for March 28, 2012.

The motion was adopted.

Senate Bill 541 – Senators Astle and Kittleman

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0541/687073/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 541
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike "specifying certain criteria for" and substitute "providing that certain"; and in line 11, after "equity" insert "shall only be considered and determined in a certain base rate case".

AMENDMENT NO. 2

On page 4, strike beginning with the colon in line 23 down through "**(III)**" in line 28.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, rejected by roll call vote as follows:

Affirmative – 22 Negative – 23 (See Roll Call No. 821)

SPECIAL ORDERS

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

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR RASKIN.

FLOOR AMENDMENT

SB0901/703922/1
BY: Senator Raskin

AMENDMENTS TO SENATE BILL 901, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, after "Definitions" insert "and Terms"; in line 4, strike "altering" and substitute "clarifying"; strike beginning with ", to" in line 6 down through "loss" in line 8; in line 10, after the semicolon insert "authorizing a debt cancellation agreement to provide for a certain condition to cancellation of an outstanding balance or remaining loan balance;"; in line 19, strike the second "and" and substitute ", 12–609(b)(4),"; and in the same line, after "(l)" insert ", and 12–1005(c)".

On page 1 of the Finance Committee Amendments (SB0901/877273/1), in line 1 of Amendment No. 1, strike ", under certain circumstances,"; in line 2, strike "or of certain collateral"; and strike beginning with "and" in line 3 down through "charges" in line 4.

AMENDMENT NO. 2

On pages 1 and 2 of the Finance Committee Amendments, strike Amendment Nos. 2 and 3 in their entirety.

On page 2 of the bill, strike beginning with "**OR**" in line 6 down through "**AGREEMENT**" in line 8; in line 11, after "delinquent" insert "**OR DEFERRED**"; in line 15, strike the brackets; strike beginning with "**; OR**" in line 17 down through "**AGREEMENT**" in line 19; after line 19, insert:

"12–609.

(b) (4) **(I)** A seller may contract for, charge for, receive, and finance the cost to the buyer of an optional debt cancellation agreement sold in connection with a motor vehicle, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

(II) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE OUTSTANDING BALANCE PAYABLE UNDER AN INSTALLMENT SALE AGREEMENT, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE MOTOR VEHICLE THAT IS THE SUBJECT OF THE INSTALLMENT SALE AGREEMENT.";

and strike beginning with "**OR**" in line 25 down through "**AGREEMENT**" in line 27.

On page 3 of the bill, in line 3, strike the brackets; strike beginning with "**; OR**" in line 5 down through "**AGREEMENT**" in line 7; and after line 7, insert:

"12–1005.

In addition to interest at a periodic percentage rate or rates permitted by §§ 12–1003 and 12–1004 of this subtitle, a credit grantor may charge and collect:

(c) (1) **(I)** The cost to the borrower of an optional debt cancellation agreement, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

[(2)**]** **(II)** This cost is in addition to the charges permitted under subsections (a), (b), and (d) of this section.

(2) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE REMAINING LOAN BALANCE PAYABLE UNDER AN AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE COLLATERAL THAT IS THE SUBJECT OF THE AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN.".

The preceding 2 amendments were read only.

Senator Middleton 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 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

Senator Getty moved, duly seconded, to make the Bill a Special Order for March 29, 2012.

The motion was adopted.

Senate Bill 1032 – Senator Klausmeier

AN ACT concerning

Natural Resources – Fish and Fisheries – Gill Nets

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1032/164137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1032

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Fish and Fisheries" and substitute "Technical Advisory Group"; strike beginning with "prohibiting" in line 3 down through "prohibiting" in line 6 and substitute "requiring the Department of Natural Resources to establish a technical advisory group on the use of gill nets; requiring the Secretary of Natural Resources to select the members of the technical advisory group; requiring the technical advisory group to be composed of certain numbers of certain individuals; requiring the technical advisory group to make certain recommendations and to submit the recommendations to the Secretary on or before a certain date; requiring the Secretary to consider the adoption of certain regulations based on certain recommendations; providing for the termination of this Act; and generally relating to"; strike in their entirety lines 7 through 22, inclusive; in line 24, strike "the Laws of Maryland read as follows"; and strike in its entirety line 25.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 1 on page 2 through line 27 on page 6, inclusive, and substitute:

"(a) The Department of Natural Resources shall establish a technical advisory group on the use of gill nets, including the effect of the use of gill nets on:

(1) the population of fish in State waters; and

(2) the enforcement of the State's fishery laws.

(b) The technical advisory group shall be composed of individuals, selected by the Secretary of Natural Resources, with experience and expertise in both sportfishing and commercial fishing, and shall include:

(1) two representatives of the Maryland Saltwater Sportfisherman's Association;

(2) two representatives of the Maryland Watermen's Association;

(3) at least one representative of the Natural Resources Police; and

(4) employees of the Fisheries Service in the Department of Natural Resources.

(c) The technical advisory group shall develop recommendations for the regulation of the use of gill nets.

(d) In conducting its work, the technical advisory group shall solicit and obtain public input, including input from:

(1) individuals who work in the commercial fishing industry in the State;

(2) individuals who engage in sportfishing in the State; and

(3) individuals with expertise in marine science.

(e) On or before September 1, 2013, the technical advisory group shall submit its recommendations to the Secretary of Natural Resources.

(f) Based on the recommendations of the technical advisory group, the Secretary of Natural Resources shall consider the adoption of regulations regarding the use of gill nets for catching fish in State waters.".

On page 6, in line 29, after "2012." insert "It shall remain effective for a period of 1 year and, at the end of September 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1032/263824/2
BY: Senator Colburn

AMENDMENT TO SENATE BILL 1032, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB1032/164137/1), after line 3 of Amendment No. 2, insert:

"(3) at least one representative of the Chesapeake Bay Commercial Fishermen's Association;

(4) at least one representative from the Ocean City Commercial Fishermen's Association;

(5) at least one representative from the Chesapeake Bay Foundation;

(6) at least one representative from the Coastal Conservation Association of Maryland;

(7) at least one representative from the University of Maryland Center for Environmental Science;

(8) at least one representative from the Atlantic States Marine Fisheries Commission's Atlantic Striped Bass Technical Committee;

(9) at least one representative from the National Marine Fisheries Service;

(10) at least one representative from the Potomac River Fisheries Commission;";

and in lines 4 and 5, strike "(3)" and "(4)", respectively, and substitute "(11)" and "(12)", respectively.

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

Affirmative – 30 Negative – 13 (See Roll Call No. 822)

FLOOR AMENDMENT

SB1032/103923/1
BY: Senator Colburn

AMENDMENT TO SENATE BILL 1032, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB1032/164137/1), in line 7 of Amendment No. 2, after "recommendations" insert ":

(1)";

and in line 8, after "nets" insert "; and

(2) to reduce recreational fishing mortality".

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

Affirmative – 10 Negative – 37 (See Roll Call No. 823)

FLOOR AMENDMENT

SB1032/123022/1
BY: Senator Colburn

AMENDMENTS TO SENATE BILL 1032, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB1032/164137/1), in line 10 of Amendment No. 1, after "recommendations;" insert "requiring that the technical advisory group be funded by a certain source;".

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, after line 19 of Amendment No. 2, insert:

"(g) The technical advisory group shall be funded by Chesapeake Bay and coastal sport fishing license fees credited to the Fisheries Research and Development Fund under § 4–745(b)(4)(i) of the Natural Resources Article.".

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

Affirmative – 8 Negative – 39 (See Roll Call No. 824)

FLOOR AMENDMENT

SB1032/743426/1
BY: Senator Colburn

AMENDMENTS TO SENATE BILL 1032, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB1032/164137/1), in line 4 of Amendment No. 1, after "nets" insert "on striped bass".

AMENDMENT NO. 2

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 4 of Amendment No. 2, after the first "nets" insert "on striped bass"; in line 5, strike "fish" and substitute "striped bass"; and in line 6, after "State's" insert "striped bass".

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 8 of Amendment No. 2, after "nets" insert "on striped bass"; and in line 19, strike "fish" and substitute "striped bass".

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

Affirmative – 11 Negative – 36 (See Roll Call No. 825)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #9

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re–referred to the Committee on Judicial Proceedings:

Senate Bill 927 – Senators Raskin, Forehand, and Frosh

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Retaliation Against Dealers

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:

Senate Bill 1098 – Senator Conway

AN ACT concerning

Baltimore City – Construction Debris and Demolition Debris – Recycling Lumber

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:

Senate Bill 1100 – Senators Montgomery, Garagiola, Frosh, Madaleno, and Raskin

EMERGENCY BILL

AN ACT concerning

Montgomery County – Real Property – Enforceability of Recorded Covenants and Restrictions – Agricultural Activities and Structures

The bill was re–referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON FINANCE REPORT #20

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

Senate Bill 489 – Senator Astle

AN ACT concerning

Bail Bondsmen – Qualifications for Licensure – Acceptance of Installment Contracts

SB0489/487373/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 489
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Qualifications for Licensure –"; strike beginning with "establishing" in line 4 down through "bondsman;" in line 5; and in line 26, strike "and 10–305".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 6 through 15, inclusive.

On page 4, in line 4, strike "**FINANCED**" and substitute "**DUE**".

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:

Senate Bill 657 – Senator Muse

AN ACT concerning

Horse Racing – Maryland Foaled Stakes Program – Termination

SB0657/327771/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 657
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Termination" and substitute "and Sires Stakes Progam – Revisions"; in line 6, after "Program;" insert "repealing a requirement that the Maryland Racing Commission set a certain breeder's award under certain circumstances; establishing a breeder's award for certain horses under a certain program; providing for the distribution of certain breeder's awards to certain horses under certain circumstances;"; in line 10, strike "and 11–633" and substitute "11–633, and 11–634(b)"; and after line 17, insert:

"BY adding to
Article – Business Regulation
Section 11–634.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 4, after line 21, insert:

"11–634.

(b) On recommendation of the Advisory Committee, the Commission shall set:

(1) the number of Fund Races;

(2) the amount of each purse and bonus;

(3) the date of each Fund Race;

(4) the distance of each Fund Race;

(5) **[**each breeder's award;

(6)**]** nomination and registration procedures; and

[(7)**] (6)** any other condition needed to carry out the purpose of a Fund Race.

11–634.1

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A STANDARDBRED SIRE AND DAM MAY BE ELIGIBLE FOR A BREEDER'S AWARD UNDER THE SIRE STAKES PROGRAM.

(B) (1) BREEDER'S AWARD OF 8%, BASED ON THE AMOUNT OF THE PURSE DISTRIBUTED IN A SIRES STAKES PROGRAM RACE THAT IS THE FINAL RACE, SHALL BE DIVIDED BETWEEN THE DAM AND SIRE OF A HORSE, IF THE HORSE:

(I) RECEIVES PURSE MONEY FROM A SIRES STAKES FINAL RACE; AND

(II) WAS FOALED IN MARYLAND, AS SHOWN BY A REGISTRATION CERTIFICATE FROM THE UNITED STATES TROTTING ASSOCIATION.

(2) OF THE AWARD UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) 6.4% SHALL BE AWARDED TO THE DAM OF THE HORSE; AND

(II) 1.6% SHALL BE AWARDED TO THE SIRE OF THE HORSE.

(3) THE AWARDS, AS APPORTIONED UNDER PARAGRAPH (1) OF THIS SUBSECTION, SHALL BE PAID TO THE:

(I) INDIVIDUAL OR ENTITY WHO WAS THE OWNER OF RECORD WITH THE UNITED STATES TROTTING ASSOCIATION OF THE DAM OR SIRE AT THE TIME THE HORSE WAS BRED; OR

(II) LESSEE OF THE HORSE, RATHER THAN THE OWNER, IF THE:

1. DAM OR SIRE WAS LEASED AT THE TIME THE BREEDING TOOK PLACE; AND

2. THE LEASE WAS ON RECORD WITH THE UNITED STATES TROTTING ASSOCIATION AT THAT TIME.".

AMENDMENT NO. 3

On page 4, in line 23, strike "2013" and substitute "**2016**".

The preceding 3 amendments were read only.

Senator Brinkley moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, and Zirkin

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

SB0929/587572/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 929
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zirkin" and substitute "Zirkin, Mathias, Muse, and Pugh"; in line 6, after "requiring" insert ", on a certain approval,".

On page 2, strike beginning with "requiring" in line 1 down through "regulations;" in line 2 and substitute "authorizing the Commission under certain circumstances to waive or modify a certain provision or impose certain requirements under certain circumstances; requiring the Commission to submit a certain report on or after a certain date on the progress of the implementation of this Act and certain regulations;".

AMENDMENT NO. 2

On page 2, strike beginning with "and" in line 22 down through "risk;" in line 28.

On page 4, in line 5, strike "**EACH**" and substitute "**ON COMMISSION APPROVAL OF ITS VOLTAGE SURVEY PLAN, EACH**"; in line 6, after "**INITIAL**" insert "**CONTACT VOLTAGE**"; in line 16, after "**(III)**" insert "**1.**"; in the same line, strike "**PROXIMATE TO UNDERGROUND**" and substitute "**PART OF THE**"; in line 17, after "**PLANT**" insert "**;**

2. ELECTRIC COMPANY OWNED OR MAINTAINED STREETLIGHTS;

3. MUNICIPAL OR GOVERNMENT OWNED STREETLIGHTS AND TRAFFIC SIGNALS, IF THE CONSENT OF THE APPROPRIATE AUTHORITY IS RECEIVED; OR

4. PUBLIC PARKS AND PLAYGROUNDS, IF THE CONSENT OF THE APPROPRIATE AUTHORITY IS RECEIVED".

On page 6, in lines 3 and 4, strike "**EXCEPT AS OTHERWISE APPROVED BY THE COMMISSION IN**" and substitute "**, UNLESS THERE ARE**"; in the same line, strike "**IF**" and substitute "**AND**"; in line 5, after "**SAFE**" insert "**THROUGH A TEMPORARY MEASURE TO MITIGATE THE CONTACT VOLTAGE**"; and strike in their entirety lines 28 and 29 and substitute:

"**(G) THE COMMISSION MAY, IN ITS DISCRETION, THROUGH ORDER OR REGULATION:**

(1) WAIVE OR MODIFY ANY PROVISION OF THIS SECTION; OR

(2) IMPOSE ADDITIONAL REQUIREMENTS AS CIRCUMSTANCES WARRANT.".

AMENDMENT NO. 3

On page 6, after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2013, the Public Service Commission shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the progress of the implementation of this Act and the regulations under COMAR 20.50.11: Deanna Camille Green Rule – Contact Voltage Survey Requirement and Reporting Authority, including the status and availability of contact voltage technology in the State.";

and in line 30, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1006 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions

SB1006/257774/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1006
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "Fund;" insert "requiring the Fund, on or before a certain date to report to certain legislative committees on certain information concerning the implementation of a certain commission payment structure;".

AMENDMENT NO. 2

On page 2, after line 8, insert:

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

(a) On or before October 1, 2014, the Maryland Automobile Insurance Fund shall report, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee on the Fund's implementation of a commission payment structure that provides commissions of at least 10%, but not more than 15%, to Fund producers.

(b) The report shall provide information on whether and how the commission payment structure has:

(i) incentivized Fund producers to use advanced electronic technology in issuing and administering Fund policies, including the number of Fund producers

using the advanced electronic technology since the inception of the commission payment structure;

(ii) incentivized Fund producers to devote additional resources for retaining current policyholders, reaching out to policyholders who had canceled midterm or did not rewrite, and marketing to uninsured motorists;

(iii) resulted in a savings in administrative costs for the Fund, including the functions and services performed by Fund producers intended to achieve the savings; and

(iv) resulted in fewer uninsured motorists in the State, including the functions and services performed by Fund producers intended to reduce the number of uninsured motorists, the number of uninsured motorists who obtained insurance from the Fund since the inception of the commission payment structure, and any efforts by the Fund to identify uninsured motorists.";

in line 9, strike "2." and substitute "3."; and in line 10, strike "October" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #3

AMENDED IN THE HOUSE

Senate Bill 523 – Senator Manno

AN ACT concerning

~~Income Tax – Repeal of the 1997 Income Tax Reduction~~
State and Local Revenue and Financing Act of 2012

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

SB0523/725662/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 523
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "individuals;" insert "altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; modifying a fiduciary's adjusted gross income to add back that portion of an electing small business trust consisting of stock of one or more S corporations that is subject to special taxing rules under certain provisions of the Internal Revenue Code;"; strike beginning with "altering" in line 6 down through "proof;" in line 15; and strike beginning with "altering" in line 21 down through "circumstances;" in line 25.

On page 2, in line 2, after "charge;" insert "repealing a certain exemption to the sales and use tax for certain sales of direct mail advertising literature and mail order catalogues that will be distributed outside the State;"; in line 16, strike beginning with "2–609," through "11–701(b)" and substitute "10–105(a), 10–211(b), 11–215(d)"; in line 21, strike "10–704(a)" and substitute "10–204(a) and 10–211(a)"; in line 26, strike "2–608.2 and 11–701.1" and substitute "10–204(j)"; and strike in their entirety lines 34 through 40, inclusive.

AMENDMENT NO. 2

On page 3, in line 14, strike beginning with "Except" through "for"; in line 15, before the first "an" insert "**FOR**"; in line 20, strike the brackets; in the same line, strike "**4.9%**"; in line 21, strike "**$25,000**" and substitute "**$100,000**"; strike beginning with "**4.95%**" in line 22 down through "**(VI)**" in line 24; in line 24, strike "**$75,001**" and substitute "**$100,001**"; in lines 26 and 28, strike "**(VII)**" and "**(VIII)**", respectively, and substitute "**(VI)**" and "**(VII)**", respectively; in line 27, strike "**AND**"; and in line 29, after "$500,000" insert "**; AND**

(VIII) 5.75% OF MARYLAND TAXABLE INCOME IN EXCESS OF $500,000".

On page 4, in line 1, strike beginning with "Except" through "for"; in line 2, before "spouses" insert "**FOR**"; in line 7, strike the brackets; in the same line, strike "**4.9%**"; in line 8, strike "**$50,000**" and substitute "**$150,000**"; strike beginning with "**4.95%**" in line 9 down through "**(VI)**" in line 11; in line 11, strike "**$100,001**" and

substitute "**$150,001**"; in lines 13 and 15, strike "**(VII)**" and "**(VIII)**", respectively, and substitute "**(VI)**" and "**(VII)**", respectively; in line 14, strike "**AND**"; and in line 16, after "$500,000" insert "**; AND**

(VIII) 5.75% OF MARYLAND TAXABLE INCOME IN EXCESS OF $500,000".

On page 5, strike beginning with "**(3)**" in line 1 down through "**TITLE.**" in line 24.

AMENDMENT NO. 3

On page 5, after line 24, insert:

"10–204.

(a) To the extent excluded from federal adjusted gross income, the amounts under this section are added to the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(J) THE ADDITION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF INCOME OF AN ELECTING SMALL BUSINESS TRUST, AS DEFINED UNDER § 1361(E)(1) OF THE INTERNAL REVENUE CODE, THAT IS SUBJECT TO THE SPECIAL TAXING RULES UNDER § 641(C) OF THE INTERNAL REVENUE CODE.".

AMENDMENT NO. 4

On page 5, before line 25, insert:

"10–211.

(a) Except as provided in subsection (b) of this section, whether or not a federal return is filed, to determine Maryland taxable income, an individual other than a fiduciary may deduct as an exemption:

(1) $3,200 for each exemption that the individual may deduct in the taxable year to determine federal taxable income under § 151 of the Internal Revenue Code;

(2) an additional $3,200 for each dependent, as defined in § 152 of the Internal Revenue Code, who is at least 65 years old on the last day of the taxable year;

(3) an additional $1,000 if the individual, on the last day of the taxable year, is at least 65 years old; and

(4) an additional $1,000 if the individual, on the last day of the taxable year, is a blind individual, as described in § 10–208(c) of this subtitle.

(b) (1) If an individual other than one described in paragraph (2) of this subsection has federal adjusted gross income for the taxable year greater than $100,000, the amount allowed for each exemption under subsection (a)(1) or (2) of this section is limited to:

(i) **[**$2,400**] $1,600** if federal adjusted gross income for the taxable year does not exceed $125,000;

(ii) **[**$1,800**] $800** if federal adjusted gross income for the taxable year is greater than $125,000 but not greater than $150,000; **AND**

(iii) **[**$1,200**] $0** if federal adjusted gross income for the taxable year is greater than $150,000 **[**but not greater than $200,000; and

(iv) $600 if federal adjusted gross income for the taxable year is greater than $200,000**]**.

(2) If a married couple filing a joint return or an individual described in § 2 of the Internal Revenue Code as a head of household or as a surviving spouse has federal adjusted gross income for the taxable year greater than $150,000, the amount allowed for each exemption under subsection (a)(1) or (2) of this section is limited to:

(i) **[**$2,400**] $1,600** if federal adjusted gross income for the taxable year does not exceed $175,000;

(ii) **[**$1,800**] $800** if federal adjusted gross income for the taxable year is greater than $175,000 but not greater than $200,000; **AND**

(iii) **[**$1,200**] $0** if federal adjusted gross income for the taxable year is greater than $200,000 **[**but not greater than $250,000; and

(iv) $600 if federal adjusted gross income for the taxable year is greater than $250,000**]**.".

AMENDMENT NO. 5

On pages 5 and 6, strike in their entirety the lines beginning with line 25 on page 5 through line 22 on page 6, inclusive.

On pages 6 through 8, strike in their entirety the lines beginning with line 26 on page 6 through line 2 on page 8, inclusive.

AMENDMENT NO. 6

On page 8, in line 5, strike "**20%**" and substitute "**50%**"; and in line 12, strike "**20%**" and substitute "**15%**".

AMENDMENT NO. 7

On pages 9 and 10, strike in their entirety the lines beginning with line 8 on page 9 through line 10 on page 10, inclusive.

On pages 10 and 11, strike in their entirety the lines beginning with line 20 on page 10 through line 9 on page 11, inclusive.

AMENDMENT NO. 8

On page 6, after line 25, insert:

"11–215.

(d) The sales and use tax does not apply to**[**:

(1) a sale of direct mail advertising literature and mail order catalogues that will be distributed outside the State, and a sale of computerized mailing lists to the extent used for the purpose of providing addresses to which direct mail advertising literature and mail order catalogues will be distributed outside the State; or

(2)] a sale of government documents, publications, records, or copies by the federal or State or a local government or an instrumentality of the federal or State or local government.".

AMENDMENT NO. 9

On page 11, strike in their entirety lines 29 through 34, inclusive; and in line 35, strike "11." and substitute "10.".

On page 12, in line 1, strike "12." and substitute "11."; and in line 4, strike "13." and substitute "12.".

The preceding 9 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 0523**
SPONSOR: Sen Manno
SUBJECT: State and Local Revenue and Financing Act of 2012

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 Kasemeyer, Chair
Senator Robey
Senator Madaleno
Senator DeGrange
Senator Jones–Rodwell

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Manno.

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 678 – Senator Forehand

AN ACT concerning

Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court

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

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

Affirmative – 35 Negative – 11 (See Roll Call No. 826)

The Bill was then sent to the House of Delegates.

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR RASKIN.

FLOOR AMENDMENT

SB0901/703922/1
BY: Senator Raskin

AMENDMENTS TO SENATE BILL 901, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, after "Definitions" insert "and Terms"; in line 4, strike "altering" and substitute "clarifying"; strike beginning with ", to" in line 6 down through "loss" in line 8; in line 10, after the semicolon insert "authorizing a debt cancellation agreement to provide for a certain condition to cancellation of an

outstanding balance or remaining loan balance;"; in line 19, strike the second "and" and substitute ", 12–609(b)(4),"; and in the same line, after "(l)" insert ", and 12–1005(c)".

On page 1 of the Finance Committee Amendments (SB0901/877273/1), in line 1 of Amendment No. 1, strike ", under certain circumstances,"; in line 2, strike "or of certain collateral"; and strike beginning with "and" in line 3 down through "charges" in line 4.

AMENDMENT NO. 2

On pages 1 and 2 of the Finance Committee Amendments, strike Amendment Nos. 2 and 3 in their entirety.

On page 2 of the bill, strike beginning with "**OR**" in line 6 down through "**AGREEMENT**" in line 8; in line 11, after "delinquent" insert "**OR DEFERRED**"; in line 15, strike the brackets; strike beginning with "**; OR**" in line 17 down through "**AGREEMENT**" in line 19; after line 19, insert:

"12–609.

(b) (4) **(I)** A seller may contract for, charge for, receive, and finance the cost to the buyer of an optional debt cancellation agreement sold in connection with a motor vehicle, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

(II) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE OUTSTANDING BALANCE PAYABLE UNDER AN INSTALLMENT SALE AGREEMENT, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE MOTOR VEHICLE THAT IS THE SUBJECT OF THE INSTALLMENT SALE AGREEMENT.";

and strike beginning with "**OR**" in line 25 down through "**AGREEMENT**" in line 27.

On page 3 of the bill, in line 3, strike the brackets; strike beginning with "**; OR**" in line 5 down through "**AGREEMENT**" in line 7; and after line 7, insert:

"12–1005.

In addition to interest at a periodic percentage rate or rates permitted by §§ 12–1003 and 12–1004 of this subtitle, a credit grantor may charge and collect:

(c) (1) **(I)** The cost to the borrower of an optional debt cancellation agreement, provided that the cost of the debt cancellation agreement is separately itemized in the financing agreement.

[(2)**]** **(II)** This cost is in addition to the charges permitted under subsections (a), (b), and (d) of this section.

(2) A DEBT CANCELLATION AGREEMENT MAY PROVIDE, AS A CONDITION TO CANCELLATION OF THE REMAINING LOAN BALANCE PAYABLE UNDER AN AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN, THAT INSURANCE OTHERWISE PERMITTED UNDER THIS SUBTITLE BE MAINTAINED ON THE COLLATERAL THAT IS THE SUBJECT OF THE AGREEMENT, NOTE, OR OTHER EVIDENCE OF A LOAN.".

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

Affirmative – 21 Negative – 26 (See Roll Call No. 827)

FLOOR AMENDMENT

SB0901/543723/1
BY: Senator Raskin

AMENDMENT TO SENATE BILL 901, AS AMENDED

On page 1 of the Finance Committee Amendments (SB0901/877273/1), in lines 2 and 5 of Amendment No. 2, in each instance, strike "**THAT COVERS THE LOSS**".

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

Affirmative – 29 Negative – 18 (See Roll Call No. 828)

FLOOR AMENDMENT

SB0901/343427/1
BY: Senator Raskin

AMENDMENT TO SENATE BILL 901, AS AMENDED

On page 1 of the Finance Committee Amendments (SB0901/877273/1), in the last line of Amendment No. 1, strike "the refundable" and substitute "a certain".

On page 1 of the Finance Committee Amendments, in line 3 of Amendment No. 3, strike "**REFUNDABLE**"; and in line 6, after "**CONTRACTS**" insert "**, ALREADY REFUNDED TO THE BUYER**".

On page 2 of the Finance Committee Amendments, in line 2 of Amendment No. 3, strike "**REFUNDABLE**"; and in line 5, after "**CONTRACTS**" insert "**, ALREADY REFUNDED TO THE BORROWER**".

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

Affirmative – 41 Negative – 5 (See Roll Call No. 829)

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER

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

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

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

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 830)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 831)

Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin

AN ACT concerning

Sustainable Growth and Agricultural Preservation Act of 2012

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

Senator Garagiola moved, duly seconded, to limit the debate on **Senate Bill 236**.

MOTION TO LIMIT DEBATE

PURSUANT TO THE PROVISIONS OF SENATE RULE 77(B), DEBATE ON **SENATE BILL 236** SHALL BE LIMITED TO 120 MINUTES IN THE AGGREGATE FOR CONSIDERATION OF THIRD READING AND FINAL PASSAGE, AND ON ALL SUBSEQUENT QUESTIONS AND MOTIONS SO RELATED TO THE THIRD READING AND OTHER ACTIONS. THE PRESIDENT SHALL ALLOCATE THE MINUTES AGGREGATE TIME AMONG THOSE SENATORS DESIRING TO SPEAK THEREON, PROVIDED THAT NOT MORE THAN 60 MINUTES SHALL BE ALLOCATED FOR THE PROPONENTS AND NOT MORE THAN 60 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. 832)

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

Affirmative – 32 Negative – 14 (See Roll Call No. 833)

The Bill was then sent to the House of Delegates.

RECONSIDERATION

Senator Conway moved, duly seconded, to reconsider the vote by which **Senate Bill 541** failed Second Reading.

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

Affirmative – 30 Negative – 16 (See Roll Call No. 834)

Senate Bill 541 – Senators Astle and Kittleman

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

Senator Conway moved, duly seconded, to make the Bill a Special Order for March 28, 2012.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 835)

ADJOURNMENT

At 2:53 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 24, 2012, Calendar Day, Wednesday, March 28, 2012.

Annapolis, Maryland
Legislative Day: March 24, 2012
Calendar Day: Wednesday, March 28, 2012
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Julia Jarvis, Interfaith Families Project of the greater DC area and a United Church of Christ Minister, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of March 23, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Shank be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 837)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 638 – Senator Roger P. Manno:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Colonel Zadok Magruder High School
in recognition of
winning the 2012 Maryland State – Class 4A –
Boys Basketball Championship. We applaud your outstanding season and wish you many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of March 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 838)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #57

Senate Bill 489 – Senator Astle

AN ACT concerning

Bail Bondsmen – ~~Qualifications for Licensure –~~ Acceptance of Installment Contracts

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

Affirmative – 45 Negative – 0 (See Roll Call No. 839)

The Bill was then sent to the House of Delegates.

Senate Bill 901 – Senator Klausmeier

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

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

Affirmative – 25 Negative – 20 (See Roll Call No. 840)

The Bill was then sent to the House of Delegates.

Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, ~~and Zirkin~~ Zirkin, Mathias, Muse, and Pugh

EMERGENCY BILL

AN ACT concerning

The Deanna Camille Green Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 841)

The Bill was then sent to the House of Delegates.

Senate Bill 1006 – Senator Middleton

AN ACT concerning

Maryland Automobile Insurance Fund – Fund Producers – Commissions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 842)

The Bill was then sent to the House of Delegates.

Senate Bill 1032 – Senator Klausmeier

AN ACT concerning

Natural Resources – ~~Fish and Fisheries~~ Technical Advisory Group – Gill Nets

Senator Conway moved, duly seconded, to make the Bill a Special Order for March 29, 2012.

The motion was adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 47 (Emergency Bill)	Sen. Madaleno	Md Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery Co – MacDonald Knolls Center

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 512 – Delegate Beitzel

AN ACT concerning

Environment – Garrett County Sanitary District – Imposition of Late Fees

FOR the purpose of authorizing the sanitary district in Garrett County to charge a late fee for certain unpaid usage charges; authorizing the County Commissioners of Garrett County to require the payment of certain late fees before reconnecting certain water service; providing that a charge that is in default will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges in Garrett County.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–601(a), (d), (j), and (k) and 9–629(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 9–662(o)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

House Bill 1218 – Delegate Ivey

AN ACT concerning

~~**Public Charter Schools – Chartering Authorities, Application Requirements, Employees, and Facility Funding**~~
Task Force to Study the Improvement of Maryland Public Charter Schools

FOR the purpose of ~~authorizing the State Board of Education to be a primary chartering authority for the granting of a charter to a public charter school applicant; providing for the public charter schools granted a charter by the State Board to be independent from the local school system, county, or municipality in which the school is located but to be considered as the local school system for certain purposes; requiring an application to the State Board to establish a public charter school to include certain information; establishing an appeal process when the State Board denies an application to establish a public charter school; authorizing the State Board to issue and renew a charter for a certain period of time under certain circumstances; authorizing employees~~

~~of a public charter school granted a charter by the State Board to elect to be members of the Teachers' Pension System and to choose to participate in the State Employee and Retiree Health and Welfare Benefits Program or to choose to form a separate health insurance collaborative; authorizing employees of a public charter school granted a charter by the State Board to organize as public employees as an independent bargaining unit and to develop a collective bargaining agreement; authorizing employees of certain public charter schools to choose to continue membership in the Teachers' Pension System or to terminate their membership; authorizing employees of certain public charter schools to continue to participate in the State Employee and Retiree Health and Welfare Benefits Program or to choose to form a separate health insurance collaborative; authorizing the State Department of Education to retain a certain amount of funds allotted for certain public charter schools; requiring certain public charter schools to receive an annual per pupil facilities allotment and prohibiting certain public charter schools from receiving an entire facilities allotment; requiring each county board to compile a list of school sites or buildings that may no longer be needed for school purposes; establishing the Public Charter School Facility Revolving Loan Fund; requiring the Governor to provide a certain amount of money in the State budget for the Fund; specifying the purpose of the Fund; authorizing certain applicants to obtain loans from the Fund; requiring the State Board to administer the Fund and to consider certain factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report certain information to county boards of education each fiscal year; establishing certain requirements for loan repayment; making a certain county governing body or county board of education liable for loan repayment under certain circumstances; requiring the State Board to adopt certain regulations~~ establishing a Task Force to Study the Improvement of Maryland Public Charter Schools; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the State Department of Education to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to ~~chartering authorities, application requirements, employees, and facility funding for public charter schools~~ the establishment of a Task Force to Study the Improvement of Maryland Public Charter Schools.

~~BY repealing and reenacting, without amendments,~~
~~Article – Education~~
~~Section 9–101, 9–102, 9–102.1, 9–105 through 9–107, 9–110, and 9–112~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Education~~

~~Section 9–103, 9–104, 9–108, 9–109, and 9–111~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – Education~~
~~Section 9–103.1 and 9–113~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Personnel and Pensions~~
~~Section 2–507(a), (b), and (c) and 23–206~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – State Personnel and Pensions~~
~~Section 23–206.1~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

House Bill 1262 – Delegates Hucker, S. Robinson, and Weir

AN ACT concerning

Environment – Asbestos Worker Protection

FOR the purpose of adding to the General Assembly's findings related to protecting the safety of asbestos removers; requiring the Department of the Environment to verify certain information before accrediting an individual to engage in an asbestos occupation; authorizing the Department to include the costs of examination administration in setting certain fees; altering the circumstances under which a certain penalty may be composed; increasing the maximum penalty that may be imposed for certain violations; ~~establishing a minimum penalty under a certain circumstance;~~ requiring certain penalties and fines to be paid into the Asbestos Worker Protection Fund and providing for the uses of the Fund; establishing the Fund as a special, nonlapsing fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering the definition of a certain term; defining a certain term; and generally relating to asbestos worker protection.

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–401(a) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–402, 6–417, and 6–422
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Environment
Section 6–425 to be under the new part "Part V. Asbestos Worker Protection Fund"
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

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

House Bill 1278 – Delegate Cardin

AN ACT concerning

Transportation – Institutions of Higher Education ~~and State Employment Facilities~~ – Bicycle and Pedestrian Access

FOR the purpose of requiring each public institution of higher education ~~and State employment facility to develop on or before a certain date a facility master plan~~, when it revises its facility master plan, to address bicycle and pedestrian circulation on and around the institution's campus; requiring the institution ~~or employment facility~~ to include certain measures in the facility master plan; and generally relating to bicycle and pedestrian access at institutions of higher education ~~and State employment facilities~~.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1008
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1331 – Delegates Carr, Beidle, Bobo, Cane, Frush, Hucker, Luedtke, Niemann, Reznik, S. Robinson, Stein, and Weir

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

FOR the purpose of requiring a vendor of certain single family residential property to ~~display or make available~~ provide, on written request, certain utility information under certain circumstances; ~~requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score;~~ providing that this Act does not apply to certain sales or transfers of property; providing that certain information is provided without warranties; establishing that this Act does not prohibit a local government from enacting a certain more stringent local law; requiring the State Real Estate Commission to submit a certain report on or before a certain date; providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 1–101(l) and (n)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Real Property
Section 10–702.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1333 – Delegates Frush, McIntosh, Bobo, Healey, Holmes, Hubbard, Lafferty, Murphy, Niemann, S. Robinson, and Stein

AN ACT concerning

Environment – Nitrogen Removal Technology – Payment of Cost Differential

FOR the purpose of altering a requirement that the Department of the Environment pay a certain homeowner for certain costs associated with the installation of on–site sewage disposal systems utilizing nitrogen removal technology;

requiring certain costs paid by the Department to a certain homeowner to be based on the annual household income of the homeowner; providing for a delayed effective date; and generally relating to on–site sewage disposal systems utilizing nitrogen removal technology.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1108
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 457 – ~~Delegate Howard~~ Delegates Howard, A. Miller, and Stukes

AN ACT concerning

Transportation – Highway Construction Training and Supportive Services

Reassigned to the Committee on Finance and the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 802 – Prince George's County Delegation

AN ACT concerning

Education – Prince George's County School Board Budgets – Transparency PG 410–12

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 158 – Delegates Beidle ~~and Vitale~~, Vitale, Summers, A. Miller, Boteler, Stukes, Walker, Myers, Kaiser, Ross, Hixson, Rosenberg, Howard, F. Turner, Cardin, Ivey, Frick, George, and Luedtke

AN ACT concerning

Property Tax – High Performance Building Tax Credit – National Green Building Standards

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 657 – Senator Muse

AN ACT concerning

Horse Racing – Maryland Foaled Stakes Program – Termination

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0657/327771/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 657
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Termination" and substitute "and Sires Stakes Progam – Revisions"; in line 6, after "Program;" insert "repealing a requirement that the Maryland Racing Commission set a certain breeder's award under certain circumstances; establishing a breeder's award for certain horses under a certain program; providing for the distribution of certain breeder's awards to certain horses under certain circumstances;"; in line 10, strike "and 11–633" and substitute "11–633, and 11–634(b)"; and after line 17, insert:

"BY adding to

Article – Business Regulation
Section 11–634.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 4, after line 21, insert:

"11–634.

(b) On recommendation of the Advisory Committee, the Commission shall set:

(1) the number of Fund Races;

(2) the amount of each purse and bonus;

(3) the date of each Fund Race;

(4) the distance of each Fund Race;

(5) **[**each breeder's award;

(6)**]** nomination and registration procedures; and

[(7)**] (6)** any other condition needed to carry out the purpose of a Fund Race.

11–634.1

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A STANDARDBRED SIRE AND DAM MAY BE ELIGIBLE FOR A BREEDER'S AWARD UNDER THE SIRE STAKES PROGRAM.

(B) (1) BREEDER'S AWARD OF 8%, BASED ON THE AMOUNT OF THE PURSE DISTRIBUTED IN A SIRES STAKES PROGRAM RACE THAT IS THE FINAL RACE, SHALL BE DIVIDED BETWEEN THE DAM AND SIRE OF A HORSE, IF THE HORSE:

(I) RECEIVES PURSE MONEY FROM A SIRES STAKES FINAL RACE; AND

(II) WAS FOALED IN MARYLAND, AS SHOWN BY A REGISTRATION CERTIFICATE FROM THE UNITED STATES TROTTING ASSOCIATION.

(2) OF THE AWARD UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) 6.4% SHALL BE AWARDED TO THE DAM OF THE HORSE; AND

(II) 1.6% SHALL BE AWARDED TO THE SIRE OF THE HORSE.

(3) THE AWARDS, AS APPORTIONED UNDER PARAGRAPH (1) OF THIS SUBSECTION, SHALL BE PAID TO THE:

(I) INDIVIDUAL OR ENTITY WHO WAS THE OWNER OF RECORD WITH THE UNITED STATES TROTTING ASSOCIATION OF THE DAM OR SIRE AT THE TIME THE HORSE WAS BRED; OR

(II) LESSEE OF THE HORSE, RATHER THAN THE OWNER, IF THE:

1. DAM OR SIRE WAS LEASED AT THE TIME THE BREEDING TOOK PLACE; AND

2. THE LEASE WAS ON RECORD WITH THE UNITED STATES TROTTING ASSOCIATION AT THAT TIME.".

AMENDMENT NO. 3

On page 4, in line 23, strike "2013" and substitute "**2016**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

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

Senate Bill 1086 – Senators Jones–Rodwell, Currie, King, Madaleno, and Manno

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #21

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

Senate Bill 1099 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Office Employees – Labor Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation and Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier, Mathias, Middleton, Muse, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

SB0794/229036/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 794
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Mathias,"; in the same line, strike "Muse,"; in line 4, strike "repealing a restriction that limits to a certain calendar year" and substitute "authorizing for certain calendar years"; and in line 11, after "Secretary" insert "of Labor, Licensing, and Regulation".

AMENDMENT NO. 2

On page 2, in lines 27 and 31, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 29 and 33, in each instance, after the closing bracket insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015 ONLY**".

AMENDMENT NO. 3

On page 4, in lines 26 and 30, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 27 and 32, after "**DAYS**" insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**".

The preceding 3 amendments were read only.

Senator Muse moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON RULES REPORT #10

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re–referred to the Committee on Judicial Proceedings:

By: **Senator Muse**

A Senate Simple Resolution concerning

Trayvon Martin – Call for Investigation

The bill was re–referred to the Committee on Judicial Proceedings.

SPECIAL ORDERS

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

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (65) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2012 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit G of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit H of Appendix III)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 7 were read and adopted.

Committee amendments 8 through 17 were read and adopted.

Committee amendments 18 through 28 were read and adopted.

Committee amendments 29 through 41 were read and adopted.

Committee amendments 42 through 65 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB1037/439036/3
BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1037
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "(AV)" insert "and (BL)"; and in the same line, after "(BH)" insert "and (BQ)".

On page 2, in line 11, strike "and (X)" and substitute ", (X), and (BQ)"; after line 11, insert:

"BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item ZA01(AT) and Item ZA02(AG)";

in line 14, after "ZA02" insert "(L), (N), (P),"; in the same line, after the first "(AD)," insert "(AF), (AH),"; in the same line, after "(AR)," insert "(AX),"; in the same line, strike "and (BB)" and substitute "(BB), and (BJ)"; in the same line, after "ZA03" insert "(L), (P), (Q),"; in the same line, after the second "(AD)," insert "(AH),"; in the same line, after "(AI)," insert "(AM),"; in line 15, after "(AZ)," insert "(BI),"; in line 27, after "(BF)" insert "and (BK)"; in line 30, strike "and (BH)" and substitute ", (U), (BB), and (BH)".

AMENDMENT NO. 2

On page 3, after line 22, insert:

"(BL) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $350,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St. Mary's County)..... 350,000";

and after line 39, insert:

"(BQ) Patuxent River Naval Air Museum and Visitors Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of St. Mary's County for the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (St. Mary's County)..... 150,000".

AMENDMENT NO. 3

On page 8, after line 17, 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**]** **2013**, to present evidence that a matching fund will be provided (Prince George's County) ..... 100,000".

AMENDMENT NO. 4

On page 8, before line 18, insert:

"Chapter 336 of the Acts of 2008, as amended by Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA01 LOCAL SENATE INITIATIVES

(AT) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $102,500 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**]** **2013** (Charles County)..... 102,500

ZA02 LOCAL HOUSE INITIATIVES

(AG) Lions Camp Merrick. Provide a grant equal to the lesser of (i) $48,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Waldorf Lions Foundation for the renovation of the septic system at Camp Merrick, located in Nanjemoy. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions, and the grantee has until December 1, **[**2012**]** **2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, the

proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, **[**2012**] 2013** (Charles County)..... 48,000".

AMENDMENT NO. 5

On page 8, after line 21, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. Provide a grant equal to the lesser of (i) $45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 45,000

(N) Port Discovery. 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 Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of

Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) ..... 150,000".

On page 9, after line 8, insert:

"(AF) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) 100,000

(AH) Symphony Woods Park. Provide a grant equal to the lesser of (i) $190,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 190,000";

after line 20, insert:

"(AX) Sandy Spring Museum. Provide a grant equal to the lesser of (i) $65,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Sandy Spring Museum, Inc. for the planning, repair, and capital equipping of the Sandy Spring Museum, located in Sandy Spring. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 65,000".

On page 10, after line 4, insert:

"(L) Franklin Entrepreneurial and Apprenticeship Center. 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 Druid Heights Community Development Corporation for the construction and renovation of the Franklin Entrepreneurial and Apprenticeship Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) 75,000

(P) Port Discovery. Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Children's Museum, Inc. for the planning, design, construction, renovation, and capital equipping of Port Discovery, to include replacing windows, construction of permanent exhibits, replacing the roof, and reconfiguring the stairways and doorways to improve the flow of traffic through the museum, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS**

ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Baltimore City) 25,000

(Q) Southeast Neighborhood Development Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Southeast Development, Inc. for the renovation of the Southeast Neighborhood Development Center, located in Baltimore City**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore City) ..... 150,000";

after line 19, insert:

"(AH) Oakland B&O Museum. 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 Oakland for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland. 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**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Garrett County) ..... 100,000";

after line 29, insert:

"(AM) Symphony Woods Park. Provide a grant equal to the lesser of

(i) $60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Association, Inc. for the design and construction of the Symphony Woods Park, located in Columbia**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 60,000".

On page 11, after line 9, insert:

"(BI) Walker Mill Daycare and Training Center. 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 Walker Mill Development, Inc. for the construction and capital equipping of the Walker Mill Daycare and Training Center, located in Capitol Heights. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) 100,000

(BJ) Marlboro Meadows Senior Center. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Marlboro Meadows Community Development Corporation for the acquisition, planning, design, construction, repair, and renovation of the Marlboro Meadows Senior Center, **INCLUDING ACQUISITION AND INSTALLATION OF SECURITY EQUIPMENT,** located in Upper Marlboro. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED.**

NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Prince George's County)..... 50,000".

On page 13, after line 7, insert:

"(BK) Marleigh Community Safety and Surveillance System. Provide a grant of $20,000 to the Board of Directors of the **[**301 Community Corporation, Inc.**]** **MARLEIGH COMMUNITY ASSOCIATION** for the acquisition, construction, and capital equipping of the Marleigh Community Safety and Surveillance System, located in Bowie, subject to a requirement that the grantee provide and expend a matching fund of $6,250 **AND THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) ..... 20,000".

AMENDMENT NO. 6

On page 14, after line 10, insert:

"(U) **[**Morgan Mill Facility.**]** **PROJECT PLASE**. 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 Project PLASE, Inc. for the acquisition and renovation of the **[**Morgan Mill Facility**]** **ST. JOSEPH'S MONASTERY SCHOOL BUILDING**, located in Baltimore City (Baltimore City) 100,000

(BB) Olney Theatre Center. Provide a grant equal to the lesser of (i) $150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olney Theatre Center for the Arts, Inc. for the construction of the main stage building at the Olney Theatre Center, located in Olney. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act**, INCLUDING FUNDS EXPENDED ON OR AFTER JANUARY 1, 2004** (Montgomery County) ..... 150,000".

AMENDMENT NO. 7

On page 3, in line 7, strike "**2015**" and substitute "**2013**".

On page 3 in line 22, on page 8 in line 34, and on page 9 in line 7, 20, and 34, in each instance, strike "**2014**" and substitute "**2013**".

On page 3 in line 38, on page 4 in lines 19 and 33, on page 5 in lines 23 and 37, on page 6 in line 15, on page 8 in line 31, on page 9 in lines 4, 17, and 31, on page 10 in lines 15, 18, 34, and 38, on page 11 in line 26, and on page 13 in lines 3, 7, 16, and 20, in each instance, strike "**2014**" and substitute "**2013**".

On page 11, in line 23, strike "**2016**" and substitute "**2013**".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 541 – Senators Astle and Kittleman

AN ACT concerning

Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge

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

Read the second time and failed by a roll call vote as follows:

Affirmative – 22 Negative – 24 (See Roll Call No. 843)

MESSAGE TO THE SENATE

BILL: **SB 0150**
SPONSOR: The Pres (Admin)
SUBJECT: Budget Bill (Fiscal Year 2013)

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 Madaleno
Senator DeGrange
Senator Robey
Senator Colburn

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell and McFadden.

The House appoints:
Delegate Conway, Chair
Delegate Proctor
Delegate Bohanan
Delegate Gaines
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates James, Haynes and Guzzone.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0152**
SPONSOR: The Pres (Admin)
SUBJECT: Budget Reconciliation and Financing Act of 2012

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 McFadden
Senator DeGrange
Senator Madaleno
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Jones–Rodwell and Robey.

The House appoints:
Delegate Conway, Chair
Delegate Hixson
Delegate Jones
Delegate Griffith
Delegate Hammen

In addition, the House has appointed in advisory capacity: Delegates Bohanan, Clagett, Gaines and Beitzel.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0523**
SPONSOR: Sen Manno
SUBJECT: State and Local Revenue and Financing Act of 2012

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 Madaleno
Senator DeGrange
Senator Jones–Rodwell

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Manno.

The House appoints:
Delegate Hixson, Chair
Delegate Frick
Delegate Barve
Delegate Rosenberg
Delegate Bohanan

In addition, the House has appointed in advisory capacity: Delegates Jones, Branch and Ross.

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 46 Members present.

(See Roll Call No. 844)

ADJOURNMENT

At 11:51 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 25, 2012, Calendar Day, Thursday, March 29, 2012.

Annapolis, Maryland
Legislative Day: March 25, 2012
Calendar Day: Thursday, March 29, 2012
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Reverend Matthew Fuhrman, Prince of Peace Lutheran Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of March 24, 2012 was read and approved.

QUORUM CALL

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

(See Roll Call No. 846)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 647 – Baltimore City Senate Delegation:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Western High School Robotics Team
in recognition of
being the only all–female high school robotics team in Baltimore City and from the State of Maryland going to the World Championship. Congratulations and good luck!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2012.

Read and ordered journalized.

Senate Resolution No. 651 – Baltimore City Senate Delegation:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to

Dunbar High School
Girls Varsity Basketball Team
in recognition of
becoming the 1A State Basketball Champions
for the second successive year. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2012.

Read and ordered journalized.

Senate Resolution No. 650 – Baltimore City Senate Delegation:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dunbar High School
Boys Varsity Basketball Team
in recognition of
becoming the 1A State Basketball Champions
for the third successive year. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2012.

Read and ordered journalized.

Senate Resolution No. 649 – Baltimore City Senate Delegation:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Lake Clifton High School
Boys Varsity Basketball Team
in recognition of
becoming the 2A State Basketball Champions and
the 2A North Region Champions. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2012.

Read and ordered journalized.

Senate Resolution No. 648 – Baltimore City Senate Delegation:

Be it hereby known to all that
The Senate of Maryland

offers its sincerest congratulations to
Patterson High School
Boys Varsity Basketball Team
in recognition of
winning the 3A State Basketball Championship. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 847)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

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

Affirmative – 40 Negative – 7 (See Roll Call No. 849)

The Bill was then sent to the House of Delegates.

Senate Bill 657 – Senator Muse

AN ACT concerning

Horse Racing – Maryland Foaled Stakes Program ~~– Termination~~ and Sires Stakes Program – Revisions

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

Affirmative – 43 Negative – 3 (See Roll Call No. 850)

The Bill was then sent to the House of Delegates.

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 851)

The Bill was then sent to the House of Delegates.

Senate Bill 1086 – Senators Jones–Rodwell, Currie, King, Madaleno, and Manno

AN ACT concerning

Income Tax – Tax Credits – Electronic Filing Requirements

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

Affirmative – 47 Negative – 0 (See Roll Call No. 852)

The Bill was then sent to the House of Delegates.

Senate Bill 1099 – Senator Edwards

AN ACT concerning

Allegany County – Sheriff's Office Employees – Labor Organizations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 853)

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 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

Senator Getty moved, duly seconded, to make the Bill a Special Order for March 30, 2012.

The motion was adopted.

Senate Bill 1032 – Senator Klausmeier

AN ACT concerning

Natural Resources – ~~Fish and Fisheries~~ Technical Advisory Group – Gill Nets

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

Senator Dyson moved, duly seconded, to make the Bill a Special Order for March 30, 2012.

The motion was adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier, Mathias, Middleton, Muse, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0794/229036/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 794
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Mathias,"; in the same line, strike "Muse,"; in line 4, strike "repealing a restriction that limits to a certain calendar year" and substitute "authorizing for certain calendar years"; and in line 11, after "Secretary" insert "of Labor, Licensing, and Regulation".

AMENDMENT NO. 2

On page 2, in lines 27 and 31, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 29 and 33, in each instance, after the closing bracket insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015 ONLY**".

AMENDMENT NO. 3

On page 4, in lines 26 and 30, in each instance, strike "**ANNUALLY**" and substitute "**EACH YEAR FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**"; and in lines 27 and 32, after "**DAYS**" insert "**FOR CALENDAR YEARS 2012, 2013, 2014, AND 2015**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #30

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

Senate Bill 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher Grant

SB0364/234832/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 364

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Grant" and substitute "Scholars"; in lines 3 and 13, in each instance, strike "Grant" and substitute "Award"; in line 4, strike "in the State"; strike beginning with "requiring" in line 4 down through "State;" in line 7; in line 10, after "schools" insert "in Maryland"; in the same line, after "time;" insert "providing that a recipient of a Nancy Grasmick Teacher Award shall be known as a Nancy Grasmick Teacher Scholar; requiring that certain regulations establishing priority for participation in the Janet L. Hoffman Loan Assistance Repayment Program include, for teacher applicants only, an individual who qualifies for a Nancy Grasmick Teacher Award and meets other specified qualifications; prohibiting the Office from approving more than a certain percentage of awards for teacher applicants to Nancy Grasmick Teacher Scholars;"; strike beginning with "requiring" in line 11 down through "Act;" in line 12; in line 17, strike "18–1503,"; and in line 22, after "18–1502" insert "and 18–1503".

AMENDMENT NO. 2

On page 2, in line 24, strike the brackets; in line 25, strike "**OR**"; and strike beginning with "**3.**" in line 26 down through "**STATE;**" in line 30.

On page 3, in line 13, after "**TAUGHT**" insert "**IN MARYLAND**"; in line 22, strike "**GRANT**" and substitute "**AWARD**"; after line 22, insert:

"**(D) A RECIPIENT OF A NANCY GRASMICK TEACHER AWARD SHALL BE KNOWN AS A NANCY GRASMICK TEACHER SCHOLAR.**";

and in lines 23 and 26, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively.

AMENDMENT NO. 3

On page 4, in line 9, after "(iv)" insert "**1.**"; in line 14, after "State;" insert "**OR**

2. FOR TEACHER APPLICANTS ONLY, QUALIFIES FOR A NANCY GRASMICK TEACHER AWARD;";

after line 22, insert:

"**(B) THE OFFICE OF STUDENT FINANCIAL ASSISTANCE MAY NOT APPROVE MORE THAN 50% OF THE TOTAL NUMBER OF AWARDS FOR TEACHER APPLICANTS TO NANCY GRASMICK TEACHER SCHOLARS.**";

and in line 23, strike "(b)" and substitute "**(C)**".

AMENDMENT NO. 4

On page 5, strike in their entirety lines 15 through 30, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.".

The preceding 4 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:

Senate Bill 386 – Senator Pipkin

Alcoholic Beverages – Distilleries – Tours, Samples, and Sales

SB0386/504631/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 386
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Alcoholic" insert "Queen Anne's County"; in line 3, after "expanding" insert "in Queen Anne's County"; in line 8, after "merchandise;" insert "specifying that a caterer in the County is not limited to selling or serving certain foods; prohibiting a license holder or entity in which a license holder has a pecuniary interest from acting as a caterer of food in the County; specifying the times when certain activities may be conducted; providing that a Class 1 manufacturer's license allows the holder to operate a certain number of days a week in the County; requiring a license holder to file with the Comptroller a notice of a promotional event at least a certain time before the event is held in the County; prohibiting a license

holder in the County from selling or allowing to be consumed at the licensed premises certain products; providing that this Act does not limit the application of certain laws and regulations;"; and in line 9, after "licenses" insert "in Queen Anne's County".

AMENDMENT NO. 2

On page 1, in line 19, before "A" insert "**(A)**".

On page 2, in line 9, strike the brackets; and in line 12, strike "**; AND**" and substitute a period; in line 13, strike "**(6) PERMITS**" and substitute:

"**(B) (1) THIS SUBSECTION APPLIES ONLY IN QUEEN ANNE'S COUNTY.**

(2) A CLASS 1 MANUFACTURER'S LICENSE PERMITS".

On page 3, after line 15, insert:

"**(3) A CATERER IS NOT LIMITED TO SELLING OR SERVING ONLY THE FOODS SPECIFIED IN SUBSECTION (A)(6)(III) OF THIS SECTION.**

(4) A HOLDER OF A CLASS 1 MANUFACTURER'S LICENSE OR ENTITY IN WHICH A HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.

(5) A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION:

(I) FOR CONSUMPTION OFF THE LICENSED PREMISES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND FOR SAMPLING, EACH DAY FROM 10 A.M. TO 10 P.M.; AND

(II) FOR CONSUMPTION ON THE LICENSED PREMISES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND SALES AND SERVICE OF FOOD ON THE LICENSED PREMISES:

1. FROM 10 A.M. TO 6 P.M. EACH DAY; OR

2. IF GUESTS ARE ATTENDING A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.

(6) A CLASS 1 MANUFACTURER'S LICENSE ALLOWS THE HOLDER TO OPERATE 7 DAYS A WEEK.

(7) AT LEAST 14 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE OF THE PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT THE COMPTROLLER PROVIDES.

(8) A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LICENSED PREMISES ANY PRODUCT OTHER THAN PRODUCTS PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(9) NOTHING IN THIS SUBSECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.".

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:

Senate Bill 627 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Class B Licenses – Restaurants

SB0627/514333/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 627
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Alcoholic Beverages" insert "Multiple Jurisdictions –"; in the same line, after "B" insert "and Class BLX"; strike beginning with "authorizing" in line 3 down through "services" in line 20 and substitute "altering the maximum number of Class B licenses and Class BLX licenses in Anne Arundel County, Baltimore City, Baltimore County, Calvert County, Charles County, Howard County, Montgomery County, and Prince George's County that certain persons may hold or in which certain persons may have a direct or indirect interest; making a stylistic change; and generally relating to Class B and Class BLX licenses in certain jurisdictions"; in line 23, strike "9–102(a)" and substitute "6–201(f)(1), (r)(1)(i) and (6)(i), 8–202.1(a) and (c)(1), and 9–102.1(a) and (b)(4)"; in line 26, strike "adding to" and substitute "repealing and reenacting, with amendments,"; in line 28, strike "9–102(a–2)" and substitute "6–201(f)(4)(vi) and (r)(6)(iii), 8–202.1(g)(1), (h), and (n), 9–102(b–3A), (o)(1) and (2), (p), and 9–102.1(o)(1)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 5 on page 2 through line 11 on page 4, inclusive, and substitute:

"6–201.

(f) (1) This subsection applies only in Calvert County.

(4) (vi) Notwithstanding any other provision of this article, an individual, corporation, limited liability company, partnership, limited partnership, joint venture, association, or other person or combination of persons may not have a direct or indirect interest in any combination in more than **[**3**]4** Class B and Class BLX licenses.

(r) (1) (i) This subsection applies only in Prince George's County.

(6) (i) There is a Class BLX license, which is a special Class B license.

(iii) 1. Class BLX licenses may be issued only to luxury type restaurants, a term which shall be defined by the regulations of the Board.

2. The restaurant shall have a minimum capital investment of **[**$800,000**]** **$1,000,000** for dining room facilities and kitchen equipment, which sum may not include the cost of land, buildings or a lease.

3. The restaurant shall have a minimum seating capacity of 100 persons.

4. The Board has complete discretion as to whom these licenses may be issued, the number to be issued, and whether an existing license holder of an alcoholic beverages license may also have an interest in one Class BLX license.

5. Subject to sub–subparagraphs 6, 7, and 8 of this subparagraph, an individual or corporation may hold not more than **[**6**]** **10** Class BLX licenses.

6. A license holder may be issued a fifth BLX license only if the date of application for a fifth license is at least 1 year after the date the license holder was issued the fourth license.

7. A license holder may be issued a sixth BLX license only if the date of application for a sixth license is at least 1 year after the date the license holder was issued the fifth license.

8. In determining whether to issue a fifth **[**or**]**, sixth**, SEVENTH, EIGHTH, NINTH, OR TENTH** BLX license to a single license holder, the Board of License Commissioners for Prince George's County:

A. Shall consider the number of licensed establishments existing in the area surrounding the site of the proposed licensed establishment; and

B. May issue the additional license only if the Board determines that the proposed licensed establishment will enhance the recreational, business, and economic development of the area.

9. This license is limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off–sale privileges to be exercised.

10. The residency requirements specified in § 9–101 of this article as it pertains to Prince George's County do not apply to Class BLX licenses.

8–202.1.

(a) This section applies only in Anne Arundel County.

(c) (1) There is a 7–day Class BLX (deluxe restaurant) (on–sale) beer, wine and liquor license.

(g) (1) A licensee may hold not more than **[**six**] 10** licenses of any class in accordance with this section.

(h) (1) Except as provided in paragraph (2) of this subsection, a license that was issued on or before June 30, 2006, and in which a licensee holds a direct interest or an indirect interest:

(i) Shall be counted against the maximum number of **[**six**] 10** licenses that the licensee may hold under this section; but

(ii) Is exempt from subsections (i) through (l) of this section.

(2) A Class H license that was issued in the period beginning on March 14, 2005, and ending on December 1, 2005, may not be counted against the maximum number of **[**six**] 10** licenses that the licensee may hold under this section.

(n) (1) A licensee may be issued a sixth**, SEVENTH, EIGHTH, NINTH, OR TENTH** license if the license sought is a Class BLX license.

(2) The restaurant for which the license is sought may be located anywhere in the county.

9–102.

(b–3A) **(1)** Notwithstanding any other provisions of this section**, AND SUBJECT TO SUBSECTIONS (B–3B) AND (B–3C) OF THIS SECTION,** in Baltimore City or Baltimore County, the holder of a Class B, (on–sale — hotels and restaurants) beer, wine and liquor license under this article, by making application in the regular manner and paying the usual fee may obtain an additional Class B, (on–sale — hotels

and restaurants) beer, wine and liquor license for premises used and occupied as a bona fide restaurant, as may be defined by the rules and regulations of the Board of License Commissioners for Baltimore City or Baltimore County, provided that said restaurant has a minimum capital investment of $500,000 for restaurant facilities, which sum shall not include the cost of land or buildings, and has a minimum seating capacity of 125 persons.

(2) Nothing contained herein shall permit the issuance of more than **[**three (3)**]** **FIVE** such licenses to any person, or for the use of any partnership, corporation, unincorporated association, or limited liability company in Baltimore City or Baltimore County.

(3) The granting of additional licenses hereunder shall be limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off–sale privileges to be exercised therewith.

(o) (1) Subject to paragraphs (2) and (3) of this subsection, and notwithstanding any other provision of law, in Howard County, the Board of License Commissioners may issue 2 Class B (on–sale) beer, wine and liquor licenses and **[**3**]** **7** Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses, or **[**5**]** **9** Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses for separate premises:

(i) To an individual; or

(ii) For the use of a partnership, corporation, or unincorporated association.

(2) A person, including a corporation, limited liability company, partnership, limited partnership, joint venture, association, or other combination of persons, whether natural or otherwise and for whatever reason formed, may not have a direct or indirect interest in any combination of more than **[**5**]** **9** Class B and Class BLX licenses.

(p) Notwithstanding subsection (a) of this section, in Charles County, the Board of License Commissioners may issue **[**1**]** **2** additional Class BLX alcoholic beverages **[**license**]** **LICENSES** for use in a luxury–type restaurant for each Charles County Class BLX licensee who applies.

9–102.1.

(a) This section applies only in Montgomery County.

(b) (4) "License" means a Class B beer, wine and liquor on–sale only license.

(o) (1) A licensee that holds an original license, may obtain a maximum of **[**five**] 9** additional licenses and may not hold more than **[**six**] 10** licenses altogether.".

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #16

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

Senate Bill 166 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Charitable Gaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 71 – Delegate Morhaim

AN ACT concerning

Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption

HB0071/769330/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 71
(Third Reading File Bill)

On page 3, in line 25, strike "**7–4A–03D**" and substitute "**7–4A–03(D)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 124 – Frederick County Delegation

AN ACT concerning

Frederick County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 174 – Delegate George

AN ACT concerning

Local Government Self–Insurance Funds – Investment Guidelines

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 214 – ~~Delegate Impallaria~~ Harford County Delegation

AN ACT concerning

Harford County – Harford Community College – Authority to Incur Debt

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 575 – Delegates Gutierrez, Bobo, Conway, Guzzone, Howard, Proctor, and Serafini

AN ACT concerning

Local Government Investment Pool – Authorized Participants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 868 – Delegate Conway

AN ACT concerning

Finance and Procurement – State Treasury – Collateral

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #17

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

Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

SB0739/689131/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 739
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 5 down through "circumstances;" in line 6; in line 18, after "Section" insert "11–704; and"; and in line 24, after "10–704.9," insert "10–704.10,".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 14 on page 2 through line 8 on page 3, inclusive.

On page 3, in line 18, after "**(A)**" insert:

"**(1) IF A TAX CREDIT HAS A TERMINATION DATE PROVIDED FOR BY LAW, AN EVALUATION SHALL BE MADE OF THAT CREDIT ON OR BEFORE JULY 1 OF THE YEAR PRECEDING THE CALENDAR YEAR OF THE TERMINATION DATE.**

(2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, AN EVALUATION SHALL BE MADE OF THE TAX CREDITS ON OR BEFORE THE DATES SPECIFIED IN SUBSECTIONS (B) THROUGH (E) OF THIS SECTION.

(B)";

in the same line, strike "**2013**" and substitute "**2014**"; and in line 22, after "**ZONE);**" insert "**AND**

(2) TITLE 6, SUBTITLE 4 OF THE ECONOMIC DEVELOPMENT ARTICLE, § 6–119 OF THE INSURANCE ARTICLE, AND § 10–714 OF THIS ARTICLE (ONE MARYLAND ECONOMIC DEVELOPMENT).".

On pages 3 and 4, strike in their entirety the lines beginning with line 23 on page 3 through line 10 on page 4, inclusive.

On page 4, in line 11, strike "**(B)**" and substitute "**(C)**"; in the same line, strike "**2014**" and substitute "**2015**"; after line 12, insert:

"**(1) § 10–704 OF THIS ARTICLE (EARNED INCOME); AND**

(2) § 10–730 OF THIS ARTICLE (FILM PRODUCTION ACTIVITY).";

strike beginning with "**(1)**" in line 13 down through "**INSURANCE).**" in line 29; in line 30, strike "**(C)**" and substitute "**(D)**"; in the same line, strike "**2015**" and substitute "**2016**"; and after line 31, insert:

"**(1) § 5A–303 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, § 6–105.2 OF THE INSURANCE ARTICLE, AND § 10–704.5 OF THIS ARTICLE (SUSTAINABLE COMMUNITIES); AND**

(2) § 10–721 OF THIS ARTICLE (QUALIFIED RESEARCH AND DEVELOPMENT EXPENSES).".

On page 5, strike beginning with "**(1)**" in line 1 down through "**RESOURCES).**" in line 17; in line 18, strike "**(D)**" and substitute "**(E)**"; in the same line, strike "**2016**" and substitute "**2017**"; and after line 19, insert:

"**(1) § 9–230 OF THE TAX – PROPERTY ARTICLE, § 6–116 OF THE INSURANCE ARTICLE, AND § 10–704.8 OF THIS ARTICLE (NEW JOB CREATING BUSINESSES); AND**

(2) § 10–726 OF THIS ARTICLE (BIOTECHNOLOGY INVESTMENT INCENTIVE).".

On pages 5 and 6, strike in their entirety the lines beginning with line 20 on page 5 through line 4 on page 6, inclusive.

AMENDMENT NO. 3

On page 6, in line 20, strike "**AND**"; and after line 21, insert:

"**(IV) THE SECRETARY, OR THE SECRETARY'S DESIGNEE, OF THE DEPARTMENT THAT ADMINISTERS THE TAX CREDIT UNDER EVALUATION; AND**".

AMENDMENT NO. 4

On page 8, in line 8, strike beginning with "**REESTABLISHED**" through "**TERMINATE**" and substitute "**CONTINUED, WITH OR WITHOUT CHANGES, OR TERMINATED**"; in line 9, strike "**EACH BILL**" and substitute "**ANY LEGISLATION**"; strike in their entirety lines 12 through 14, inclusive; strike in their entirety lines 19 through 21, inclusive; in line 15, strike "**(B)**"; in the same line, strike "**REESTABLISHMENT**" and substitute "**CONTINUATION**"; strike beginning with the second "**THE**" in line 17 down through "**SETS**" in line 18; and in line 18, after "**PERIOD**" insert "**IS SET BY LAW**".

AMENDMENT NO. 5

On page 8, in line 24, after "Section(s)" insert "11–704; and"; and in line 27, after "10–704.9," insert "10–704.10,"; and strike beginning with "the" in line 30 down through "or" in line 32.

On page 9, in lines 3 and 5, in each instance, strike "termination or".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #22

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

Senate Bill 316 – Senators Pugh, Benson, Forehand, Jones–Rodwell, King, Klausmeier, Manno, Montgomery, Muse, Peters, and Stone

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Facilities – Abuser Registry

SB0316/347278/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 316
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Registry" insert "Workgroup"; strike beginning with "Secretary" in line 4 down through "facilities" in line 14 and substitute "Department of Health and Mental Hygiene to convene a workgroup to examine certain issues relating to health care facilities and abuser registries; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to health facilities and abuser registries".

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 2 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike beginning with "the" in line 4 on page 2 down through "**SUBTITLE.**" in line 7 on page 5 and substitute ":

(a) The Department of Health and Mental Hygiene shall convene a workgroup to examine issues relating to the creation of a health care facility abuser registry.

(b) The workgroup shall include representatives from:

(1) the Office of Health Care Quality;

(2) the Office of the Attorney General;

(3) law enforcement agencies;

(4) health care providers;

(5) labor representatives;

(6) consumer advocates; and

(7) other interested stakeholders.

(c) The workgroup shall examine:

(1) due process issues relating to a person's name being listed in the registry;

(2) appropriate safeguards for accessing the registry;

(3) estimated costs associated with operating a registry;

(4) the appropriate scope of a registry, including the types of facilities that should be included; and

(5) any other strategies that may be useful for identifying potential employees who are not qualified to work in health care facilities with vulnerable populations.

(d) In conducting its work, the workgroup shall review established registries in other states and any relevant literature on the effectiveness of such registries and other relevant strategies in preventing incidences of abuse.

(e) On or before December 1, 2012, the Department shall, in accordance with § 2–1246 of the State Government Article, report its findings and recommendations to the Senate Finance Committee and the House Health and Government Operations Committee.".

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:

Senate Bill 746 – Senator Middleton

AN ACT concerning

Telecommunications Companies – Universal Service Trust Fund – Surcharge

SB0746/417573/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 746
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Telecommunications" and substitute "Communications"; in line 5, after "time;" insert "altering the maximum amount of a certain surcharge; providing that a certain surcharge is payable by account;"; in the same line, strike "Public Service Commission" and substitute "Secretary of Information Technology"; in line 7, after "circumstances;" insert "providing that the money in the Fund may only be used for certain purposes; requiring the Public Service Commission to determine a certain surcharge annually for the following fiscal year; requiring the Commission to set and adjust a certain surcharge in a certain manner and under certain circumstances; requiring that certain funds be carried forward in the Fund for a certain purpose;"; in line 10, after "proceeds;" insert "providing that this Act may not be construed to expand the jurisdiction of the Commission in any manner over certain services;"; in line 12, strike "telecommunications" and substitute "communications"; and in line 20, strike "(i)" and substitute "(h)".

AMENDMENT NO. 2

On page 2, strike line 12 in its entirety and substitute:

"**(G) "COMMUNICATIONS COMPANY" MEANS:**";

in line 13, strike "**IS:**"; in line 14, strike "**(I)**"; in line 15, after the semicolon insert "**OR**"; strike in their entirety lines 16 through 21, inclusive, and substitute:

"**(2) ANY COMPANY THAT PROVIDES A COMMUNICATIONS SERVICE.**

(H) "COMMUNICATIONS SERVICE" MEANS:

(1) LANDLINE TELEPHONE SERVICE;

(2) WIRELESS OR CELLULAR TELEPHONE SERVICE; OR

(3) VOICE OVER INTERNET PROTOCOL (VOIP) SERVICE, AS DEFINED IN § 8–601 OF THE PUBLIC UTILITIES ARTICLE.";

in line 22, strike "**(H)**" and substitute "**(I)**"; and strike in their entirety lines 25 through 29, inclusive.

On page 3, after line 21, insert:

"**(3) MONEY IN THE UNIVERSAL SERVICE TRUST FUND MAY ONLY BE USED:**

(I) TO FUND THE COSTS OF THE PROGRAMS SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) TO PAY FOR THE ADMINISTRATION OF THE UNIVERSAL SERVICE TRUST FUND.";

in line 25, strike "**TELECOMMUNICATIONS**" and substitute "**COMMUNICATIONS**"; in line 28, strike "45" and substitute "**35**"; in the same line, after "month" insert "**FOR EACH ACCOUNT**"; in lines 30 and 32, in each instance, strike "**TELECOMMUNICATIONS**" and substitute "**A COMMUNICATIONS**"; and after line 32, insert:

"**(3) THE SURCHARGE TO BE COLLECTED UNDER THIS SECTION ONLY APPLIES TO A COMMUNICATIONS SERVICE FOR WHICH CHARGES ARE BILLED BY, OR ON BEHALF OF, A COMMUNICATIONS COMPANY TO A SUBSCRIBER OF THE COMMUNICATIONS SERVICE.**".

On page 4, in line 3, after "Fund" insert "**FOR THE FOLLOWING FISCAL YEAR**"; in line 4, after "(2)" insert "**(I)**"; in the same line, after "surcharge" insert "**FOR THE FOLLOWING FISCAL YEAR**"; after line 6, insert:

"**(II) 1. IN ACCORDANCE WITH SUBSECTION (C)(2) AND SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE PUBLIC SERVICE COMMISSION SHALL SET THE SURCHARGE FOR THE FOLLOWING FISCAL YEAR AT AN AMOUNT THAT IS NO HIGHER THAN NECESSARY TO GENERATE SUFFICIENT REVENUES TO FUND THE COSTS OF THE PROGRAMS FOR THE**

FOLLOWING FISCAL YEAR, AS CERTIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

2. IN SETTING THE SURCHARGE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE PUBLIC SERVICE COMMISSION SHALL TAKE INTO ACCOUNT WHETHER THE SURCHARGE MAY BE ADJUSTED AS A RESULT OF ANY UNCOMMITTED FUNDS IN THE UNIVERSAL SERVICE TRUST FUND AT THE END OF THE FISCAL YEAR THAT MAY BE USED TO FUND THE COSTS OF THE PROGRAMS FOR THE FOLLOWING FISCAL YEAR.";

in line 7, strike "**(I)**"; in the same line, strike "**PUBLIC SERVICE COMMISSION**" and substitute "**SECRETARY**"; in lines 8 and 9, strike "**THAT ARE PUBLIC SERVICE COMPANIES**"; in line 9, after "**THE**" insert "**PUBLIC SERVICE**"; in lines 8, 11, 23, and 26, in each instance, strike "**TELECOMMUNICATIONS**" and substitute "**COMMUNICATIONS**"; strike in their entirety lines 13 through 22, inclusive; in lines 31 and 32, in each instance, after "the" insert "**UNIVERSAL SERVICE TRUST**"; and after line 32, insert:

"**(3) ANY FUNDS REMAINING AT THE END OF A FISCAL YEAR IN THE UNIVERSAL SERVICE TRUST FUND SHALL BE CARRIED FORWARD WITHIN THE UNIVERSAL SERVICE TRUST FUND FOR THE MAINTENANCE AND OPERATION OF THE PROGRAMS SPECIFIED UNDER SUBSECTION (B) OF THIS SECTION IN THE FOLLOWING FISCAL YEAR.**".

AMENDMENT NO. 3

On page 5, after line 24, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to expand the jurisdiction of the Public Service Commission in any manner over wireless or cellular telephone service or Voice over Internet Protocol (VoIP) service.";

and in line 25, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

SB0764/557470/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 764
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "establishing" in line 6 down through "circumstances;" in line 13; and in line 15, after "term;" insert "requiring the Maryland Insurance Administration to conduct a certain analysis of certain practices of corporate sureties and individual sureties; requiring the Administration to consult with certain persons or entities; requiring the Administration to consider certain items, make certain determinations, and conduct certain surveys and reviews in a certain analysis; requiring the Administration to submit certain reports to certain committees of the General Assembly on or before certain dates;".

AMENDMENT NO. 2

On page 2, in line 4, strike "**CONTRACT**" and substitute "**SURETY BONDS OR CONTRACTS**"; strike beginning with "**EXCEPT**" in line 7 down through "**IT**" in line 8 and substitute "**IT**"; in line 9, strike the colon and substitute "**SOLICIT OR ISSUE A SURETY BOND OR CONTRACT OF SURETY INSURANCE EXCEPT AS PROVIDED IN:**

(1) §§ 13–207 AND 17–104 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(2) FOR AN UNCOMPENSATED PERSON, §§ 5–203 AND 5–204 OF THE CRIMINAL PROCEDURE ARTICLE.";

and strike in their entirety lines 10 through 26, inclusive.

AMENDMENT NO. 3

On page 3, after line 30, insert:

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

(a) In accordance with the provisions of § 2–205 of the Insurance Article, the Maryland Insurance Administration shall conduct an analysis of the practices of corporate sureties and individual sureties in the State, as specified under this section.

(b) In conducting the analysis, the Administration shall consult with any person or entity that the Administration determines appropriate, including corporate sureties, individual sureties, insurance producers, contractors, the Department of Transportation, the Department of General Services, and the Maryland Property and Casualty Insurance Guaranty Corporation.

(c) In its analysis, the Administration shall:

(1) consider whether individual sureties should be licensed or otherwise regulated like other surety insurers in order to solicit or issue surety bonds or contracts of surety insurance;

(2) determine whether individual sureties have issued or attempted to issue surety bonds or contracts of surety insurance for the State, counties, or municipalities since authorized to issue surety bonds or contracts of surety insurance under Chapter 299 of the Acts of the General Assembly of 2006, Chapter 266 of the Acts of the General Assembly of 2008, and other applicable provisions of law, and, if so, the number of surety bonds or contracts of surety insurance issued, the number of surety bonds or contracts of surety insurance rejected, and the reasons for any rejection of the surety bonds or contracts of surety insurance;

(3) consider whether and how the law, as enacted under Chapter 299 of the Acts of the General Assembly of 2006 and Chapter 266 of the Acts of the General Assembly of 2008, should be expanded to allow individual sureties to issue surety bonds or contracts of surety insurance to subcontractors;

(4) determine whether individual sureties are authorized to issue surety bonds or contracts of surety insurance in other states and, if so, how individual sureties are regulated in those states;

(5) determine whether corporate sureties or individual sureties have been sanctioned for issuing surety bonds or contracts of surety insurance in the State and other states and the reasons for the sanctions;

(6) conduct a review of:

(i) all corporate sureties that issued surety bonds or contracts of surety insurance in the State and that were declared insolvent or placed under receivership of the Administration within the last 10 years;

(ii) the impact of the insolvency or receivership of the corporate sureties on the availability of surety bonds or contracts of surety insurance in the market;

(iii) the impact of the affected surety bonds on surety bond users and insurance producers; and

(iv) the notice requirements that the Administration provides to surety bond users, insurance producers, and the public in the event of the insolvency or receivership of a corporate surety;

(7) conduct a survey of the Maryland Property and Casualty Insurance Guaranty Corporation to determine:

(i) the number of claims submitted to and paid by the Corporation as a result of an insolvency of a corporate surety in the last 10 years;

(ii) whether contributions provided by surety insurers to the Corporation are adequate for future claims related to insolvent surety insurers;

(iii) the existing statutory requirements of items covered by the Corporation in the event of the insolvency of a corporate surety; and

(iv) whether loss of paid premiums or collateral of surety bond principal and any other covered items should be expanded;

(8) consider whether the laws and regulations for licensing and regulating corporate sureties are adequate, including whether the current risk–based capital standards are adequate to prevent the insolvency of corporate sureties;

(9) consider whether the laws and regulations regulating corporate sureties or individual sureties are adequate to prevent the issuance of fraudulent surety bonds or contracts of surety insurance by corporate sureties or individual sureties;

(10) conduct a survey of the Board of Public Works, the Department of Transportation, the Department of General Services, and a representative sample of corporate sureties and individual sureties, if appropriate, for each year beginning with 2004, that includes:

(i) the percentage of the total surety bonds or contracts of surety insurance that surety insurers issued in the State on construction projects to minority business enterprises, as compared to the surety bonds or contracts of surety insurance that surety insurers issued on construction projects to nonminority business enterprises; and

(ii) the percentage of the total surety bonds or contracts of surety insurance that surety insurers rejected in the State that would have been issued to minority business enterprises on construction projects, as compared to the surety bonds or contracts of surety insurance that surety insurers rejected that would have been issued to nonminority business enterprises on construction projects;

(11) conduct a survey of a representative sample of contractors that have held a surety bond or contract of surety insurance issued by an insolvent surety insurer to determine the method each contractor used to acquire a new surety bond or contract of surety insurance and any additional costs or difficulties the contractor experienced in acquiring a new surety bond or contract of surety insurance;

(12) consider whether there are any programs, including the Maryland State Bond Development and Financing Authority and the United States Small Business Administration Bond Guaranty and Lending Program, that enhance the availability of surety bonds or contracts of surety insurance for new, emerging, and small businesses, including businesses that qualify as minority business enterprises; and

(13) consider the need to establish licensure requirements that are specific for surety insurance producers who sell surety bonds or contracts of surety insurance.

(d) (1) On or before December 1, 2012, the Administration shall submit an interim report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Economic Matters Committee, and the House Health and Government Operations Committee.

(2) On or before December 1, 2013, the Administration shall submit a final report, in accordance with § 2–1246 of the State Government Article, on its findings and recommendations to the Senate Finance Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Economic Matters Committee, and the House Health and Government Operations Committee.";

in line 31, strike "2." and substitute "3."; and in line 32, 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 Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Qualifying Thermal Biomass Systems

SB1004/677671/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1004
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Qualifying"; in lines 4, 6, 9, and 13, strike "qualifying"; in line 7, after "system" insert "is eligible to receive a certain renewable energy credit under certain circumstances; specifying that a certain person that is eligible to receive a certain renewable energy credit"; in lines 7 and 8, strike "under certain circumstances" and substitute "equal to a certain amount".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 17, inclusive, and substitute:

"**(H–1) "THERMAL BIOMASS SYSTEM" MEANS A SYSTEM THAT:**

(1) USES PRIMARILY ANIMAL MANURE, INCLUDING POULTRY LITTER, AND ASSOCIATED BEDDING TO GENERATE THERMAL ENERGY;

(2) IS USED IN THE STATE; AND

(3) COMPLIES WITH ALL APPLICABLE STATE AND FEDERAL STATUTES AND REGULATIONS, AS DETERMINED BY THE APPROPRIATE REGULATORY AUTHORITY.";

and in lines 23 and 24, strike "**, INCLUDING QUALIFYING THERMAL BIOMASS SYSTEMS**".

On page 3, in line 7, strike "and"; in line 8, after "fuel" insert "**; AND**

(12) THERMAL ENERGY FROM A THERMAL BIOMASS SYSTEM";

in lines 10, 16, 19, and 24, strike "**QUALIFYING**"; after line 12, insert:

"**(2) (I) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES ANAEROBIC DIGESTION IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT.**

(II) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES A THERMOCHEMICAL PROCESS IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT IF THE PERSON DEMONSTRATES TO

THE MARYLAND DEPARTMENT OF THE ENVIRONMENT THAT THE OPERATION OF THE THERMAL BIOMASS SYSTEM:

1. IS NOT SIGNIFICANTLY CONTRIBUTING TO LOCAL OR REGIONAL AIR QUALITY IMPAIRMENTS; AND

2. WILL SUBSTANTIALLY DECREASE EMISSIONS OF OXIDES OF NITROGEN BEYOND THAT ACHIEVED BY A DIRECT BURN COMBUSTION UNIT THROUGH THE USE OF PRECOMBUSTION TECHNIQUES, COMBUSTION TECHNIQUES, OR POSTCOMBUSTION TECHNIQUES.";

in lines 13, 18, and 23, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; and in lines 13 and 14, strike "**OWNS AND OPERATES A QUALIFYING THERMAL BIOMASS SYSTEM**" and substitute "**IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT UNDER PARAGRAPH (2) OF THIS SUBSECTION**".

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

THE COMMITTEE ON FINANCE REPORT #23

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

House Bill 65 – Delegates Jameson and Minnick

AN ACT concerning

Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium

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 89 – Delegates Stifler, Burns, Haddaway–Riccio, Jameson, Love, W. Miller, Minnick, and Schuh

AN ACT concerning

Public Safety – Elevators – Accessibility Lift Mechanic License

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 109 – Delegate Vitale

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

HB0109/417873/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 109
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 4 down through "contractor" in line 5.

AMENDMENT NO. 2

On page 2, in lines 12 and 13, strike "**: 1.**"; and strike beginning with "**OR**" in line 14 down through "**CONTRACTOR;**" in line 16.

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 114 – Delegates Jameson and Minnick

AN ACT concerning

Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements

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 131 – Delegates Kipke, Barkley, Barnes, Barve, Bobo, Boteler, Cardin, Carr, Eckardt, Feldman, Frick, Frush, Glass, Glenn, Haddaway–Riccio, Hucker, Impallaria, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kramer, Love, Luedtke, McComas, McDermott, McHale, A. Miller, Minnick, Morhaim, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Schuh, Stocksdale, V. Turner, Vitale, and Waldstreicher

AN ACT concerning

Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies

HB0131/387876/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 131
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike the second "a"; in the same line, strike "health disclosure" and substitute "information"; in line 13, after "purchaser;" insert "providing that it is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act for a retail pet store to include any false or misleading statements in a certain certificate or record;"; in line 15, strike "certain notice and information to" and substitute "a certain written statement to the owner or operator of"; and strike beginning with "and" in line 16 down through "reasonable" in line 18.

On page 2, strike beginning with "authorizing" in line 1 down through "circumstances;" in line 15; in line 21, after "laws;" insert "making certain conforming changes;"; in line 26, strike "19–709" and substitute "19–707"; and after line 29, insert:

"BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxvii)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxviii)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxix)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 5, strike in their entirety lines 15 through 30, inclusive, and substitute:

"**(A) A RETAIL PET STORE SHALL PROVIDE TO A PURCHASER AT THE TIME OF A SALE OF A DOG:**

(1) A HEALTH CERTIFICATE FROM A VETERINARIAN LICENSED IN THE STATE ISSUED WITHIN 30 DAYS BEFORE THE DATE OF SALE CERTIFYING THAT THE DOG:

(I) HAS NO KNOWN DISEASE, ILLNESS, OR CONGENITAL OR HEREDITARY CONDITION WHICH IS DIAGNOSABLE WITH REASONABLE ACCURACY; AND

(II) DOES NOT APPEAR TO BE CLINICALLY ILL FROM PARASITIC INFECTION AT THE TIME OF THE EXAMINATION;

(2) THE WRITTEN RECORD ABOUT THE DOG MAINTAINED BY THE RETAIL PET STORE UNDER § 19–703(A)(2) OF THIS SUBTITLE; AND

(3) A STATEMENT NOTIFYING THE PURCHASER OF THE SPECIFIC RIGHTS AVAILABLE TO THE PURCHASER UNDER THIS SUBTITLE.

(B) IT IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE FOR A RETAIL PET STORE TO INCLUDE ANY FALSE OR MISLEADING STATEMENTS IN THE HEALTH CERTIFICATE OR WRITTEN RECORD PROVIDED TO A PURCHASER UNDER SUBSECTION (A) OF THIS SECTION.".

On page 6, in line 5, strike "**LICENSED**"; in the same line, after "**VETERINARIAN**" insert "**LICENSED IN THE STATE**"; in line 10, strike "**1 YEAR**" and substitute "**180 DAYS**"; and in line 26, strike "**TWO TIMES**".

On pages 6 and 7, strike beginning with "**VETERINARY**" in line 28 on page 6 down through "**(3)**" in line 4 on page 7.

On page 7, in line 8, strike "**(C)(1)**" and substitute "**(C)**"; in line 9, strike "**(1)**"; strike beginning with the colon in line 10 down through "**(II)**" in line 15; in line 16, after "**STORE**" insert "**, WITHIN 5 BUSINESS DAYS AFTER RECEIPT,**"; strike beginning with "**WITHIN**" in line 16 down through "**VETERINARIAN**" in line 17; and in line 21, strike the semicolon and substitute a period.

On pages 7 and 8, strike in their entirety the lines beginning with line 22 on page 7 through line 13 on page 8, inclusive.

On page 8, in line 23, after "**DIAGNOSIS;**" insert "**OR**"; and strike beginning with the semicolon in line 25 down through "**DOG**" in line 27.

On pages 9 and 10, strike in their entirety the lines beginning with line 1 on page 9 through line 19 on page 10, inclusive.

On page 10, in lines 20 and 30, strike "**19–708.**" and "**19–709.**", respectively, and substitute "**19–706.**" and "**19–707.**", respectively.

On page 11, after line 10, insert:

"Article – Commercial Law

13–301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

(xxvii) Section 7–405(e)(2)(ii) of the Health Occupations Article; **[**or**]**

(xxviii) Title 12, Subtitle 10 of the Financial Institutions Article; or

(XXIX) TITLE 19, SUBTITLE 7 OF THE BUSINESS REGULATION ARTICLE; OR".

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 141 – Delegate Feldman

AN ACT concerning

Life Sciences Advisory Board – Purpose and Membership

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 251 – Delegates McDermott and Conway

AN ACT concerning

Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants

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 280 – Delegate Feldman

AN ACT concerning

Electric Service Quality and Reliability Standards – Deadlines

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 286 – Delegates Hubbard, Anderson, Costa, Cullison, Frank, Hammen, A. Kelly, Kipke, Morhaim, Murphy, Nathan–Pulliam, Pendergrass, Ready, Reznik, Rosenberg~~, and V. Turner~~, V. Turner, Oaks, Krebs, Donoghue, and Pena–Melnyk

AN ACT concerning

Managed Care Organizations – Medical Loss Ratio Information – Publication

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 341 – Chair, Economic Matters Committee

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation

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 399 – Delegates Pena–Melnyk, Bromwell, Cullison, Hubbard, A. Kelly, Kipke, Love, Nathan–Pulliam, and Oaks

AN ACT concerning

Health – Cottage Food Businesses – Requirements

HB0399/887577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 399
(Third Reading File Bill)

On page 2, in line 24, strike "**SALES**"; and in the same line, strike "**OF**" and substitute "**FROM THE SALE OF COTTAGE FOOD PRODUCTS IN**".

The preceding amendment was 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 533 – Delegates Feldman, Haddaway–Riccio, McHale, and Schulz

AN ACT concerning

Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts

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 537 – Delegates Jones, Clagett, Cullison, Donoghue, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Hucker, Mizeur, Nathan–Pulliam, Reznik, B. Robinson, V. Turner, Valderrama, and Washington

AN ACT concerning

State Personnel – Collective Bargaining – Applicability

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 Hixson, Barkley, Carr, Kaiser, Kramer, Luedtke, A. Miller, Reznik, S. Robinson, Simmons, ~~and Zucker~~ Zucker, Barve, Bobo, Boteler, Frick, George, Glass, Howard, Ivey, Myers, Rosenberg, Ross, Stukes, Summers, and F. Turner

AN ACT concerning

Home Visiting Accountability Act of 2012

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 1175 – Howard County Delegation

AN ACT concerning

Howard County – Workers' Compensation – Students in Unpaid Work–Based Learning Experiences
Ho. Co. 9–12

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #24

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

House Bill 243 – Delegates Nathan–Pulliam, Braveboy, Burns, Conway, Donoghue, Eckardt, Frush, Howard, Hubbard, Jones, A. Kelly, Kipke, Morhaim, Murphy, Pena–Melnyk, Tarrant, ~~and V. Turner~~ V. Turner, Cullison, Krebs, Bromwell, Ready, Reznik, Elliott, Hammen, Pendergrass, Kach, McDonough, and Frank

AN ACT concerning

Kathleen A. Mathias Chemotherapy Parity Act of 2012

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 555 – Delegates Zucker, Anderson, Arora, Barkley, Barnes, Barve, Beitzel, Bobo, Bromwell, Burns, Clagett, Clippinger, Cluster, Cullison, DeBoy, Dumais, Frick, Gilchrist, Griffith, Guzzone, Haddaway–Riccio, Healey, Hershey, Howard, Hucker, Impallaria, Jameson, Kaiser, A. Kelly, Lafferty, Lee, Love, Luedtke, McComas, McHale, A. Miller, Minnick, Mitchell, Mizeur, Olszewski, Reznik, B. Robinson, S. Robinson, Rudolph, Schulz, Simmons, Sophocleus, Szeliga, Tarrant, V. Turner, Vaughn, Vitale, Waldstreicher, Washington, and Wood

AN ACT concerning

Commercial Law – Security Freezes – Minors and Protected Persons

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 1093 – Delegates Love and Jameson

AN ACT concerning

Portable Electronics Insurance

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 1094 – Delegate Rudolph

AN ACT concerning

Insurance – Fraud Violations – Fines and Administrative Penalties

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 1095 – Delegate Rudolph

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

HB1095/307573/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1095
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "certain" insert "written"; in the same line, after "insured" insert "on a certain form"; and in line 9, after "factor;" insert "requiring an insurer, at the time of a certain application or when a certain policy or binder is issued, to provide a certain written notice of its ability to recalculate a certain premium during a certain period;".

AMENDMENT NO. 2

On page 5, in line 27, strike "**AND (F)**".

On page 6, in line 10, strike "October" and substitute "January"; in the same line, strike "2012" and substitute "2013".

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 1097 – Delegate Rudolph

AN ACT concerning

Insurance – Suspected Fraud – ~~Reporting Requirement~~ Liability for Reporting or for Furnishing or Receiving 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 1279 – Delegates Malone and McHale

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 907 – Delegates McIntosh and Hixson

AN ACT concerning

Environment – Natural Gas Production – Severance Tax

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

CONSENT CALENDAR #50

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

House Bill 8 – Delegate Washington

AN ACT concerning

Crimes – Electronic Communication – Harassment

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 94 – Delegates Haddaway–Riccio, Afzali, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Beitzel, Branch, Bromwell, Cane, Clippinger, Conway, Donoghue, Dumais, Eckardt, Elliott, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glass, Glenn, Hershey, Hogan, Hubbard, Impallaria, Jacobs, Jameson, Kach, Kaiser, A. Kelly, K. Kelly, Kipke, Krebs, Lafferty, McDermott, McDonough, McHale, McIntosh, McMillan, W. Miller, Murphy, Myers, O'Donnell, Olszewski, Otto, S. Robinson, Rudolph, Schulz, Smigiel, Sophocleus, Stifler, Stocksdale, Vitale, Waldstreicher, Washington, ~~and Wood~~ Wood, Costa, McComas, James, F. Turner, A. Miller, and Summers

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates

HB0094/788473/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 94
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "repealing" in line 3 down through "changes" in line 12 and substitute "altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture".

On pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 3 on page 2, inclusive.

On page 2, in line 6, after "Section" insert "13–618 and"; and in line 9, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 28 on page 2 through line 16 on page 5, inclusive, and substitute:

"(a) The Administration may issue special commemorative original or substitute registration plates for any geographical, historical, natural resource, or environmental commemoration of statewide significance.

(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for the assignment of a commemorative registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

(2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;

(3) A Class G (trailer) vehicle; or

(4) A Class M (multipurpose) vehicle.

(c) (1) An original or substitute commemorative plate may only be issued under this section for a fixed period of 2 consecutive years after its initial issuance.

(2) The Administration may only issue one commemorative plate under this section at any one time.

(d) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a commemorative registration plate under this section shall pay:

(i) An additional initial registration fee set by the Administration when the new registration plates are issued to the vehicle under this section; or

(ii) An additional renewal fee set by the Administration each time the plate is renewed.

(2) (i) The Administration shall set the additional initial registration fee at a level that will enable the Administration to recover its costs under this section.

(ii) The Administration may set the additional initial registration fee at a level that is sufficient to result in a surplus after costs are subtracted.

(iii) The Administration shall retain a portion of the additional initial registration fee that is sufficient to allow the Administration to recover any costs of issuing and distributing commemorative plates under this section.

(iv) Any surplus moneys remaining after the Administration has recovered the costs of issuing a commemorative plate under this section and moneys collected for additional renewal fees may not be retained by or transferred to any agency of the State for any purpose.

(v) Notwithstanding subparagraph (iv) of this paragraph, the surplus moneys and moneys collected for additional renewal fees may be retained for the purpose described in paragraph (3) of this subsection.

(3) The surplus moneys and moneys collected for additional renewal fees shall be disbursed by the Administration to a nonprofit organization that is:

(i) Closely related to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(ii) Designated by the Administration under subsection (e) of this section.

(4) No portion of the additional initial registration or renewal fees may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.

(e) (1) The Administration shall adopt regulations not inconsistent with the Maryland Vehicle Law to govern the issuance of special registration plates under this section.

(2) Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

(i) The name and nature of the nonprofit organization receiving the money;

(ii) The relationship of the nonprofit organization to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(iii) The plan of distribution of the funds.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section to establish a schedule under which the Administration will transfer to the nonprofit organization revenue collected on behalf of the nonprofit organization under this section.

(f) The additional fees to the annual registration fee required by this section are not required for special registration of a vehicle that is exempt under § 13–903 of this title, or a vehicle with a special registration plate recognizing:

(1) The Maryland National Guard; or

(2) A volunteer fire department, volunteer rescue squad, or volunteer ambulance company in this State.

(g) (1) A special registration number as specified by the Administration and assigned under this section may consist of:

(i) Any combination of:

1. Letters; and

2. Numerals; and

(ii) Any design approved by the Administration that adequately reflects the geographical, historical, natural resource, or environmental theme which the plate commemorates.

(2) A special registration number or design assigned under this section shall be displayed on the registration plates for the vehicle.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section with respect to any design of the Chesapeake Bay Commemorative License Plate.".

On page 6, in lines 32 and 35, in each instance, strike the bracket; and in line 35, strike "2013" and substitute "**2021**".

On page 7, in lines 4 and 6, in each instance, strike the bracket; in line 4, strike "13" and substitute "**21**"; and in line 5, strike "2013" and substitute "**2021**".

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 115 – Delegates Jameson, Cluster, and DeBoy

AN ACT concerning

Criminal Procedure – Warrantless Arrests – Theft Crimes

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 117 – Delegates Mitchell, Anderson, Clippinger, Conaway, McDermott, Simmons, Smigiel, Stukes, and Washington

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date

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 177 – Delegates McIntosh, Anderson, Beidle, Clippinger, Glenn, Hammen, Lafferty, Love, Mitchell, Oaks, B. Robinson, Sophocleus, Stein, and Washington

AN ACT concerning

Ground Leases – Registration – Failure to Register

HB0177/388374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 177
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 11 down through "Department;" in line 14.

On page 2, in line 2, after "8–710," insert "8–711,"; in line 8, strike "8–703, and 8–711" and substitute "and 8–703"; and in line 18, strike ", 8–710,".

AMENDMENT NO. 2

On page 8, strike in their entirety lines 5 through 29, inclusive.

On page 9, in line 1, strike "8–711." and substitute "**8–710.**".

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 292 – Delegates Glenn, Anderson, Beidle, Conaway, Gilchrist, Hammen, McHale, McMillan, Mitchell, Niemann, Otto, B. Robinson, S. Robinson, Stein, Stukes, Tarrant, Vitale, Washington, and Wilson

AN ACT concerning

Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

HB0292/998070/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 292
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "altering" and substitute "establishing that"; in the same line, after "requirements" insert "and a requirement to complete a certain driver skills log book"; and in line 9, strike "that" and substitute "do not".

AMENDMENT NO. 2

On page 3, in line 10, after "**PERMIT;**" insert "**AND**"; strike beginning with the colon in line 11 down through "**A**" in line 12 and substitute "**A**"; and strike beginning with "**; AND**" in line 15 down through "**PARAGRAPH**" in line 28.

On page 4, in line 3, after "**VIOLATION;**" insert "**AND**"; strike beginning with the colon in line 4 down through "**A**" in line 5 and substitute "**A**"; and strike beginning with "**; AND**" in line 8 down through "**PARAGRAPH**" in line 21.

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 318 – Delegate Feldman

AN ACT concerning

Estates – Small Estate Administration – Eligibility Thresholds

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 349 – Delegates Clippinger, Wilson, Anderson, Arora, Dumais, Glenn, Guzzone, Hough, A. Kelly, Lee, Luedtke, McComas, McDermott, A. Miller, Parrott, Simmons, Smigiel, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations

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 358 – Delegate Conway

AN ACT concerning

Drivers' Licenses and Identification Cards – Notation of Veteran Status

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 363 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Clippinger, Hammen, Harrison, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Police Department – Appointments

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 365 – Delegates Mitchell, Glenn, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Haynes, McHale, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

HB0365/628271/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 365
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "clarifying" in line 17 down through "Act;" in line 18.

AMENDMENT NO. 2

On page 6, in line 27, strike "**OR THE HOUSING AUTHORITY OF BALTIMORE CITY**".

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 435 – Delegate Beidle

AN ACT concerning

Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title

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 476 – Delegates Hammen, McHale, and Clippinger (By Request – Baltimore City Administration) and Delegates Anderson, Branch, Conaway, Glenn, Haynes, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington

AN ACT concerning

Baltimore City – Vehicle Height Monitoring Systems

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 524 – Delegates Parrott, Donoghue, Hough, Myers, and Serafini

AN ACT concerning

Washington County – Sheriffs and Deputy Sheriffs – Practice of Law

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 623 – Delegates Haddaway–Riccio, Cane, Conway, Eckardt, Hershey, Jacobs, Jameson, McDermott, Otto, Rudolph, and Smigiel

AN ACT concerning

Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting

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 631 – Delegates Wilson, Anderson, Arora, Bohanan, Clippinger, Conaway, DeBoy, Fisher, Haynes, Holmes, Jameson, Oaks, S. Robinson,

Tarrant, V. Turner, Valentino–Smith, Vallario, Vaughn, Washington, and Wood

AN ACT concerning

Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police

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 678 – Delegates Niemann and McMillan

AN ACT concerning

Real Property – Manufactured Homes – ~~Conversion~~ Affixation to and Severance from Real 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:

House Bill 773 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Allowance for Funeral Expenses

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 777 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Limited Liability Act – Revisions

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 822 – Delegate Waldstreicher

AN ACT concerning

Maryland Uniform Transfers to Minors Act – Orphans' Court

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 1146 – Delegates Dumais, Simmons, Anderson, Arora, Barnes, Clippinger, Glenn, Hough, K. Kelly, Krebs, Lee, McComas, McDermott, Mitchell, and Waldstreicher

AN ACT concerning

Domestically Related Crimes – Reporting

HB1146/338577/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1146
(Third Reading File Bill)

On page 2, strike beginning with the second comma in line 15 down through "**CRIME**" in line 17.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #22

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

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

SB0214/518575/1
BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 214
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "crime;" insert "providing that a certain sentence imposed under this Act shall be stayed under certain circumstances without requiring an appeal bond;".

AMENDMENT NO. 2

On page 2, after line 25, insert:

"**3. IF A PERSON IS CONVICTED UNDER THIS SUBPARAGRAPH, THE COURT SHALL STAY ANY SENTENCE IMPOSED WITHOUT REQUIRING AN APPEAL BOND:**

A. UNTIL THE TIME FOR FILING AN APPEAL HAS EXPIRED; AND

B. IF AN APPEAL IS FILED, DURING THE PENDENCY OF THE APPEAL.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0214/493821/1
BY: Senator Gladden

AMENDMENT TO SENATE BILL 214
(First Reading File Bill)

On page 2, in line 21, after "**DAYS**" insert "**OR A FINE NOT EXCEEDING $500 OR BOTH**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for March 30, 2012.

The motion was adopted.

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

House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

HB0350/638671/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 350
(Third Reading File Bill)

On page 1, in line 7, after "a" insert "certain".

On page 2, in lines 28 and 32, in each instance, strike "**7**" and substitute "**14**"; and strike beginning with "**OR**" in line 29 down through "**BOTH**" in line 30.

On page 3, strike in their entirety lines 3 through 6, inclusive, and substitute:

"**3. IF A PERSON IS CONVICTED UNDER THIS SUBPARAGRAPH, THE COURT SHALL STAY ANY SENTENCE IMPOSED WITHOUT REQUIRING AN APPEAL BOND:**

A. UNTIL THE TIME FOR FILING AN APPEAL HAS EXPIRED; AND

B. IF AN APPEAL IS FILED, DURING THE PENDENCY OF THE APPEAL.".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0350/423829/1
BY: Senator Gladden

AMENDMENT TO HOUSE BILL 350
(Third Reading File Bill)

On page 2, in line 29, after "**DAYS**" insert "**OR A FINE NOT EXCEEDING $500 OR BOTH**".

The preceding amendment was read only.

Senator Frosh moved, duly seconded, to make the Bill and Amendment a Special Order for March 30, 2012.

The motion was adopted.

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

House Bill 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for March 30, 2012.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 854)

ADJOURNMENT

At 11:38 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Legislative Day March 26, 2012, Calendar Day, Friday, March 30, 2012.

Annapolis, Maryland
Legislative Day: March 26, 2012
Calendar Day: Friday, March 30, 2012
11:00 A.M. Session

The Senate met at 11:10 A.M.

Prayer by Pastor M. Moses A. Andrade, Silver Spring Seventh–day Adventist Church, guest of Senators Rosapepe and Raskin.

(See Exhibit A of Appendix III)

The Journal of March 25, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Benson and Robey be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 855)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #59

Senate Bill 166 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Charitable Gaming

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

Affirmative – 44 Negative – 0 (See Roll Call No. 856)

The Bill was then sent to the House of Delegates.

Senate Bill 214 – Senator Raskin

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

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

Affirmative – 37 Negative – 8 (See Roll Call No. 857)

The Bill was then sent to the House of Delegates.

Senate Bill 316 – Senators Pugh, Benson, Forehand, Jones–Rodwell, King, Klausmeier, Manno, Montgomery, Muse, Peters, and Stone

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Facilities – Abuser Registry Workgroup

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

Affirmative – 45 Negative – 0 (See Roll Call No. 858)

The Bill was then sent to the House of Delegates.

Senate Bill 364 – Senator Ferguson

AN ACT concerning

Loan Assistance Repayment Program – Nancy Grasmick Teacher ~~Grant~~ Scholars

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

Affirmative – 45 Negative – 0 (See Roll Call No. 859)

The Bill was then sent to the House of Delegates.

Senate Bill 386 – Senator Pipkin

AN ACT concerning

Queen Anne's County Alcoholic Beverages – Distilleries – Tours, Samples, and Sales

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

Affirmative – 45 Negative – 0 (See Roll Call No. 860)

The Bill was then sent to the House of Delegates.

Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe

AN ACT concerning

Tax Credit Evaluation Act

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

Affirmative – 45 Negative – 0 (See Roll Call No. 861)

The Bill was then sent to the House of Delegates.

Senate Bill 746 – Senator Middleton

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

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

Affirmative – 33 Negative – 13 (See Roll Call No. 862)

The Bill was then sent to the House of Delegates.

Senate Bill 764 – Senators Kelley, Klausmeier, and Mathias

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

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

Affirmative – 46 Negative – 0 (See Roll Call No. 863)

The Bill was then sent to the House of Delegates.

Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier~~, Mathias~~, Middleton~~, Muse~~, and Robey

AN ACT concerning

Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance

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

Affirmative – 44 Negative – 1 (See Roll Call No. 864)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #2

CONSENT CALENDAR #1

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 8	Del. Washington	Crimes – Electronic Communication – Harassment	JPR
HB 94 (AMENDED)	Del. Haddaway–Riccio	Vehicle Laws – Special and Commemorative Registration Plates	JPR
HB 115	Del. Jameson	Criminal Procedure – Warrantless Arrests – Theft Crimes	JPR
HB 117	Del. Mitchell	State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date	JPR
HB 177 (AMENDED)	Del. McIntosh	Ground Leases – Registration Failure to Register	JPR
HB 292 (AMENDED)	Del. Glenn	Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements	JPR
HB 318	Del. Feldman	Estates – Small Estate Administration – Eligibility Thresholds	JPR
HB 349	Del. Clippinger	Criminal Law – Misdemeanor Possession of Child Pornography – Statute of	JPR

		Limitations	
HB 358	Del. Conway	Drivers' Licenses and Identification Cards – Notation of Veteran Status	JPR
HB 363	Del. Anderson	Baltimore City – Police Department – Appointments	JPR
HB 365 (AMENDED)	Del. Mitchell	Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations	JPR
HB 435	Del. Beidle	Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title	JPR
HB 476	Del. Hammen	Baltimore City – Vehicle Height Monitoring Systems	JPR
HB 524	Del. Parrott	Washington County – Sheriffs and Deputy Sheriffs – Practice of Law	JPR
HB 623	Del. Haddaway–Riccio	Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting	JPR
HB 631	Del. Wilson	Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police	JPR
HB 678	Del. Niemann	Real Property – Manufactured Homes – Affixation to and Severance from Real Property	JPR
HB 773	Del. Waldstreicher	Estates and Trusts – Allowance for Funeral Expenses	JPR
HB 777	Del. Feldman	Corporations and Associations – Limited Liability Act – Revisions	JPR
HB 822	Del. Waldstreicher	Maryland Uniform Transfers to Minors Act – Orphans' Court	JPR

HB 1146 (AMENDED)	Del. Dumais	Domestically Related Crimes – Reporting	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 1 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 865)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 71 – Delegate Morhaim

AN ACT concerning

Family Security Trust Fund – Requirement to Transfer Interest to the General Fund – Exemption

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

Affirmative – 46 Negative – 0 (See Roll Call No. 866)

The Bill was then sent to the House of Delegates.

House Bill 124 – Frederick County Delegation

AN ACT concerning

Frederick County – Public Facilities Bonds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 867)

The Bill was then sent to the House of Delegates.

House Bill 174 – Delegate George

AN ACT concerning

Local Government Self–Insurance Funds – Investment Guidelines

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

Affirmative – 46 Negative – 0 (See Roll Call No. 868)

The Bill was then sent to the House of Delegates.

House Bill 214 – ~~Delegate Impallaria~~ Harford County Delegation

AN ACT concerning

Harford County – Harford Community College – Authority to Incur Debt

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

Affirmative – 46 Negative – 0 (See Roll Call No. 869)

The Bill was then sent to the House of Delegates.

House Bill 243 – Delegates Nathan–Pulliam, Braveboy, Burns, Conway, Donoghue, Eckardt, Frush, Howard, Hubbard, Jones, A. Kelly, Kipke, Morhaim, Murphy, Pena–Melnyk, Tarrant, ~~and V. Turner~~ V. Turner, Cullison, Krebs, Bromwell, Ready, Reznik, Elliott, Hammen, Pendergrass, Kach, McDonough, and Frank

AN ACT concerning

Kathleen A. Mathias Chemotherapy Parity Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 870)

The Bill was then sent to the House of Delegates.

House Bill 537 – Delegates Jones, Clagett, Cullison, Donoghue, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Hucker, Mizeur, Nathan–Pulliam, Reznik, B. Robinson, V. Turner, Valderrama, and Washington

AN ACT concerning

State Personnel – Collective Bargaining – Applicability

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

Affirmative – 36 Negative – 10 (See Roll Call No. 871)

The Bill was then sent to the House of Delegates.

House Bill 555 – Delegates Zucker, Anderson, Arora, Barkley, Barnes, Barve, Beitzel, Bobo, Bromwell, Burns, Clagett, Clippinger, Cluster, Cullison, DeBoy, Dumais, Frick, Gilchrist, Griffith, Guzzone, Haddaway–Riccio, Healey, Hershey, Howard, Hucker, Impallaria, Jameson, Kaiser, A. Kelly, Lafferty, Lee, Love, Luedtke, McComas, McHale, A. Miller, Minnick, Mitchell, Mizeur, Olszewski, Reznik, B. Robinson, S. Robinson, Rudolph, Schulz, Simmons, Sophocleus, Szeliga, Tarrant, V. Turner, Vaughn, Vitale, Waldstreicher, Washington, and Wood

AN ACT concerning

Commercial Law – Security Freezes – Minors and Protected Persons

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

Affirmative – 46 Negative – 0 (See Roll Call No. 872)

The Bill was then sent to the House of Delegates.

House Bill 575 – Delegates Gutierrez, Bobo, Conway, Guzzone, Howard, Proctor, and Serafini

AN ACT concerning

Local Government Investment Pool – Authorized Participants

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

Affirmative – 46 Negative – 0 (See Roll Call No. 873)

The Bill was then sent to the House of Delegates.

House Bill 868 – Delegate Conway

AN ACT concerning

Finance and Procurement – State Treasury – Collateral

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

Affirmative – 46 Negative – 0 (See Roll Call No. 874)

The Bill was then sent to the House of Delegates.

House Bill 1093 – Delegates Love and Jameson

AN ACT concerning

Portable Electronics Insurance

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

Affirmative – 46 Negative – 0 (See Roll Call No. 875)

The Bill was then sent to the House of Delegates.

House Bill 1094 – Delegate Rudolph

AN ACT concerning

Insurance – Fraud Violations – Fines and Administrative Penalties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 876)

The Bill was then sent to the House of Delegates.

House Bill 1095 – Delegate Rudolph

AN ACT concerning

Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor

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

Affirmative – 46 Negative – 0 (See Roll Call No. 877)

The Bill was then sent to the House of Delegates.

House Bill 1097 – Delegate Rudolph

AN ACT concerning

Insurance – Suspected Fraud – ~~Reporting Requirement~~ Liability for Reporting or for Furnishing or Receiving Information

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

Affirmative – 46 Negative – 0 (See Roll Call No. 878)

The Bill was then sent to the House of Delegates.

House Bill 1279 – Delegates Malone and McHale

AN ACT concerning

Motor Vehicle Administration – Plug–In Vehicles – Disclosure of Personal Information

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

Affirmative – 41 Negative – 5 (See Roll Call No. 879)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #4

CONSENT CALENDAR #2

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 114	Del. Jameson	Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements	FIN
HB 131 (AMENDED)	Del. Kipke	Retail Pet Stores – Sales of Dogs – Required Records, Hlth Disclosures, and Purchaser Remedies	FIN
HB 141	Del. Feldman	Life Sciences Advisory Board – Purpose and Membership	FIN
HB 251	Del. McDermott	Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants	FIN
HB 280	Del. Feldman	Electric Service Quality and Reliability Standards – Deadlines	FIN
HB 286	Del. Hubbard	Managed Care Organizations – Medical Loss Ratio Information – Publication	FIN
HB 341	Ch., Econ Matters Co.	St Comm of Real Este Appraisers and Home	FIN

		Inspectors – Sunset Ext and Program Evaluation	
HB 399 (AMENDED)	Del. Pena–Melnyk	Health – Cottage Food Businesses – Requirements	FIN
HB 533	Del. Feldman	Financial Instns – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts	FIN
HB 699	Del. Hixson	Home Visiting Accountability Act of 2012	FIN
HB 1175	Howard County Del.	Howard Co – Workers' Comp – Students in Unpaid Work–Based Learning Experiences Ho. Co. 9–12	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 2 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 880)

The Bills were then sent to the House of Delegates.

House Bill 65 – Delegates Jameson and Minnick

AN ACT concerning

Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium

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

Affirmative – 46 Negative – 0 (See Roll Call No. 881)

The Bill was then sent to the House of Delegates.

House Bill 89 – Delegates Stifler, Burns, Haddaway–Riccio, Jameson, Love, W. Miller, Minnick, and Schuh

AN ACT concerning

Public Safety – Elevators – Accessibility Lift Mechanic License

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

Affirmative – 44 Negative – 2 (See Roll Call No. 882)

The Bill was then sent to the House of Delegates.

House Bill 109 – Delegate Vitale

AN ACT concerning

Public Safety – Elevator Safety Review Board – Membership

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

Affirmative – 40 Negative – 6 (See Roll Call No. 883)

The Bill was then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 356 – Delegate Braveboy

AN ACT concerning

Transportation – Required Security – Rental Vehicles

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; and generally relating to proof of insurance for the registration of certain rental vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 17–103
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–104 and 18–102
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1047 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Beer Containers
Ho. Co. 10–12

FOR the purpose of authorizing the Board of License Commissioners for Howard County to issue a refillable container permit to a holder of a Class B special beer and wine license under certain circumstances; authorizing a holder of a Class B special beer and wine license ~~in Howard County~~ to sell draft beer in certain refillable containers for consumption off the licensed premises only to persons who have purchased food or ~~alcohol~~ an alcoholic beverage from the licensed premises; requiring a refillable container to meet certain requirements; specifying the term of and hours of sale for the permit; requiring that a holder of the permit may refill only a refillable container that was branded by the permit holder; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(p–1)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 7–101(p–1)(11)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section ~~7–101(p–1)(7)(i)~~ 7–101(p–1)(11)
Annotated Code of Maryland
(2011 Replacement Volume)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 627 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Class B Licenses – Restaurants

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0627/514333/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 627
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before "Alcoholic Beverages" insert "Multiple Jurisdictions –"; in the same line, after "B" insert "and Class BLX"; strike beginning with "authorizing" in line 3 down through "services" in line 20 and substitute "altering the maximum number of Class B licenses and Class BLX licenses in Anne Arundel County, Baltimore City, Baltimore County, Calvert County, Charles County, Howard County, Montgomery County, and Prince George's County that certain persons may hold or in which certain persons may have a direct or indirect interest; making a stylistic change; and generally relating to Class B and Class BLX licenses in certain jurisdictions"; in line 23, strike "9–102(a)" and substitute "6–201(f)(1), (r)(1)(i) and (6)(i), 8–202.1(a) and (c)(1), and 9–102.1(a) and (b)(4)"; in line 26, strike "adding to" and substitute "repealing and reenacting, with amendments,"; in line 28, strike "9–102(a–2)" and substitute "6–201(f)(4)(vi) and (r)(6)(iii), 8–202.1(g)(1), (h), and (n), 9–102(b–3A), (o)(1) and (2), (p), and 9–102.1(o)(1)".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 5 on page 2 through line 11 on page 4, inclusive, and substitute:

"6–201.

(f) (1) This subsection applies only in Calvert County.

(4) (vi) Notwithstanding any other provision of this article, an individual, corporation, limited liability company, partnership, limited partnership, joint venture, association, or other person or combination of persons may not have a

direct or indirect interest in any combination in more than **[**3**]4** Class B and Class BLX licenses.

(r) (1) (i) This subsection applies only in Prince George's County.

(6) (i) There is a Class BLX license, which is a special Class B license.

(iii) 1. Class BLX licenses may be issued only to luxury type restaurants, a term which shall be defined by the regulations of the Board.

2. The restaurant shall have a minimum capital investment of **[**$800,000**] $1,000,000** for dining room facilities and kitchen equipment, which sum may not include the cost of land, buildings or a lease.

3. The restaurant shall have a minimum seating capacity of 100 persons.

4. The Board has complete discretion as to whom these licenses may be issued, the number to be issued, and whether an existing license holder of an alcoholic beverages license may also have an interest in one Class BLX license.

5. Subject to sub–subparagraphs 6, 7, and 8 of this subparagraph, an individual or corporation may hold not more than **[**6**] 10** Class BLX licenses.

6. A license holder may be issued a fifth BLX license only if the date of application for a fifth license is at least 1 year after the date the license holder was issued the fourth license.

7. A license holder may be issued a sixth BLX license only if the date of application for a sixth license is at least 1 year after the date the license holder was issued the fifth license.

8. In determining whether to issue a fifth **[**or**],** sixth**, SEVENTH, EIGHTH, NINTH, OR TENTH** BLX license to a single license holder, the Board of License Commissioners for Prince George's County:

A. Shall consider the number of licensed establishments existing in the area surrounding the site of the proposed licensed establishment; and

B. May issue the additional license only if the Board determines that the proposed licensed establishment will enhance the recreational, business, and economic development of the area.

9. This license is limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off–sale privileges to be exercised.

10. The residency requirements specified in § 9–101 of this article as it pertains to Prince George's County do not apply to Class BLX licenses.

8–202.1.

(a) This section applies only in Anne Arundel County.

(c) (1) There is a 7–day Class BLX (deluxe restaurant) (on–sale) beer, wine and liquor license.

(g) (1) A licensee may hold not more than **[**six**] 10** licenses of any class in accordance with this section.

(h) (1) Except as provided in paragraph (2) of this subsection, a license that was issued on or before June 30, 2006, and in which a licensee holds a direct interest or an indirect interest:

(i) Shall be counted against the maximum number of **[**six**] 10** licenses that the licensee may hold under this section; but

(ii) Is exempt from subsections (i) through (l) of this section.

(2) A Class H license that was issued in the period beginning on March 14, 2005, and ending on December 1, 2005, may not be counted against the maximum number of **[**six**] 10** licenses that the licensee may hold under this section.

(n) (1) A licensee may be issued a sixth**, SEVENTH, EIGHTH, NINTH, OR TENTH** license if the license sought is a Class BLX license.

(2) The restaurant for which the license is sought may be located anywhere in the county.

9–102.

(b–3A) **(1)** Notwithstanding any other provisions of this section**, AND SUBJECT TO SUBSECTIONS (B–3B) AND (B–3C) OF THIS SECTION,** in Baltimore City or Baltimore County, the holder of a Class B, (on–sale — hotels and restaurants) beer, wine and liquor license under this article, by making application in the regular manner and paying the usual fee may obtain an additional Class B, (on–sale — hotels and restaurants) beer, wine and liquor license for premises used and occupied as a bona fide restaurant, as may be defined by the rules and regulations of the Board of License Commissioners for Baltimore City or Baltimore County, provided that said restaurant has a minimum capital investment of $500,000 for restaurant facilities, which sum shall not include the cost of land or buildings, and has a minimum seating capacity of 125 persons.

(2) Nothing contained herein shall permit the issuance of more than **[**three (3)**]** **FIVE** such licenses to any person, or for the use of any partnership, corporation, unincorporated association, or limited liability company in Baltimore City or Baltimore County.

(3) The granting of additional licenses hereunder shall be limited and restricted to the purpose of providing alcoholic beverages for consumption on the licensed premises only, with no off–sale privileges to be exercised therewith.

(o) (1) Subject to paragraphs (2) and (3) of this subsection, and notwithstanding any other provision of law, in Howard County, the Board of License Commissioners may issue 2 Class B (on–sale) beer, wine and liquor licenses and **[**3**]** **7** Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses, or **[**5**]** **9** Class BLX (luxury restaurant) (on–sale) beer, wine and liquor licenses for separate premises:

(i) To an individual; or

(ii) For the use of a partnership, corporation, or unincorporated association.

(2) A person, including a corporation, limited liability company, partnership, limited partnership, joint venture, association, or other combination of persons, whether natural or otherwise and for whatever reason formed, may not have a direct or indirect interest in any combination of more than **[**5**] 9** Class B and Class BLX licenses.

(p) Notwithstanding subsection (a) of this section, in Charles County, the Board of License Commissioners may issue **[**1**] 2** additional Class BLX alcoholic beverages **[**license**] LICENSES** for use in a luxury–type restaurant for each Charles County Class BLX licensee who applies.

9–102.1.

(a) This section applies only in Montgomery County.

(b) (4) "License" means a Class B beer, wine and liquor on–sale only license.

(o) (1) A licensee that holds an original license, may obtain a maximum of **[**five**] 9** additional licenses and may not hold more than **[**six**] 10** licenses altogether.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0627/273325/1
BY: Senator Middleton

AMENDMENT TO SENATE BILL 627
(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Conway" and substitute "Senators Conway and Middleton".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0627/703529/1
BY: Senator Astle

AMENDMENTS TO SENATE BILL 627, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 3, after "of" insert "altering the requirement for an alcoholic beverages licensee in Anne Arundel County to be issued a certain Class BLX license for a restaurant;".

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0627/514333/1), in line 12 of Amendment No. 1, after "(h),\" insert "(m),".

AMENDMENT NO. 2

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, after line 6, insert:

"(m) **(1)** A licensee may be issued a fifth license if**[**:

(1) The**]** **THE** license sought is a Class BLX license**[**; and**].**

(2) The restaurant for which the **FIFTH** license is sought**[**:

(i) Is located in a community revitalization zone with a designation in the series "A" through "P", inclusive, as shown on the map adopted by the Anne Arundel County Council by Bill 97–01; or

(ii) Is located anywhere else in the county, if at least one restaurant for which a license was issued to the licensee is already located in a community revitalization zone**]** **MAY BE LOCATED ANYWHERE IN THE COUNTY**.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Qualifying Thermal Biomass Systems

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1004/677671/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1004
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Qualifying"; in lines 4, 6, 9, and 13, strike "qualifying"; in line 7, after "system" insert "is eligible to receive a certain renewable energy credit under certain circumstances; specifying that a certain person that is eligible to receive a certain renewable energy credit"; in lines 7 and 8, strike "under certain circumstances" and substitute "equal to a certain amount".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 17, inclusive, and substitute:

"**(H–1)** **"THERMAL BIOMASS SYSTEM" MEANS A SYSTEM THAT:**

(1) **USES PRIMARILY ANIMAL MANURE, INCLUDING POULTRY LITTER, AND ASSOCIATED BEDDING TO GENERATE THERMAL ENERGY;**

(2) **IS USED IN THE STATE; AND**

(3) **COMPLIES WITH ALL APPLICABLE STATE AND FEDERAL STATUTES AND REGULATIONS, AS DETERMINED BY THE APPROPRIATE REGULATORY AUTHORITY.**";

and in lines 23 and 24, strike "**, INCLUDING QUALIFYING THERMAL BIOMASS SYSTEMS**".

On page 3, in line 7, strike "and"; in line 8, after "fuel" insert "**; AND**

(12) THERMAL ENERGY FROM A THERMAL BIOMASS SYSTEM";

in lines 10, 16, 19, and 24, strike "**QUALIFYING**"; after line 12, insert:

"**(2) (I) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES ANAEROBIC DIGESTION IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT.**

(II) A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES A THERMOCHEMICAL PROCESS IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT IF THE PERSON DEMONSTRATES TO THE MARYLAND DEPARTMENT OF THE ENVIRONMENT THAT THE OPERATION OF THE THERMAL BIOMASS SYSTEM:

1. IS NOT SIGNIFICANTLY CONTRIBUTING TO LOCAL OR REGIONAL AIR QUALITY IMPAIRMENTS; AND

2. WILL SUBSTANTIALLY DECREASE EMISSIONS OF OXIDES OF NITROGEN BEYOND THAT ACHIEVED BY A DIRECT BURN COMBUSTION UNIT THROUGH THE USE OF PRECOMBUSTION TECHNIQUES, COMBUSTION TECHNIQUES, OR POSTCOMBUSTION TECHNIQUES.";

in lines 13, 18, and 23, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; and in lines 13 and 14, strike "**OWNS AND OPERATES A QUALIFYING THERMAL BIOMASS SYSTEM**" and substitute "**IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT UNDER PARAGRAPH (2) OF THIS SUBSECTION**".

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2012.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

Senator Getty moved, duly seconded, to make the Bill a Special Order for April 2, 2012.

The motion was adopted.

Senate Bill 1032 – Senator Klausmeier

AN ACT concerning

Natural Resources – Fish and Fisheries – Gill Nets

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

Senator Conway moved, duly seconded, to recommit the Bill.

The motion was adopted.

Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Favorable report adopted by a roll call vote as follows:

Affirmative – 26 Negative – 20 (See Roll Call No. 884)

FLOOR AMENDMENT

SB0720/333628/1
BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 720
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Suspension" in line 2 down through "Arrearages" in line 3 and substitute "Obligation Determination and Notice of Right and Procedure to Request Modification"; strike beginning with "establishing" in line 4 down through "terms" in line 11 and substitute "requiring the Division of Correction, during the processing of an inmate, to conduct an interview with the inmate to determine if the inmate has a certain child support obligation; requiring the Division to provide notice to a certain inmate of the right and procedure to request a certain modification of a certain court order"; strike in their entirety lines 13 through 17, inclusive; and after line 17 insert:

"BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 3–601
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Correctional Services
Section 3–601.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 27 on page 2, inclusive, and substitute:

"Article – Correctional Services

3–601.

(a) Promptly after an inmate is sentenced to the jurisdiction of the Division, the Division shall assemble an adequate case record for the inmate that includes:

(1) a description of the inmate;

(2) a photograph of the inmate;

(3) the family history of the inmate;

(4) any previous record of the inmate;

(5) a summary of the facts of each case for which the inmate is serving a sentence; and

(6) the results of the physical, mental, and educational examination of the inmate required under subsection (b) of this section.

(b) The Division shall conduct a physical, mental, and educational examination of an inmate as soon as feasible after the individual is sentenced to the jurisdiction of the Division.

(c) Based on the information assembled under subsection (a) of this section, the Division shall classify an inmate and assign the inmate to any available treatment, training, or employment that the Division considers appropriate.

(d) In accordance with regulations adopted by the Division, the managing official of each correctional facility shall maintain, as a part of an inmate's case record:

(1) an adequate record of the conduct, effort, and progress of the inmate during confinement; and

(2) a record of the character of any offense committed by the inmate and the nature and amount of punishment inflicted.

(e) To identify an inmate, the Division may photograph and fingerprint the inmate and record a description of the inmate's personal background data.

3–601.1.

(A) AS PART OF THE PROCESSING OF AN INMATE UNDER § 3–601 OF THIS SUBTITLE, THE DIVISION SHALL CONDUCT AN INTERVIEW WITH THE INMATE TO DETERMINE IF THE INMATE HAS A CHILD SUPPORT OBLIGATION ORDERED BY A COURT UNDER TITLE 10 OF THE FAMILY LAW ARTICLE.

(B) IF IT IS DETERMINED THAT THE INMATE HAS A CHILD SUPPORT OBLIGATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE DIVISION SHALL NOTIFY THE INMATE OF THE RIGHT AND PROCEDURE TO REQUEST AN APPROPRIATE MODIFICATION OF THE ORDER FOR SUPPORT FROM THE ISSUING COURT FOR THE PERIOD IN WHICH THE INMATE IS INCARCERATED.".

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

Affirmative – 21 Negative – 24 (See Roll Call No. 885)

FLOOR AMENDMENT

SB0720/833121/1
BY: Senator Ramirez

AMENDMENT TO SENATE BILL 720
(First Reading File Bill)

On page 2, in line 13, after "**(2)**" insert "**THE OBLIGOR WAS NOT IN ARREARS IN PAYING CHILD SUPPORT AT THE TIME THE OBLIGOR WAS ARRESTED FOR THE CRIME THAT RESULTED IN A SENTENCE TO A TERM OF IMPRISONMENT;**

(3)";

in line 12, strike "**18**" and substitute "**12**"; and in line 15, strike "**(3)**" and substitute "**(4)**".

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

Affirmative – 24 Negative – 22 (See Roll Call No. 886)

Read the second time and ordered prepared for Third Reading.

House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR GLADDEN.

FLOOR AMENDMENT

HB0350/423829/1
BY: Senator Gladden

AMENDMENT TO HOUSE BILL 350
(Third Reading File Bill)

On page 2, in line 29, after "**DAYS**" insert "**OR A FINE NOT EXCEEDING $500 OR BOTH**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Senator Zirkin moved, duly seconded, to make the Bill and Report a Special Order for April 2, 2012.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #31

CONSENT CALENDAR #51

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 12	FAV	Del Glenn	Baltimore Cty – 45th Leg District – Lqr Stores – Premises Near Places of Worship or Schs
HB 13	FAV	Del Glenn	Baltimore City – 45th Legislative District – Alc Bevs – Landlords – Licensed Premises
HB 16	FAV	Del Haddaway–Riccio	Talbot County – Alcoholic Beverages Violations – Issuance of Citations
HB 56	FAV	Del Eckardt, et al	Dorchester County – Alcoholic Beverages – Hours for Sale
HB 58	FAV	Del Eckardt, et al	Dorchester County – Alcohol Awareness Program – Certificate of Completion
HB 204	FAV	Harford County Delegation	Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants
HB 205	FAV	Har Co Deleg, et al	Harford County – Alcoholic Beverages – Wine Festival License
HB 223	FAV	Del Beitzel	Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #33

CONSENT CALENDAR #53

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 144	FAV	Del Eckardt,	Caroline County and Dorchester

(Emergency Bill)		et al	County – Turkey Hunting on Private Property – Sundays
HB 694	FAV	Del Cardin, et al	Election Law – Payroll Deductions and Member Contributions – Address of Contributor
HB 736	FAV	Del Beitzel	Garrett County – Animal Control Ordinance – Enabling Authority
HB 839	FAV	Dels Stifler and Norman	Governor's Advisory Commission on Maryland Wine and Grape Growing – Membership
HB 1058	FAV	Del Stein	Program Open Space – Local Projects – Funding for Development
HB 1108	FAV	Del Weir, et al	Maryland Historical Trust – National Register of Historic Places – Essex Skypark

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #34

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

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

SB0207/314531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 207
(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after "arsenic;" insert "providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date;".

AMENDMENT NO. 2

After line 19, insert:

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

(a) This Act shall be abrogated and of no further force and effect with respect to the specific arsenical additive receiving approval by the U.S. Food and Drug Administration if the U.S. Food and Drug Administration, on review of new information under 21 C.F.R. Part 514, issues a finding that:

(1) approves the use of the arsenical additive;

(2) includes in its approval an evaluation of:

(i) human food safety;

(ii) impact on the environment;

(iii) safety to animals;

(iv) effectiveness of the drug for its intended use;

(v) chemistry and manufacturing procedures; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary.

(b) The State Department of Agriculture shall notify the Department of Legislative Services within 5 days after the action under subsection (a) of this section occurs.".

AMENDMENT NO. 3

In line 20, strike "2." and substitute "3."; and in line 21, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding 3 amendments were read only.

Senator Colburn moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

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:

Senate Bill 1076 – Senator McFadden

AN ACT concerning

Maryland Veterans Commission – Membership – Revision

SB1076/154534/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1076
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; and in line 3, after "Commission;" insert "making this Act an emergency measure;".

AMENDMENT NO. 2

On page 3, in lines 6 and 7, strike "shall take effect October 1, 2012" and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Joint Resolution 2 – Senators Raskin and Forehand

A Senate Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #23

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

House Bill 55 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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 63 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Employees – Criminal History Records Checks

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 67 – Delegates S. Robinson, Carr, and Olszewski

AN ACT concerning

Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

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 197 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Department of Public Safety and Correctional Services – Representation on Boards, Commissions, and Councils

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 198 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Delegation of the Secretary's Authority

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 212 – Delegates Eckardt, Haddaway–Riccio, Hershey, Jacobs, McDermott, and Smigiel

AN ACT concerning

Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check

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 264 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

State Council on Child Abuse and Neglect – Transfer to Department of Human Resources

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 313 – Delegates Stein, Bobo, Carr, Glenn, Hubbard, and S. Robinson

AN ACT concerning

Motor Vehicles – Child ~~Seating and~~ Safety Seats – Requirements ~~and Prohibition~~

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 396 – Delegates Serafini, Afzali, Aumann, Donoghue, Eckardt, Glass, McComas, Norman, Smigiel, and Stocksdale

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

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 431 – Delegate Hogan

AN ACT concerning

Vehicle Laws – Use of School Bus Monitoring Cameras

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2012.

The motion was adopted.

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

House Bill 607 – Delegates Hucker, Aumann, Barkley, Bobo, Burns, Carr, Dumais, Elliott, Frush, Gutierrez, Haddaway–Riccio, Impallaria, A. Kelly, Kramer, Krebs, Lafferty, W. Miller, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Szeliga, ~~and Waldstreicher~~ Waldstreicher, Barnes, Braveboy, Davis, Feldman, Harrison, Hershey, Jameson, Love, McHale, Minnick, Schuh, Schulz, Stifler, and Vaughn

AN ACT concerning

National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

HB0607/798778/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 607
(Third Reading File Bill)

On page 3, in line 9, strike "**$1,000**" and substitute "**$250**".

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 1148 – Delegates Lee, Pena–Melnyk, Gutierrez, Arora, Cane, Carr, Conaway, Cullison, DeBoy, Dumais, Elliott, Glenn, Healey, Jameson, A. Kelly, Luedtke, A. Miller, Nathan–Pulliam, B. Robinson, S. Robinson, Stocksdale, and Valderrama

AN ACT concerning

Courts – Victims of Crime – Interpreters

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #25

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

Senate Bill 252 – Senator Jones–Rodwell

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

SB0252/447673/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 252
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Jones–Rodwell" and substitute "Senators Jones–Rodwell and Pugh"; in line 7 strike, "requiring" and substitute "providing"; in line 8, after "money" insert "shall"; in the same line, after "Fund" insert "under certain circumstances"; in line 12, after "manner;" insert "adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund;"; and after line 27, insert:

"BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)

Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

On page 2, in line 2, after "Section" insert "6–226(a)(2)(ii)62. and 63. and"; and after line 4, insert:

"BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 6, after line 17, insert:

"6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

62. Veterans Trust Fund; **[**and**]**

63. Transportation Trust Fund**; AND**

64. BALTIMORE CITY COMMUNITY ENHANCEMENT TRANSIT–ORIENTED DEVELOPMENT FUND.".

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:

Senate Bill 747 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Revisions to Title 1

SB0747/917972/1
BY: Finance Committee

AMENDMENT TO SENATE BILL 747
(First Reading File Bill)

On page 7, strike beginning with the comma in line 15 down through "**ARTICLE,**" in line 16; and strike beginning with "**AND**" in line 16 down through "**DEALING**" in line 17 and substitute "**IN THE CONDUCT OR TRANSACTION CONCERNED**".

The preceding amendment was 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 791 – Senator Garagiola

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for April 2, 2012.

The motion was adopted.

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

Senate Bill 991 – Senator Astle

AN ACT concerning

Workers' Compensation – Death Benefits – Determination of Benefits

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 1053 – Senator Klausmeier

AN ACT concerning

Financial Institutions – Credit Unions and Depository Institutions – Authority to Conduct Savings Promotion Raffles

SB1053/687578/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 1053
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "raffles;" insert "requiring a depository institution or credit union offering a savings promotion raffle to post and disclose in certain materials a certain statement;"; and in line 8, after "language;" insert "altering certain definitions;".

On page 2, in line 3, strike "with" and substitute "without"; and in line 17, strike "without" and substitute "with".

AMENDMENT NO. 2

On page 4, in line 7, strike "**AS AUTHORIZED**"; strike beginning with the second "customer" in line 17 down through "institution" in line 18; strike beginning with "Maintains" in line 19 down through "(ii)" in line 21; in line 22, strike "(iii)" and substitute "**(II)**"; strike beginning with "for" in line 24 down through "raffle" in line 25; strike beginning with "prize–linked" in line 26 down through "customer" in line 27 and substitute "**CONTEST:**

(I) ASSOCIATED WITH ONE OR MORE QUALIFIED DEPOSIT ACCOUNTS;

(II) CONDUCTED BY A DEPOSITORY INSTITUTION, ALONE OR TOGETHER WITH OTHER BUSINESSES; AND

(III) IN WHICH ELIGIBLE CUSTOMERS ARE OFFERED ONE OR MORE CHANCES TO WIN SPECIFIED PRIZES";

in line 28, strike the brackets; in the same line, strike "**TO THE EXTENT AUTHORIZED BY FEDERAL LAW, A**"; and strike beginning with "for" in line 29 down through "customers" in line 30.

On page 5, in line 1, strike "The sole consideration required" and substitute "**A REQUIREMENT**"; in line 2, strike "the" and substitute "**:**

1. THE";

in line 3, after "account" insert "**ACCORDING TO THE TERMS AND CONDITIONS DEVELOPED FOR THE SAVINGS PROMOTION RAFFLE; OR**

2. THE SUBMISSION OF ANY ENTRY ACCORDING TO THE TERMS AND CONDITIONS DEVELOPED FOR THE SAVINGS PROMOTION RAFFLE WITH NO DEPOSIT OR PURCHASE NECESSARY";

in line 4, strike "ticket or"; after line 11, insert:

"**(2) A DEPOSITORY INSTITUTION OFFERING A SAVINGS PROMOTION RAFFLE UNDER THIS SECTION SHALL POST IN ANY LOCATION WHERE ENTRIES MAY BE SUBMITTED AND DISCLOSE IN ANY MATERIALS PROMOTING THE RAFFLE A STATEMENT DESCRIBING THE TERMS AND CONDITIONS OF THE RAFFLING INCLUDING THAT:**

(I) NO PURCHASE IS NECESSARY;

(II) MAKING DEPOSITS OR PURCHASING GOODS OR SERVICES WILL NOT IMPROVE THE ODDS OF WINNING; AND

(III) THE ODDS OF WINNING WILL BE DETERMINED BASED ON THE NUMBER OF ENTRIES RECEIVED.";

and in line 12, strike "(2)" and substitute "**(3)**".

AMENDMENT NO. 3

On page 5, strike beginning with "for" in line 29 down through "raffle" in line 30.

On page 6, strike beginning with "prize–linked" in line 1 down through "member" in line 2 and substitute "**CONTEST:**

(I) ASSOCIATED WITH ONE OR MORE QUALIFIED SHARE CERTIFICATE ACCOUNTS;

(II) CONDUCTED BY A CREDIT UNION, ALONE OR TOGETHER WITH OTHER BUSINESSES; AND

(III) IN WHICH ELIGIBLE CREDIT UNION MEMBERS ARE OFFERED ONE OR MORE CHANCES TO WIN SPECIFIED PRIZES".

AMENDMENT NO. 4

On page 6, in line 5, strike "The sole consideration required" and substitute "**A REQUIREMENT**"; in line 6, strike "the" and substitute "**:**

1. THE";

in line 7, after "account" insert "**ACCORDING TO THE TERMS AND CONDITIONS DEVELOPED FOR THE SAVINGS PROMOTION RAFFLE; OR**

2. THE SUBMISSION OF AN ENTRY ACCORDING TO THE TERMS AND CONDITIONS DEVELOPED FOR THE SAVINGS PROMOTION RAFFLE WITH NO DEPOSIT OR PURCHASE NECESSARY";

in line 8, strike "ticket or"; after line 15, insert:

"**(C)** **A CREDIT UNION OFFERING A SAVINGS PROMOTION RAFFLE UNDER THIS SECTION SHALL POST IN ANY LOCATION WHERE ENTRIES MAY BE SUBMITTED AND DISCLOSE IN ANY MATERIALS PROMOTING THE RAFFLE A STATEMENT DESCRIBING THE TERMS AND CONDITIONS OF THE RAFFLE INCLUDING THAT:**

(1) **NO PURCHASE IS NECESSARY;**

(2) **MAKING DEPOSITS OR PURCHASING GOODS OR SERVICES WILL NOT IMPROVE THE ODDS OF WINNING; AND**

(3) **THE ODDS OF WINNING WILL BE DETERMINED BASED ON THE NUMBER OF ENTRIES RECEIVED.**";

and in line 16, strike "(c)" and substitute "**(D)**".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 887)

ADJOURNMENT

At 1:25 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 27, 2012, Calendar Day, Monday, April 2, 2012.

Annapolis, Maryland
Legislative Day: March 27, 2012
Calendar Day: Monday, April 2, 2012
8:00 P.M. Session

The Senate met at 8:15 P.M.

Prayer by Reverend Kenneth Thom, All Hallows Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of March 26, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 889)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 40	Sen. Astle	Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors
SB 85	Sen. Jennings	Election Law – Baltimore County Republican Party Central Committee – Election of Chairman
SB 188	Sen. Shank	Wsh Co – Distrib of Amts to Town of Williamsport – Pymts in Lieu of Prop Taxes on Elc Generation Facs
SB 295	Sen. Astle	Commercial Law – Security Freezes – Minors and

		Protected Persons
SB 446	Sen. Colburn	Sales and Use Tax – Sales of Dyed Diesel Fuel
SB 449	Sen. Middleton	Electric Service Quality and Reliability Standards – Deadlines
SB 567	Sen. King	Communications Taxes – Reform Commission
SB 597	Sen. McFadden	Elections – Baltimore City – Election Dates
SB 663	Carroll Co. Senators	Carroll County – Board of Elections – Membership
SB 763	Sen. Benson	Election Law – Payroll Deductions and Member Contributions – Address of Contributor
SB 919	Sen. Ferguson	Election Law – Campaign Finance Entities – Retention of Records
SB 1033	Sen. Jennings	Election Law – Campaign Finance – Requirements

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 18	Sen. Peters	Task Force on Military Service Members, Veterans, and the Courts
SB 48 (Constitutional Amendment)	Baltimore Co. Sens.	Baltimore County – Orphans' Court Judges – Qualifications
SB 59	Sen. Kelley	State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date
SB 131	Sen. Middleton	Criminal Procedure – Warrantless Arrests – Theft Crimes
SB 141	Ch., Jud. Proceed.	Criminal Procedure – Criminal Justice Information System Central Repository – Reporting Data
SB 170	Sen. Shank	Washington County – Sheriffs and Deputy Sheriffs –

		Practice of Law
SB 175	Sen. Raskin	Crimes – Electronic Communication – Harassment
SB 350	Sen. Conway	Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions
SB 353	Sen. Forehand	Estates – Small Estate Administration – Eligibility Thresholds
SB 484	Sen. Kelley	Managed Care Organizations – Medical Loss Ratio Information – Publication
SB 550	Sen. Montgomery	Health – Cottage Food Businesses – Requirements

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 182 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Board of Elections – Salary

FOR the purpose of altering the salary of the members of the St. Mary's County Board of Elections; providing that this Act does not apply to the salary or compensation of the incumbent members of the St. Mary's County Board of Elections; and generally relating to the salary of the members of the St. Mary's County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–204(a)(19)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 441 – The Speaker (By Request – Administration) and Delegates Hucker, Barnes, Barve, Bobo, Cardin, Frush, Hubbard, Jones, Mizeur, Ross, Stein, and Waldstreicher

AN ACT concerning

Maryland Offshore Wind Energy Act of 2012

FOR the purpose of altering the Maryland renewable energy portfolio standard program to include a certain amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio standard that represents offshore wind energy from applying to certain sales in excess of a certain amount of industrial process load and certain sales in excess of a certain amount of electricity sold to certain customers who are owners of agricultural land; altering the definition of "renewable energy credit" for purposes of the renewable energy portfolio standard program; requiring an electricity supplier to exclude certain retail electricity sales before calculating the number of credits required under the renewable portfolio standard; providing that certain provisions concerning the transfer of renewable energy credits do not apply to certain offshore wind renewable energy credits; authorizing a person to submit to the Public Service Commission an application for approval of a proposed offshore wind project after the effective date of certain regulations; ~~specifying the application period and~~ requiring the Commission to open a certain application period and provide certain notice under certain circumstances; authorizing the Commission to provide for additional application periods; requiring the Commission to approve, conditionally approve, or deny an application within a certain time; providing for the contents of an application; requiring the Commission to use certain criteria to evaluate and compare proposed offshore wind projects; prohibiting the Commission from approving an offshore wind project unless certain criteria are met; requiring the Commission to contract the services of independent consultants and experts when evaluating and comparing proposed offshore wind projects and when calculating a proposed offshore wind project's net benefits to the State; requiring the Commission to apply the same net cost per megawatt–hour to residential and nonresidential customers when calculating certain rate impacts; incorporating certain findings and evidence associated with a certain Minority Business Enterprise Program; requiring that approved applicants comply with the Minority Business Enterprise Program; prohibiting the Commission from approving an application until certain goals and procedures are established; requiring that an order approving a proposed offshore wind project include certain information, restrictions, and conditions; providing that a certain order vests the owner of a qualified offshore wind project with a certain right; requiring a qualified offshore wind project to deposit a certain amount into a certain fund at certain times; requiring the Commission to determine the offshore wind energy component of the renewable portfolio standard based on certain projections and requiring electricity suppliers to purchase a certain number of offshore wind renewable energy credits; requiring the Commission to adopt regulations establishing a certain escrow account; requiring a certain overpayment to be refunded to ratepayers, subject to certain reserve requirements, under certain circumstances; requiring a qualified offshore wind project to sell certain energy,

capacity, and ancillary services into certain markets and distribute the proceeds to electric companies to be refunded or credited to ratepayers; requiring the Commission to adopt certain regulations regarding the creation of excess offshore wind renewable energy credits; authorizing the Commission to extend the term of an OREC pricing schedule for a certain amount of time under certain circumstances; stating that an OREC transaction that takes place during an extended OREC term is subject to certain provisions and regulations applicable to the original OREC order; providing that certain provisions regarding certain compliance fees do not apply to a shortfall from the offshore wind renewable energy credit requirement; reducing a certain fee for industrial process load under certain circumstances; providing that certain provisions authorizing a delay of certain scheduled Tier 1 credits do not apply to offshore wind renewable energy credits; exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; providing that an application for a certificate of public convenience and necessity to construct certain energy lines is subject to certain review; prohibiting the Commission from approving an application for the construction or installation of certain energy lines within a certain area; requiring the Commission to provide certain notice to the Maryland Energy Administration for certain purposes; authorizing the Commission to implement a special assessment not to exceed a certain amount in certain fiscal years for certain purposes; authorizing the Commission to implement a special assessment in certain fiscal years to recover certain costs; establishing a Maryland Offshore Wind Business Development Fund in the Department of Business and Economic Development; authorizing the Fund to provide certain financial and business development assistance to a certain business; stating the purpose and administration of the Fund; establishing the Maryland Offshore Wind Business Development Advisory Committee; requiring the Advisory Committee to make certain recommendations regarding the use of money in the Fund; requiring a certain transfer from a certain fund to the Fund; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; defining certain terms; making stylistic changes; making the provisions of this Act severable; requiring the Commission to open a certain evidentiary proceeding to evaluate a certain application; and generally relating to the Maryland renewable energy portfolio standard program, development of offshore wind energy projects, and qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–208, 7–701, 7–703, 7–704(e), and 7–705(b) and (f)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Public Utilities
Section 7–704.1 and 7–704.2

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

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–705(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1102
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)

BY adding to
Article – Economic Development
Section 5–1401 through 5–1404 to be under the new subtitle "Subtitle 14. Maryland Offshore Wind Business Development Fund"
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 964 – Delegates Washington, Tarrant, Anderson, Clippinger, Frush, Love, A. Miller, B. Robinson, S. Robinson, ~~and Smigiel~~ Smigiel, Barkley, Barnes, Braveboy, Hucker, Jameson, McHale, and Vaughn

AN ACT concerning

Labor and Employment – User Name and Password Privacy Protection and Exclusions

FOR the purpose of prohibiting an employer from requesting or requiring that an employee or applicant disclose any user name, password, or other means for accessing a personal account or service through certain electronic communications devices; prohibiting an employer from taking, or threatening to take, certain disciplinary actions for an employee's refusal to disclose certain password and related information; prohibiting an employer from failing or refusing to hire an applicant as a result of the applicant's refusal to disclose certain password and related information; prohibiting an employee from downloading certain unauthorized information or data to certain Web sites or Web–based accounts; providing that an employer, based on the receipt of certain information regarding the use of certain Web sites or certain Web–based accounts, is not prevented from conducting certain investigations for certain purposes; defining certain terms; and generally relating to employment and privacy protection.

BY adding to
Article – Labor and Employment
Section 3–712
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough, Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and F. Turner

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

FOR the purpose of increasing the minimum General Fund appropriation to the Small Business Development Center Network Fund that the Governor is required to include in the annual budget bill beginning in a certain fiscal year; and generally relating to the Small Business Development Center Network Fund.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–104
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1296 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Alcoholic Beverages – Golf Course License

FOR the purpose of authorizing the St. Mary's County Alcohol Beverage Board to issue a special Class M–G beer, wine and liquor license for use at a certain golf course; specifying that a licensee may be a golf course manager; providing for an annual license fee; specifying that the license may be used to sell beer, wine, and liquor for consumption only on the land and in the facilities used for golfing purposes; authorizing a golf course manager to designate an agent for certain purposes; authorizing the transfer of a Class M–G license under certain circumstances; requiring the Board to adopt certain regulations; exempting Class M–G licenses from a certain restriction; and generally relating to alcoholic beverages licenses issued in St. Mary's County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–509
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

FOR the purpose of expanding the privileges of a rectifying license so that the holder of the license may conduct guided tours of the licensed premises~~,~~ and serve not more than a certain number of samples of products manufactured at the licensed premises~~, sell certain foods and beverages, sell products manufactured on the licensed premises for consumption off the licensed premises, and sell related merchandise~~ prohibiting a license holder or entity in which a license holder has a pecuniary interest from acting as a caterer of food; specifying the times when certain activities may be conducted; providing that a Class 2 manufacturer's (rectifying) license allows the holder to operate a certain number of days a week, with a certain exception; requiring a license holder to file with the Comptroller a notice of a promotional event at least a certain time before the event is held; prohibiting a license holder from selling or allowing to be consumed at the licensed premises certain products, with a certain exception; providing that this Act does not limit the application of certain laws and

regulations; making certain technical corrections; and generally relating to rectifying licenses.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–203
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1368 – Delegate Schulz

AN ACT concerning

Frederick County – Middletown Wine Festival License

FOR the purpose of creating in Frederick County a Middletown Wine Festival License; authorizing the Frederick County Board of License Commissioners to issue the license to a holder of certain licenses; specifying that the license entitles the holder to display and sell at retail wine for consumption on or off the premises on the days and for the hours designated for the Middletown Wine Festival; ~~requiring that the Board shall ensure that the primary focus of the Middletown Wine Festival is the promotion of wine produced in Frederick County; requiring a license holder to display and sell wine that is distributed in the State;~~ providing for a license fee; specifying that this Act does not prohibit a license holder from holding another license of a different class or nature; authorizing the Burgess and Commissioners of Middletown to hold not more than a certain number of Middletown Wine Festivals annually; requiring the Burgess and Commissioners to choose certain festival locations; authorizing the Burgess and Commissioners to adopt certain regulations; making certain technical corrections; and generally relating to alcoholic beverages in Frederick County.

BY renumbering
Article 2B – Alcoholic Beverages
Section 8–308.2
to be Section 8–308.3
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–211(a)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 8–211(d–1)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–308.2
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers' Markets

FOR the purpose of authorizing the Office of the Comptroller to issue a winery special event permit to a Class 4 Maryland limited winery ~~in Charles County~~ for unlimited use for a certain amount of time each week at certain farmers' markets in Charles County; and generally relating to the issuance of a winery special event permit for use at a farmers' market in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(12)
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1432 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

FOR the purpose of expressly requiring the Comptroller to enforce certain provisions of law applicable to certain activities conducted by a department of liquor control or a liquor control board; making certain powers of liquor control boards subject to the enforcement authority of the Comptroller; and generally relating to the authority of the Comptroller regarding certain activities of liquor control boards and departments of liquor control.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–204(a) and 15–205
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article 2B – Alcoholic Beverages
Section 16–407.1
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 634 – Delegates George ~~and Kipke~~, Kipke, Morhaim, Bromwell, Krebs, Frank, Pena–Melnyk, Costa, A. Kelly, Pendergrass, and Cullison

AN ACT concerning

Physician Assistants – ~~Use of C–Arm Devices~~ Performance of X–ray Duties

FOR the purpose of ~~authorizing physician assistants to use certain C–arm devices in accordance with certain standards; and generally relating to the use of C–arm devices by physician assistants~~ providing for the circumstances under which a licensed physician assistant may perform certain X–ray duties; requiring a primary supervising physician to obtain certain approval from the Board of Physicians before a certain physician assistant performs certain X–ray procedures; and generally relating to the performance of X–ray duties by physician assistants.

~~BY repealing and reenacting, without amendments,~~
~~Article – Health Occupations~~
~~Section 15–301(a) and (b)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~15–301(e)~~ 14–306(e) and 15–302(c)
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

FOR the purpose of requiring, with a certain exception, a certificate of need for the establishment of percutaneous coronary intervention (PCI) services; requiring, beginning on a certain date, an acute general hospital to have a certificate of conformance before the hospital may establish ~~primary~~ emergency PCI services or ~~nonprimary~~ elective PCI services; prohibiting the Maryland Health Care Commission from issuing a certificate of conformance unless the Commission finds that the proposed ~~primary~~ emergency PCI services or proposed ~~nonprimary~~ elective PCI services meet certain standards; providing that a certificate of conformance is not required, notwithstanding certain provisions of this Act, for an acute general hospital to establish ~~primary~~ emergency PCI services or elective PCI services under certain circumstances; requiring an acute ~~care~~ general hospital that provides cardiac surgery or PCI services under certain authorization to obtain and maintain a certificate of ongoing performance to continue to provide cardiac surgery services, ~~primary~~ emergency PCI services, or ~~nonprimary~~ elective PCI services; requiring an acute general hospital that is providing ~~nonprimary~~ elective PCI services under a research waiver issued by the Commission and does not meet certain requirements to obtain a certificate of conformance for its ~~nonprimary~~ elective PCI services before it may obtain a certificate of ongoing performance to provide the ~~nonprimary~~ elective PCI services; requiring the Commission to adopt certain regulations; requiring the regulations to include certain items; requiring the Commission to establish a clinical advisory group for a certain purpose; requiring the Commission to develop certain recommended regulations, post the recommended regulations on its Web site, and submit the recommended regulations to the Governor and certain legislative committees for review and comment; establishing certain parameters for the process established by the Commission for issuing a certificate of conformance; authorizing a certain hospital, notwithstanding certain provisions of this Act, to provide ~~nonprimary~~ elective PCI services until the Commission takes ~~certain actions~~ a certain action; requiring the Commission to consider a certain factor in issuing a certificate of conformance; requiring a certain process and a certain requirement established in regulation to operate and be implemented in certain manners; providing that certain requirements of this Act do not apply to a hospital that provided cardiac surgery services and PCI services on a certain date until the Commission takes certain actions; defining certain terms; and generally

relating to the regulation of cardiac surgery and percutaneous coronary intervention services by the Maryland Health Care Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–120(j)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(j)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – Health – General
Section 19–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1289 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Economic Development – Qualified Distressed Counties – One Maryland Economic Development Tax Credit

FOR the purpose of altering the definition of "qualified distressed county" for certain purposes, including the Maryland Economic Development Assistance Authority and Fund, the Linked Deposit Program, the One Maryland Economic Development Tax Credit, and the College Readiness Outreach Program; authorizing certain qualified businesses to claim a certain credit under the One Maryland Economic Development Tax Credit on a prorated basis if the number of qualifying positions filled by the qualified business falls below a certain number, but does not fall below another certain number; providing for the application of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the One Maryland Economic Development Tax Credit and the definition of "qualified distressed county" for certain economic development purposes in the State.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 1–101(a) and (b)

Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 1–101(e), 6–403(e) and (f), and 6–404(c) and (d)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

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

House Bill 1340 – Delegate Cullison

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

FOR the purpose of revising the Life and Health Insurance Guaranty Corporation Act; clarifying the purpose of the Act to protect certain persons against failure in the performance of contractual obligations due to the impairment or insolvency of certain insurers; clarifying the persons and circumstances under which certain coverage shall be provided by the Life and Health Insurance Guaranty Corporation; authorizing the Corporation to provide coverage to certain payees or certain beneficiaries of payees under structured settlement annuities under certain circumstances; specifying certain circumstances under which certain persons are not provided coverage under the Act; specifying certain circumstances under which certain policies and contracts issued by member insurers are not provided coverage under the Act; specifying certain interest and certain changes in value of certain policies or contracts that will not be subject to forfeiture under certain circumstances; establishing the principal place of business for certain entities for purposes of the Act; clarifying the authority of the Corporation to take certain action for member insurers that are impaired insurers; clarifying the authority of the Corporation to take certain action for member insurers that are insolvent insurers; clarifying the powers and duties of the Maryland Insurance Commissioner under certain circumstances; authorizing the Corporation, subject to approval of the Commissioner, to issue substitute coverage for certain policies and contracts under certain circumstances; altering the maximum amounts of certain contractual obligations of certain impaired or insolvent insurers for which the Corporation may become liable under certain circumstances; authorizing the Corporation to join an organization of certain state associations for a certain purpose; authorizing the Corporation to elect to succeed to the rights and obligations of certain insolvent insurers relating to certain reinsurance contracts within a certain period of time after the date of an order of liquidation; requiring a receiver and certain reinsurers to make certain information available under certain circumstances for certain purposes after commencement of certain delinquency proceedings; establishing certain rights and obligations of

the Corporation relating to certain reinsurance contracts assumed by the Corporation under certain circumstances; requiring the Corporation and certain reinsurers to make certain calculations within a certain period of time after a certain election; requiring certain reinsurers and the Corporation to make certain payments to a receiver in a certain manner under certain circumstances; requiring a receiver to remit certain payments to the Corporation in a certain manner under a certain circumstance; prohibiting certain reinsurers from taking certain actions relating to reinsurance contracts under certain circumstances; establishing certain rights and obligations of the Corporation and certain reinsurers during a certain period of time after the date of an order of liquidation; authorizing the Corporation to transfer certain reinsurance on certain policies, annuities, or covered obligations under certain circumstances; providing for the application of this Act as it relates to certain laws and certain rights and obligations under certain reinsurance contracts; providing for the application of this Act as it relates to certain rights of the Corporation; extending a certain immunity to certain organizations and certain agents or employees of certain organizations; defining certain terms; altering certain defined terms; and generally relating to the Life and Health Insurance Guaranty Corporation Act.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 9–401, 9–402, 9–403, 9–404, 9–407, 9–408, 9–414, and 9–417
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 9–407.1
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1407 – ~~**Delegate Walker**~~ **Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant**

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a certain workgroup to examine certain issues; requiring the workgroup to include

certain representatives; requiring the Department of Health and Mental Hygiene to report the findings and any recommendations of the workgroup to the Governor and the General Assembly on or before a certain date; and generally relating to cancer clusters and environmental causes of cancer.

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

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2013

(See Exhibit M of Appendix III)

Supplemental Budget No. 1 read and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 890)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #60

Senate Bill 252 – ~~**Senator Jones–Rodwell**~~ **Senators Jones–Rodwell and Pugh**

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

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

Affirmative – 41 Negative – 5 (See Roll Call No. 891)

The Bill was then sent to the House of Delegates.

Senate Bill 627 – ~~**Senator Conway**~~ **Senators Conway and Middleton**

AN ACT concerning

Multiple Jurisdictions – Alcoholic Beverages – Class B and Class BLX Licenses – Restaurants

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

Affirmative – 46 Negative – 0 (See Roll Call No. 892)

The Bill was then sent to the House of Delegates.

Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

The motion was adopted.

Senate Bill 747 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Revisions to Title 1

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

Affirmative – 46 Negative – 0 (See Roll Call No. 893)

The Bill was then sent to the House of Delegates.

Senate Bill 991 – Senator Astle

AN ACT concerning

Workers' Compensation – Death Benefits – Determination of Benefits

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

Affirmative – 46 Negative – 0 (See Roll Call No. 894)

The Bill was then sent to the House of Delegates.

Senate Bill 1053 – Senator Klausmeier

AN ACT concerning

Financial Institutions – Credit Unions and Depository Institutions – Authority to Conduct Savings Promotion Raffles

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

Affirmative – 46 Negative – 0 (See Roll Call No. 895)

The Bill was then sent to the House of Delegates.

Senate Bill 1059 – Senator Conway

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

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

Affirmative – 46 Negative – 0 (See Roll Call No. 896)

The Bill was then sent to the House of Delegates.

Senate Bill 1076 – Senator McFadden

EMERGENCY BILL

AN ACT concerning

Maryland Veterans Commission – Membership – Revision

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

Affirmative – 46 Negative – 0 (See Roll Call No. 897)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 2 – Senators Raskin and Forehand

A Senate Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

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

Affirmative – 46 Negative – 0 (See Roll Call No. 898)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #5

CONSENT CALENDAR #3

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 144 (Emergency Bill)	Del. Eckardt	Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays	EHE
HB 694	Del. Cardin	Election Law – Payroll Deductions and Member Contributions – Address of Contributor	EHE
HB 736	Del. Beitzel	Garrett County – Animal Control Ordinance – Enabling Authority	EHE
HB 839	Del. Stifler	Governor's Advisory Commission on Maryland Wine and Grape Growing – Membership	EHE
HB 1058	Del. Stein	Program Open Space – Local Projects – Funding for Development	EHE
HB 1108	Del. Weir	Maryland Historical Trust – National Register of Historic Places – Essex Skypark	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 3 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 899)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #6

House Bill 55 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving

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

Affirmative – 39 Negative – 7 (See Roll Call No. 900)

The Bill was then sent to the House of Delegates.

House Bill 63 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Employees – Criminal History Records Checks

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

Affirmative – 45 Negative – 0 (See Roll Call No. 901)

The Bill was then sent to the House of Delegates.

House Bill 67 – Delegates S. Robinson, Carr, and Olszewski

AN ACT concerning

Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop

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

Affirmative – 44 Negative – 2 (See Roll Call No. 902)

The Bill was then sent to the House of Delegates.

House Bill 197 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Department of Public Safety and Correctional Services – Representation on Boards, Commissions, and Councils

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

Affirmative – 46 Negative – 0 (See Roll Call No. 903)

The Bill was then sent to the House of Delegates.

House Bill 198 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Delegation of the Secretary's Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 904)

The Bill was then sent to the House of Delegates.

House Bill 212 – Delegates Eckardt, Haddaway–Riccio, Hershey, Jacobs, McDermott, and Smigiel

AN ACT concerning

Caroline County, Dorchester County, and Talbot County – Prospective Employees and Volunteers – Criminal History Records Check

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

Affirmative – 46 Negative – 0 (See Roll Call No. 905)

The Bill was then sent to the House of Delegates.

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

State Council on Child Abuse and Neglect – Transfer to Department of Human Resources

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

Affirmative – 46 Negative – 0 (See Roll Call No. 906)

The Bill was then sent to the House of Delegates.

House Bill 313 – Delegates Stein, Bobo, Carr, Glenn, Hubbard, and S. Robinson

AN ACT concerning

Motor Vehicles – Child ~~Seating and~~ Safety Seats – Requirements ~~and Prohibition~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 907)

The Bill was then sent to the House of Delegates.

House Bill 350 – Delegates Clippinger, Alston, Anderson, Bobo, Carter, Cluster, Cullison, Dumais, Dwyer, Glenn, Hammen, Kaiser, K. Kelly, Luedtke, McDermott, McHale, McIntosh, Mitchell, Niemann, B. Robinson, Rosenberg, Simmons, Smigiel, Tarrant, Valentino–Smith, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

Criminal Law – Possession of Marijuana – De Minimus Quantity

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

Affirmative – 35 Negative – 11 (See Roll Call No. 908)

The Bill was then sent to the House of Delegates.

House Bill 396 – Delegates Serafini, Afzali, Aumann, Donoghue, Eckardt, Glass, McComas, Norman, Smigiel, and Stocksdale

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

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

Affirmative – 45 Negative – 1 (See Roll Call No. 909)

The Bill was then sent to the House of Delegates.

House Bill 607 – Delegates Hucker, Aumann, Barkley, Bobo, Burns, Carr, Dumais, Elliott, Frush, Gutierrez, Haddaway–Riccio, Impallaria, A. Kelly, Kramer, Krebs, Lafferty, W. Miller, Olszewski, Pendergrass, Reznik, S. Robinson, Rudolph, Szeliga, ~~and Waldstreicher~~ Waldstreicher, Barnes, Braveboy, Davis, Feldman, Harrison, Hershey, Jameson, Love, McHale, Minnick, Schuh, Schulz, Stifler, and Vaughn

AN ACT concerning

National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

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

Affirmative – 41 Negative – 5 (See Roll Call No. 910)

The Bill was then sent to the House of Delegates.

House Bill 1148 – Delegates Lee, Pena–Melnyk, Gutierrez, Arora, Cane, Carr, Conaway, Cullison, DeBoy, Dumais, Elliott, Glenn, Healey, Jameson, A. Kelly, Luedtke, A. Miller, Nathan–Pulliam, B. Robinson, S. Robinson, Stocksdale, and Valderrama

AN ACT concerning

Courts – Victims of Crime – Interpreters

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

Affirmative – 45 Negative – 0 (See Roll Call No. 911)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #7

CONSENT CALENDAR #4

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 12	Del. Glenn	Baltimore Cty – 45th Leg District – Lqr Stores – Premises Near Places of Worship or Schs	EHE
HB 13	Del. Glenn	Baltimore City – 45th Legislative District – Alc	EHE

		Bevs – Landlords – Licensed Premises	
HB 16	Del. Haddaway–Riccio	Talbot County – Alcoholic Beverages Violations – Issuance of Citations	EHE
HB 56	Del. Eckardt	Dorchester County – Alcoholic Beverages – Hours for Sale	EHE
HB 58	Del. Eckardt	Dorchester County – Alcohol Awareness Program – Certificate of Completion	EHE
HB 204	Harford County Del.	Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants	EHE
HB 205	Harford County Del.	Harford County – Alcoholic Beverages – Wine Festival License	EHE
HB 223	Del. Beitzel	Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 912)

The Bills were then sent to the House of Delegates.

CONCURRENCE CALENDAR #4

AMENDED IN THE HOUSE

Senate Bill 874 – Senator Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – Refillable Containers

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

SB0874/353294/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 874
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, in each instance, strike the first "a"; in line 3, strike "license" and substitute "licenses"; in line 4, strike "circumstance" and substitute "circumstances, notwithstanding certain provisions"; in line 10, strike "to a certain individual"; strike beginning with "prohibiting" in line 11 down through "consumption;" in line 13; in line 14, after "that" insert "certain applicants meet"; in line 15, strike "be met"; in line 20, strike "was purchased from and"; and in line 21, strike "authorizing" and substitute "requiring".

On page 2, in line 1, after "(b)," insert "9–204.1(f)(1),"; in line 6, after "6–201(d)(1)(v)" insert "and (vi), 9–204.1(f)(2),"; and in line 11, after "8–203(e)" insert "and 9–204.1(f)(8)".

AMENDMENT NO. 2

On page 3, in line 29, after "(v)" insert "**1.**"; in the same line, strike "In" and substitute "**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IN**"; in lines 33 and 36, strike "1." and "2.", respectively, and substitute "**A.**" and "**B.**", respectively; in line 33, strike both brackets; and strike beginning with "**EXCEPT**" in line 33 down through "**AFTER**" in line 34.

On page 4, in lines 1, 4, and 7, strike "3.", "4.", and "**5.**", respectively, and substitute "**C.**", "**D.**", and "**2.**", respectively; in line 3, strike both brackets; in line 6, strike "**; AND**" and substitute a period; in line 7, strike "**MAY**" and substitute "**A LICENSE SPECIFIED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY**"; after line 9, insert:

"(vi) The sales prohibition in subparagraph **[**(v)4**] (v)1D** of this paragraph does not apply to a Class B beer, wine and liquor licensee:

1. Whose license was issued before July 1, 1991; and

2. Who prior to July 1, 1991 operated the premises and exercised the sales privileges under the license on Sundays.";

in line 20, strike "**A**" and substitute "**SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A**"; strike beginning with the colon in line 21 down through "**SUBSECTION,**" in line 22; strike beginning with "**; AND**" in line 24 down through "**PREMISES**" in line 26; and in line 28, strike "**(3)(I)**" and substitute "**(3)**".

On page 5, strike beginning with "**IN**" in line 12 down through "**(6)**" in line 15; in line 24, strike the period and substitute "**; AND**"; in line 25, strike "**THE**" and substitute "**AN APPLICANT WHO HOLDS A LICENSE WITHOUT AN OFF–SALE PRIVILEGE SHALL MEET THE**"; in line 27, strike "**SHALL BE MET**"; and in line 28, strike "**(7)**" and substitute "**(6)**".

On page 6, in lines 1, 5, 11, and 16, strike "**(8)**", "**(9)**", "**(10)**", and "**(11)**", respectively, and substitute "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively; in line 14, strike "**WAS PURCHASED FROM AND**"; in line 16, strike "**MAY**" and substitute "**SHALL**"; strike beginning with "**, INCLUDING**" in line 17 down through "**ISSUED**" in line 18; and after line 18, insert:

"9–204.1.

(f) (1) This subsection applies only in the 46th alcoholic beverages district.

(2) Notwithstanding § 6–201(d)(1)(vii) of this article, **AND SUBJECT TO PARAGRAPH (8) OF THIS SUBSECTION,** the Board may issue a Class B beer, wine and liquor license:

(i) For a restaurant in ward 26, precinct 8, if the restaurant has a minimum capital investment of $700,000, a seating capacity exceeding 150 persons, and average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant;

(ii) For a restaurant in ward 4, precinct 1 or ward 22, precinct 1, if the restaurant has a minimum capital investment of $700,000, a seating capacity that exceeds 75 persons, average daily receipts for the sale of food that are at least

65% of the total daily receipts of the restaurant, and no sales for off–premises consumption;

(iii) For not more than three restaurants in a residential planned unit development for Silo Point as approved by the Mayor and City Council of Baltimore City in Ordinance 04–697 on June 23, 2004, if the restaurant has a minimum capital investment of $700,000, a seating capacity that exceeds 75 persons, average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant, and no sales for off–premises consumption; and

(iv) For not more than three restaurants in a business planned unit development in ward 24, precinct 5 of the 46th alcoholic beverages district, which at all times shall be coterminous with the 46th Legislative District in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002, if each restaurant has a minimum capital investment of $700,000, a seating capacity that exceeds 75 persons but is not more than 150 persons, average daily receipts from the sale of food that are at least 65% of the total daily receipts of the restaurant, and no sales for off–premises consumption.

(8) NOTWITHSTANDING PARAGRAPH (2)(II) THROUGH (IV) OF THIS SUBSECTION, A LICENSE SPECIFIED UNDER THIS SUBSECTION, INCLUDING A LICENSE THAT ALLOWS NO SALES FOR OFF–PREMISES CONSUMPTION, MAY INCLUDE AN OFF–SALE PRIVILEGE FOR SALES OF REFILLABLE CONTAINERS UNDER A REFILLABLE CONTAINER LICENSE ISSUED IN ACCORDANCE WITH § 8–203(E) OF THIS ARTICLE.".

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. 913)

AMENDED IN THE HOUSE

Senate Bill 918 – Senators Ferguson, Benson, Kittleman, and Raskin

AN ACT concerning

Election Law – Campaign Contributors – Occupation and Employer

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

SB0918/435363/1
BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 918
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "amount;" insert "requiring the State Board of Elections to provide certain notice to a treasurer of a campaign finance entity if a contributor makes cumulative contributions exceeding a certain amount during a certain period; requiring the State Board to require a certain standard response that a treasurer shall include in a campaign finance report if a contributor does not provide certain information to the treasurer;".

AMENDMENT NO. 2

On page 2, in line 12, after "**(3)**" insert "**(I)**"; and after line 16, insert:

"**(II) THE STATE BOARD SHALL:**

1. PROMPTLY PROVIDE NOTICE TO THE TREASURER OF A CAMPAIGN FINANCE ENTITY IF A CONTRIBUTOR INCLUDED ON A CAMPAIGN FINANCE REPORT SUBMITTED BY THE TREASURER HAS MADE CONTRIBUTIONS TO THE CAMPAIGN FINANCE ENTITY IN A CUMULATIVE AMOUNT OF $500 OR MORE DURING THE ELECTION CYCLE; AND

2. REQUIRE A STANDARD RESPONSE THAT A TREASURER SHALL INCLUDE IN THE CAMPAIGN FINANCE REPORT IF A CONTRIBUTOR DOES NOT SUPPLY THE INFORMATION REQUIRED CONCERNING THE CONTRIBUTOR'S OCCUPATION AND EMPLOYER.".

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. 914)

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0207/314531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 207
(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after "arsenic;" insert "providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date;".

AMENDMENT NO. 2

After line 19, insert:

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

(a) This Act shall be abrogated and of no further force and effect with respect to the specific arsenical additive receiving approval by the U.S. Food and Drug Administration if the U.S. Food and Drug Administration, on review of new information under 21 C.F.R. Part 514, issues a finding that:

(1) approves the use of the arsenical additive;

(2) includes in its approval an evaluation of:

(i) human food safety;

(ii) impact on the environment;

(iii) safety to animals;

(iv) effectiveness of the drug for its intended use;

(v) chemistry and manufacturing procedures; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary.

(b) The State Department of Agriculture shall notify the Department of Legislative Services within 5 days after the action under subsection (a) of this section occurs.".

AMENDMENT NO. 3

In line 20, strike "2." and substitute "3."; and in line 21, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding 3 amendments were read only.

Senator Colburn moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2012.

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

Affirmative – 26 Negative – 18 (See Roll Call No. 915)

THE COMMITTEE ON RULES REPORT #11

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 512 – Delegate Beitzel

AN ACT concerning

Environment – Garrett County Sanitary District – Imposition of Late Fees

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 1218 – Delegate Ivey

AN ACT concerning

~~Public Charter Schools – Chartering Authorities, Application Requirements, Employees, and Facility Funding~~
Task Force to Study the Improvement of Maryland Public Charter Schools

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 1262 – Delegates Hucker, S. Robinson, and Weir

AN ACT concerning

Environment – Asbestos Worker Protection

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

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

Senate Bill 29 – Senator Simonaire

AN ACT concerning

State Government – Commemorative Day – Young Heroes Day

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:

Senate Bill 36 – Senator Reilly

AN ACT concerning

State Government – Commemorative Month – Irish–American 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:

Senate Bill 42 – Senators Klausmeier, Rosapepe, Forehand, Mathias, and Colburn

AN ACT concerning

State Government – Commemorative Month – German–American 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:

Senate Bill 73 – Senators Kelley, Colburn, Jacobs, Manno, Montgomery, and Rosapepe

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

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:

Senate Bill 572 – Senator Rosapepe

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

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:

Senate Bill 630 – Senators Jones–Rodwell, Currie, Gladden, Kelley, McFadden, Muse, and Pugh

AN ACT concerning

State Government – Commemorative Days – Juneteenth National Freedom Day

SB0630/874433/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 630
(First Reading File Bill)

On page 1, in line 14, strike "and only African American"; in the same line, strike "observance"; and in the same line, after "States" insert "commemorating the end of slavery".

On page 2, in line 18, strike "1864" and substitute "1865".

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:

Senate Bill 777 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

AN ACT concerning

State Government – Commemorative Days – Harriet Tubman Day

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:

Senate Bill 1069 – Senator Pugh

AN ACT concerning

State Government – Statue of Harriet Tubman

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:

Senate Joint Resolution 4 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

A Senate Joint Resolution concerning

National Harriet Tubman Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #36

CONSENT CALENDAR #56

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 61	FAV	Del Eckardt, et al	Dorchester County – Bay Restoration Fund – Collection of Restoration Fee
HB 402	FAV	Del Beitzel	Environment – Dormant Mineral Interests – Termination by Court

			Order Requirements (Joint Referral EHE/JPR, considered by both committees)
HB 511	FAV	Chr ENV and Del Hubbard	State Board of Environmental Health Specialists – Transfer of Responsibilities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #37

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

House Bill 110 – ~~Delegate Barkley~~ Delegates Barkley, Harrison, Hershey, Jameson, Love, and Schulz

AN ACT concerning

Alcoholic Beverages – ~~Follow-Up~~ Criminal History Records Checks – Procedures

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 171 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County and Dorchester County – Winery Special Event Permits – Farmers' Markets

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 595 – Delegate Haddaway–Riccio

AN ACT concerning

Alcoholic Beverages – Manufacturer's 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 686 – Montgomery County Delegation

AN ACT concerning

Montgomery County – City of Takoma Park – Alcoholic Beverages – Class B On– and Off–Sale License
MC 17–12

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 687 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages License – Rock Spring Centre
MC 2–12

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 690 – Montgomery County Delegation

AN ACT concerning

Damascus – Class H Beer and Light Wine Licenses – Repeal of Prohibition

MC 6–12

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 691 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Special Art Gallery Beer and Wine License
MC 18–12

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 813 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Hyattsville – Arts and Entertainment District – Licensed Alcoholic Beverages Establishments – Distance from ~~Churches~~ Places of Worship
PG 308–12

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 919 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Issuance, Transfer, and Renewal of Alcoholic Beverages Licenses – Payment of Taxes
PG 302–12

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 1046 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Sales – Golf Courses
Ho. Co. 7–12

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 1050 – Delegates Barkley and Davis

AN ACT concerning

Alcoholic Beverages Licensees – Adult Entertainment – Exception

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #38

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

House Bill 1 – Delegate Lafferty

AN ACT concerning

Environment – Recycling – Apartment Buildings and Condominiums

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 60 – Delegates Haddaway–Riccio and Eckardt

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

HB0060/504334/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 60
(Third Reading File Bill)

On page 1, in line 6, after "violations;" insert "making a conforming change;"; after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401(b)(17) and (18)
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)";

in line 10, after "Section" insert "1–401(b)(18); and"; and after line 17, insert:

"1–401.

(b) The following provisions of this division apply to a charter county:

(17) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County); **[**and**]**

(18) FOR TALBOT COUNTY ONLY, TITLE 9, SUBTITLE 18 (SINGLE–COUNTY PROVISIONS – TALBOT COUNTY); AND

[(18)**] (19)** Title 11, Subtitle 2 (Civil Penalty).".

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 with amendments:

House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

HB0167/424836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 167
(Third Reading File Bill)

On page 2, in line 9, strike "under 21 C.F.R. Part 514,"; in the same line, after the second "Administration" insert ", on review of new information under 21 C.F.R. Part 514, issues a finding that"; in line 21, strike "and"; and in line 22, after "procedures" insert "; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary".

The preceding amendment was read only.

Senator Colburn moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2012.

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

Affirmative – 20 Negative – 25 (See Roll Call No. 917)

Senator Conway moved, duly seconded, to make the Bill a Special Order for April 4, 2012.

The motion was adopted.

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

House Bill 217 – Delegates Pena–Melnyk, Gutierrez, and Reznik

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services

HB0217/494333/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 217
(Third Reading File Bill)

On page 2, in line 27, strike "**21**".

On page 4, in line 5, strike "**(XV)**" and substitute "**(XII)**".

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 with amendments:

House Bill 250 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Elections – Baltimore City – Election Dates

HB0250/184630/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 250
(Third Reading File Bill)

On page 1, in line 4, strike "terms" and substitute "term"; and in line 5, after "year;" insert "providing for a delayed effective date;".

On page 2, in lines 5 and 14, in each instance, strike the bracket; in line 5, strike "**BEGINNING IN THE YEAR 2016, IN**"; in line 14, strike "**BEGINNING IN 2016, IN**"; and in line 22, strike "October 1, 2012" and substitute "January 1, 2013".

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 with amendments:

House Bill 1285 – Delegates Summers, Cardin, and George

AN ACT concerning

Election Law – Campaign Finance – Requirements

HB1285/634237/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1285
(Third Reading File Bill)

On page 3, in line 5, strike "**WITHIN 60 DAYS OF**" and substitute "**BY THE NEXT DEADLINE FOR FILING A CAMPAIGN FINANCE REPORT AFTER**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #39

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

House Bill 51 – Delegates Eckardt, Cane, and Haddaway–Riccio

AN ACT concerning

Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs

HB0051/314339/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 51
(Third Reading File Bill)

On page 1, in line 4, after "of" insert "updating certain obsolete language by authorizing a certain organization to obtain a certain license from the County Council of Dorchester County under certain circumstances;".

On page 3, in line 21, strike "Commissioners" and substitute "**COUNCIL**".

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 192 – Delegates Jacobs, Hershey, and Smigiel

AN ACT concerning

Kent County – Alcoholic Beverages – Micro–Brewery 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 with amendments:

House Bill 232 – Delegates Tarrant, Branch, Clippinger, Conaway, Haynes, Mitchell, B. Robinson, Stukes, and Washington

AN ACT concerning

Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees

HB0232/414434/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 232
(Third Reading File Bill)

On page 1, in line 6, after "license" insert "that was granted on or before a certain date".

On page 2, in line 7, after "**COMPANY**" insert "**THAT WAS GRANTED ON OR BEFORE JUNE 1, 2012,**".

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 with amendments:

House Bill 254 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Class BLX Licenses

HB0254/254738/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 254
(Third Reading File Bill)

On page 2, in line 5, strike "**$400,000**" and substitute "**$450,000**".

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 with amendments:

House Bill 379 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Citations Issued by Inspectors

HB0379/354836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 379
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "violations;" insert "authorizing an alcoholic beverages inspector in Frederick County to carry a firearm under certain circumstances only if the alcoholic beverages inspector is a retired law enforcement officer;".

AMENDMENT NO. 2

On page 2, in line 4, strike "**PARAGRAPHS (2) AND (3)**" and substitute "**PARAGRAPH (2)**"; in line 14, after "**(2)**" insert "**(I)**"; in line 19, strike "**(3)**" and substitute "**(II)**"; and after line 21, insert:

"**(III) IN FREDERICK COUNTY, AN INSPECTOR MAY CARRY A FIREARM UNDER THIS SUBSECTION ONLY IF THE INSPECTOR IS A RETIRED 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.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #40

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

House Bill 129 – Caroline County Delegation

AN ACT concerning

Caroline County – Deer Hunting on Private Property – Sundays

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 134 – Carroll County Delegation

AN ACT concerning

Carroll County – Archery Hunting – Safety Zone

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 222 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation

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 940 – Delegates Stein, Bobo, Cane, Carr, Gilchrist, Holmes, Hucker, Morhaim, and Weir

AN ACT concerning

Maryland Building Performance Standards – Hotels – Mandatory Master Control Device

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 1007 – Delegates George, Cardin, and Summers

AN ACT concerning

Election Law – Campaign Finance Entities – Retention of Records

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #41

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

House Bill 190 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Noise Control

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 271 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Housing and Community Development – Disaster Relief Housing Program

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 368 – Delegates Norman, Bates, Elliott, Fisher, Frank, Jacobs, Krebs, McComas, McDermott, Otto, Smigiel, Stocksdale, and Vitale

AN ACT concerning

Business Occupations and Professions – State Board of Plumbing – Membership

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 448 – Delegates Morhaim and Reznik

AN ACT concerning

Procurement – Preferences – ~~Computer Purchasing and Electronics Recycling~~ Purchasing and Recycling Electronic Products

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 594 – Delegates McIntosh, Anderson, and Washington

AN ACT concerning

Department of Natural Resources – Pamela J. Kelly Tree–Mendous Maryland Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #24

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

House Bill 92 – Delegates Simmons and Dumais

AN ACT concerning

~~Domestic Violence~~ Peace and Protective Orders – Shielding – Complete Removal of Information from Public Web Site

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 111 – Delegates Anderson, Braveboy, Cane, Carter, Conaway, Glenn, Haynes, Holmes, McDermott, McIntosh, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, B. Robinson, Rosenberg, Washington, and Zucker

AN ACT concerning

Criminal Law – Failure to Return Rental Vehicle – ~~Repeal~~ Notice

HB0111/828579/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 111
(Third Reading File Bill)

On page 2, in lines 12 and 18, in each instance, strike "**10**" and substitute "**5**"; and in line 13, after "**BY**" insert "**REGULAR MAIL AND**".

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 126 – Delegates Beidle, Niemann, and Weir

AN ACT concerning

Maryland Condominium Act – Right of Entry to Investigate Damage and Make Repairs

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 353 – Delegates Holmes and Glenn

AN ACT concerning

Jury Service – Employers – Prohibited Acts

HB0353/298875/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 353
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 6 down through "service" in line 7.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 18, inclusive, and substitute:

"**(B) AN EMPLOYER MAY NOT REQUIRE AN INDIVIDUAL TO WORK BETWEEN 12:00 A.M. AND 11:59 P.M. ON A DAY IN WHICH THE INDIVIDUAL IS EXPECTED TO RESPOND TO A SUMMONS UNDER THIS TITLE OR ATTEND, OR BE IN PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE.**".

The preceding 2 amendments were read only.

Senator Edwards moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2012.

The motion was adopted.

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

House Bill 398 – Delegates Niemann, Afzali, Barnes, Clippinger, Dumais, Frush, Hough, Lee, McDermott, Parrott, Ready, Simmons, Smigiel, Sophocleus, Valderrama, Valentino–Smith, Vallario, and Wilson

AN ACT concerning

Wiretapping and Electronic Surveillance – Investigation of Felony Theft Scheme

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 544 – Delegate Malone

AN ACT concerning

Vehicle Laws – Motor Carriers – Application of Federal Safety Regulations

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 618 – Delegates Simmons, Dumais, and Kramer

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms

Senator Reilly moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2012.

The motion was adopted.

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

House Bill 774 – Delegate Waldstreicher

AN ACT concerning

Maryland General and Limited Power of Attorney Act

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 860 – Delegate Stein

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

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 1160 – Charles County Delegation

AN ACT concerning

Family Law – Interim and Temporary Peace and Protective Orders – Duration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #25

CONSENT CALENDAR #55

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

House Bill 480 – Delegates Braveboy, Jameson, Alston, Barnes, Carter, Frush, Gaines, Holmes, Howard, Pena–Melnyk, Proctor, Ross, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

HB0480/158572/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 480
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "authorizing" and substitute "requiring".

AMENDMENT NO. 2

On page 2, in line 9, strike "**A**" and substitute "**AN UNEXECUTED**"; in the same line, after "**WARRANT**" insert "**FOR A MISDEMEANOR OFFENSE**"; strike beginning with "**FOR**" in line 10 down through "**YEARS**" in line 11; in line 17, strike "**MAY**" and substitute "**SHALL**"; in line 26, strike "**THE**" and substitute "**AN**"; in the same line, after "**WARRANT**" insert "**FOR A MISDEMEANOR OFFENSE**"; and in line 30, strike "**, SUMMONS,**".

AMENDMENT NO. 3

On page 3, in line 5, after "**COMMENCED;**" insert "**OR**"; and strike beginning with "**NULLIFY**" in line 6 down through "**(4)**" in line 9.

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 707 – Delegates Valentino–Smith, Cluster, Cullison, A. Kelly, McComas, McDermott, Parrott, Proctor, Valderrama, and Vallario

AN ACT concerning

Wrongful Death and Survival Causes of Action – Criminal Homicide – Time Limits for Bringing Civil Action

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 740 – Delegate Braveboy

AN ACT concerning

Residential Condominiums – Governing Documents – Claims Provisions

HB0740/958679/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 740
(Third Reading File Bill)

On page 2, strike beginning with "**:**" in line 5 down through "**OCCUPIED**" in line 7 and substitute "**OCCUPIED**"; and strike beginning with "**; OR**" in line 8 down through "**WARRANTIES**" in line 10.

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 762 – Delegate Dumais

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

HB0762/738775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 762
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after "**DISPUTE;**" insert "**AND**"; and strike beginning with "**HAS**" in line 16 down through "**(3)**" in line 18.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 5 through 17, inclusive, and substitute:

"**(1) A PARTY TO A MEDIATION AND ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY MAY NOT DISCLOSE OR BE COMPELLED TO DISCLOSE MEDIATION COMMUNICATIONS IN ANY JUDICIAL, ADMINISTRATIVE, OR OTHER PROCEEDING; AND**

(2) THE PARTIES MAY ENTER INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS AND MAY REQUIRE ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS.".

On page 5, in line 5, strike "**ANY**" and substitute "**A**"; in the same line, after "**THAT**" insert "**, BECAUSE OF FRAUD, DURESS, OR MISREPRESENTATION,**"; in line 10, strike "**AN**" and substitute "**A MANIFEST**"; and in line 12, after "**PROCEEDINGS**" insert "**IN GENERAL BY REDUCING THE CONFIDENCE OF PARTIES IN FUTURE CASES THAT THEIR COMMUNICATIONS WILL REMAIN CONFIDENTIAL**".

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 772 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts

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 942 – Delegates Vallario, Alston, Dumais, Simmons, Valentino–Smith, Waldstreicher, and Wilson

AN ACT concerning

Criminal Procedure – Sex Offender Registration Requirements – Kidnapping

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

CONSENT CALENDAR #54

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 88	FAV	Del Griffith (Chr Jt Com on Pnsns)	State Retirement and Pension System – Medical Board Participation
HB 120	FAV	Anne Arundel County Delegation	Maryland Income Tax Refund – Anne Arundel County – Warrants
HB 170	FAV	St. Mary's County Delegation	State Employees' Ret and Pension Syss – Eligible Employees – St. Mary's Nursing Center, Inc
HB 325 (Emergency Bill)	FAV	Dels Conway and McDermott	Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds
HB 516	FAV	Allegany County	Allegany County – Orphans' Court Judges – Pension

HB 801	FAV	Delegation Del Griffith, et al	State Retirement and Pension System – Transfer of Members Between Systems

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #19

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

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, and Stone

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

SB0477/899439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 477
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Stone" and substitute "Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters".

AMENDMENT NO. 2

On page 2, in lines 14, 16, 20, and 22, strike "**$5,000**", "**12.5%**", "**$7,500**", and "**25%**", respectively, and substitute "**$3,000**", "**7.5%**", "**$4,500**", and "**15%**", respectively; and in lines 15 and 21, in each instance, strike "and" and substitute "**OR**".

AMENDMENT NO. 3

On page 2, in line 27, strike "(1)"; in the same line, strike "paragraph (2)" and substitute "**SUBSECTION (B)**"; in the same line, strike "subsection" and substitute "**SECTION**"; and in line 29, strike "(2)" and substitute "**(B)**".

On pages 2 and 3, strike beginning with "As" in line 29 on page 2 down through "may" in line 1 on page 3 and substitute "**AFTER TERMINATION OF THIS SUBTITLE:**

(1) A BUSINESS ENTITY MAY BE CONSIDERED FOR ELIGIBILITY FOR THE TAX CREDIT AUTHORIZED UNDER THIS SUBTITLE BASED ON POSITIONS FILLED BEFORE TERMINATION OF THIS SUBTITLE, PROVIDED THAT THE OTHER REQUIREMENTS OF THE SUBTITLE ARE SATISFIED; AND

(2) TAX CREDITS EARNED MAY".

On page 3, strike in their entirety lines 3 through 8, 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 162 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

HB0162/499835/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 162
(Third Reading File Bill)

On page 2, in line 17, strike "**ITEM**" and substitute "**SUBSUBSUBPARAGRAPH**"; and in line 26, strike "**AND**" and substitute "**OR**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 592 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Tax Credit for Businesses That Create New Jobs – Enhanced Credit – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 600 – Delegates Zucker, Anderson, Barve, Branch, Clippinger, Glass, Haynes, Howard, Ivey, Kaiser, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Ready, S. Robinson, Rosenberg, Ross, Serafini, Stukes, Vaughn, Walker, ~~and Washington~~ Washington, Cardin, and F. Turner

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

HB0600/689734/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 600
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "and termination"; in the same line, after "Act;" insert "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 2, after line 18, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 3

On page 3, in line 9, strike "2." and substitute "3."; in the same line, after "That" insert "Section 2 of"; and after line 13, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012, and shall be applicable to all taxable years beginning after December 31, 2012.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 726 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies
MC 13–12

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 897 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – Installment Payment Schedule
PG 416–12

HB0897/549934/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 897
(Third Reading File Bill)

On page 1, in line 6, strike "State,".

On page 2, in line 4, strike "**STATE,**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 923 – Delegates Lafferty, Beidle, Bromwell, Clippinger, Cluster, Holmes, Morhaim, Niemann, ~~and Summers~~ Summers, and Cardin

AN ACT concerning

Property Tax Credit – Neighborhood Conservation Act of 2012

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1391 – Delegates Conway, Bates, Beitzel, Bohanan, Busch, Clagett, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Hixson, Jones, Malone, McConkey, McIntosh, Mizeur, Proctor, Sophocleus, Stocksdale, Washington, Wood, ~~and Zucker~~ Zucker, Aumann, Glenn, Haynes, James, and Szeliga

AN ACT concerning

Public School Construction Program – Maryland School for the Blind

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #32

CONSENT CALENDAR #52

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 248	FAV	Har Co Deleg, et al	Harford County – Alcoholic Beverages Licenses – Class C–3 Club License
HB 306	FAV	Dels Haddaway–Riccio and Eckardt	Talbot County – Alcoholic Beverages – Wineries
HB 324	FAV	Cecil County Delegation	Cecil County – Alcoholic Beverages – Class 6 Pub–Brewery Licenses
HB 504	FAV	Del Beitzel	Garrett County – Alcoholic Beverages – Class B Beer Licenses
HB 787	FAV	Frederick County Delegation	Frederick Co – Alc Bevs – Licensed Restaurants – Removal of Tables and Chrs for Expanded Occupancy
HB 962	FAV	Del Anderson (BCA), et al	Baltimore City – Alc Bevs – Video Lottery Facility and Video Lottery Concessionaire Licenses
HB 1319	FAV	Del Tarrant, et al	Baltimore City – Alcoholic Beverages – Zoo 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 329 – ~~**Delegate Costa**~~ **Anne Arundel County Delegation**

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Video Lottery Facility – Licenses and Hours for Sale and Consumption

Senator Conway moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2012.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #26

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

House Bill 99 – Delegate Kipke

AN ACT concerning

~~Health~~ Anne Arundel County – Semipermanent Food Service Facilities – ~~Regulations~~ Requirements

HB0099/407374/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 99
(Third Reading File Bill)

On page 4, in line 24, strike "**SHALL USE**" and substitute "**USE**".

The preceding amendment was 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 100 – Delegate Pena–Melnyk

AN ACT concerning

Vital Records – Certificates of Death – Amendments to Cause of Death

HB0100/807277/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 100
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "issuance" and substitute "registration".

AMENDMENT NO. 2

On page 2, in line 33, strike "**ISSUANCE**" and substitute "**REGISTRATION**".

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 258 – Delegate Haddaway–Riccio

AN ACT concerning

Renewable Energy Portfolio Standard – Sale or Transfer of Solar Renewable Energy Credits – ~~Elimination of~~ Minimum Required Term

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 288 – Delegate Hubbard

AN ACT concerning

Baby Boomer Initiative Council

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 293 – Chair, Economic Matters Committee (By Request – Departmental – Uninsured Employers' Fund)

AN ACT concerning

Worker's Compensation – Uninsured Employers' Fund

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 299 – Delegates Kipke, Aumann, Burns, DeBoy, Hubbard, Kaiser, McDonough, Reznik, and Valentino–Smith

AN ACT concerning

Amusement Parks – Safety Warnings

HB0299/157172/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 299
(Third Reading File Bill)

On page 2, in lines 2 and 3, strike "Education, Health, and Environmental Affairs" and substitute "Finance".

The preceding amendment was read only.

Senator Astle moved, duly seconded, to recommit the Bill.

The motion was adopted.

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

House Bill 301 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance Fraud – Applications for Insurance and Claim Forms – Required Disclosure Statement

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 394 – Chair, Health and Government Operations Committee

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

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 463 – Delegate Rudolph

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

HB0463/227273/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 463
(Third Reading File Bill)

On page 2, in line 27, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**".

On page 3, after line 5, insert:

"**(3) THE COMMISSIONER MAY DESIGNATE A CERTIFICATE OF INSURANCE FORM REQUIRED BY A FEDERAL AGENCY AS DEEMED APPROVED.**".

The preceding amendment was 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 493 – Delegates Simmons and Kramer

AN ACT concerning

Task Force to Study Economic Development and Apprenticeships

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 525 – Delegates Clagett, Aumann, Barve, Bates, DeBoy, Healey, Krebs, Norman, Pendergrass, Sophocleus, Stocksdale, Wood, and Zucker

AN ACT concerning

State Personnel – Hiring Prohibition – Individuals Terminated with Prejudice

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 556 – Delegates Hubbard, Cluster, Boteler, Bromwell, Kach, Krebs, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Costa, Cullison, Elliott, Frank, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Continuing Care Retirement Communities – Regulation

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 570 – Delegates Davis, Haddaway–Riccio, Howard, Love, McHale, Schulz, Stifler, Vaughn, ~~and Walker~~ Walker, Burns, Hershey, Impallaria, W. Miller, Olszewski, and Schuh

AN ACT concerning

Other Tobacco Products ~~Licenses – Repeal~~ – Restrictions on Sale, Distribution, and Shipment – Exemptions

HB0570/507270/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 570
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "tobacconist;" insert "requiring the Comptroller to submit a certain report by a certain date on a certain policy regarding the direct shipment of premium cigars and pipe tobacco to consumers in Maryland;".

AMENDMENT NO. 2

On page 12, in line 28, after "ENACTED," insert "That:

(a) On or before November 1, 2012, the Comptroller shall submit a report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the viability and efficacy of instituting in Maryland the policy of permitting direct shipment of premium cigars and pipe tobacco to consumers in the State.

(b) The report shall include:

(1) an evaluation of related fiscal, tax, and other public policy and regulatory issues; and

(2) a determination regarding:

(i) the best practices for preventing access by minors to premium cigars and pipe tobacco that is shipped directly to consumers;

(ii) any significant increase or decrease in access to or demand for premium cigars and pipe tobacco by minors that has been documented as the result of direct shipment of premium cigars and pipe tobacco;

(iii) the best means for collecting relevant tax revenues;

(iv) the benefits and costs to consumers; and

(v) the effect of direct premium cigar and pipe tobacco shipment laws on in–State licensed other tobacco products retailers and tobacconists and other local businesses.

SECTION 3. AND BE IT FURTHER 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 Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 730 – Delegate Kramer

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

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 1085 – Delegates Schulz, Clagett, Frank, Glass, Hogan, Hough, McComas, and Wood

AN ACT concerning

Workers' Compensation – Emergency Responders – Revisions

HB1085/997578/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1085
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "considered" insert "paid covered"; and in the same line, strike "for a certain purpose".

AMENDMENT NO. 2

On page 6, in line 25, strike "**NOT**"; in line 26, strike "**OTHERWISE**"; in the same line, after "**A**" insert "**PAID**"; and in line 27, after "**EMPLOYEE**" insert "**OF THE VOLUNTEER COMPANY**".

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 1186 – Delegates Jameson, Hucker, Afzali, Barkley, Barve, Beitzel, Carr, Eckardt, Elliott, Feldman, Jacobs, Krebs, Love, McComas, Murphy, Myers, Norman, Otto, Serafini, Stein, Stocksdale, and Wood

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling

HB1186/107477/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1186
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "standards;" insert "providing that energy generated from a geothermal Tier 1 renewable source is eligible for inclusion in meeting a certain standard only if the source is connected with the distribution grid serving Maryland;".

On page 2, in line 5, after "7–701(l)" insert "and 7–704(a)(2)(i)1.".

AMENDMENT NO. 2

On page 3, after line 26, insert:

"(a) (2) (i) 1. Except as provided in subsubparagraph 2 of this subparagraph, energy from a Tier 1 renewable source under § 7–701(l)(1), **(5),** (9), (10), or (11) of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.".

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 1235 – Delegates Zucker, Clagett, DeBoy, Bohanan, and Guzzone

AN ACT concerning

Public Safety – Emergency Number System – Next Generation 9–1–1 Services

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 1427 – Delegates Jameson and Schuh

AN ACT concerning

Electricity – ~~Certificate of Public Convenience and Necessity –~~ Construction of Overhead Transmission Lines and Wind Generating Stations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #27

CONSENT CALENDAR #57

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

House Bill 442 – The Speaker (By Request – Administration) and Delegates Davis, Feldman, Frick, Mizeur, and Washington

AN ACT concerning

Economic Development – Maryland Technology Development Corporation – Maryland Innovation Initiative

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 465 – Delegate Hammen

AN ACT concerning

Health Insurance – Health Benefit Plan Premium Rate Review

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 571 – Delegates Frick, Feldman, Barkley, Barve, Bobo, Cardin, George, Guzzone, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, A. Miller, W. Miller, Minnick, Mizeur, Murphy, Reznik, Serafini, Stocksdale, Summers, Vaughn, Walker, ~~and Zucker~~ Zucker, Barnes, McHale, and Olszewski

AN ACT concerning

~~State Procurement – Banking Services Preference~~ Linked Deposit Program for Small Businesses – Lend Local Act of 2012

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 715 – Delegate Feldman

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement

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 841 – Delegates Frick, Dumais, Eckardt, Feldman, Frank, George, Gilchrist, Haddaway–Riccio, Hixson, Hucker, Kach, A. Kelly, Kipke, Krebs, Lee, McDermott, McDonough, McMillan, A. Miller, Ready, Reznik, Schuh, Stocksdale, ~~and Waldstreicher~~ Waldstreicher, Bromwell, Morhaim, and Pendergrass

AN ACT concerning

Food Service Facilities – Open Windows and Doors ~~– Regulations~~

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 876 – Delegate Jameson

AN ACT concerning

Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases

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 913 – Delegate Davis

AN ACT concerning

Residential Multiple Occupancy Buildings – Master Meters – Heating, Ventilation, and Air Conditioning Services

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 930 – Delegates Proctor, Vallario, Anderson, Aumann, Beitzel, Bohanan, Clagett, Gutierrez, Guzzone, Haynes, Hucker, James, Jones, K. Kelly, McConkey, Mitchell, Mizeur, B. Robinson, Sophocleus, Stocksdale, Stukes, Valderrama, Washington, Wood, and Zucker

AN ACT concerning

Correctional Services – Correctional Officer – Emergency Suspension Rescinded

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 982 – Delegate Davis

AN ACT concerning

Health Insurance – Fees for Administrative Services Provided by Insurance Producers – Authorized

HB0982/247274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 982
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike "a certain term" and substitute "certain terms".

AMENDMENT NO. 2

On page 2, in line 11, strike "**IN THIS SUBSECTION, "ADMINISTRATIVE**" and substitute "**(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANING INDICATED.**

(II) "ADMINISTRATIVE";

in lines 15, 17, and 19, strike "**(I)**", "**(II)**", and "**(III)**", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; and after line 20, insert:

"**(III) "HEALTH BENEFIT PLAN" HAS THE MEANING STATED IN § 2–112.2 OF THIS ARTICLE.**".

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 1006 – ~~Delegate Jones~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining Units

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 1055 – Delegates A. Kelly, Alston, Arora, Barkley, Carr, Cullison, Frick, Glenn, Gutierrez, Hixson, Howard, Hubbard, Hucker, Ivey, Kaiser, Kipke, Lee, Luedtke, Mizeur, Pena–Melnyk, Reznik, S. Robinson, Tarrant, F. Turner, Valentino–Smith, Waldstreicher, Washington, Wilson, ~~and Zucker~~ Zucker, Hammen, Pendergrass, Bromwell, Costa, Donoghue, Elliott, Kach, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, and Ready

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage ~~and~~, Workgroup, and Technical Advisory Group

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 1118 – Delegate Morhaim

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

HB1118/457772/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1118
(Third Reading File Bill)

On page 4, in line 15, strike "**HAS HAD**" and substitute "**HAD**".

The preceding amendment was 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 1140 – Delegates Pendergrass, Hammen, Hubbard, A. Kelly, Kipke, McDermott, Nathan–Pulliam, and Pena–Melnyk

AN ACT concerning

Physicians – Sharing of Information with Maryland Health Care Commission

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 1149 – Delegates Lee, Smigiel, Afzali, Beitzel, Clagett, Conaway, Cullison, DeBoy, Hammen, Healey, Howard, Jameson, Kach, A. Kelly, McComas, Nathan–Pulliam, Pendergrass, B. Robinson, Stocksdale, Tarrant, ~~and V. Turner~~ V. Turner, Bromwell, Costa, Donoghue, Elliott, Frank, Hubbard, Kipke, Krebs, McDonough, Morhaim, Murphy, Oaks, Pena–Melnyk, Ready, and Reznik

AN ACT concerning

Health Insurance – Coverage for Services Delivered Through Telemedicine ~~Services~~

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 1257 – Delegates Kramer, Arora, Barkley, Bates, Bobo, Carr, Clagett, Conway, Cullison, DeBoy, Dumais, Frick, Frush, Glass, Howard, Hucker, A. Kelly, K. Kelly, McDonough, Morhaim, Reznik, B. Robinson, S. Robinson, Rudolph, Simmons, Stein, Summers, Valderrama, ~~and Waldstreicher~~ Waldstreicher, Barnes, Davis, Haddaway–Riccio, Hershey, Jameson, Love, McHale, Stifler, and Vaughn

AN ACT concerning

Fiduciary Institutions – Protection of Elder Adults from Financial Abuse – Reporting Requirements

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 1280 – Delegates McHale ~~and Malone~~, Malone, Haddaway–Riccio, and Jameson

AN ACT concerning

Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions

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 1364 – Delegates Schulz, Afzali, Bates, Clagett, Eckardt, Elliott, Frank, George, Haddaway–Riccio, Hershey, Hogan, Jacobs, Krebs,

McComas, W. Miller, Minnick, Norman, O'Donnell, Otto, Schuh, Stifler, ~~and Vitale~~ Vitale, Barkley, Davis, Feldman, Jameson, Love, McHale, Olszewski, and Vaughn

AN ACT concerning

Labor and Employment – ~~Determination of Independent Contractor Status –~~ Workplace Fraud Act ~~and Unemployment Insurance~~ – Revisions

HB1364/877170/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1364
(Third Reading File Bill)

On page 2, strike beginning with "requiring" in line 2 down through "circumstances;" in line 3.

On page 4, in line 24, after "**REPORT**" insert a comma.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #28

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

Senate Bill 765 – Senators Mathias and Middleton

AN ACT concerning

Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills

SB0765/817878/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 765

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Public Utilities – Consumer Relations –" and substitute "Public Service Commission – Study on"; and strike beginning with "authorizing" in line 4 down through "tenant" in line 22 and substitute "requiring the Public Service Commission to convene a workgroup to study and make recommendations on developing a mechanism to allow certain tenants to pay for utilities when a certain landlord defaults; providing for the composition of the workgroup; requiring the workgroup to examine certain issues in conducting a certain study; requiring the Commission to report to certain committees of the General Assembly on or before a certain date; and generally relating to a study on developing a mechanism to allow residential tenants to pay for utilities when a landlord responsible for paying the utilities defaults".

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 4 on page 2 through line 8 on page 6, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Public Service Commission shall convene a workgroup to study and make recommendations on how to develop a mechanism to allow tenants in residential properties to pay for their utilities when the landlord responsible for utility payments defaults on that responsibility.

(b) The workgroup shall include:

(1) the Office of People's Counsel;

(2) the Public Justice Center;

(3) Energy Advocates;

(4) the Legal Aid Bureau;

(5) representatives from each gas and electric utility company operating in the State;

(6) representatives from private and public water utility companies and municipalities;

(7) representatives from a landlord association or a property owners association; and

(8) other interested stakeholders.

(c) In conducting the study, the workgroup shall examine:

(1) how to ensure proper notice is given to an occupant of a residential property when utility termination due to nonpayment is pending;

(2) what mechanism would be most effective in allowing a tenant to pay for utility usage when a landlord defaults on the landlord's responsibility to pay;

(3) how to protect a utility company's rights to pursue bad debt;

(4) how to protect a tenant's right to pursue breach of contract remedies;

(5) how similar efforts in other states have worked;

(6) how to eliminate the opportunity for fraud in the payment for utility usage by a tenant when a landlord defaults on the landlord's responsibility to pay; and

(7) any other matters the workgroup identifies as pertinent to the respective interests of the tenants, utilities, and landlords.

(d) On or before December 1, 2012, the Public Service Commission shall report its findings and recommendations to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article.".

On page 6, in line 10, strike "October" and substitute "June".

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

Senate Bill 884 – Senators Jones–Rodwell, Montgomery, Ramirez, and Rosapepe

AN ACT concerning

Transportation – Highway Construction Training and Supportive Services

SB0884/887078/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 884
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Rosapepe" and substitute "Rosapepe, McFadden, Garagiola, Glassman, Klausmeier, and Pugh"; in line 2, after "Highway" insert "or Capital Transit"; in line 3, strike "requiring" and substitute "authorizing"; in the same line, strike "State Highway Administration" and substitute "Maryland Department of Transportation"; in lines 5 and 9, in each instance, after "highway" insert "or capital transit"; in line 6, after "programs;" insert "requiring the Department to administer certain highway construction and supportive services programs in collaboration with the Governor's Workforce Investment Board for a certain purpose;"; and in the same line, strike "Administration" and substitute "Department and the Board".

AMENDMENT NO. 2

On page 2, in line 5, after "**(A)**" insert:

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

(2) "BOARD" MEANS THE GOVERNOR'S WORKFORCE INVESTMENT BOARD.

(3) "HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION" MEANS ACTUAL CONSTRUCTION, PRELIMINARY ENGINEERING, PLANNING AND RESEARCH, OR ANY OTHER WORK OR ACTIVITY TO IMPLEMENT FEDERAL LAWS FOR THE ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS OR CAPITAL TRANSIT PROJECTS.

(4) "WORKFORCE INVESTMENT AREA" HAS THE MEANING STATED IN § 11–503(N) OF THE LABOR AND EMPLOYMENT ARTICLE.

(B)";

in the same line, strike "**ADMINISTRATION SHALL**" and substitute "**DEPARTMENT MAY**"; in line 7, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; and after line 9, insert:

"**(C) THE DEPARTMENT SHALL ADMINISTER THE TRAINING PROGRAMS UNDER SUBSECTION (B) OF THIS SECTION IN COLLABORATION WITH THE BOARD TO ENSURE THAT HIGHWAY OR CAPITAL TRANSIT CONSTRUCTION TRAINING AND SUPPORTIVE SERVICES ARE PROVIDED TO INDIVIDUALS IN EACH WORKFORCE INVESTMENT AREA.**";

in line 10, strike "**(B)**" and substitute "**(D)**"; in the same line, strike "**ADMINISTRATION**" and substitute "**DEPARTMENT AND BOARD**"; in line 14, strike "**ADMINISTRATION'S**" and substitute "**DEPARTMENT'S AND BOARD'S**"; in line 15, strike "**SUBSECTION (A)**" and substitute "**SUBSECTIONS (B) AND (C)**"; in line 18, after "**HIGHWAY**" insert "**OR CAPITAL TRANSIT**"; in line 20, strike "**ADMINISTRATION HAS**" and substitute "**DEPARTMENT AND BOARD HAVE**"; in the same line, after "**ADMINISTERED**" insert "**IN EACH WORKFORCE INVESTMENT AREA, INCLUDING A DESCRIPTION OF:**

1. ANY ENTITIES, INSTITUTIONS, OR ORGANIZATIONS USED BY THE DEPARTMENT AND BOARD TO PROVIDE THE TRAINING AND SERVICES; AND

2. THE INDIVIDUALS AND ORGANIZATIONS THAT HAVE RECEIVED TRAINING AND SERVICES";

in line 21, after "**PROGRAMS**" insert "**IN EACH WORKFORCE INVESTMENT AREA**"; and strike beginning with "**BY**" in line 24 down through "**ADMINISTERING**" in line 25 and substitute "**IN EACH WORKFORCE INVESTMENT AREA TO CONDUCT AND ADMINISTER**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0884/873923/1
BY: Senator Middleton

AMENDMENT TO SENATE BILL 884, AS AMENDED

On page 2 of the Finance Committee Amendments (SB0884/887078/1), in line 10 of Amendment No. 2, after "**PROVIDED**" insert "**TO THE GREATEST EXTENT FEASIBLE**"; and in the same line, after "**EACH**" insert "**RELEVANT**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

FLOOR AMENDMENT

SB0556/273829/1
BY: Senator Middleton

AMENDMENTS TO SENATE BILL 556, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, before "and" insert "requiring the owner of a separate parcel subject to a certain restriction to notify the grantee of the restriction at least a certain time before conveying the parcel; establishing that, notwithstanding any other provision of law, a certain parcel of land shall be deemed a separate parcel under certain circumstances;".

AMENDMENT NO. 2

On page 2, in line 30, after "**LAW**" insert "**, SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION**".

On page 3, before line 2, insert:

"**(4) THE OWNER OF A SEPARATE PARCEL OF LAND SUBJECT TO A RESTRICTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL NOTIFY THE GRANTEE OF THE RESTRICTION AT LEAST 60 DAYS BEFORE CONVEYING THE PARCEL.**

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PARCEL OF LAND THAT IS LESS THAN 50 ACRES SHALL BE DEEMED A SEPARATE PARCEL FOR PURPOSES OF THIS SECTION IF IT ADJOINS ANOTHER PARCEL THAT IS SUBJECT TO A RESTRICTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION THAT IS THE SAME OR MORE STRINGENT THAN THE RESTRICTION GOVERNING THE PARCEL.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2012.

The motion was adopted.

Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Senator Ramirez moved, duly seconded, to make the Bill a Special Order for April 3, 2012.

The motion was adopted.

Senate Bill 791 – Senator Garagiola

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

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

Senator Reilly moved, duly seconded, to make the Bill and Report a Special Order for April 4, 2012.

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

Affirmative – 12 Negative – 32 (See Roll Call No. 918)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 919)

ADJOURNMENT

At 10:51 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 28, 2012, Calendar Day, Tuesday, April 3, 2012.

Annapolis, Maryland
Legislative Day: March 28, 2012
Calendar Day: Tuesday, April 3, 2012
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Rob Townsend, Bethesda United Methodist Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of March 27, 2012 was read and approved.

On motion of Senator Pugh it was ordered that Senators Garagiola, Jacobs and Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 921)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 661 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Roberta and Vince Roper
in recognition of
30 years of successful advocacy to create and
implement victims' rights and justice.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 3rd day of April 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 922)

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #42

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

Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

SB0544/304437/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 544
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first "of" insert "requiring that an elected official of the State or of a county or municipal corporation who is found guilty of a felony or certain misdemeanors be suspended and, under certain circumstances, removed from office by operation of law;"; in line 4, strike "is convicted of or"; and strike beginning with "repealing" in line 6 down through "circumstances;" in line 7.

AMENDMENT NO. 2

On page 1, strike beginning with "convicted" in line 19 down through "to" in line 20 and substitute "**FOUND GUILTY OF**".

On page 2, in lines 2 and 9, in each instance, strike the bracket; in lines 8 and 10, in each instance, strike "conviction" and substitute "**FINDING OF GUILT**"; in line 8, after "becomes" insert "**A**"; in the same line, after "final" insert "**CONVICTION**"; in line 13, strike the second set of brackets; and in line 14, after "restored." insert "**ANY ELECTED OFFICIAL OF THE STATE, OR OF A COUNTY OR OF A MUNICIPAL CORPORATION WHO DURING THE ELECTED OFFICIAL'S TERM OF OFFICE**

ENTERS A GUILTY PLEA OR A PLEA OF NOLO CONTENDERE TO ANY CRIME WHICH IS A FELONY, OR WHICH IS A MISDEMEANOR RELATED TO THE ELECTED OFFICIAL'S PUBLIC DUTIES AND RESPONSIBILITIES AND INVOLVES MORAL TURPITUDE FOR WHICH THE PENALTY MAY BE INCARCERATION IN ANY PENAL INSTITUTION, SHALL BE REMOVED FROM THE ELECTIVE OFFICE BY OPERATION OF LAW AND THE OFFICE SHALL BE DEEMED VACANT.".

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 143 – Delegate Beitzel

AN ACT concerning

Garrett County – Salary Study Commission – Membership

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 186 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

EMERGENCY BILL

AN ACT concerning

Department of the Environment – Permit Proceedings – Judicial Review

HB0186/804835/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 186
(Third Reading File Bill)

On page 3, in line 23, strike "and shall be applied to and interpreted"; in the same line, strike "affect"; and in line 25, strike "that are pending in a circuit court on the effective date of this Act".

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 858 – Delegate Gilchrist

AN ACT concerning

Land Use – Local Historic District Commissions and Historic Preservation Commissions – Alternate Members

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 889 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Human Resources PG/MC 103–12

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 890 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Pipeline Construction – Contracts
PG/MC 104–12

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #26

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

Senate Bill 968 – Senator Conway

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

SB0968/328973/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 968
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the semicolon insert "providing that certain information is provided without warranties;".

AMENDMENT NO. 2

On page 3, in line 20, after "**RATING**" insert "**(HERS INDEX), A U.S. DEPARTMENT OF ENERGY HOME ENERGY SCORE, OR EQUIVALENT**"; and strike beginning with "**FROM**" in line 20 down through "**CONDUCTED**" in line 21 and substitute "**OBTAINED**".

AMENDMENT NO. 3

On page 3, after line 25, insert:

"**(5) ANY INFORMATION PROVIDED UNDER THIS SUBSECTION IS PROVIDED WITHOUT WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING AS TO THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THE INFORMATION.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0968/883029/1
BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 968
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, before "providing" insert "providing that the failure of a seller to provide certain information to the purchaser does not give the purchaser the right to rescind a contract of sale based on the failure of the seller to comply with this Act;".

AMENDMENT NO. 2

On page 3, before line 26, insert:

"**(C) THE FAILURE OF A SELLER TO PROVIDE A PURCHASER WITH THE INFORMATION LISTED UNDER SUBSECTION (B) OF THIS SECTION DOES NOT GIVE THE PURCHASER THE RIGHT TO RESCIND A CONTRACT OF SALE BASED ON THE FAILURE OF THE SELLER TO COMPLY WITH THIS SECTION.**".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0968/583720/1
BY: Senator Zirkin

AMENDMENT TO SENATE BILL 968
(First Reading File Bill)

On page 2, in line 5, after "**UNITS**" insert "**IF THE OWNER OF THE PROPERTY HAS OWNED AND RESIDED AT THE PROPERTY FOR AT LEAST 12 MONTHS BEFORE THE PROPERTY IS FIRST MARKETED FOR SALE BY THE OWNER**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1016 – Senators Conway, Ferguson, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Vehicle Laws – Parking Restrictions

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:

Senate Bill 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance – Sexual Abuse – Definition

SB1082/548073/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 1082
(First Reading File Bill)

On page 1, in line 2, after "Assistance" insert "and Child Abuse and Neglect".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #29

CONSENT CALENDAR #58

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 421	FAV	Del Feldman	Workers' Compensation – Death Benefits – Determination of Benefits
HB 700	FAV	Del Feldman	Commercial Law – Uniform Commercial Code – Revisions to Title 1
HB 786	FAV	Del Olszewski, et al	Financial Instns – Credit Unions and Depository Instns – Auth to Conduct Savings Promotion Raffles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Qualifying Thermal Biomass Systems

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1004/677671/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1004

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Qualifying"; in lines 4, 6, 9, and 13, strike "qualifying"; in line 7, after "system" insert "is eligible to receive a certain renewable energy credit under certain circumstances; specifying that a certain person that is eligible to receive a certain renewable energy credit"; in lines 7 and 8, strike "under certain circumstances" and substitute "equal to a certain amount".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 17, inclusive, and substitute:

"**(H–1)** **"THERMAL BIOMASS SYSTEM" MEANS A SYSTEM THAT:**

(1) **USES PRIMARILY ANIMAL MANURE, INCLUDING POULTRY LITTER, AND ASSOCIATED BEDDING TO GENERATE THERMAL ENERGY;**

(2) **IS USED IN THE STATE; AND**

(3) **COMPLIES WITH ALL APPLICABLE STATE AND FEDERAL STATUTES AND REGULATIONS, AS DETERMINED BY THE APPROPRIATE REGULATORY AUTHORITY.**";

and in lines 23 and 24, strike "**, INCLUDING QUALIFYING THERMAL BIOMASS SYSTEMS**".

On page 3, in line 7, strike "and"; in line 8, after "fuel" insert "**; AND**

(12) **THERMAL ENERGY FROM A THERMAL BIOMASS SYSTEM**";

in lines 10, 16, 19, and 24, strike "**QUALIFYING**"; after line 12, insert:

"**(2)** **(I)** **A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES ANAEROBIC DIGESTION IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT.**

(II) **A PERSON THAT OWNS AND OPERATES A THERMAL BIOMASS SYSTEM THAT USES A THERMOCHEMICAL PROCESS IS ELIGIBLE TO**

RECEIVE A RENEWABLE ENERGY CREDIT IF THE PERSON DEMONSTRATES TO THE MARYLAND DEPARTMENT OF THE ENVIRONMENT THAT THE OPERATION OF THE THERMAL BIOMASS SYSTEM:

1. IS NOT SIGNIFICANTLY CONTRIBUTING TO LOCAL OR REGIONAL AIR QUALITY IMPAIRMENTS; AND

2. WILL SUBSTANTIALLY DECREASE EMISSIONS OF OXIDES OF NITROGEN BEYOND THAT ACHIEVED BY A DIRECT BURN COMBUSTION UNIT THROUGH THE USE OF PRECOMBUSTION TECHNIQUES, COMBUSTION TECHNIQUES, OR POSTCOMBUSTION TECHNIQUES.";

in lines 13, 18, and 23, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; and in lines 13 and 14, strike "**OWNS AND OPERATES A QUALIFYING THERMAL BIOMASS SYSTEM**" and substitute "**IS ELIGIBLE TO RECEIVE A RENEWABLE ENERGY CREDIT UNDER PARAGRAPH (2) OF THIS SUBSECTION**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 431 – Delegate Hogan

AN ACT concerning

Vehicle Laws – Use of School Bus Monitoring Cameras

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 353 – Delegates Holmes and Glenn

AN ACT concerning

Jury Service – Employers – Prohibited Acts

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0353/298875/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 353
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 6 down through "service" in line 7.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 8 through 18, inclusive, and substitute:

"**(B) AN EMPLOYER MAY NOT REQUIRE AN INDIVIDUAL TO WORK BETWEEN 12:00 A.M. AND 11:59 P.M. ON A DAY IN WHICH THE INDIVIDUAL IS EXPECTED TO RESPOND TO A SUMMONS UNDER THIS TITLE OR ATTEND, OR BE IN PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE.**".

The preceding 2 amendments were read only.

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

Affirmative – 18 Negative – 26 (See Roll Call No. 923)

Read the second time and ordered prepared for Third Reading.

House Bill 618 – Delegates Simmons, Dumais, and Kramer

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms

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 329 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Video Lottery Facility – Licenses and Hours for Sale and Consumption

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 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Favorable report adopted.

FLOOR AMENDMENT

HB0651/463620/1
BY: Senator Kittleman

AMENDMENTS TO HOUSE BILL 651
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Suspension" in line 2 down through "Arrearages" in line 3 and substitute "Obligation Determination and Notice of Right and Procedure to Request Modification"; strike beginning with "establishing" in line 4 down through "terms" in line 11 and substitute "requiring the Division of Correction, during the processing of an inmate, to conduct an interview with the inmate to

determine if the inmate has a certain child support obligation; requiring the Division to provide notice to a certain inmate of the right and procedure to request a certain modification of a certain court order"; strike in their entirety lines 13 through 17, inclusive; and after line 17 insert:

"BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 3–601
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Correctional Services
Section 3–601.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 1 through 31, inclusive, and substitute:

"Article – Correctional Services

3–601.

(a) Promptly after an inmate is sentenced to the jurisdiction of the Division, the Division shall assemble an adequate case record for the inmate that includes:

(1) a description of the inmate;

(2) a photograph of the inmate;

(3) the family history of the inmate;

(4) any previous record of the inmate;

(5) a summary of the facts of each case for which the inmate is serving a sentence; and

(6) the results of the physical, mental, and educational examination of the inmate required under subsection (b) of this section.

(b) The Division shall conduct a physical, mental, and educational examination of an inmate as soon as feasible after the individual is sentenced to the jurisdiction of the Division.

(c) Based on the information assembled under subsection (a) of this section, the Division shall classify an inmate and assign the inmate to any available treatment, training, or employment that the Division considers appropriate.

(d) In accordance with regulations adopted by the Division, the managing official of each correctional facility shall maintain, as a part of an inmate's case record:

(1) an adequate record of the conduct, effort, and progress of the inmate during confinement; and

(2) a record of the character of any offense committed by the inmate and the nature and amount of punishment inflicted.

(e) To identify an inmate, the Division may photograph and fingerprint the inmate and record a description of the inmate's personal background data.

3–601.1.

(A) AS PART OF THE PROCESSING OF AN INMATE UNDER § 3–601 OF THIS SUBTITLE, THE DIVISION SHALL CONDUCT AN INTERVIEW WITH THE INMATE TO DETERMINE IF THE INMATE HAS A CHILD SUPPORT OBLIGATION ORDERED BY A COURT UNDER TITLE 10 OF THE FAMILY LAW ARTICLE.

(B) IF IT IS DETERMINED THAT THE INMATE HAS A CHILD SUPPORT OBLIGATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE DIVISION SHALL NOTIFY THE INMATE OF THE RIGHT AND PROCEDURE TO REQUEST AN APPROPRIATE MODIFICATION OF THE ORDER FOR SUPPORT FROM THE ISSUING COURT FOR THE PERIOD IN WHICH THE INMATE IS INCARCERATED.".

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

Affirmative – 12 Negative – 32 (See Roll Call No. 924)

Read the second time and ordered prepared for Third Reading.

Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Senator McFadden moved, duly seconded, to place **Senate Bill 720** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

Senator Manno moved, duly seconded, to reconsider the vote by which the floor amendment (833121/1) was adopted.

Senator Frosh moved, duly seconded, to make the Bill a Special Order for April 5, 2012.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 925)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #61

Senate Bill 29 – Senator Simonaire

AN ACT concerning

State Government – Commemorative Day – Young Heroes Day

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

Affirmative – 42 Negative – 0 (See Roll Call No. 926)

The Bill was then sent to the House of Delegates.

Senate Bill 36 – Senator Reilly

AN ACT concerning

State Government – Commemorative Month – Irish–American Heritage Month

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

Affirmative – 43 Negative – 0 (See Roll Call No. 927)

The Bill was then sent to the House of Delegates.

Senate Bill 42 – Senators Klausmeier, Rosapepe, Forehand, Mathias, and Colburn

AN ACT concerning

State Government – Commemorative Month – German–American Heritage Month

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

Affirmative – 42 Negative – 0 (See Roll Call No. 928)

The Bill was then sent to the House of Delegates.

Senate Bill 73 – Senators Kelley, Colburn, Jacobs, Manno, Montgomery, and Rosapepe

AN ACT concerning

State Government – Commemorative Days – Maryland Centenarians Day

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

Affirmative – 43 Negative – 0 (See Roll Call No. 929)

The Bill was then sent to the House of Delegates.

Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, ~~and Stone~~ Stone, Brinkley, Currie, Edwards, Jones–Rodwell, King, Madaleno, Manno, and Peters

AN ACT concerning

Job Creation Tax Credit – Amount of Credit and Termination Provisions

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

Affirmative – 43 Negative – 0 (See Roll Call No. 930)

The Bill was then sent to the House of Delegates.

Senate Bill 572 – Senator Rosapepe

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

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

Affirmative – 43 Negative – 0 (See Roll Call No. 931)

The Bill was then sent to the House of Delegates.

Senate Bill 630 – Senators Jones–Rodwell, Currie, Gladden, Kelley, McFadden, Muse, and Pugh

AN ACT concerning

State Government – Commemorative Days – Juneteenth National Freedom Day

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

Affirmative – 43 Negative – 0 (See Roll Call No. 932)

The Bill was then sent to the House of Delegates.

Senate Bill 765 – Senators Mathias and Middleton

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

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

Affirmative – 44 Negative – 0 (See Roll Call No. 933)

The Bill was then sent to the House of Delegates.

Senate Bill 777 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

AN ACT concerning

State Government – Commemorative Days – Harriet Tubman Day

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

Affirmative – 43 Negative – 0 (See Roll Call No. 934)

The Bill was then sent to the House of Delegates.

Senate Bill 884 – Senators Jones–Rodwell, Montgomery, Ramirez, ~~and Rosapepe~~ Rosapepe, McFadden, Garagiola, Glassman, Klausmeier, and Pugh

AN ACT concerning

Transportation – Highway or Capital Transit Construction Training and Supportive Services

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

Affirmative – 37 Negative – 7 (See Roll Call No. 935)

The Bill was then sent to the House of Delegates.

Senate Bill 1069 – Senator Pugh

AN ACT concerning

State Government – Statue of Harriet Tubman

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

Affirmative – 44 Negative – 0 (See Roll Call No. 936)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 4 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin

A Senate Joint Resolution concerning

National Harriet Tubman Day

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

Affirmative – 43 Negative – 0 (See Roll Call No. 937)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #62

Senate Bill 556 – Senator Getty

AN ACT concerning

Real Property – Restrictions on Use of Property – Separate Parcels

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

Affirmative – 42 Negative – 2 (See Roll Call No. 938)

The Bill was then sent to the House of Delegates.

Senate Bill 791 – Senator Garagiola

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 4, 2012.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #17

House Bill 1 – Delegate Lafferty

AN ACT concerning

Environment – Recycling – Apartment Buildings and Condominiums

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

Affirmative – 42 Negative – 2 (See Roll Call No. 939)

The Bill was then sent to the House of Delegates.

House Bill 60 – Delegates Haddaway–Riccio and Eckardt

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

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

Affirmative – 44 Negative – 0 (See Roll Call No. 940)

The Bill was then sent to the House of Delegates.

House Bill 92 – Delegates Simmons and Dumais

AN ACT concerning

~~Domestic Violence~~ Peace and Protective Orders – Shielding – Complete Removal of Information from Public Web Site

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

Affirmative – 44 Negative – 0 (See Roll Call No. 941)

The Bill was then sent to the House of Delegates.

House Bill 111 – Delegates Anderson, Braveboy, Cane, Carter, Conaway, Glenn, Haynes, Holmes, McDermott, McIntosh, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, B. Robinson, Rosenberg, Washington, and Zucker

AN ACT concerning

Criminal Law – Failure to Return Rental Vehicle – ~~Repeal~~ Notice

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

Affirmative – 44 Negative – 0 (See Roll Call No. 942)

The Bill was then sent to the House of Delegates.

House Bill 126 – Delegates Beidle, Niemann, and Weir

AN ACT concerning

Maryland Condominium Act – Right of Entry to Investigate Damage and Make Repairs

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

Affirmative – 44 Negative – 0 (See Roll Call No. 943)

The Bill was then sent to the House of Delegates.

House Bill 162 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications

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

Affirmative – 43 Negative – 0 (See Roll Call No. 944)

The Bill was then sent to the House of Delegates.

House Bill 217 – Delegates Pena–Melnyk, Gutierrez, and Reznik

AN ACT concerning

Council for the Procurement of Health, Educational, and Social Services

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

Affirmative – 44 Negative – 0 (See Roll Call No. 945)

The Bill was then sent to the House of Delegates.

House Bill 250 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Elections – Baltimore City – Election Dates

Senator Dyson moved, duly seconded, to make the Bill a Special Order for April 4, 2012.

The motion was adopted.

House Bill 398 – Delegates Niemann, Afzali, Barnes, Clippinger, Dumais, Frush, Hough, Lee, McDermott, Parrott, Ready, Simmons, Smigiel, Sophocleus, Valderrama, Valentino–Smith, Vallario, and Wilson

AN ACT concerning

Wiretapping and Electronic Surveillance – Investigation of Felony Theft Scheme

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

Affirmative – 44 Negative – 0 (See Roll Call No. 947)

The Bill was then sent to the House of Delegates.

House Bill 544 – Delegate Malone

AN ACT concerning

Vehicle Laws – Motor Carriers – Application of Federal Safety Regulations

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

Affirmative – 44 Negative – 0 (See Roll Call No. 948)

The Bill was then sent to the House of Delegates.

House Bill 570 – Delegates Davis, Haddaway–Riccio, Howard, Love, McHale, Schulz, Stifler, Vaughn, ~~and Walker~~ Walker, Burns, Hershey, Impallaria, W. Miller, Olszewski, and Schuh

AN ACT concerning

Other Tobacco Products ~~Licenses – Repeal~~ – Restrictions on Sale, Distribution, and Shipment – Exemptions

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

Affirmative – 44 Negative – 0 (See Roll Call No. 949)

The Bill was then sent to the House of Delegates.

House Bill 592 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Tax Credit for Businesses That Create New Jobs – Enhanced Credit – Extension

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

Affirmative – 43 Negative – 0 (See Roll Call No. 950)

The Bill was then sent to the House of Delegates.

House Bill 594 – Delegates McIntosh, Anderson, and Washington

AN ACT concerning

Department of Natural Resources – Pamela J. Kelly Tree–Mendous Maryland Program

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

Affirmative – 43 Negative – 0 (See Roll Call No. 951)

The Bill was then sent to the House of Delegates.

House Bill 600 – Delegates Zucker, Anderson, Barve, Branch, Clippinger, Glass, Haynes, Howard, Ivey, Kaiser, Luedtke, McIntosh, A. Miller, Mitchell, Myers, Niemann, Ready, S. Robinson, Rosenberg, Ross, Serafini, Stukes, Vaughn, Walker, ~~and Washington~~ Washington, Cardin, and F. Turner

AN ACT concerning

Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief

FLOOR AMENDMENT

HB0600/723628/1
BY: Senator Peters

AMENDMENT TO HOUSE BILL 600, AS AMENDED

In the Budget and Taxation Committee Amendments (HB0600/689734/1), in line 3 of Amendment No. 2, after the colon insert:

"Article – Tax – General".

In the Budget and Taxation Committee Amendments, in line 4 of Amendment No. 3, after "and" insert ", except as provided in Section 3 of this Act,".

The preceding amendment was read and adopted.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 952)

The Bill was then sent to the House of Delegates.

House Bill 726 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies
MC 13–12

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

Affirmative – 44 Negative – 0 (See Roll Call No. 953)

The Bill was then sent to the House of Delegates.

House Bill 730 – Delegate Kramer

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

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

Affirmative – 44 Negative – 0 (See Roll Call No. 954)

The Bill was then sent to the House of Delegates.

House Bill 774 – Delegate Waldstreicher

AN ACT concerning

Maryland General and Limited Power of Attorney Act

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

Affirmative – 43 Negative – 0 (See Roll Call No. 955)

The Bill was then sent to the House of Delegates.

House Bill 860 – Delegate Stein

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

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

Affirmative – 44 Negative – 0 (See Roll Call No. 956)

The Bill was then sent to the House of Delegates.

House Bill 897 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – Installment Payment Schedule PG 416–12

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

Affirmative – 44 Negative – 0 (See Roll Call No. 957)

The Bill was then sent to the House of Delegates.

House Bill 923 – Delegates Lafferty, Beidle, Bromwell, Clippinger, Cluster, Holmes, Morhaim, Niemann, ~~and Summers~~ Summers, and Cardin

AN ACT concerning

Property Tax Credit – Neighborhood Conservation Act of 2012

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

Affirmative – 44 Negative – 0 (See Roll Call No. 958)

The Bill was then sent to the House of Delegates.

House Bill 1160 – Charles County Delegation

AN ACT concerning

Family Law – Interim and Temporary Peace and Protective Orders – Duration

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

Affirmative – 44 Negative – 0 (See Roll Call No. 959)

The Bill was then sent to the House of Delegates.

House Bill 1285 – Delegates Summers, Cardin, and George

AN ACT concerning

Election Law – Campaign Finance – Requirements

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

Affirmative – 44 Negative – 0 (See Roll Call No. 960)

The Bill was then sent to the House of Delegates.

House Bill 1391 – Delegates Conway, Bates, Beitzel, Bohanan, Busch, Clagett, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Hixson, Jones, Malone, McConkey, McIntosh, Mizeur, Proctor, Sophocleus, Stocksdale, Washington, Wood, ~~and Zucker~~ Zucker, Aumann, Glenn, Haynes, James, and Szeliga

AN ACT concerning

Public School Construction Program – Maryland School for the Blind

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

Affirmative – 44 Negative – 0 (See Roll Call No. 961)

The Bill was then sent to the House of Delegates.

RECONSIDERATION

Senator Middleton moved, duly seconded, to place **Senate Bill 1004** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Qualifying Thermal Biomass Systems

FLOOR AMENDMENT

SB1004/263624/1
BY: Senator Middleton

AMENDMENT TO SENATE BILL 1004, AS AMENDED
(First Reading File Bill)

On page 1 of the Finance Committee Amendments (SB1004/677671/1), in line 3 of Amendment No. 2, after "**USES**" insert "**:**

(I)";

and in line 4, after "**ENERGY;**" insert "**AND**

(II) FOOD WASTE OR QUALIFYING BIOMASS FOR THE REMAINDER OF THE FEEDSTOCK;".

On page 3 of the bill, in line 17, after "**SYSTEM**" insert "**AND USED ON SITE**"; and strike beginning with "**OF**" in line 21 down through "**METROLOGY**" in line 22 and substitute "**ESTABLISHED BY THE COMMISSION**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 962)

ADJOURNMENT

At 11:55 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 29, 2012, Calendar Day Wednesday, April 4, 2012.

Annapolis, Maryland
Legislative Day: March 29, 2012
Calendar Day: Wednesday, April 4, 2012
10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Reverend Doctor Kevin Kennedy, St. Ambrose Catholic Church, guest of Senator Ramirez.

(See Exhibit A of Appendix III)

The Journal of March 28, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 964)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 673 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Stephen Bartlett, MD
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Senate Resolution No. 674 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rolf Barth, MD
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Senate Resolution No. 675 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Eduardo Rodriguez, MD, DDS
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Senate Resolution No. 676 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Branko Bojovic, MD
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Senate Resolution No. 677 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Michael Christy, MD, MA
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Senate Resolution No. 678 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Daniel Borsuk, MD
University of Maryland School of Medicine
Department of Surgery
in recognition of
your being part of the multi–disciplinary team of faculty physicians, nurses and
professional staff who completed the most extensive
full–face transplant to date on March 20, 2012.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 965)

MESSAGE FROM THE EXECUTIVE

EXECUTIVE ORDER
01.01.2012.08

Proclaiming an Extended Session of the Maryland General Assembly

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, being advised that the Budget Bill has not been finally acted upon by

the General Assembly seven days before the expiration of the 2012 regular Session of the General Assembly;

WHEREAS, Article III, Section 52 (10) of the Maryland Constitution provides that under these circumstances the Governor shall issue a proclamation extending the Session for a period as may, in the Governor's judgment, be necessary to allow for the passage of the Budget Bill; and

WHEREAS, Other matters may not be considered during such extended Session except a provision for the cost thereof.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE 2012 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 9, 2012 IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING THE STATE BUDGET BILL. THIS EXTENSION MAY NOT EXCEED TEN DAYS, OR SUCH OTHER PERIOD AS SPECIFIED BY AMENDMENT TO THIS EXECUTIVE ORDER.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 2nd day of April, 2012.

_____
Martin O'Malley
Governor

ATTEST:

_____
John P. McDonough
Secretary of State

Read and ordered journalized.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 153	The President	Creation of a State Debt – Qualified Zone Academy Bonds
SB 178	Sen. Jacobs	Education – Informal Kinship Care – Enrollment Before Submission of Documentation
SB 320	Sen. Young	Frederick County Board of Education – Membership and Employment
SB 374	Sen. Mathias	Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants
SB 396	Sen. Forehand	Maryland Uniform Transfers to Minors Act – Orphans' Court
SB 439	Sen. Brinkley	Frederick County – Alcoholic Beverages – Citations Issued by Inspectors
SB 453	Sen. Stone	Wrongful Death and Survival Causes of Actn – Crim Homicide – Time Limits for Bringing Civil Actn
SB 521	Sen. Shank	Justice's Law
SB 524	Sen. King	Maryland After–School and Summer Opportunity Fund Program
SB 565	Sen. Raskin	Criminal Procedure – Sex Offender Registration Requirements – Kidnapping
SB 566	Sen. King	Home Visiting Accountability Act of 2012
SB 621	Sen. Shank	Public Schools – Epinephrine Availability and Use – Policy Requirements
SB 656	Sen. Manno	Higher Education – Community Colleges – Tuition Waiver for Disabled Individuals
SB 689	Sen. Shank	Education – Maryland Advisory Council for Virtual Learning – Establishment
SB 816	Harford Co. Senators	Harford County Board of Education – Student Member
SB 853	Sen. Klausmeier	Baltimore County – Public School Employees – Collective Bargaining Units
SB 1036	Ch., Budget & Tax	Academic Facilities Bonding Authority

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 1383 – Delegate O'Donnell

AN ACT concerning

~~Property and Casualty~~ Homeowner's Insurance – Underwriting Based on Geographic Area

FOR the purpose of ~~altering~~ establishing the requirements an insurer must meet before refusing to issue or renew ~~certain insurance contracts~~ a policy of homeowner's insurance solely because the insured property or the applicant's or insured's address is located within a certain geographic area of the State; requiring an insurer to adopt a certain underwriting standard and file the underwriting standard with the Maryland Insurance Commissioner for approval; specifying the contents of a certain filing; establishing that a certain underwriting standard may not take effect until a certain number of days after it is filed with the Commissioner; establishing certain exceptions; establishing certain requirements for a certain underwriting standard; providing that certain information shall be open to public inspection; authorizing the Commissioner to disapprove a filing under certain circumstances; requiring the Commissioner to send certain notice of disapproval of a filing under certain circumstances; requiring the Commissioner to hold a hearing under certain circumstances; requiring the Commissioner to give certain notice of the hearing; providing that certain provisions of law do not apply to certain policies of homeowner's insurance; and generally relating to underwriting standards for ~~property and casualty~~ homeowner's insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–107
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Insurance
Section 19–214
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1463 – Delegate Griffith

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Prince George's County – Prince George's VFD

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to change the name of a certain grantee from Prince George's VFD to the Prince George's County Fire Department; adding the Marlboro Volunteer Fire Department, the Beltsville Volunteer Fire Department, the Hyattsville Volunteer Fire Department, the Kentland Volunteer Fire Department, and the Laurel Volunteer Fire Department as grantees to a certain grant; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item ZA03(BE)

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

House Bill 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower Susquehanna Heritage Greenway

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to ~~change the name of a certain grantee from the Board of Directors of the Lower Susquehanna Heritage Greenway, Inc. to~~ add the Mayor and Commissioners of the Town of Perryville as a grantee to a certain grant; extending the deadline for the ~~grantee~~ grantees to present evidence that a matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2014; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA03(AE)

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:

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0207/314531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 207
(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after "arsenic;" insert "providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date;".

AMENDMENT NO. 2

After line 19, insert:

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

(a) This Act shall be abrogated and of no further force and effect with respect to the specific arsenical additive receiving approval by the U.S. Food and Drug Administration if the U.S. Food and Drug Administration, on review of new information under 21 C.F.R. Part 514, issues a finding that:

(1) approves the use of the arsenical additive;

(2) includes in its approval an evaluation of:

(i) human food safety;

(ii) impact on the environment;

(iii) safety to animals;

(iv) effectiveness of the drug for its intended use;

(v) chemistry and manufacturing procedures; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary.

(b) The State Department of Agriculture shall notify the Department of Legislative Services within 5 days after the action under subsection (a) of this section occurs.".

AMENDMENT NO. 3

In line 20, strike "2." and substitute "3."; and in line 21, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding 3 amendments were read only.

Senator Middleton 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 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

HB0167/424836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 167
(Third Reading File Bill)

On page 2, in line 9, strike "under 21 C.F.R. Part 514,"; in the same line, after the second "Administration" insert ", on review of new information under 21 C.F.R. Part 514, issues a finding that"; in line 21, strike "and"; and in line 22, after "procedures" insert "; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary".

The preceding amendment was read only.

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

The motion was adopted.

Senate Bill 791 – Senator Garagiola

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

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 – 9 (See Roll Call No. 966)

The Bill was then sent to the House of Delegates.

House Bill 250 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Elections – Baltimore City – Election Dates

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

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

Affirmative – 36 Negative – 10 (See Roll Call No. 967)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 422** SPONSOR: **Senator Frosh**

SUBJECT: **Criminal Procedure – Criminal Defendants – Citations and Appearances**

THIRD READING CALENDAR HOUSE NO. **5** SENATE NO. **22**

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 (SB0422/322216/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0422/873524/2) be adopted.

SB0422/873524/2
BY: Conference Committee

AMENDMENTS TO SENATE BILL 422
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 4 down through "circumstances" in line 9 and substitute "declaring the intention of the General Assembly to monitor certain issues and determine whether modification of this Act is required at a certain time; authorizing an individual to file an application for a statement of charges with a District Court commissioner; authorizing a District Court commissioner to issue a summons or an arrest warrant under certain circumstances; requiring a police officer to charge a person by citation for certain misdemeanors and

local ordinance violations; establishing that a police officer may charge a defendant by citation only under certain circumstances; providing that, under certain circumstances, an officer who has grounds to make a warrantless arrest may issue a citation in lieu of making the arrest or make the arrest and subsequently issue a citation in lieu of continued custody"; in line 12, after "proceeding" insert "or juvenile proceeding; establishing that a defendant who is denied pretrial release by a District Court commissioner or who remains in custody after a District Court commissioner has determined conditions of release under certain circumstances must be presented to a District Court or a circuit court judge at a certain time"; strike beginning with "repealing" in line 12 down through "proceedings;" in line 16; and strike beginning with "establishing" in line 20 down through "determination;" in line 25.

On page 2, in line 8, strike the first "a"; in the same line, strike "date" and substitute "dates; providing for the application of certain provisions of this Act; requiring certain law enforcement officers to record certain information pertaining to the issuance of certain citations; requiring the Police Training Commission and the Maryland Statistical Analysis Center (MSAC), in consultation with the Administrative Office of the Courts, to develop a certain format for the recording of certain data and to develop certain procedures relating to the compilation and submission of certain data on or before a certain date; requiring the Police Training Commission to develop certain guidelines for certain data collection and a certain model policy relating to citations; requiring the MSAC to analyze certain data based on a methodology developed in conjunction with the Police Training Commission; requiring the MSAC to make certain reports to the General Assembly, the Governor, and law enforcement agencies; requiring law enforcement agencies to adopt certain policies regarding the issuance of certain citations; defining certain terms; providing for the application of certain provisions of this Act"; strike beginning with "of" in line 8 down through "provision" in line 9 and substitute "of certain provisions"; in line 11, strike "representation by the Office of the Public Defender" and substitute "citations for and appearances by criminal defendants"; and in line 29, after "Section" insert "4–101.1 and".

AMENDMENT NO. 2

On page 3, after line 16, insert:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That it is the intent of the General Assembly to continue to monitor the issues relating to representation of indigent defendants and to determine whether modification of this Act is required during the 2015 session of the General Assembly or

earlier if an appellate court issues a decision related to the relevant issues in DeWolfe v. Richmond or the Task Force established under Section 4 of this Act issues its report and recommendations.";

and strike beginning with "1." in line 17 down through "MARYLAND" in line 18 and substitute "2. AND BE IT FURTHER ENACTED".

AMENDMENT NO. 3

On page 4, in lines 1 and 4, in each instance, strike the bracket; strike beginning with "**EXCEPT**" in line 1 down through "**A**" in line 2; strike beginning with "**EXCEPT**" in line 4 down through "**A**" in line 5; strike beginning with "**A**" in line 24 down through "**INCIDENT**" in line 30 and substitute "**(I) AN INDIVIDUAL MAY FILE AN APPLICATION FOR A STATEMENT OF CHARGES WITH A DISTRICT COURT COMMISSIONER.**

(II) ON REVIEW OF AN APPLICATION FOR A STATEMENT OF CHARGES, A DISTRICT COURT COMMISSIONER MAY ISSUE A SUMMONS OR AN ARREST WARRANT.

(III) A DISTRICT COURT COMMISSIONER MAY ISSUE AN ARREST WARRANT ONLY ON A FINDING THAT:

1. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT COMMITTED THE OFFENSE CHARGED IN THE CHARGING DOCUMENT; AND

2. A. THE DEFENDANT PREVIOUSLY HAS FAILED TO RESPOND TO A SUMMONS THAT HAS BEEN PERSONALLY SERVED OR A CITATION;

B. THE WHEREABOUTS OF THE DEFENDANT ARE UNKNOWN AND THE ISSUANCE OF A WARRANT IS NECESSARY TO SUBJECT THE DEFENDANT TO THE JURISDICTION OF THE COURT;

C. THE DEFENDANT IS IN CUSTODY FOR ANOTHER OFFENSE; OR

D. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT POSES A DANGER TO ANOTHER PERSON OR TO THE COMMUNITY".

On page 5, strike in their entirety lines 5 through 9, inclusive; and in line 28, strike "(2)" and substitute "**(3)**".

On page 6, in lines 16 and 19, in each instance, strike "**OR**"; after line 19, insert:

"**4. POSSESSION OF AN ELECTRONIC CONTROL DEVICE AFTER CONVICTION OF A DRUG FELONY OR CRIME OF VIOLENCE UNDER § 4–109(B) OF THE CRIMINAL LAW ARTICLE;**

5. VIOLATION OF AN OUT–OF–STATE DOMESTIC VIOLENCE ORDER UNDER § 4–508.1 OF THE FAMILY LAW ARTICLE; OR

6. ABUSE OR NEGLECT OF AN ANIMAL UNDER § 10–604 OF THE CRIMINAL LAW ARTICLE; OR";

in line 22, strike "(2)" and substitute "**(3)**"; and in the same line, strike "issue a citation to a defendant" and substitute "**CHARGE A DEFENDANT BY CITATION**".

On page 7, in line 3, strike "**(3)**" and substitute "**(4)**"; and strike beginning with "**BEFORE**" in line 3 down through "**DEFENDANT**" in line 11 and substitute "**A POLICE OFFICER WHO HAS GROUNDS TO MAKE A WARRANTLESS ARREST FOR AN OFFENSE THAT MAY BE CHARGED BY CITATION UNDER THIS SUBSECTION MAY:**

(I) ISSUE A CITATION IN LIEU OF MAKING THE ARREST; OR

(II) MAKE THE ARREST AND SUBSEQUENTLY ISSUE A CITATION IN LIEU OF CONTINUED CUSTODY".

AMENDMENT NO. 4

On page 8, after line 8, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

10–922.

A STATEMENT MADE DURING THE COURSE OF AN INITIAL APPEARANCE OF A DEFENDANT BEFORE A DISTRICT COURT COMMISSIONER IN ACCORDANCE WITH MARYLAND RULE 4–213 MAY NOT BE USED AS EVIDENCE AGAINST THE DEFENDANT IN A CRIMINAL PROCEEDING OR JUVENILE PROCEEDING.

Article – Criminal Procedure

5–215.

A DEFENDANT WHO IS DENIED PRETRIAL RELEASE BY A DISTRICT COURT COMMISSIONER OR WHO FOR ANY REASON REMAINS IN CUSTODY AFTER A DISTRICT COURT COMMISSIONER HAS DETERMINED CONDITIONS OF RELEASE UNDER MARYLAND RULE 4–216 SHALL BE PRESENTED TO A DISTRICT COURT JUDGE IMMEDIATELY IF THE COURT IS IN SESSION, OR IF THE COURT IS NOT IN SESSION, AT THE NEXT SESSION OF THE COURT.".

AMENDMENT NO. 5

On page 9, strike in their entirety lines 10 through 28, inclusive; and in line 29, strike "3." and substitute "4.".

On page 10, in line 5, after "Governor" insert "of Maryland".

On page 11, in line 21, after "to" insert ":

(i)";

after line 23, insert:

"(ii) the District Court commissioner and pretrial release systems; and";

in line 25, after "improving" insert ":

(i)";

and in the same line, after "defendants" insert "; and

(ii) the District Court commissioner and pretrial release systems".

AMENDMENT NO. 6

On page 12, after line 2, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

4–101.1.

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

(2) "LAW ENFORCEMENT AGENCY" MEANS AN AGENCY THAT IS LISTED IN § 3–101(E) OF THE PUBLIC SAFETY ARTICLE AND THAT, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, IS SUBJECT TO THE PROVISIONS OF THIS SECTION.

(3) "LAW ENFORCEMENT OFFICER" MEANS ANY PERSON WHO, IN AN OFFICIAL CAPACITY, IS AUTHORIZED BY LAW TO MAKE ARRESTS AND WHO IS AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY THAT IS SUBJECT TO THIS SECTION.

(4) "MARYLAND STATISTICAL ANALYSIS CENTER" MEANS THE RESEARCH, DEVELOPMENT, AND EVALUATION COMPONENT OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

(5) "POLICE TRAINING COMMISSION" MEANS THE UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES ESTABLISHED UNDER § 3–202 OF THE PUBLIC SAFETY ARTICLE.

(B) THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A FORMAT FOR THE EFFICIENT RECORDING OF DATA REQUIRED TO BE SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION.

(C) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION, IN CONSULTATION WITH THE MARYLAND STATISTICAL ANALYSIS CENTER, SHALL DEVELOP:

(1) GUIDELINES THAT EACH LAW ENFORCEMENT AGENCY MAY USE AS A MANAGEMENT TOOL TO EVALUATE DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION FOR USE IN COUNSELING AND IMPROVED TRAINING; AND

(2) A MODEL POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT A LAW ENFORCEMENT AGENCY CAN USE IN DEVELOPING ITS POLICY IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION.

(D) THIS SECTION APPLIES TO EACH LAW ENFORCEMENT AGENCY THAT HAS ONE OR MORE LAW ENFORCEMENT OFFICERS.

(E) EACH TIME A LAW ENFORCEMENT OFFICER ISSUES A CITATION IN ACCORDANCE WITH § 4–101 OF THIS SUBTITLE, THAT OFFICER SHALL REPORT THE FOLLOWING INFORMATION ON THE MARYLAND UNIFORM CITATION FORM CONSISTENT WITH THE PROCEDURES DEVELOPED UNDER SUBSECTION (F) OF THIS SECTION USING THE FORMAT DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION:

(1) THE DATE, LOCATION, AND TIME OF THE ISSUANCE OF THE CITATION;

(2) THE OFFENSE CHARGED;

(3) THE GENDER OF THE OFFENDER;

(4) THE DATE OF BIRTH OF THE OFFENDER;

(5) THE STATE AND, IF AVAILABLE, THE COUNTY OF RESIDENCE OF THE OFFENDER; AND

(6) THE RACE OR ETHNICITY OF THE OFFENDER AS:

(I) ASIAN;

(II) BLACK;

(III) HISPANIC;

(IV) WHITE; OR

(V) OTHER.

(F) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A PROCEDURE FOR:

(1) THE COMPILATION OF DATA REQUIRED TO BE COLLECTED UNDER THIS SECTION FOR THE CALENDAR YEAR AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) THE SUBMISSION OF THE REPORT TO THE MARYLAND STATISTICAL ANALYSIS CENTER NO LATER THAN MARCH 1 OF THE FOLLOWING CALENDAR YEAR BEGINNING ON MARCH 1, 2014.

(G) (1) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL ANALYZE THE ANNUAL REPORTS SUBMITTED UNDER SUBSECTION (F) OF THIS SECTION BASED ON A METHODOLOGY DEVELOPED IN CONSULTATION WITH THE POLICE TRAINING COMMISSION.

(2) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL SUBMIT A REPORT OF THE FINDINGS TO THE GOVERNOR, THE GENERAL ASSEMBLY, AS PROVIDED IN § 2–1246 OF THE STATE GOVERNMENT ARTICLE, AND EACH LAW ENFORCEMENT AGENCY BEFORE SEPTEMBER 1 OF EACH YEAR BEGINNING ON SEPTEMBER 1, 2014.

(H) (1) A LAW ENFORCEMENT AGENCY SHALL ADOPT A POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT IS TO BE USED AS A MANAGEMENT TOOL TO PROMOTE NONDISCRIMINATORY LAW ENFORCEMENT AND IN THE TRAINING AND COUNSELING OF ITS OFFICERS.

(2) (I) THE POLICY SHALL PROHIBIT THE PRACTICE OF USING AN INDIVIDUAL'S RACE OR ETHNICITY AS THE SOLE JUSTIFICATION TO ISSUE A CITATION.

(II) THE POLICY SHALL MAKE CLEAR THAT IT MAY NOT BE CONSTRUED TO ALTER THE AUTHORITY OF A LAW ENFORCEMENT OFFICER TO MAKE AN ARREST, CONDUCT A SEARCH OR SEIZURE, OR OTHERWISE FULFILL THE OFFICER'S LAW ENFORCEMENT OBLIGATIONS.

(3) THE POLICY SHALL PROVIDE FOR THE LAW ENFORCEMENT AGENCY TO PERIODICALLY REVIEW DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION AND TO REVIEW THE ANNUAL REPORT OF THE MARYLAND STATISTICAL ANALYSIS CENTER FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION.";

in line 3, strike "4." and substitute "6."; in line 4, strike "October 1, 2012" and substitute "January 1, 2013"; after line 4, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That the obligation of the Office of the Public Defender to provide representation to indigent defendants at bail hearings before District Court or circuit court judges under § 16–204 of the Criminal Procedure Article, as enacted by Section 3 of this Act, applies only to bail hearings occurring on or after June 1, 2012.

SECTION 8. AND BE IT FURTHER ENACTED, That, beginning January 1, 2013, data shall be collected under Section 5 of this Act through December 31, 2017, and the Maryland Statistical Analysis Center shall issue a final report of its findings to the Governor, the General Assembly, in accordance with § 2–1246 of the State Government Article, and each law enforcement agency on or before August 31, 2018.";

in line 5, strike "5." and substitute "9."; in line 9, strike "4" and substitute "6"; in lines 10 and 11, in each instance, strike "3" and substitute "4"; and in line 12, after "effect." insert "Section 5 of this Act shall remain effective until September 1, 2018, and, at the end of August 31, 2018, with no further action required by the General Assembly, Section 5 of this Act shall be abrogated and of no further force and effect.".

Senate Members:	House Members:
Chair, **Brian E. Frosh**	Chair, **Kathleen M. Dumais**
James Brochin	**Curt Anderson**
Jamie Raskin	**Michael A. McDermott**

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. 968)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #5

AMENDED IN THE HOUSE

Senate Bill 485 – Senators Kelley, Astle, Forehand, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Muse, Pipkin, Pugh, Stone, and Young

AN ACT concerning

Continuing Care Retirement Communities – Regulation

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

SB0485/476088/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 485
(Third Reading File Bill)

On page 13, in line 5, after "**FOLLOWING**" insert "**MODEL**"; and in the same line, after "**STATEMENTS**" insert "**OR A SUBSTANTIALLY SIMILAR STATEMENT**".

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. 969)

AMENDED IN THE HOUSE

Senate Bill 737 – Senator Rosapepe

AN ACT concerning

Nursing Home Administrator License – Revocation or Surrender – Ban on Employment

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

SB0737/756589/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 737
(Third Reading File Bill)

On page 3, in line 7, strike "**THEIR**" and substitute "**THE**".

On page 4, in line 15, strike "**HAS HAD**" and substitute "**HAD**".

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. 970)

CONCURRENCE CALENDAR #6

AMENDED IN THE HOUSE

Senate Bill 711 – Senator Forehand

AN ACT concerning

Maryland General and Limited Power of Attorney Act

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

SB0711/492015/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 711
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "attorney;" insert "providing that a document substantially in the form of a certain statutory form in effect on the date the document is executed shall continue to have a certain meaning and effect notwithstanding enactment of certain legislation;".

AMENDMENT NO. 2

On page 2, in line 24, before "A" insert "**(A)**"; in line 25, strike beginning with "**AS**" through "**EXECUTED**"; and after line 27, insert:

"**(B) A DOCUMENT SUBSTANTIALLY IN ONE OF THE FORMS SET FORTH IN THIS SUBTITLE IN EFFECT ON THE DATE THE DOCUMENT IS EXECUTED SHALL**

CONTINUE TO HAVE THE MEANING AND EFFECT PRESCRIBED BY THIS TITLE, NOTWITHSTANDING ENACTMENT OF LEGISLATION ALTERING THAT STATUTORY FORM AFTER THE DATE THE DOCUMENT IS EXECUTED.".

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. 971)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #63

Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elected Officials – Removal from Office – Crimes

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

Affirmative – 45 Negative – 0 (See Roll Call No. 972)

The Bill was then sent to the House of Delegates.

Senate Bill 968 – Senator Conway

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

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

Affirmative – 27 Negative – 18 (See Roll Call No. 973)

The Bill was then sent to the House of Delegates.

Senate Bill 1004 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – ~~Qualifying~~ Thermal Biomass Systems

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

Affirmative – 46 Negative – 0 (See Roll Call No. 974)

The Bill was then sent to the House of Delegates.

Senate Bill 1016 – Senators Conway, Ferguson, Gladden, Jones–Rodwell, McFadden, and Pugh

AN ACT concerning

Baltimore City – Vehicle Laws – Parking Restrictions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 975)

The Bill was then sent to the House of Delegates.

Senate Bill 1082 – Senator Forehand

AN ACT concerning

Children in Need of Assistance and Child Abuse and Neglect – Sexual Abuse – Definition

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

Affirmative – 46 Negative – 0 (See Roll Call No. 976)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #7

AMENDED IN THE HOUSE

Senate Bill 856 – ~~Senator Raskin~~ Senators Raskin, Forehand, Getty, Gladden, Jacobs, Ramirez, Shank, and Stone

AN ACT concerning

Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

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

SB0856/562011/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 856
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, strike "**AND**"; and in line 16, after "**(2)**" insert "**HAS COMPLETED AT LEAST 40 HOURS OF BASIC MEDIATION TRAINING; AND**

(3)".

AMENDMENT NO. 2

On page 4, in line 5, strike "**A**"; strike beginning with "**NOT**" in line 7 down through "**PROCEEDING**" in line 9 and substitute "**ENTER INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS**"; strike beginning with "**THE**" in line 10 down through "**PARTY**" in line 13 and substitute "**A PARTY TO MEDIATION AND ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY MAY NOT DISCLOSE OR BE COMPELLED TO DISCLOSE MEDIATION COMMUNICATIONS IN ANY JUDICIAL, ADMINISTRATIVE, OR OTHER PROCEEDING IF THE PARTY OR PERSON SIGNED A WRITTEN AGREEMENT**"; and in line 31, strike "**SERIOUS**".

AMENDMENT NO. 3

On page 5, in line 8, strike "**A**" and substitute "**ANY**"; strike beginning with "**, BECAUSE**" in line 8 down through "**MISREPRESENTATION,**" in line 9; in line 13,

strike "**A MANIFEST**" and substitute "**AN**"; and strike beginning with "**IN**" in line 16 down through "**CONFIDENTIAL**" in line 17.

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 0856**
SPONSOR: Sen Raskin, et al
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

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 Raskin, Chairman
Senator Getty
Senator Frosh.

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 #43

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

Senate Bill 407 – Senators Zirkin and Jennings

AN ACT concerning

Baltimore County – Elected School Board

SB0407/704930/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Elected School"; in the same line, after "Board" insert "of Education – Selection of Members"; in lines 3 and 18, in each instance, after "election" insert "and appointment"; in line 5, after the first "of" insert "all"; in the same line, after "Education;" insert "establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board;"; strike beginning with "establishing" in line 7 down through "members;" in line 8; in line 8, after "elected" insert "or appointed"; in line 9, after "terms;" insert "providing for a student member of the county board; providing for the term and duties of the student member;"; in line 10, after "of" insert ", and hearings and appeal procedures for, certain"; in the same line, strike "under certain circumstances" and substitute "of the county board"; strike beginning with "providing" in line 10 down through "board;" in line 11; and strike beginning with "providing" in line 13 down through "Commission;" in line 16.

AMENDMENT NO. 2

On page 2, strike line 9 in its entirety; in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, in each instance, strike the brackets; and in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", "**(12)**", "**(13)**", "**(14)**", "**(15)**", "**(16)**", and "**(17)**", respectively.

On page 3, in lines 1 and 2, in each instance, strike the brackets; in lines 1 and 2, strike "**(18)**" and "**(19)**", respectively; after line 2, insert:

"**(B) IN BALTIMORE COUNTY, IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**";

and in lines 3, 6, 9, and 16, strike "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively.

AMENDMENT NO. 3

On page 3, in line 21, strike "**NINE**" and substitute "**SIX**"; in the same line, after "**NONPARTISAN**" insert "**ELECTED**"; strike beginning with "**ELECTED**" in line 21 down through "**AND**" in line 22 and substitute a semicolon; after line 22, insert:

"**(2) FIVE APPOINTED MEMBERS; AND**";

in line 23, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**FROM THE COUNTY AT LARGE**"; in line 24, strike "**THE NINE**" and substitute "**OF THE ELEVEN**"; in the same line, after "**ELECTED**" insert "**AND APPOINTED**"; strike beginning with "**SHALL**" in line 24 down through "**(2)**" in line 26 and substitute "**OF THE COUNTY BOARD:**

(I)";

in line 26, strike "**NINE**" and substitute "**SIX**"; in line 27, after "**COUNTY**" insert "**, ESTABLISHED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION,**"; and in the same line, after "**DISTRICT**" insert "**; AND**

(II) FIVE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR";

after line 27, insert:

"**(2) (I) THE SIX ELECTED MEMBERS SHALL BE ELECTED AT A GENERAL ELECTION IN ACCORDANCE WITH § 3–2A–02 OF THIS SUBTITLE.**

(II) THE FIVE APPOINTED MEMBERS SHALL BE APPOINTED, WHEN APPROPRIATE, WITHIN 90 DAYS AFTER THE GENERAL ELECTION.".

AMENDMENT NO. 4

On page 4, in line 8, after "**ELECTED**" insert "**OR APPOINTED**"; after line 13, insert:

"**(C)** **(1)** **FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, THE COUNTY COUNCIL OF BALTIMORE COUNTY IN CONSULTATION WITH THE COUNTY BOARD, AND AFTER REASONABLE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT, SHALL ESTABLISH THE SCHOOL BOARD DISTRICTS IN THE COUNTY.**

(2) **EACH SCHOOL BOARD DISTRICT SHALL BE SUBSTANTIALLY EQUAL IN POPULATION.**

(3) **REAPPORTIONED SCHOOL BOARD DISTRICTS SHALL BECOME EFFECTIVE FOR THE TERM OF OFFICE THAT BEGINS AFTER THE FIRST REGULAR PRIMARY ELECTION THAT IS HELD AT LEAST 15 MONTHS AFTER THE OFFICIAL REPORT ON POPULATION IS RECEIVED BY THE STATE FROM THE BUREAU OF THE CENSUS.**";

in line 15, after the second "**THE**" insert "**ELECTED MEMBERS OF THE**"; in line 28, strike "**EACH ELECTED**" and substitute "**EXCEPT FOR THE STUDENT MEMBER, A**"; in line 30, after "**ELECTION**" insert "**OR APPOINTMENT**"; in the same line, after "**ELECTED**" insert "**OR APPOINTED**"; and in line 33, after "**ELECTED**" insert "**OR APPOINTED**".

AMENDMENT NO. 5

On page 5, in line 1, after "**ELECTED**" insert "**OR APPOINTED**".

On page 6, in line 9, strike "**ELECTED**" and substitute "**NONSTUDENT**"; in lines 10 and 12, in each instance, strike "**$3,000**" and substitute "**$100**"; in line 19, after "**A**" insert "**NONSTUDENT**"; and in line 27, after "**ELECTED**" insert "**OR APPOINTED**".

On page 7, in line 2, after "**ELECTED**" insert "**OR APPOINTED**".

On pages 7 through 9, strike in their entirety the lines beginning with line 28 on page 7 through line 16 on page 9, inclusive.

On page 9, in line 17, strike "**3–2A–10.**" and substitute "**3–2A–09.**".

AMENDMENT NO. 6

On page 12, in lines 6 and 7, strike "on November 30, 2014" and substitute "as follows:

(a) The term of the one member appointed from councilmanic district 5 of Baltimore County whose term is scheduled to expire on June 30, 2013, shall terminate at the end of June 30, 2013, and the Governor shall appoint an additional member to the county board, as authorized under this Act, who shall succeed the member whose term terminated and serve for a term of 1 year, 5 months, and 7 days, until a successor is appointed and qualifies; and

(b) The terms of the six members appointed from councilmanic districts 1, 2, 3, 4, 6, and 7 of Baltimore County, or their successors, who are in office on the effective date of this Act, shall terminate at the end of December 7, 2014, and the members elected from the school board districts 1, 2, 3, 4, 5, and 6 in Baltimore County, as established in accordance with this Act, at the general election in November 2014, shall succeed those appointed members and serve for a term of 4 years beginning on December 8, 2014, until a successor is elected and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That, in appointing members to the Baltimore County Board of Education, the Governor shall ensure, to the extent practicable, that the total makeup of the county board reflects gender, ethnic, and racial diversity";

and in line 8, strike "3." and substitute "4.".

The preceding 6 amendments were read only.

Senator Kelley moved, duly seconded, to make the Bill and Amendments a Special Order for April 5, 2012.

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 478 – Senator Ferguson

AN ACT concerning

Education – School Buses – Fire Safety Standards for Engine Components

SB0478/304631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 478
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Components" insert "– Study"; strike beginning with "a" in line 3 down through "flammability" in line 6 and substitute "the State Department of Education to conduct a certain study and make a certain report to certain committees of the General Assembly on or before a certain date"; in line 6, after "to" insert "a study of"; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 2

On page 1, in line 19, strike "the Laws of Maryland read as follows"; in the same line, after the colon insert:

"(1) the State Department of Education shall research and explore ways to reduce the flammability of the plastic components contained in a school bus engine compartments;

(2) the study described in item (1) of this section shall include cost estimates for compliance with the Underwriters Laboratories Inc. Standard 94 (UL 94), "Standard for Safety of Flammability of Plastic Materials for Parts in Devices and Appliances Testing" and for equipping school buses with an emergency fire suppression system; and

(3) on or before December 1, 2012, the State Department of Education shall report, in accordance with § 2–1246 of the State Government Article, to the House Committee on Ways and Means and the Senate Education, Health, and Environmental Affairs Committee regarding the results of the study under this section.".

On pages 1 through 3, strike in their entirety the lines beginning with line 20 on page 1 through line 15 on page 3, inclusive.

On page 3, in line 17, strike "October" and substitute "July".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Astle moved, duly seconded, to make the Bill a Special Order for April 5, 2012.

The motion was adopted.

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

Senate Bill 553 – Senator Rosapepe

AN ACT concerning

Maryland–Washington Metropolitan District and Regional District – Boundaries – City of Laurel

SB0553/574431/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 553
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "period;" insert "providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act;"; and after line 17, insert:

"BY repealing and reenacting, without amendments,
Article – Land Use
Section 19–102
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–101
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,
Chapter ___ (H.B. 1290) of the Acts of the General Assembly of 2012)
Section 11 1(b)(3)".

AMENDMENT NO. 2
On page 2, after line 29, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Land Use

19–102.

The boundaries of the metropolitan district are the same as existed on October 1, 2012, with the exclusion of any property annexed into the City of Rockville, the City of Gaithersburg, or the Town of Washington Grove under Chapter 429 of the Acts of the General Assembly of 2007.

20–101.

(a) There is a Maryland–Washington Regional District.

(b) The regional district consists of:

(1) the entire area of Montgomery County, subject to the limitations in Subtitle 7, Part I of this title and Title 24, Subtitle 2 of this article; and

(2) the entire area of Prince George's County, except for the City of Laurel as it existed on July 1, 2008**, AND ANY SINGLE–FAMILY REAL PROPERTY ANNEXED BY THE CITY OF LAUREL THROUGH JULY 1, 2012**.

Chapter ___ (H.B. 1290) of the Acts of the General Assembly of 2012

SECTION 11. AND BE IT FURTHER ENACTED, That Section(s) 3–102 through 3–107 of Article 28 – Maryland–National Capital Park and Planning Commission of the Annotated Code of Maryland be repealed and reenacted, with amendments, and transferred to the Session Laws, to read as follows:

Maryland–Washington Metropolitan District Boundaries

1.

(b) (3) The Maryland–Washington Metropolitan District does not include the City of Laurel as its municipal corporate boundaries existed on July 1, 1997**, AND ANY SINGLE–FAMILY REAL PROPERTY ANNEXED BY THE CITY OF LAUREL THROUGH JULY 1, 2012**.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter ____ (H.B. 1290) of the Acts of the General Assembly of 2012. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.";

in line 30, strike "2." and substitute "4."; and in the same line, after "That" insert ", subject to the provisions of Section 3 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1098 – Senator Conway

AN ACT concerning

Baltimore City – Construction Debris and Demolition Debris – Recycling Lumber

SB1098/644833/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1098
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Recycling" and substitute "Prohibition"; in line 3, strike "Lumber"; and strike beginning with "requiring" in line 4 down through "term;" in line 8 and substitute "prohibiting the Department of the Environment and Baltimore City from initiating an enforcement action or civil suit against a certain facility under a certain circumstance;".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 10 on page 2, inclusive, and substitute:

"**THE DEPARTMENT AND BALTIMORE CITY MAY NOT INITIATE AN ENFORCEMENT ACTION OR CIVIL SUIT AGAINST A FACILITY IN BALTIMORE CITY THAT ACCEPTS FOR RECYCLING CONSTRUCTION DEBRIS AND DEMOLITION DEBRIS THAT CONTAINS A MIXTURE OF CONCRETE, BRICK, AND LUMBER, IF THE LUMBER DOES NOT EXCEED 10% BY VOLUME OF THE MIXTURE OF CONCRETE, BRICK, AND LUMBER.**".

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 FINANCE REPORT #30

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

Senate Bill 748 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Secured Transactions – Revision

SB0748/487677/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 748
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after "9–408(b)," insert "9–502(c),".

AMENDMENT NO. 2

On page 8, after line 19, insert:

"9–502.

(c) A record of a mortgage is effective, from the date of recording, as a financing statement filed as a fixture filing or as a financing statement covering as–extracted collateral or timber to be cut only if:

(1) The record indicates the goods or accounts that it covers;

(2) The goods are or are to become fixtures related to the real property described in the record or the collateral is related to the real property described in the record and is as–extracted collateral or timber to be cut;

(3) The record satisfies the requirements for a financing statement in this section **[**other than an indication**], BUT:**

(I) THE RECORD NEED NOT INDICATE that it is to be recorded in the land records; and

(II) THE RECORD SUFFICIENTLY PROVIDES THE NAME OF A DEBTOR WHO IS AN INDIVIDUAL IF IT PROVIDES THE INDIVIDUAL NAME OF THE DEBTOR OR THE SURNAME AND FIRST PERSONAL NAME OF THE DEBTOR, EVEN IF THE DEBTOR IS AN INDIVIDUAL TO WHOM § 9–503(A)(4) APPLIES; AND

(4) The record is recorded.".

On page 9, in line 13, after the second "**NAME**" insert "**SO**".

On pages 9 and 10, strike in their entirety the lines beginning with line 27 on page 9 through line 4 on page 10, inclusive, and substitute:

"**(4) SUBJECT TO SUBSECTION (G), IF THE DEBTOR IS AN INDIVIDUAL TO WHOM THIS STATE HAS ISSUED A DRIVER'S LICENSE OR AN**

IDENTIFICATION CARD THAT HAS NOT EXPIRED, ONLY IF IT PROVIDES THE NAME OF THE INDIVIDUAL WHICH IS INDICATED ON THE DRIVER'S LICENSE OR IDENTIFICATION CARD;

(5) IF THE DEBTOR IS AN INDIVIDUAL TO WHOM PARAGRAPH (4) DOES NOT APPLY, ONLY IF IT PROVIDES THE INDIVIDUAL NAME OF THE DEBTOR OR THE SURNAME AND FIRST PERSONAL NAME OF THE DEBTOR; AND".

On page 10, in line 5, strike "**(5)**" and substitute "**(6)**"; in lines 6 and 8, in each instance, strike the brackets; in lines 6 and 7 and 8 and 9, in each instance, strike "**THE FINANCING STATEMENT**"; and in lines 23 and 24, in each instance, strike "**(A)(4)(C)**" and substitute "**(A)(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, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 750 – Senator Middleton

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

SB0750/537672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 750
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton and Pugh"; in lines 7, 10, 13, and 16, in each instance, strike "primary" and substitute "emergency"; in lines 8, 10, 17, 18, 19, 20, and 25, in each instance, strike "nonprimary" and substitute "elective"; in line 13, after "services"

insert "or elective PCI services"; in line 14, strike "care" and substitute "general"; in line 18, after "Commission" insert "and does not meet certain requirements"; in line 22, after "items;" insert "requiring the Commission to establish a clinical advisory group for a certain purpose; requiring the Commission to develop certain recommended regulations, post the recommended regulations on its Web site, and submit the recommended regulations to the Governor and certain legislative committees for review and comment;"; in line 25, strike "certain actions" and substitute "a certain action"; and in the same line, after the semicolon insert "requiring the Commission to consider a certain factor in issuing a certificate of conformance; requiring a certain process and a certain requirement established in regulation to operate and be implemented in certain manners; providing that certain requirements of this Act do not apply to a hospital that provided cardiac surgery services and PCI services on a certain date until the Commission takes certain actions;".

AMENDMENT NO. 2

On page 3 in line 32, on page 4 in lines 3, 23, and 28, on page 5 in lines 4, 5, and 7, and on page 6 in line 16, in each instance, strike "**PRIMARY**" and substitute "**EMERGENCY**".

On page 3 in line 32, on page 4 in lines 3, 23, and 28, on page 5 in lines 23, 25, and 27, and on page 6 in line 16, in each instance, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 4, in line 6, strike "**(I)**"; in the same line, strike "**NONPRIMARY**" and substitute "**ELECTIVE**"; strike beginning with "**MEANS**" in line 6 down through "**INFARCTION**" in line 9 and substitute "**(ALSO KNOWN AS "NONPRIMARY PCI") INCLUDES PCI PROVIDED TO A PATIENT WHO IS NOT SUFFERING FROM AN ACUTE CORONARY SYNDROME, BUT WHOSE CONDITION IS APPROPRIATELY TREATED WITH PCI BASED ON REGULATIONS ESTABLISHED BY THE COMMISSION**"; strike line 10 in its entirety; after line 10, insert:

"**(5) "EMERGENCY PCI" (ALSO KNOWN AS "PRIMARY PCI") INCLUDES PCI CAPABLE OF RELIEVING CORONARY VESSEL NARROWING ASSOCIATED WITH STEMI OR, AS DEFINED BY THE COMMISSION IN REGULATIONS, STEMI EQUIVALENT.**";

in lines 11 and 12, strike "**(5)**" and "**(6)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; and strike in their entirety lines 19 through 21, inclusive, and substitute:

"**(8) "STEMI" (ST–SEGMENT–ELEVATION MYOCARDIAL INFARCTION) MEANS A TYPE OF HEART ATTACK OR MYOCARDIAL INFARCTION THAT IS CAUSED BY A PROLONGED PERIOD OF BLOCKED BLOOD SUPPLY, WHICH AFFECTS A LARGE AREA OF THE HEART MUSCLE AND CAUSES CHANGES ON AN ELECTROCARDIOGRAM AND IN THE BLOOD LEVELS OF KEY CHEMICAL MARKERS.**".

On page 5, in line 10, strike "**CARE**" and substitute "**GENERAL**"; in line 21, strike "**PRIMARY**" and substitute "**EMERGENCY**"; and in line 22, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 6 in lines 29 and 31 and on page 7 in line 4, in each instance, strike "nonprimary" and substitute "elective".

AMENDMENT NO. 3

On page 5, after line 9, insert:

"**(D) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A CERTIFICATE OF CONFORMANCE IS NOT REQUIRED FOR AN ACUTE GENERAL HOSPITAL TO ESTABLISH ELECTIVE PCI SERVICES IF:**

(1) ON JANUARY 1, 2012, THE ACUTE GENERAL HOSPITAL WAS PROVIDING ELECTIVE PCI SERVICES THROUGH THE C–PORT E REGISTRY UNDER AUTHORITY OF A RESEARCH WAIVER ISSUED BY THE COMMISSION;

(2) THE COMMISSION FINDS THAT THE C–PORT E STUDY PRODUCED RESULTS THAT SHOULD GUIDE PUBLIC POLICY; AND

(3) THE COMMISSION DETERMINES THAT THE ELECTIVE PCI SERVICES PROVIDED BY THE ACUTE GENERAL HOSPITAL CONTINUE TO BE CONSISTENT WITH:

(I) THE REQUIREMENTS OF THE C–PORT E REGISTRY; AND

(II) EXCEPT FOR THE REQUIREMENTS UNDER COMAR 10.24.05.05, THE REQUIREMENTS FOR MAINTAINING A RESEARCH WAIVER UNDER COMAR 10.24.05 AND 10.24.17, TABLE A–1.";

in lines 10 and 23, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; in line 17, after "**(C)**" insert "**OR (D)**"; and in line 24, after "**COMMISSION**" insert "**AND DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION**".

On page 6, in line 27, strike ", notwithstanding" and substitute ":

(a) Notwithstanding";

and in line 31, after "services" insert "under the authorization that existed on January 1, 2012,".

On pages 6 and 7, strike beginning with "one" in line 32 on page 6 down through "B," in line 2 on page 7 and substitute "a determination under § 19–120.1(d)(3) of the Health – General Article, as enacted by Section 1 of this Act;

(2)".

On page 7, in line 5, after "services" insert "; or

(3) makes a determination under COMAR 10.24.05 to terminate the hospital's authority to provide elective PCI services.

(b) On or before December 31, 2012, the Commission shall determine for each hospital providing elective PCI services on January 1, 2012, through the C–PORT E registry under authority of a research waiver issued by the Commission, whether the conditions of § 19–120.1(d)(3) of the Health – General Article are satisfied".

AMENDMENT NO. 4

On page 6, in line 1, strike "**(F)**" and substitute "**(G)**"; in line 11, strike "**AND**"; in line 14, after "**PERFORMANCE**" insert "**TO AN ACUTE GENERAL HOSPITAL WITHOUT ON–SITE CARDIAC SURGERY SERVICES**"; in the same line, strike "**AN**"

and substitute "**THE**"; in line 15, strike "**CARDIAC SURGERY SERVICES,**"; in line 16, strike the comma; and in line 18, after "**COMMISSION**" insert "**;**

(VI) ESTABLISH A PROCESS FOR AN ACUTE GENERAL HOSPITAL THAT IS OUT OF COMPLIANCE WITH MINIMUM STANDARDS FOR A CERTIFICATE OF ONGOING PERFORMANCE TO RETURN TO GOOD STANDING;

(VII) REQUIRE THAT AN ACUTE GENERAL HOSPITAL, EXCEPT FOR AN ACUTE GENERAL HOSPITAL LOCATED IN A PART OF THE STATE THAT DOES NOT HAVE SUFFICIENT ACCESS TO EMERGENCY PCI SERVICES, HAVE PROVIDED EMERGENCY PCI SERVICES IN ACCORDANCE WITH ESTABLISHED STANDARDS BEFORE SEEKING A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES;

(VIII) PROHIBIT AN ACUTE GENERAL HOSPITAL FROM PROVIDING ELECTIVE PCI SERVICES UNLESS THE ACUTE GENERAL HOSPITAL ALSO PROVIDES EMERGENCY PCI SERVICES;

(IX) INCORPORATE, TO THE EXTENT APPROPRIATE, THE STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES RECOMMENDED BY THE CLINICAL ADVISORY GROUP ESTABLISHED UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(X) INCLUDE REQUIREMENTS FOR PEER OR INDEPENDENT REVIEW, CONSISTENT WITH THE ACCF/AHA/SCAI GUIDELINES FOR PERCUTANEOUS CORONARY INTERVENTION (REPORT OF THE AMERICAN COLLEGE OF CARDIOLOGY FOUNDATION/AMERICAN HEART ASSOCIATION TASK FORCE ON PRACTICE GUIDELINES AND THE SOCIETY FOR CARDIOVASCULAR ANGIOGRAPHY AND INTERVENTIONS), OF DIFFICULT OR COMPLICATED CASES AND FOR RANDOMLY SELECTED CASES; AND

(XI) FOR A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES, GIVE WEIGHT TO THE EXPERIENCE, PERFORMANCE, INVESTMENT, AND SCOPE OF INTERVENTIONAL CAPABILITIES OF AN APPLICANT HOSPITAL THAT WAS PROVIDING EMERGENCY PCI SERVICES ON JANUARY 1, 2012.

(3) (I) THE COMMISSION SHALL ESTABLISH A CLINICAL ADVISORY GROUP TO ADVISE THE COMMISSION AND RECOMMEND STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES FOR INCLUSION IN REGULATIONS ADOPTED UNDER THIS SUBSECTION.

(II) THE CLINICAL ADVISORY GROUP SHALL BE COMPOSED OF EXPERTS IN CARDIAC SURGERY SERVICES AND PCI SERVICES, INCLUDING:

1. CLINICIANS AND REPRESENTATIVES FROM HOSPITALS IN THE STATE WITH AND WITHOUT ON–SITE CARDIAC SURGERY SERVICES AND WITH AND WITHOUT PCI SERVICES;

2. AT LEAST ONE REPRESENTATIVE OF AN ACUTE GENERAL HOSPITAL THAT IS NOT PART OF A MERGED ASSET SYSTEM AND PROVIDES ONLY EMERGENCY PCI SERVICES; AND

3. OTHER PERSONS WITH NEEDED EXPERTISE FROM INSIDE AND OUTSIDE THE STATE.

(4) (I) ON OR BEFORE SEPTEMBER 30, 2013, AFTER OBTAINING ADVICE FROM THE CLINICAL ADVISORY GROUP AND OTHER APPROPRIATE STAKEHOLDERS, THE COMMISSION SHALL:

1. DEVELOP RECOMMENDED REGULATIONS UNDER THIS SUBSECTION;

2. POST THE RECOMMENDED REGULATIONS ON ITS WEB SITE FOR PUBLIC COMMENT; AND

3. SUBMIT THE RECOMMENDED REGULATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.

(II) THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE SHALL HAVE 60 DAYS FROM RECEIPT OF THE RECOMMENDED REGULATIONS FOR REVIEW AND COMMENT".

AMENDMENT NO. 5

On page 6, in line 25, strike "and"; in line 26, after "status" insert "; and

(3) shall consider, for a certificate of conformance to establish elective PCI services, applications from acute general hospitals that were providing emergency PCI services on January 1, 2012, before considering applications from other acute general hospitals.

SECTION 3. AND BE IT FURTHER ENACTED, That, in making a decision to issue a certificate of conformance, the Maryland Health Care Commission shall consider the circumstances of a hospital that is the sole hospital in a county";

and in line 27, strike "3." and substitute "4.".

AMENDMENT NO. 6

On page 7, after line 5, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the process established in regulation under § 19–120.1(g)(2)(vi) of the Health – General Article, as enacted by Section 1 of this Act, for an acute general hospital that is out of compliance with minimum standards for a certificate of ongoing performance to return to good standing shall operate in a manner consistent with the process and underlying principles that:

(1) guided the Maryland Health Care Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) provided a reasonable opportunity for an acute general hospital that was out of compliance with performance standards to come into compliance.

SECTION 6. AND BE IT FURTHER ENACTED, That the requirement established in regulation under § 19–120.1(g)(2)(v) of the Health – General Article, as enacted by Section 1 of this Act, as a condition of the issuance of a certificate of conformance or a certificate of ongoing performance for an acute general hospital

without on–site cardiac surgery services to agree to voluntarily relinquish its authority to provide emergency PCI services or elective PCI services if the hospital fails to meet the applicable standards established by the Maryland Health Care Commission, shall:

(1) be implemented in a manner consistent with the regulations and underlying principles of the Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) require an acute general hospital without on–site cardiac surgery services to:

(i) notify the Commission of the occurrence of specified events; and

(ii) subject to Section 5 of this Act, on written notice from the Commission, immediately relinquish its authority to provide PCI services.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) The requirements of § 19–120.1(e) of the Health – General Article, as enacted by Section 1 of this Act, do not apply to a hospital that provided cardiac surgery services and PCI services on January 1, 2012, until:

(1) the Maryland Health Care Commission consults with the clinical advisory group established under § 19–120.1(g)(3) of the Health – General Article, as enacted by Section 1 of this Act, and other appropriate stakeholders on appropriate standards for ongoing performance for cardiac surgery services and PCI services at acute general hospitals with on–site cardiac surgery services;

(2) the Commission develops recommendations for actions, including any changes in State law, that are necessary to enhance the Commission's ability to monitor ongoing performance and compliance with quality standards related to cardiac surgery services and PCI services at hospitals with on–site cardiac surgery services;

(3) the Commission:

(i) reports its recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee; and

(ii) posts the report on its Web site for a 60–day review and comment period; and

(4) the Commission adopts regulations to implement the recommendations.

(b) The Commission shall report its recommendations and post its report under subsection (a)(3) of this section on or before December 1, 2013.

(c) The report, recommendations, and regulations under subsection (a) of this section shall include:

(1) a mechanism for an acute general hospital with on–site cardiac surgery services that is out of compliance with performance standards for cardiac surgery services or PCI services to return to good standing; and

(2) a process through which the authority for an acute general hospital with on–site cardiac surgery services to provide cardiac surgery services and PCI services may be revoked for failure to meet performance standards.";

and in line 6, strike "4." and substitute "8.".

The preceding 6 amendments were read only.

Senator Pinsky moved, duly seconded, to make the Bill and Amendments a Special Order for April 5, 2012.

The motion was adopted.

CONCURRENCE CALENDAR #8

AMENDED IN THE HOUSE

Senate Bill 41 – ~~Senator Colburn~~ Senators Colburn, Pipkin, and Mathias

AN ACT concerning

Caroline County, Dorchester County, Talbot County, and Wicomico County – Prospective Employees and Volunteers – Criminal History Records Check

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

SB0041/912016/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 41
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the second "County," insert "and"; in the same line, strike ", and Wicomico County"; in line 5, after the first "County," insert "or"; in the same line, strike ", or Wicomico County"; in line 18, after the second "County," insert "and"; and in line 19, strike ", and Wicomico County".

On page 2, in line 6, after "10–232.1," insert "and"; and in the same line, strike ", and 10–236".

AMENDMENT NO. 2

On pages 6 and 7, strike beginning with "**10–236.**" in line 1 on page 6 down through "**SECTION.**" in line 6 on page 7.

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 – 44 Negative – 0 (See Roll Call No. 977)

AMENDED IN THE HOUSE

Senate Bill 514 – Senator Shank

AN ACT concerning

Public Safety – Law Enforcement Handgun Disposal – Deceased Officers

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

SB0514/522717/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 514
(Third Reading File Bill)

On page 2, in line 19, strike the colon; in line 20, strike "**(1)**"; and strike beginning with the semicolon in line 21 down through "**HANDGUN**" in line 23.

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 – 11 (See Roll Call No. 978)

SPECIAL ORDERS

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

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0207/314531/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 207
(First Reading File Bill)

AMENDMENT NO. 1

In line 5, after "arsenic;" insert "providing for the termination of this Act under certain circumstances; requiring the State Department of Agriculture to provide a certain notification; providing for a delayed effective date;".

AMENDMENT NO. 2

After line 19, insert:

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

(a) This Act shall be abrogated and of no further force and effect with respect to the specific arsenical additive receiving approval by the U.S. Food and Drug Administration if the U.S. Food and Drug Administration, on review of new information under 21 C.F.R. Part 514, issues a finding that:

(1) approves the use of the arsenical additive;

(2) includes in its approval an evaluation of:

(i) human food safety;

(ii) impact on the environment;

(iii) safety to animals;

(iv) effectiveness of the drug for its intended use;

(v) chemistry and manufacturing procedures; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary.

(b) The State Department of Agriculture shall notify the Department of Legislative Services within 5 days after the action under subsection (a) of this section occurs.".

AMENDMENT NO. 3

In line 20, strike "2." and substitute "3."; and in line 21, strike "October 1, 2012" and substitute "January 1, 2013".

The preceding 3 amendments were read only.

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

Affirmative – 30 Negative – 15 (See Roll Call No. 979)

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

Affirmative – 27 Negative – 18 (See Roll Call No. 980)

FLOOR AMENDMENT

SB0207/753023/1
BY: Senator Middleton

AMENDMENT TO SENATE BILL 207, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0207/314531/1), in line 7 of Amendment No. 2, after "additive;" insert "and"; in line 12 of Amendment No. 2, after "use;" insert "and"; and in line 13, strike "; and".

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, strike beginning with "(vi)" in line 1 of Amendment No. 2 down through "necessary" in line 2.

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

Affirmative – 26 Negative – 20 (See Roll Call No. 981)

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #9

AMENDED IN THE HOUSE

Senate Bill 496 – ~~**Senator Gladden**~~ **Senators Gladden and Middleton**

AN ACT concerning

Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction

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

SB0496/472016/1
BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 496
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "requiring" and substitute "authorizing".

AMENDMENT NO. 2

On page 2, in line 8, strike "**AN UNEXECUTED**" and substitute "**A**"; in the same line, strike "**FOR A MISDEMEANOR OFFENSE**"; and in line 9, after "**PROCESS**" insert "**FOR A MISDEMEANOR OFFENSE THAT HAS REMAINED UNEXECUTED FOR AT LEAST 10 YEARS**".

AMENDMENT NO. 3

On page 2, in line 14, strike "**SHALL**" and substitute "**MAY**"; in line 23, strike "**AN**" and substitute "**THE**"; in the same line, strike "**FOR A MISDEMEANOR OFFENSE**"; and in line 27, after "**WARRANT**" insert "**, SUMMONS,**".

AMENDMENT NO. 4

On page 3, in line 2, strike "**OR**"; after line 2, insert:

"**(3) NULLIFY OR REMOVE A FAILURE TO APPEAR DESIGNATION THAT HAS BEEN PLACED ON AN INDIVIDUAL'S DRIVING RECORD BY THE MOTOR VEHICLE ADMINISTRATION; OR**";

and in line 3, strike "**(3)**" and substitute "**(4)**".

The preceding 4 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 0496**
SPONSOR: Sens Gladden and Middleton

SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction

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 Ramirez
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 647 – Senators Ramirez, Colburn, Forehand, Jacobs, Raskin, Shank, Stone, and Zirkin

AN ACT concerning

Domestically Related Crimes – Reporting

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

SB0647/482715/1
BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 647
(Third Reading File Bill)

On page 2, in line 14, after "**ARTICLE**" insert "**, OR WHO HAD A SEXUAL RELATIONSHIP WITH THE DEFENDANT WITHIN 12 MONTHS BEFORE THE COMMISSION OF THE CRIME**".

The preceding amendment was 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 0647**
SPONSOR: Sen Ramirez, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Ramirez, Chairman
Senator Getty
Senator Zirkin.

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 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

HB0167/424836/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 167
(Third Reading File Bill)

On page 2, in line 9, strike "under 21 C.F.R. Part 514,"; in the same line, after the second "Administration" insert ", on review of new information under 21 C.F.R. Part 514, issues a finding that"; in line 21, strike "and"; and in line 22, after "procedures" insert "; and

(vi) water quality impacts to the Chesapeake Bay; and

(3) exposure to the arsenical additive is unavoidable and necessary".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0167/943422/1

BY: Senator Middleton

AMENDMENT TO HOUSE BILL 167, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendment (HB0167/424836/1), in line 3, strike "and"; and strike beginning with "; and" in line 4 down through "necessary" in line 6.

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

Affirmative – 26 Negative – 20 (See Roll Call No. 982)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 983)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #18

House Bill 143 – Delegate Beitzel

AN ACT concerning

Garrett County – Salary Study Commission – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 984)

The Bill was then sent to the House of Delegates.

House Bill 186 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

EMERGENCY BILL

AN ACT concerning

Department of the Environment – Permit Proceedings – Judicial Review

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

Affirmative – 46 Negative – 0 (See Roll Call No. 985)

The Bill was then sent to the House of Delegates.

House Bill 329 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Video Lottery Facility – Licenses and Hours for Sale and Consumption

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

Affirmative – 46 Negative – 0 (See Roll Call No. 986)

The Bill was then sent to the House of Delegates.

House Bill 353 – Delegates Holmes and Glenn

AN ACT concerning

Jury Service – Employers – Prohibited Acts

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

Affirmative – 26 Negative – 20 (See Roll Call No. 988)

The Bill was then sent to the House of Delegates.

House Bill 431 – Delegate Hogan

AN ACT concerning

Vehicle Laws – Use of School Bus Monitoring Cameras

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

Affirmative – 45 Negative – 1 (See Roll Call No. 989)

The Bill was then sent to the House of Delegates.

House Bill 618 – Delegates Simmons, Dumais, and Kramer

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms

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

Affirmative – 32 Negative – 14 (See Roll Call No. 990)

The Bill was then sent to the House of Delegates.

House Bill 651 – Delegate Waldstreicher (By Request – Task Force on Prisoner Reentry) and Delegates Anderson, Barnes, Carter, Clippinger, Dumais, Gaines, Haynes, Hough, Ivey, McIntosh, Pena–Melnyk, Proctor, Rosenberg, Ross, Simmons, V. Turner, Valderrama, and Washington

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

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

Affirmative – 25 Negative – 21 (See Roll Call No. 991)

The Bill was then sent to the House of Delegates.

House Bill 858 – Delegate Gilchrist

AN ACT concerning

Land Use – Local Historic District Commissions and Historic Preservation Commissions – Alternate Members

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

Affirmative – 46 Negative – 0 (See Roll Call No. 992)

The Bill was then sent to the House of Delegates.

House Bill 889 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Human Resources
PG/MC 103–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 993)

The Bill was then sent to the House of Delegates.

House Bill 890 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Pipeline Construction – Contracts
PG/MC 104–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 994)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Ramirez moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

Senate Bill 1101 – Senator Ramirez

EMERGENCY BILL

AN ACT concerning

Red Light, Speeding, and Parking Violations – Civil Penalties – Late Payment Fee

FOR the purpose of authorizing a political subdivision or municipality, in an uncontested case involving a violation recorded by a traffic control signal monitoring system or a speed monitoring system or an uncontested case involving parking in which the fines are paid directly to a political subdivision or municipality, to charge a late fee to cover administrative costs associated with processing the late payment of the fine; requiring the Chief Judge of the District Court, in consultation with political subdivisions and municipalities, to set the amount of the late fee charged under this Act; making this Act an emergency measure; and generally relating to violations recorded by traffic control signal monitoring systems or speed monitoring systems and parking violations.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–202.1(d) and 21–809(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 995)

RECESS

At 1:18 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 5:00 P.M. on Wednesday, April 4, 2012, in memory of Michael Carter.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 29, 2012
Calendar Day: Wednesday, April 4, 2012

At 5:18 P.M. the Senate resumed its session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 996)

On motion of Senator Garagiola it was ordered that Senator Brinkley be excused from today's session.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~
Workgroup on Lead Liability Protection for Rental Property

FOR the purpose of ~~establishing the Lead Poisoning Compensation Fund; establishing the purposes of the Fund; establishing a Board of Trustees of the Fund; providing for the membership of the Board; establishing the duties of the Board; providing for the appointment of an Executive Director of the Fund; establishing the powers and duties of the Executive Director; providing for the appointment and removal of staff; requiring certain owners of residential rental property to pay a Lead Poisoning Compensation Fee; establishing the amount of and manner of collection of the fee; establishing that the Fund consists of certain money; providing for the uses of the Fund; establishing that the Fund is not a part of the State Treasury and that the debts and obligations of the Fund are not a debt or pledge of credit of the State; providing for the management and investment of the Fund; providing for auditing of the Fund; requiring the Fund to provide coverage for certain claims to certain persons; authorizing certain persons to obtain coverage from the Fund by paying a certain fee;~~

~~authorizing the Fund to provide coverage only if a claim is not covered by any other source of insurance or indemnity; requiring the Executive Director to settle, compromise, or defend claims against the Fund; authorizing the Executive Director to authorize certain employees to record certain telephone conversations under certain circumstances; providing for the establishment and review of certain reserves; limiting the maximum amount payable by the Fund; including employees and officials of the Fund in the definition of "State personnel" for purposes of the Maryland Tort Claims Act; defining certain terms; specifying the terms of the initial members of the Board of Trustees of the Fund; and generally relating to reducing lead risk in housing and providing compensation for injuries arising out of lead poisoning~~ requiring the Maryland Insurance Commissioner to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Commissioner to report the findings and any recommendations of the workgroup on or before a certain date; and generally relating to lead liability insurance for rental property.

~~BY adding to~~
~~Article – Insurance~~
~~Section 32–101 through 32–502 to be under the new title "Title 32. Lead Poisoning Compensation Fund"~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(i)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

~~BY adding to~~
~~Article – State Finance and Procurement~~
~~Section 6–226(a)(2)(ii)64.~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – State Government~~
~~Section 12–101~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

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

House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale, Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn

EMERGENCY BILL

AN ACT concerning

Electric Companies – Contact Voltage – Surveys and Mitigation – The Deanna Camille Green Act of 2012

FOR the purpose of requiring certain electric companies to file with the Public Service Commission for approval a certain list or voltage survey plan on or before a certain date; requiring an electric company to file a certain voltage survey plan for Commission approval within a certain period of time; requiring an electric company to conduct certain surveys of certain objects and surfaces within certain contact voltage risk zones at certain times and under certain circumstances; requiring an electric company to conduct certain surveys of certain objects and surfaces that are not within a certain contact voltage risk zone at certain times; specifying how an electric company shall test street lights; requiring an electric company to file for Commission approval a certain amended voltage survey plan within a certain time period before implementing a material change to a voltage survey plan; authorizing the Commission to modify certain contact voltage survey requirements under certain circumstances; requiring that certain equipment must be certified by an independent laboratory for certain purposes; requiring an electric company to include certain certification when filing a certain voltage survey plan; requiring an electric company to confirm and document all contact voltage detected in a contact voltage survey in a certain manner; requiring an electric company to make an area safe after detecting a potential contact voltage condition until the condition can be confirmed; requiring that, when an electric company detects a certain contact voltage measurement, the electric company shall maintain certain records, perform a certain contact voltage survey, make a certain area safe, and use best efforts to make a certain permanent repair within a certain time period if the property is electric distribution plant or a certain street light or notify a certain person associated with a property that is not owned by the electric company of the condition and the need for the owner to make a certain repair; requiring an electric company to file a certain compliance report with the Commission on or before a certain date each year; providing for the contents of the compliance report; authorizing the Commission to impose a certain civil penalty under certain circumstances; ~~requiring the Commission to adopt certain regulations;~~ authorizing the Commission under certain circumstances to waive or modify a certain provision or impose certain requirements under certain

circumstances; requiring the Commission to submit a certain report on or before a certain date on the progress of the implementation of this Act and certain regulations; defining certain terms; making this Act an emergency measure; and generally relating to contact voltage plans and surveys.

BY adding to
Article – Public Utilities
Section 7–214
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 861 – Delegate Braveboy

AN ACT concerning

~~Insurance –~~ Unfair Claim Settlement Practices – Refusal to Pay a Claim Under Homeowner's Insurance

FOR the purpose of altering the circumstances under which it is an unfair claim settlement practice and a violation of certain provisions of law for an insurer, nonprofit health service plan, or health maintenance organization to refuse to pay a claim under a policy of homeowner's insurance; and generally relating to unfair claim settlement practices under insurance law.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–706(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–303
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

FOR the purpose of ~~authorizing certain tenants to prevent the termination of certain utility service by paying the amount due on a monthly bill; authorizing certain tenants to restore certain utility service by paying the amount due on a monthly bill and other applicable charges; authorizing certain tenants to pay for certain other charges; specifying that certain tenants may not incur liability by taking certain action; authorizing certain utility service providers to require certain tenants to pay for past due utility bills, subject to an exception; specifying the method by which a utility service provider may calculate charges for past due utility bills; authorizing certain tenants to deduct the amount of payments made on a landlord's utility bill from rent due to the landlord; requiring a utility service provider to provide certain tenants with copies of future utility bills under certain circumstances; specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances; requiring a utility service provider to provide certain notice to certain tenants within a certain period of time before terminating service; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to account for payments made by a tenant on a utility bill under certain circumstances; defining certain terms; and generally relating to payment of a utility bill by a tenant~~ requiring the Public Service Commission to convene a workgroup to study and make recommendations on developing a mechanism to allow certain tenants to pay for utilities when a certain landlord defaults; providing for the composition of the workgroup; requiring the workgroup to examine certain issues in conducting a certain study; requiring the Commission to report to certain committees of the General Assembly on or before a certain date; and generally relating to a study on developing a mechanism to allow residential tenants to pay for utilities when a landlord responsible for paying the utilities defaults.

~~BY adding to~~
~~Article – Public Utilities~~
~~Section 7–309~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Real Property~~
~~Section 8–401(b)(1)(iii) and (c)(2)(iii)2.D.~~
~~Annotated Code of Maryland~~
~~(2010 Replacement Volume and 2011 Supplement)~~

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

House Bill 1347 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses ~~– Follow–Up Records Checks~~

FOR the purpose of clarifying that there is a Class D beer, wine and liquor tavern license in Wicomico County; establishing a Class D beer, wine and liquor entertainment and amusement license in the County; providing for an annual fee and days of sale for the entertainment and amusement license; specifying that the entertainment and amusement license authorizes consumption on the premises only; specifying certain requirements that the premises that is the subject of an entertainment and amusement license application must meet; providing that the entertainment and amusement license holder must purchase certain alcoholic beverages from a county dispensary and may not be charged more than a certain price; prohibiting certain individuals under certain ages from entering or remaining on the licensed premises under certain circumstances; authorizing the Board to adopt certain regulations; ~~requiring the Criminal Justice Information System Central Repository (CJIS) to provide the Board with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the Board with revised printed statements under certain circumstances; defining a certain term;~~ making certain technical and stylistic changes; clarifying language; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–401(a)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(x) ~~and 10–103(b)(13)(vii)~~
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

FOR the purpose of authorizing the Worcester County Board of License Commissioners to issue not more than a certain number of licenses each year for displaying and selling beer and wine at beer and wine festivals in the

county; altering a certain definition; and generally relating to beer and wine festivals in Worcester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–314
Annotated Code of Maryland
(2011 Replacement Volume)

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

THE COMMITTEE ON RULES REPORT #12

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 182 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Board of Elections – Salary

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 356 – Delegate Braveboy

AN ACT concerning

Transportation – Required Security – Rental Vehicles

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 Finance:

House Bill 441 – The Speaker (By Request – Administration) and Delegates Hucker, Barnes, Barve, Bobo, Cardin, Frush, Hubbard, Jones, Mizeur, Ross, Stein, and Waldstreicher

AN ACT concerning

Maryland Offshore Wind Energy Act of 2012

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 Finance:

House Bill 964 – Delegates Washington, Tarrant, Anderson, Clippinger, Frush, Love, A. Miller, B. Robinson, S. Robinson, ~~and Smigiel~~ Smigiel, Barkley, Barnes, Braveboy, Hucker, Jameson, McHale, and Vaughn

AN ACT concerning

Labor and Employment – User Name and Password Privacy Protection and Exclusions

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 1047 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Refillable Beer Containers
Ho. Co. 10–12

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 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

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 Finance:

House Bill 1254 – Delegates Vaughn, Carr, Frick, Howard, McDonough, Minnick, Mitchell, Oaks, Reznik, Sophocleus, Stukes, Summers, and F. Turner

AN ACT concerning

Small Business Development Center Network Fund – Minimum Appropriation

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 1289 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Economic Development – Qualified Distressed Counties – One Maryland Economic Development Tax Credit

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 1296 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Alcoholic Beverages – Golf Course License

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 1316 – Delegates Hershey, DeBoy, and Malone

AN ACT concerning

Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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 1331 – Delegates Carr, Beidle, Bobo, Cane, Frush, Hucker, Luedtke, Niemann, Reznik, S. Robinson, Stein, and Weir

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

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 1340 – Delegate Cullison

AN ACT concerning

Life and Health Insurance Guaranty Corporation Act – Revisions

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 1368 – Delegate Schulz

AN ACT concerning

Frederick County – Middletown Wine Festival License

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 1387 – Delegate Murphy

AN ACT concerning

Charles County – Winery Special Event Permits – Farmers' Markets

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 Walker~~ Delegates Walker, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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 1432 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Comptroller – Departments of Liquor Control and Liquor Control Boards

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

CONCURRENCE CALENDAR #10

AMENDED IN THE HOUSE

Senate Bill 1037 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

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

SB1037/664065/2
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 1037

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike "(AV)" and substitute "(AB), (AV),"; and in the same line, strike "(BH)" and substitute "(I), (BH),".

On page 2, in line 10, after "2010" insert "and Chapter 396 of the Acts of the General Assembly of 2011"; in line 18, after "(AA)" insert "and (BG)"; in the same line, after "(X),"insert "(AQ),"; after line 22, insert:

"BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA00(S)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011 Section 1(3) Item ZA03(AK)";

in line 25, after "(AH),"insert "(AI),"; in line 26, after "(BB),"insert "(BG),"; in the same line, after "(AM),"insert "(AN),"; and in line 27, after "(AZ),"insert "(BD),".

On page 3, in line 1, strike "(BF)" and substitute "(U), (BF),"; and in the same line, strike "(BB–1)" and substitute "(X) and (BB–1)".

AMENDMENT NO. 2

On page 3, after line 19, insert:

"(AB) [The Amphitheater at Bainbridge] **HISTORIC TOME SCHOOL**. 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 Bainbridge Development Corporation, Inc. for the planning, design, repair, renovation, reconstruction, and capital equipping of the [amphitheater] **HISTORIC TOME SCHOOL**, located at the former Bainbridge Naval Training Center, in Bainbridge**, SUBJECT TO A REQUIREMENT THAT THE GRANTEE GRANT AND CONVEY A HISTORIC EASEMENT TO THE MARYLAND HISTORICAL TRUST.**

NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013 (Cecil County) ..... 100,000".

On page 4, after line 8, insert:

"(I) Robert A. Pascal Youth Counseling Clinic. 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 Robert A. Pascal Youth and Family Services, Inc. for the planning, design, construction, renovation, and capital equipping of a clinic to provide comprehensive counseling services to high–risk youth and families, located in Severna Park. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions**.** **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Anne Arundel County)..... 100,000".

On page 5, in lines 12 and 26, in each instance, strike "**2014**" and substitute "**2013**".

On page 6, in line 34, after "2010" insert ", as amended by Chapter 396 of the Acts of 2011".

On page 7, in line 6, strike "St. Mary's City" and substitute "Leonardtown".

On page 7, in lines 16 and 30, in each instance, strike "Baseball" and substitute "**MULTIPURPOSE**"; in lines 21 and 35, in each instance, strike "baseball" and substitute "**MULTIPURPOSE**".

On page 8, after line 24, insert:

"(BG) Button Farm Historic Preservation and Rehabilitation. 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 Menare Foundation, Inc. for the planning, design, construction, repair, and renovation of the Button Farm, located in Germantown. Notwithstanding Section 1(5)

of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2012**] 2013. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County)..... 125,000".

On page 9, after line 10, insert:

"(AQ) Button Farm Historic Preservation and Rehabilitation. Provide a grant equal to the lesser of (i) $175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Menare Foundation, Inc. for the planning, design, construction, repair, and renovation of the Button Farm, located in Germantown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, **[**2012**] 2013. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County) ..... 175,000".

On page 10, after line 12, insert:

"Chapter 485 of the Acts of 2009

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) Robert E. Lee Park. Provide a grant to the County Executive and County Council of Baltimore County for the design **[**and**],** construction**, AND CAPITAL EQUIPPING** of improvements to Robert E. Lee Park in Baltimore County, 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 funds expended prior to the effective date of this Act (Baltimore County) 3,000,000

Chapter 485 of the Acts of 2009, as amended by Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA03 LOCAL SENATE INITIATIVES

(AK) Black Rock Center for the Arts. Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Germantown Cultural Arts Center, Inc. d / b/ a Black Rock Center for the Arts, Inc. for the planning, design, construction, and capital equipping of the Black Rock Center for the Arts, located in Germantown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and the grantee has until **[**December 1, 2012**]** **JUNE 1, 2013**, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, **[**the proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than December 1, 2012**]** **THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Montgomery County)..... 50,000".

On page 12, after line 23, insert:

"(AI) Troy Regional Park. Provide a grant equal to the lesser of (i) $225,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the design, construction, and capital equipping of the Troy Regional Park, located in Elkridge**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 225,000".

On page 13, strike in their entirety lines 7 through 18, inclusive.

On page 14, after line 2, insert:

"(BG) La Vida Sana (Healthy Living Farm). Provide a grant equal to the lesser of (i) $50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. 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, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) ..... 50,000".

On page 16, after line 7, insert:

"(AN) Troy Regional Park. Provide a grant equal to the lesser of (i) $230,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Howard County for the design, construction, and capital equipping of the Troy Regional Park, located in Elkridge**. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Howard County) ..... 230,000";

strike beginning with "**NOTWITHSTANDING**" in line 11 down through "**PROVIDED.**" in line 14; and after line 27, insert:

"(BD) La Vida Sana (Healthy Living Farm). Provide a grant equal to the lesser of (i) $25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Engaged Community Offshoots, Inc. for the acquisition, design, and construction of the Healthy Living Farm, located in Edmonston. 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, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Prince George's County) ..... 25,000".

On page 19, before line 1, insert:

"(U) HopeWell Cancer Support Facility. Provide a grant equal to the lesser of (i) $75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of HopeWell Cancer Support, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Facility, located in Lutherville**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore County) ..... 75,000";

and after line 25, insert:

"(X) HopeWell Cancer Support 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 Trustees of HopeWell Cancer Support, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Facility, located in Lutherville**. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2013, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2013** (Baltimore County) ..... 100,000".

On page 20, in line 4, strike "Corridor" and substitute "**/OWINGS MILLS BOULEVARD SOUTH**"; in line 9, strike "the"; strike beginning with "Corridor" in line

9 down through "**ROAD**" in line 10; in line 11, after "**SOUTH**" insert "**FROM LIBERTY ROAD TO WINANDS ROAD**"; and in line 13, after "**EXPENDED**" insert "**FOR OWINGS MILLS BOULEVARD SOUTH AND LIBERTY ROAD**".

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. 997)

THE COMMITTEE ON FINANCE REPORT #31

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

House Bill 101 – Delegates Pena–Melnyk, Anderson, Costa, and Hubbard

AN ACT concerning

Health – General – Posthumous Use of Donor Sperm and Eggs

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 213 – Delegates Branch, McIntosh, Anderson, Clippinger, Glenn, Hammen, McHale, Mitchell, Oaks, B. Robinson, and Washington

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

HB0213/497872/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 213
(Third Reading File Bill)

On page 1, in line 7, strike "requiring" and substitute "providing"; in line 8, after "money" insert "shall"; and in the same line, after "Fund" insert "under certain circumstances".

The preceding amendment was 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 443 – The Speaker (By Request – Administration) and Delegates Barnes, Gaines, Griffith, Hammen, Haynes, Hucker, Jones, Morhaim, Pena–Melnyk, Pendergrass, Proctor, V. Turner, ~~and Waldstreicher~~ Waldstreicher, Hubbard, Reznik, A. Kelly, Oaks, Donoghue, Nathan–Pulliam, Cullison, and Murphy

AN ACT concerning

Maryland Health Benefit Exchange Act of 2012

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 590 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Horse Racing – Maryland Standardbred Race Fund Advisory Committee – Registration of Horses

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 597 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and Impact Aid and Arabian Breed Racing Authorization

HB0597/307274/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 597
(Third Reading File Bill)

On page 1, at the top of the page, insert "EMERGENCY BILL".

The preceding amendment was 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 903 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Adults with Developmental Disabilities Citizen's Advisory Committee
PG 407–12

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 997 – Delegates Washington, Anderson, Arora, Bobo, Braveboy, Carr, Clippinger, Conaway, Cullison, Davis, Feldman, Frick, Frush, Gaines, Glenn, Howard, Hucker, Jameson, Kaiser, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Summers, Tarrant, Vaughn, Walker, and Zucker

AN ACT concerning

Commercial Law – Rental–Purchase Agreements Best Practices Act

HB0997/927577/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 997
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Best Practices Act" and substitute "– Disclosures".

On page 2, strike beginning with "requiring" in line 6 down through "title;" in line 7; in line 9, strike "best practices"; and in line 13, strike "and 12–1112".

AMENDMENT NO. 2

On page 16, in line 26, strike "**(A)**".

On page 17, strike in their entirety lines 9 through 20, 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 1027 – Delegates Barkley and Vaughn

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

HB1027/207575/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1027
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike "the refundable" and substitute "a certain".

AMENDMENT NO. 2

On page 2 in line 11 and on page 3 in line 5, in each instance, strike "**THAT COVERS THE LOSS**".

On page 2 in line 21 and on page 3 in line 15, in each instance, strike "**REFUNDABLE**".

On page 2, in line 24, after "**CONTRACTS**" insert "**, ACTUALLY REFUNDED TO THE BUYER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

On page 3, in line 18, after "**CONTRACTS**" insert "**, ACTUALLY REFUNDED TO THE BORROWER OR CREDITED AS A REDUCTION TO THE LOAN BALANCE**".

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 1059 – Delegate Feldman

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

HB1059/837971/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1059
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Property and Casualty" and substitute "Personal Automobile"; in line 4, after "personal" insert "automobile"; in line 5, strike ", commercial property insurance, or commercial liability insurance"; in line 8, after "circumstances;" insert "requiring an insurer to continue or reinstate a certain policy or binder without a lapse of coverage under certain circumstances;"; in line 12, after "Act;" insert "providing for a delayed effective date;"; and in line 13, strike "property and casualty" and substitute "personal automobile".

AMENDMENT NO. 2

On page 2, in line 12, strike "**AN**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN**"; in the same line, after "**BINDER**" insert "**OF PERSONAL AUTOMOBILE INSURANCE**"; in line 21, after "**INITIAL**" insert "**PREMIUM**"; after line 22, insert:

"**(2) AN INSURER SHALL CONTINUE OR REINSTATE A POLICY OR BINDER UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A LAPSE IN COVERAGE IF:**

(I) 1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE; AND

2. THE APPLICANT:

A. PROMPTLY NOTIFIES THE INSURER OF THE ERROR; AND

B. PROVIDES DOCUMENTATION OF THE ERROR TO THE INSURER AS IT BECOMES AVAILABLE AND ON REQUEST OF THE INSURER; OR

(II) THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE, AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED.";

in line 23, strike "**(2)**" and substitute "**(3)**"; in line 24, strike "**WITHIN**"; in the same line, strike "**5 BUSINESS DAYS**" and substitute "**IMMEDIATELY OR THE NEXT BUSINESS DAY**"; and in line 31, after "**(I)**" insert "**1.**".

On page 3, in line 1, strike "**(II)**" and substitute "**2.**"; in line 3, strike "**(III)**" and substitute "**(II)**"; strike beginning with "**IF**" in line 3 down through "**ERROR,**" in line 4; in line 5, after "**IF**" insert "**:**

1. THE FINANCIAL INSTITUTION ERRONEOUSLY FAILED TO HONOR THE CHECK OR OTHER REMITTANCE AND";

in lines 7 and 9, strike "**1.**" and "**2.**", respectively, and substitute "**A.**" and "**B.**", respectively; in line 11, after "**INSURER**" insert "**; OR**

2. THE APPLICANT OR ANY SECURED CREDITOR PAYS THE INSURER THE AMOUNT OF THE INITIAL PREMIUM WITHIN 5 BUSINESS DAYS AFTER THE INSURER HAS SENT NOTICE TO THE APPLICANT AND ANY SECURED CREDITOR THAT THE CHECK OR OTHER REMITTANCE FOR THE INITIAL PREMIUM PAYMENT WAS NOT HONORED";

strike beginning with "personal" in line 13 down through "renewed" in line 14 and substitute "personal automobile insurance issued or delivered"; and in lines 15 and 17, in each instance, strike "October 1, 2012" and substitute "January 1, 2013".

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 1068 – Delegates Burns, Braveboy, Haddaway–Riccio, Harrison, Hucker, Impallaria, Kramer, W. Miller, Minnick, Olszewski, Schuh, Schulz, and Vaughn

AN ACT concerning

Homeowner's Insurance – Limitation on Number of Claims Made – Notice

HB1068/207474/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1068
(Third Reading File Bill)

On page 3, in line 22, strike "**(III)**" and substitute "**(II)**".

The preceding amendment was 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 1180 – Delegates Rudolph and Malone

AN ACT concerning

Vehicle Laws – Required Security – Electronic Reporting Requirements

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 1182 – Charles County Delegation

AN ACT concerning

Charles County Sheriff – Collective Bargaining – Binding Arbitration

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 1187 – Delegates Jameson, Barkley, Barnes, Barve, Feldman, Hershey, Hucker, Kramer, Love, Minnick, Schuh, and Vaughn

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

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 1189 – Howard County Delegation

AN ACT concerning

Howard County – Deputy Sheriffs – Collective Bargaining
Ho. Co. 11–12

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 1329 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Suburban Transit Commission – Washington Metropolitan Area Transit Authority Board of Directors – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #32

CONSENT CALENDAR #63

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 470	FAV	Del Tarrant, et al	Maryland Health Care Commission – Preauthorization of Health Care Services – Benchmarks
HB 742	FAV	Del Barnes	Bail Bondsmen – Acceptance of

			Installment Contracts
HB 769	FAV	Chr ECM (Dept)	Unemployment Insurance – Coverage – Victims of Domestic Violence
HB 838	FAV	Del Kipke, et al	Health Ins – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists
HB 1193	FAV	Del Nathan–Pulliam et al	State Personnel – Traumatic Events – Mental Health Support Services
HB 1455	FAV	Dels Costa and Hubbard	Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension

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 526 – Delegates Clagett, Anderson, Barkley, Bohanan, Guzzone, Haynes, Hucker, Jones, Mizeur, Proctor, B. Robinson, Washington, and Zucker

AN ACT concerning

State Personnel – Special Appointments – Status

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #20

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

House Bill 84 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

HB0084/159831/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 84
(Third Reading File Bill)

On page 1, in line 7, strike "retires" and substitute "retirees".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 97 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 98 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

HB0098/919134/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 98
(Third Reading File Bill)

On page 5, in line 28, strike "**AND**" and substitute "**OR**".

On page 6, in line 28, strike the first "**FOR**" and substitute "**OF**".

On page 11, in line 5, strike "**AND**" and substitute "**OR**".

On page 12, in line 2, strike the first "**FOR**" and substitute "**OF**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 136 – Carroll County Delegation

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 224 – Delegate Beitzel

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 518 – Frederick County Delegation

AN ACT concerning

Frederick County – Tax Sales – Auctioneer's Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 563 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, and Summers

AN ACT concerning

~~Telecommunications~~ Communications Taxes – Reform Commission ~~and Moratorium~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 802 – Prince George's County Delegation

AN ACT concerning

Education – Prince George's County School Board Budgets – Transparency PG 410–12

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #21

CONSENT CALENDAR #59

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 59	FAV	Anne Arundel County	Anne Arundel County – Property Tax Payment Deferral – Eligibility

		Delegation	
HB 125	FAV	Frd Co Deleg and Wash Co Deleg	Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses
HB 216	FAV	Washington County Delegation	Wsh Co – Distrib of Amts to Town of Williamsport – Pymts in Lieu of Prop Taxes on Elc Generation Facs
HB 630	FAV	Del Haynes, et al	State Ret and Pension Systems – Reemployment of Retirees – Parole and Probation Employees
HB 910	FAV	Frederick County Delegation	Frederick County – Budgetary Processes
HB 918	FAV	Del Hixson, et al	Sales and Use Tax – Alcoholic Beverages – Calculation of Tax
HB 1005	FAV	Washington County Delegation	Washington County – Tip Jars – Accountability and Oversight
HB 1301	FAV	Del Howard	Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors
HB 1456	FAV	Del Mizeur	Income Tax – Tax Credits – Electronic Filing Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #27

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

House Bill 150 – Allegany County Delegation

AN ACT concerning

Allegany County – Solicitation of Money or Donations from Occupants of Vehicles – Prohibitions and Permit Program

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 604 – Delegates Parrott, Afzali, Aumann, Bates, Beitzel, Boteler, Burns, DeBoy, Dwyer, Eckardt, Elliott, Frush, George, Glass, Hogan, Hough, Impallaria, Kach, Kipke, Krebs, McDonough, Niemann, Ready, B. Robinson, Serafini, Sophocleus, Stifler, Stocksdale, Vitale, and Wood

AN ACT concerning

Justice's Law

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 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

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 904 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Drug Free School Zones – Hotline Number on Signs
PG 406–12

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 906 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Common Ownership Communities – Fee for ~~Mandatory~~ Administrative Hearing Services
PG 401–12

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 1121 – Delegates Guzzone, Anderson, Clagett, Haynes, Jones, K. Kelly, Washington, and Zucker

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #43

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

House Bill 239 – Frederick County Delegation

AN ACT concerning

Frederick County Board of Education – Membership and Employment

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 404 – Delegates Kaiser, Kipke, Cane, Frush, Howard, Jameson, McComas, Reznik, B. Robinson, Schulz, ~~and Summers~~ Summers, Healey, Minnick, Sophocleus, McDonough, Hough, Stocksdale, and Clagett

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

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 481 – ~~**Delegates Lafferty, Kach, Aumann, Botcler, DeBoy, Frank, Impallaria, McDonough, and Morhaim**~~ **Baltimore County Delegation**

AN ACT concerning

Baltimore County – Elected School Board

HB0481/954933/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 481
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Elected School"; in the same line, after "Board" insert "of Education – Selection of Members"; in lines 3 and 19, in each instance, after "election" insert "and appointment"; in line 5, after the first "of" insert "all"; in the same line, after "Education;" insert "establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board;"; strike beginning with "establishing" in line 7 down through "members;" in line 8; in line 8, after "elected" insert "or appointed"; in line 9, after "terms;" insert "providing for a student member of the county board; providing for the term and duties of the student member;"; in line 10, after "of" insert ", and hearings and appeal procedures for, certain"; in the same line, strike "under certain circumstances" and substitute "of the county board"; strike beginning with "providing" in line 10 down through "board;" in line 11; strike beginning with "providing" in line 13 down through "Commission;" in line 16; and strike beginning with "providing" in line 17 down through "board;" in line 18.

On page 2, strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

On page 2, strike line 21 in its entirety; in lines 22, 23, 24, 25, 26, 27, 28, and 29, in each instance, strike the bracket; and in lines 22, 23, 24, 25, 26, 27, 28, and 29, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", and "**(10)**", respectively.

On page 3, in lines 1, 2, 3, 4, 5, 6, 7, 8, and 9, in each instance, strike the bracket; in lines 1, 2, 3, 4, 5, 6, 7, 8, and 9, strike "**(11)**", "**(12)**", "**(13)**", "**(14)**", "**(15)**", "**(16)**", "**(17)**", "**(18)**", and "**(19)**", respectively; after line 9, insert:

"**(B) IN BALTIMORE COUNTY, IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**";

and in lines 10, 13, 16, and 23, strike "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively.

AMENDMENT NO. 3

On page 3, in line 28, strike "**NINE**" and substitute "**SIX**"; in the same line, after "**NONPARTISAN**" insert "**ELECTED**"; strike beginning with "**ELECTED**" in line 28 down through "**AND**" in line 29 and substitute a semicolon; and after line 29, insert:

"**(2) FIVE APPOINTED MEMBERS; AND**".

On page 4, in line 1, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**FROM THE COUNTY AT LARGE**"; in line 2, strike "**THE NINE**" and substitute "**OF THE ELEVEN**"; in the same line, after "**ELECTED**" insert "**AND APPOINTED**"; strike beginning with "**SHALL**" in line 2 down through "**(2)**" in line 4 and substitute "**OF THE COUNTY BOARD:**

(I)";

in line 4, strike "**NINE**" and substitute "**SIX**"; in line 5, after "**COUNTY**" insert "**, ESTABLISHED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION,**"; and in the same line, after "**DISTRICT**" insert "**; AND**

(II) FIVE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR.

(2) (I) THE SIX ELECTED MEMBERS SHALL BE ELECTED AT A GENERAL ELECTION IN ACCORDANCE WITH § 3–2A–02 OF THIS SUBTITLE.

(II) THE FIVE APPOINTED MEMBERS SHALL BE APPOINTED, WHEN APPROPRIATE, WITHIN 90 DAYS AFTER THE GENERAL ELECTION".

AMENDMENT NO. 4

On page 4, in line 16, after "**ELECTED**" insert "**OR APPOINTED**"; after line 21, insert:

"**(C) (1) FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, THE COUNTY COUNCIL OF BALTIMORE COUNTY IN CONSULTATION WITH THE COUNTY BOARD, AND AFTER REASONABLE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT, SHALL ESTABLISH THE SCHOOL BOARD DISTRICTS IN THE COUNTY.**

(2) EACH SCHOOL BOARD DISTRICT SHALL BE SUBSTANTIALLY EQUAL IN POPULATION.

(3) REAPPORTIONED SCHOOL BOARD DISTRICTS SHALL BECOME EFFECTIVE FOR THE TERM OF OFFICE THAT BEGINS AFTER THE FIRST REGULAR PRIMARY ELECTION THAT IS HELD AT LEAST 15 MONTHS AFTER THE OFFICIAL REPORT ON POPULATION IS RECEIVED BY THE STATE FROM THE BUREAU OF THE CENSUS.";

in line 23, after the second "**THE**" insert "**ELECTED MEMBERS OF THE**".

On page 5, in line 4, strike "**EACH ELECTED**" and substitute "**EXCEPT FOR THE STUDENT MEMBER, A**"; strike beginning with "**FIRST**" in line 5 down through "**FOLLOWING**" in line 6 and substitute "**FIRST MONDAY IN DECEMBER AFTER**"; in line 6, after "**ELECTION**" insert "**OR APPOINTMENT**"; in line 7, after "**ELECTED**" insert "**OR APPOINTED**"; and in lines 10 and 11, in each instance, after "**ELECTED**" insert "**OR APPOINTED**".

AMENDMENT NO. 5

On page 6, in line 16, strike "**ELECTED**" and substitute "**NONSTUDENT**"; in line 26, after "**A**" insert "**NONSTUDENT**".

On page 7, in lines 5 and 8, in each instance, after "**ELECTED**" insert "**OR APPOINTED**".

On pages 8 and 9, strike in their entirety the lines beginning with line 5 on page 8 through line 30 on page 9, inclusive.

On page 9, in line 31, strike "**3–2A–10.**" and substitute "**3–2A–09.**".

AMENDMENT NO. 6

On page 12, strike in their entirety lines 20 through 25, inclusive.

AMENDMENT NO. 7

On pages 12 and 13, strike beginning with line 29 on page 12 through line 9 on page 13 and substitute:

"(a) The term of the one member appointed from councilmanic district 5 of Baltimore County whose term is scheduled to expire on June 30, 2013, shall terminate at the end of June 30, 2013, and the Governor shall appoint an additional member to the county board, as authorized under this Act, who shall succeed the member whose term terminated and serve for a term of 1 year, 5 months, and 7 days, until a successor is appointed and qualifies; and

(b) The terms of the six members appointed from councilmanic districts 1, 2, 3, 4, 6, and 7 of Baltimore County, or their successors, who are in office on the effective date of this Act, shall terminate at the end of December 7, 2014, and the members elected from the school board districts 1, 2, 3, 4, 5, and 6 in Baltimore County, as established in accordance with this Act, at the general election in November 2014, shall succeed those appointed members and serve for a term of 4 years beginning on December 8, 2014, until a successor is elected and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That, in appointing members to the Baltimore County Board of Education, the Governor shall ensure, to the extent practicable, that the total makeup of the county board reflects gender, ethnic, and racial diversity.".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Kelley moved, duly seconded, to make the Bill a Special Order for April 5, 2012.

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

Affirmative – 18 Negative – 23 (See Roll Call No. 998)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #44

CONSENT CALENDAR #60

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 72	FAV	The Spkr (DLS)	St Bd for Certfn of Resid Child Care Program Profs – Sunset Ext and Program Evaluation
HB 73	FAV	The Spkr (DLS)	State Board of Social Work Examiners – Sunset Extension and Program Evaluation
HB 238	FAV	Del Nathan–Pulliam et al	St Bd of Nursing – Nurses, Nrsng Assts, Med Techs, and Electrologists – Lic and Certification Reqmts
HB 316	FAV	Del Costa, et al	State Board of Pharmacy – Wholesale Distributor Permits – Permit and Application Requirements
HB 334	FAV	Dels Costa and Kipke	Health Occupations – State Board of Pharmacy – Jurisdiction Over Nonresident Pharmacies
HB 348	FAV	Del Hubbard	State Bd of Prof Cnslrs and Therapists – Certified Prof Counselor–Alcohol and Drug – Repeal
HB 584	FAV	Del Tarrant, et al	Health Occupations – Physician Assistants – Patient's Access to Supervising Physician
HB 688 (Emergency Bill)	FAV	Del Costa	State Bd of Physicians – Athletic Trainer Advisory Committee – Ed,

			Supervision, and Admin
HB 754	FAV	Del Kach	St Bd of Den Exmrs – Licenses – Exam Reqmts for Dentists and Den Hygienists
HB 833	FAV	Del Reznik, et al	Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions
HB 862	FAV	Del Hammen	Residential Child and Youth Care Practitioners – Certification – Modifications
HB 1207	FAV	Del Pendergrass, et al	State Bd of Prof Cnslrs and Therapists – Licensure of Clinical Prof Art Therapists

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #45

CONSENT CALENDAR #61

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 53	FAV	Del Luedtke, et al	Higher Education – Community Colleges – Tuition Waiver for Disabled Individuals
HB 390	FAV	Del Luedtke, et al	Task Force to Study the Establishment of a Deaf Culture Digital Library
HB 497	FAV	Del Myers, et al	Public Schools – Epinephrine Availability and Use – Policy Requirements
HB 613	FAV	Del Rosenberg, et al	Loan Assistance Repayment Program – Nancy Grasmick Teacher Scholars
HB 617	FAV	Del Hough, et al	Education – Informal Kinship Care – Enrollment Before Submission of Documentation
HB 745	FAV	Del Serafini, et al	Education – Maryland Advisory Council for Virtual Learning – Establishment
HB 886	FAV	Del Ivey, et	Maryland After–School and Summer

		al	Opportunity Fund Program
HB 1001	FAV	Del Hixson, et al	Public Library – Essential Community Service – Designation
HB 1213	FAV	Harford County Delegation	Harford County Board of Education – Student Member

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

CONSENT CALENDAR #62

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 90	FAV	Baltimore County Delegation	Election Law – Baltimore County Republican Party Central Committee – Election of Chairman
HB 135	FAV	Carroll County Delegation	Carroll County – Board of Elections – Membership
HB 206	FAV	Del Jameson, et al	Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements
HB 228	FAV	Del Feldman, et al	Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels
HB 425	FAV	Del S. Robinson, et al	Procurement – Required Discl – Conflict Minerals Originated in the Democratic Republic of the Congo
HB 437	FAV	Del Malone	Local States of Emergency – Time Period – Extension
HB 936	FAV	Del Frush (Chr TF Spay/Neuter Fnd), et al	Task Force on the Establishment of a Statewide Spay/Neuter Fund – Sunset Extension
HB 1103	FAV	Dels Cardin and Summers	Election Law – Campaign Contributors – Occupation and Employer

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 74 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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:

House Bill 896 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

The Washington Suburban Sanitary ~~Commission~~ District Transparency and Rate Relief Act of 2012
PG/MC 107–12

HB0896/394030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 896
(Third Reading File Bill)

On page 2, in line 5, strike "the Effect of Changes to"; in the same line, strike "of" and substitute "in"; and in line 6, strike "Commission" and substitute "District".

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 901 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – High Performance Buildings
PG/MC 110–12

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 902 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Utilization Program – Termination Extension
PG/MC 102–12

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 979 – Calvert County Delegation

AN ACT concerning

Calvert 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:

House Bill 1023 – Calvert County Delegation

AN ACT concerning

Calvert County – Litter Control Law – Local Ordinance

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 1089 – Calvert County Delegation

AN ACT concerning

Calvert County – Appointment of Assistant Sheriff – Candidates

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 1161 – Charles County Delegation

AN ACT concerning

Charles County – Assessment for Abatement of Zoning Violation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

House Bill 57 – Delegates Eckardt, Cane, and Haddaway–Riccio

AN ACT concerning

Dorchester County – Sailwinds ~~Park~~ of Cambridge, Inc. – Service of Alcohol – Wristbands

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 159 – Delegates Afzali, Barkley, Clagett, Elliott, Feldman, Gaines, Glass, Hershey, Hogan, Ivey, Jacobs, A. Kelly, Krebs, Luedtke, McComas, McDermott, McHale, A. Miller, Myers, Niemann, Otto, Parrott, Ready, Ross, Schulz, Sophocleus, Walker, and Wilson

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for April 6, 2012.

The motion was adopted.

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

House Bill 277 – Delegates Walker ~~and Vaughn~~, Vaughn, Pendergrass, Costa, Cullison, Hubbard, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

HB0277/204036/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 277

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 16, strike "11." and substitute "10.".

On page 3, strike in their entirety lines 1 through 5, inclusive.

On page 6, in line 7, strike "**11.**" and substitute "**10.**".

AMENDMENT NO. 2

On pages 14 through 16, strike in their entirety the lines beginning with line 15 on page 14 through line 15 on page 16, inclusive.

On page 18, strike beginning with "**STATE**" in line 28 down through "**AGENCY'S**" in line 29 and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS'**"; in lines 32 and 36, in each instance, strike "**STATE RETIREMENT AGENCY**" and substitute "**MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS**".

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 366 – Delegate Malone

AN ACT concerning

Public Safety – Building Performance Standards – ~~Fire and Life Safety~~ Automatic Fire Sprinkler Systems

HB0366/524634/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 366
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "a"; and in the same line, strike "exception" and substitute "exceptions".

AMENDMENT NO. 2

On page 2, in line 16, after "**TO**" insert "**:**

(I)";

and in line 17, after "**UTILITY**" insert "**; OR**

(II) UNTIL JANUARY 1, 2016, STANDARDS GOVERNING ISSUANCE OF A BUILDING PERMIT FOR A NEW ONE– OR TWO–FAMILY DWELLING CONSTRUCTED ON:

1. A LOT SUBJECT TO A VALID UNEXPIRED PUBLIC WORKS UTILITY AGREEMENT THAT WAS EXECUTED BEFORE MARCH 1, 2011; OR

2. A LOT SERVED BY AN EXISTING WATER SERVICE LINE FROM A WATER MAIN TO THE PROPERTY LINE THAT:

A. IS LESS THAN A NOMINAL 1–INCH SIZE;

B. IS APPROVED AND OWNED BY THE PUBLIC OR PRIVATE WATER SYSTEM THAT OWNS THE MAINS;

C. WAS INSTALLED BEFORE MARCH 1, 2011; AND

D. IS FULLY OPERATIONAL FROM THE PUBLIC OR PRIVATE MAIN TO A CURB STOP OR METER PIT LOCATED AT THE PROPERTY LINE".

On page 3, in line 18, after "**TO**" insert "**:**

(I)";

in line 19, after "**UTILITY**" insert "**; OR**

(II) UNTIL JANUARY 1, 2016, STANDARDS GOVERNING ISSUANCE OF A BUILDING PERMIT FOR A NEW ONE– OR TWO–FAMILY DWELLING CONSTRUCTED ON:

1. A LOT SUBJECT TO A VALID UNEXPIRED PUBLIC WORKS UTILITY AGREEMENT THAT WAS EXECUTED BEFORE MARCH 1, 2011; OR

2. A LOT SERVED BY AN EXISTING WATER SERVICE LINE FROM A WATER MAIN TO THE PROPERTY LINE THAT:

A. IS LESS THAN A NOMINAL 1–INCH SIZE;

B. IS APPROVED AND OWNED BY THE PUBLIC OR PRIVATE WATER SYSTEM THAT OWNS THE MAINS;

C. WAS INSTALLED BEFORE MARCH 1, 2011; AND

D. IS FULLY OPERATIONAL FROM THE PUBLIC OR PRIVATE MAIN TO A CURB STOP OR METER PIT LOCATED AT THE PROPERTY LINE".

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 401 – Delegates McHale, Clippinger, and Hammen

AN ACT concerning

Baltimore City – Alcoholic Beverages – Refillable Containers

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 717 – Delegates Hershey, Jacobs, Kipke, McDermott, ~~and Smigiel~~ Smigiel, Wood, Bohanan, and O'Donnell

Alcoholic Beverages – Distilleries – Tours, Samples, and Sales

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 737 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages Licenses

HB0737/394134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 737
(Third Reading File Bill)

On page 1, in line 8, strike "Baltimore County"; in the same line, strike "of Liquor License Commissioners"; in line 12, after "transferred" insert "into a single election district"; and strike beginning with "establishing" in line 12 down through "district;" in line 13.

On page 2, in line 29, strike "8–204.3(d)(1), (2), and (3)" and substitute "8–204.3(d)(3)"; and after line 32, insert:

"BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–204.3(d)(1) and (2)
Annotated Code of Maryland

(2011 Replacement Volume)".

On page 13, in lines 26 and 27, strike "8–204.3(d)(1), (2), and (3)" and substitute "8–204.3(d)(3)".

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 with amendments:

House Bill 983 – Delegates Frush and Hubbard

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

HB0983/984038/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 983
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "a"; in line 5, strike "exception" and substitute "exceptions"; in the same line, strike "and"; in line 6, after "facilities" insert ", and certain machinery"; in line 7, after "Area;" insert "requiring certain local critical area programs to require that certain machinery that is used for a certain purpose be removed from the Critical Area on or before a certain date;"; in the same line, after "of" insert "certain provisions of"; in line 9, strike the first "and"; and in the same line, after "facilities" insert ", and certain machinery".

AMENDMENT NO. 2

On page 4, in line 33, strike "**AND**"; in line 35, after "**VESSEL**" insert "**OR THE STORAGE OF PROCESSED METAL FOR THE SOLE PURPOSE OF TRANSFER TO A DOCKED VESSEL**".

On page 5, in line 2, after "**AREA**" insert "**;**

17. A PROHIBITION ON ANY MACHINERY THAT IS USED FOR THE PURPOSE OF CONVERTING SCRAP METAL INTO PROCESSED METAL IN THE CRITICAL AREA; AND

18. A REQUIREMENT THAT ANY MACHINERY THAT IS UTILIZED FOR THE PURPOSE OF CONVERTING SCRAP METAL INTO PROCESSED METAL BE REMOVED FROM THE CRITICAL AREA ON OR BEFORE JANUARY 1, 2013";

in line 3, after "That" insert "§ 8–1808(c)(1)16 and 17 of the Natural Resources Article, as enacted by Section 1 of"; and in the same line, after "Act" insert a comma.

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 1262 – Delegates Hucker, S. Robinson, and Weir

AN ACT concerning

Environment – Asbestos Worker Protection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

House Bill 2 – Delegate Glenn

~~EMERGENCY BILL~~

AN ACT concerning

Public School Buildings – Carbon Monoxide Detection and Warning Equipment

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 173 – Delegates Cardin and George

AN ACT concerning

Election Law – Voter Registration Agencies – Electronic Signatures

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 423 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Agricultural Preservation Advisory Board – Membership

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 475 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Redistricting Board – Revisions

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 512 – Delegate Beitzel

AN ACT concerning

Environment – Garrett County Sanitary District – Imposition of Late Fees

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 540 – Delegate Reznik (By Request – State Board of Morticians and Funeral Directors) and Delegates Waldstreicher, Carr, Elliott, Feldman, Frank, Frush, Gaines, Hubbard, Kipke, McDonough, McHale, Smigiel, and Sophocleus

AN ACT concerning

Handling Human Remains with Dignity Act of 2012

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 814 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licensee – Retail Delivery to Consumer – Prohibition
PG 301–12

HB0814/324432/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 814

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "a certain exception" and substitute "certain exceptions".

AMENDMENT NO. 2

On page 4, in line 3, strike "**IN**" and substitute "**:**

(I) IN";

and in line 6, after "**HARBOR**" insert "**; AND**

(II) TO A PERSON:

1. WHO IS AUTHORIZED BY THE BOARD OF LICENSE COMMISSIONERS ON OR BEFORE JULY 1, 2012, TO MAKE AN OFF–SITE RETAIL DELIVERY OF ALCOHOLIC BEVERAGES TO THE RESIDENCE OF A CONSUMER; AND

2. WHOSE LICENSED ESTABLISHMENT IS LOCATED IN THE 27TH LEGISLATIVE DISTRICT OR THE 47TH LEGISLATIVE DISTRICT".

The preceding 2 amendments were read and adopted.

Senator Muse moved, duly seconded, to make the Bill and Report a Special Order for April 5, 2012.

The motion was adopted.

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

House Bill 817 – Prince George's County Delegation

AN ACT concerning

Prince George's County – ~~City of Bowie –~~ Alcoholic Beverages ~~Licenses for Supermarkets~~ – Entertainment Permit – Exemptions and Revisions

PG 307–12

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 O'Donnell, Bohanan, Fisher, Jameson, Vallario, Wilson, and Wood

EMERGENCY BILL

AN ACT concerning

Calvert, Charles, and St. Mary's Counties – Turkey Hunting on Private Property – Sundays

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 9 – ~~Delegate Howard~~ Delegates Howard, Cane, Healey, and B. Robinson

AN ACT concerning

Education – Children and Youth – Reporting of Information Concerning Student Health, Well–Being, and Growth

HB0009/854932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 9

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "Education" insert ", at certain intervals beginning on or before a certain date,"; and strike beginning with "on" in line 9 down through "year" in line 10.

AMENDMENT NO. 2

On page 3, in line 23, strike "**2012**" and substitute "**2015**".

On page 4, in line 6, strike "**2012**" and substitute "**2015**".

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 210 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – School Buses – Length of Operation

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 680 – Delegates Rosenberg, Luedtke, and Washington

AN ACT concerning

Education – ~~Development of Guidelines to Incorporate~~ Task Force to Explore Including Sustainable ~~Agricultural Education~~ Agriculture in Existing Curricular Areas

HB0680/594234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 680

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Including Sustainable" and substitute "Incorporating the Subject of"; in line 9, after "for" insert "incorporating the subject of agriculture,"; in line 10, after "issues" insert a comma; and in line 12, strike "include sustainable" and substitute "incorporate the subject of".

AMENDMENT NO. 2

On page 2, in line 5, after "**FOUNDATION,**" insert "**THE MARYLAND FARM BUREAU, THE MARYLAND GRAIN PRODUCERS ASSOCIATION, DELMARVA POULTRY INDUSTRY, INC., THE MARYLAND ASSOCIATION OF SOIL CONSERVATION DISTRICTS, THE MARYLAND PORK PRODUCERS ASSOCIATION, THE MARYLAND DAIRY INDUSTRY, INC.,**"; in line 6, strike "**SUSTAINABLE**"; in line 7, after "**FOR**" insert "**INCORPORATING THE SUBJECT OF AGRICULTURE,**"; and in line 9, after "**ISSUES**" insert a comma.

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 803 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Operation of Schools – Year–Round Basis
PG 405–12

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 805 – Prince George's County Delegation

AN ACT concerning

Prince George's County Board of Education – Recycling Program – School Facilities
PG 403–12

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 920 – Delegate Rosenberg

AN ACT concerning

Maryland Uniform Athlete Agents Act – Definitions and Prohibitions

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 1220 – Delegate Haynes

AN ACT concerning

Secondary Education – Electronic Reader Pilot Program ~~in Baltimore City~~ – 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 reported favorably:

House Bill 1268 – Delegates Barnes, Davis, Feldman, Hershey, Impallaria, and W. Miller

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

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 1308 – ~~Delegate Fisher~~ Calvert County Delegation

AN ACT concerning

Calvert County – School Buses – Length of Operation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #33

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

Senate Bill 724 – Senator Kelley

AN ACT concerning

Title Insurance – Closing or Settlement Protection

SB0724/567170/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 724
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Protection" insert "Practices – Study"; strike beginning with "certain" in line 3 down through the second "Act;" in line 22 and substitute "the Maryland Insurance Commissioner to study closing or settlement protection practices of the title insurance industry and to make certain recommendations; requiring the Commissioner to consider certain matters in conducting the study; authorizing the Commissioner to consult with certain persons and entities in conducting the study; requiring the Commissioner to report certain findings and recommendations to certain committees of the General Assembly on or

before a certain date;"; and in line 23, strike "title insurance protection" and substitute "a study of closing and settlement protection practices of the title insurance industry".

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 6, strike "the Laws of Maryland read as follows"; and after line 6, insert:

"(a) The Maryland Insurance Commissioner shall:

(1) study closing or settlement protection practices of the title insurance industry, including mechanisms for, and associated costs of, compensating consumers, title insurers, mortgage lenders, and other parties for monetary losses that result from the theft, misappropriation, or misuse of funds held in escrow by a title insurance producer in connection with a real estate transaction; and

(2) make recommendations for changes to the closing and settlement protection practices of the title insurance industry in the State.

(b) In conducting the study, the Commissioner shall consider:

(1) title insurance producer defalcations reported to the Maryland Insurance Administration by title insurers;

(2) title insurance producer defalcations discovered by the Administration as a result of a complaint received by the Administration;

(3) the extent to which any regulations relating to the on–site review by title insurers of their appointed title insurance producers have addressed the problem of title insurance producer defalcations;

(4) the availability and affordability of fidelity bonds, escrow bonds, reinsurance, or other coverage to protect title insurers against the theft, misappropriation, or misuse of closing or settlement funds by its appointed title insurance producers, other agents, or employees;

(5) the manner in which closing or settlement protection is being addressed by other states, the National Association of Insurance Commissioners, and the National Coalition of Insurance Legislators; and

(6) any other relevant matter, as determined by the Commissioner.

(c) In conducting the study, the Commissioner may consult with any person or entity that the Commissioner determines appropriate, including representatives of:

(1) the title insurance industry;

(2) title insurance producers;

(3) mortgage lenders;

(4) the Division of Consumer Protection of the Office of the Attorney General;

(5) the real estate industry; and

(6) the Maryland Real Estate Commission.

(d) On or before December 1, 2012, the Commissioner shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on the findings and recommendations of the study conducted by the Commissioner under this section.".

On pages 2 through 6, strike in their entirety the lines beginning with line 7 on page 2 through line 23 on page 6, inclusive.

On page 6, in line 24, strike "4." and substitute "2."; strike beginning with the second comma in line 24 down through "Act," in line 25.

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: **SB 0496**
SPONSOR: Sens Gladden and Middleton
SUBJECT: Crim Procedure – Unexecuted Warrant, Summons, or Other Crim Process – Invalidation and Destruction

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 Ramirez
Senator Shank

The House appoints:
Delegate Vallario, Chairman
Delegate Carter, and
Delegate Smigiel.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0647**
SPONSOR: Sen Ramirez, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Ramirez, Chair
Senator Getty
Senator Zirkin

The House appoints:
Delegate Simmons, Chairman
Delegate Waldstreicher, and
Delegate Parrott.

Said Bill is returned herewith.

By Order,

Mary Monahan
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB 0856**
SPONSOR: Sen Raskin, et al
SUBJECT: Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act

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 Getty
Senator Frosh

The House appoints:
Delegate Clippinger, Chairman
Delegate Lee, and
Delegate McComas.

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 46 Members present.

(See Roll Call No. 999)

ADJOURNMENT

At 6:43 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 30, 2012, Calendar Day, Thursday, April 5, 2012.

Annapolis, Maryland
Legislative Day: March 30, 2012
Calendar Day: Thursday, April 5, 2012
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Reverend Shawn Wilson, Goshen United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of March 29, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Brinkley be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1001)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 30	Sen. Klausmeier	Injured Workers' Insurance Fund – Cancellation of Policies – Failure to Pay a Premium
SB 33	Sen. Colburn	Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs
SB 37	Sen. Colburn	Dorchester County – Water and Sewer Service – Late Fees
SB 44	Sen. Colburn	Dorchester County – Bay Restoration Fund – Collection of Restoration Fee

SB 45	Sen. Colburn	Dorchester County – Alcohol Awareness Program – Certificate of Completion
SB 51 (Emergency Bill)	Sen. Ferguson	Baltimore City – Board of Liquor License Commissioners – Transfer of License
SB 52	Sen. Dyson	State Employees' Ret and Pension Syss – Eligible Employees – St. Mary's Nursing Center, Inc
SB 66	Sen. Glassman	Harford County – Alcoholic Beverages Licenses – Class C–3 Club License
SB 67	Sen. Glassman	Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants
SB 68	Sen. Glassman	Harford County – Alcoholic Beverages – Wine Festival License
SB 103	Sen. Colburn	Dorchester County – Alcoholic Beverages – Hours for Sale
SB 106	Sen. Colburn	Talbot County – Alcoholic Beverages Violations – Issuance of Citations
SB 115	Chair, EHE Com.	Environment – Waterworks and Wastewater Works Certified Operators
SB 117	Chair, EHE Com.	Environment – Water Appropriation Permits – Construction Dewatering Projects
SB 119	Ch., Budget & Tax	State Personnel and Pensions – Optional Retirement Program – Maryland Higher Education Commission
SB 173	Sen. Klausmeier	Public School Buildings – Carbon Monoxide Detection and Warning Equipment
SB 174	Sen. Klausmeier	Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements
SB 177	Sen. Robey	Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop
SB 185	Sen. Forehand	Motor Vehicles – Child Safety

		Seats – Requirements
SB 250	Sen. Jones–Rodwell	State Retirement and Pension System – Reemployment of Retirees – Exemptions
SB 259	Harford Co. Senators	Harford County – Harford Community College – Authority to Incur Debt
SB 276	Sen. Mathias	Drivers' Licenses and Identification Cards – Notation of Veteran Status
SB 300	Sen. Young	Frederick County – Public Facilities Bonds
SB 306	Sen. Ferguson	Baltimore City – Vehicle Height Monitoring Systems
SB 321	Sen. Young	Frederick Co – Alc Bevs – Licensed Restaurants – Removal of Tables and Chrs for Expanded Occupancy
SB 327	Sen. McFadden	Baltimore Cty – 45th Leg District – Lqr Stores – Premises Near Places of Worship or Schs
SB 328	Sen. McFadden	Baltimore City – 45th Legislative District – Alc Bevs – Landlords – Licensed Premises
SB 345	Sen. Glassman	Harford County – Water and Sewer Authorities – Number of Directors
SB 357	Sen. Jones–Rodwell	State Retirement and Pension System – Medical Board Participation
SB 409	Sen. Jones–Rodwell	Baltimore City – Police Department – Appointments
SB 448	Sen. Colburn	Talbot County – Alcoholic Beverages – Wineries
SB 470	Sen. Edwards	Allegany County – Orphans' Court Judges – Pension
SB 487	Sen. Raskin	Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title
SB 527	Sen. Edwards	Garrett County – Alcoholic Beverages – Class B Beer Licenses
SB 581	Sen. Stone	Maryland Historical Trust – National Register of Historic Places – Essex Skypark

SB 585	Sen. Edwards	Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and Liquor License
SB 587	Sen. Edwards	Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation
SB 654 (Emergency Bill)	Sen. Klausmeier	Baltimore County – Alcoholic Beverages Licenses
SB 755	Sen. Young	Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels
SB 769	Sen. Edwards	Garrett County – Animal Control Ordinance – Enabling Authority
SB 869	Sen. Conway	Maryland Building Performance Standards – Hotels – Mandatory Master Control Device
SB 883	Sen. Jones–Rodwell	Baltimore City – Alc Bevs – Video Lottery Facility and Video Lottery Concessionaire Licenses
SB 975	Sen. Pugh	Baltimore City – Alcoholic Beverages – Zoo License
SB 1040	Sen. Brinkley	Frederick County – Middletown Wine Festival License
SB 1075	Sen. Mathias	Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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 46 Members present.

(See Roll Call No. 1002)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #64

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

The motion was adopted.

Senate Bill 553 – Senator Rosapepe

AN ACT concerning

Maryland–Washington Metropolitan District and Regional District – Boundaries – City of Laurel

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1003)

The Bill was then sent to the House of Delegates.

Senate Bill 748 – Senator Middleton

AN ACT concerning

Commercial Law – Uniform Commercial Code – Secured Transactions – Revision

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1004)

The Bill was then sent to the House of Delegates.

Senate Bill 1098 – Senator Conway

AN ACT concerning

Baltimore City – Construction Debris and Demolition Debris – ~~Recycling~~ Prohibition ~~Lumber~~

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1005)

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 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell

AN ACT concerning

Child Support – Incarcerated Obligors – Suspension of Payments and Accrual of Arrearages

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR RAMIREZ.

Senator Zirkin moved, duly seconded, to recommit the Bill.

The motion was adopted.

Senate Bill 407 – Senators Zirkin and Jennings

AN ACT concerning

Baltimore County – Elected School Board

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0407/704930/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Elected School"; in the same line, after "Board" insert "of Education – Selection of Members"; in lines 3 and 18, in each instance, after "election" insert "and appointment"; in line 5, after the first "of" insert "all"; in the

same line, after "Education;" insert "establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board;"; strike beginning with "establishing" in line 7 down through "members;" in line 8; in line 8, after "elected" insert "or appointed"; in line 9, after "terms;" insert "providing for a student member of the county board; providing for the term and duties of the student member;"; in line 10, after "of" insert ", and hearings and appeal procedures for, certain"; in the same line, strike "under certain circumstances" and substitute "of the county board"; strike beginning with "providing" in line 10 down through "board;" in line 11; and strike beginning with "providing" in line 13 down through "Commission;" in line 16.

AMENDMENT NO. 2

On page 2, strike line 9 in its entirety; in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, in each instance, strike the brackets; and in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", "**(12)**", "**(13)**", "**(14)**", "**(15)**", "**(16)**", and "**(17)**", respectively.

On page 3, in lines 1 and 2, in each instance, strike the brackets; in lines 1 and 2, strike "**(18)**" and "**(19)**", respectively; after line 2, insert:

"**(B) IN BALTIMORE COUNTY, IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**";

and in lines 3, 6, 9, and 16, strike "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively.

AMENDMENT NO. 3

On page 3, in line 21, strike "**NINE**" and substitute "**SIX**"; in the same line, after "**NONPARTISAN**" insert "**ELECTED**"; strike beginning with "**ELECTED**" in line 21 down through "**AND**" in line 22 and substitute a semicolon; after line 22, insert:

"**(2) FIVE APPOINTED MEMBERS; AND**";

in line 23, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**FROM THE COUNTY AT LARGE**"; in line 24, strike "**THE NINE**" and substitute "**OF THE ELEVEN**"; in the same line, after "**ELECTED**" insert "**AND APPOINTED**"; strike

beginning with "**SHALL**" in line 24 down through "**(2)**" in line 26 and substitute "**OF THE COUNTY BOARD:**

(I)";

in line 26, strike "**NINE**" and substitute "**SIX**"; in line 27, after "**COUNTY**" insert "**, ESTABLISHED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION,**"; and in the same line, after "**DISTRICT**" insert "**; AND**

(II) FIVE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR";

after line 27, insert:

"**(2) (I) THE SIX ELECTED MEMBERS SHALL BE ELECTED AT A GENERAL ELECTION IN ACCORDANCE WITH § 3–2A–02 OF THIS SUBTITLE.**

(II) THE FIVE APPOINTED MEMBERS SHALL BE APPOINTED, WHEN APPROPRIATE, WITHIN 90 DAYS AFTER THE GENERAL ELECTION.".

AMENDMENT NO. 4

On page 4, in line 8, after "**ELECTED**" insert "**OR APPOINTED**"; after line 13, insert:

"**(C) (1) FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, THE COUNTY COUNCIL OF BALTIMORE COUNTY IN CONSULTATION WITH THE COUNTY BOARD, AND AFTER REASONABLE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT, SHALL ESTABLISH THE SCHOOL BOARD DISTRICTS IN THE COUNTY.**

(2) EACH SCHOOL BOARD DISTRICT SHALL BE SUBSTANTIALLY EQUAL IN POPULATION.

(3) REAPPORTIONED SCHOOL BOARD DISTRICTS SHALL BECOME EFFECTIVE FOR THE TERM OF OFFICE THAT BEGINS AFTER THE FIRST REGULAR PRIMARY ELECTION THAT IS HELD AT LEAST 15 MONTHS AFTER THE OFFICIAL

REPORT ON POPULATION IS RECEIVED BY THE STATE FROM THE BUREAU OF THE CENSUS.";

in line 15, after the second "**THE**" insert "**ELECTED MEMBERS OF THE**"; in line 28, strike "**EACH ELECTED**" and substitute "**EXCEPT FOR THE STUDENT MEMBER, A**"; in line 30, after "**ELECTION**" insert "**OR APPOINTMENT**"; in the same line, after "**ELECTED**" insert "**OR APPOINTED**"; and in line 33, after "**ELECTED**" insert "**OR APPOINTED**".

AMENDMENT NO. 5

On page 5, in line 1, after "**ELECTED**" insert "**OR APPOINTED**".

On page 6, in line 9, strike "**ELECTED**" and substitute "**NONSTUDENT**"; in lines 10 and 12, in each instance, strike "**$3,000**" and substitute "**$100**"; in line 19, after "**A**" insert "**NONSTUDENT**"; and in line 27, after "**ELECTED**" insert "**OR APPOINTED**".

On page 7, in line 2, after "**ELECTED**" insert "**OR APPOINTED**".

On pages 7 through 9, strike in their entirety the lines beginning with line 28 on page 7 through line 16 on page 9, inclusive.

On page 9, in line 17, strike "**3–2A–10.**" and substitute "**3–2A–09.**".

AMENDMENT NO. 6

On page 12, in lines 6 and 7, strike "on November 30, 2014" and substitute "as follows:

(a) The term of the one member appointed from councilmanic district 5 of Baltimore County whose term is scheduled to expire on June 30, 2013, shall terminate at the end of June 30, 2013, and the Governor shall appoint an additional member to the county board, as authorized under this Act, who shall succeed the member whose term terminated and serve for a term of 1 year, 5 months, and 7 days, until a successor is appointed and qualifies; and

(b) The terms of the six members appointed from councilmanic districts 1, 2, 3, 4, 6, and 7 of Baltimore County, or their successors, who are in office on the effective date of this Act, shall terminate at the end of December 7, 2014, and the members elected from the school board districts 1, 2, 3, 4, 5, and 6 in Baltimore County, as

established in accordance with this Act, at the general election in November 2014, shall succeed those appointed members and serve for a term of 4 years beginning on December 8, 2014, until a successor is elected and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That, in appointing members to the Baltimore County Board of Education, the Governor shall ensure, to the extent practicable, that the total makeup of the county board reflects gender, ethnic, and racial diversity";

and in line 8, strike "3." and substitute "4.".

The preceding 6 amendments were read only.

Senator Kelley 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 478 – Senator Ferguson

AN ACT concerning

Education – School Buses – Fire Safety Standards for Engine Components

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

Senate Bill 750 – Senator Middleton

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0750/537672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 750

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "Senators Middleton and Pugh"; in lines 7, 10, 13, and 16, in each instance, strike "primary" and substitute "emergency"; in lines 8, 10, 17, 18, 19, 20, and 25, in each instance, strike "nonprimary" and substitute "elective"; in line 13, after "services" insert "or elective PCI services"; in line 14, strike "care" and substitute "general"; in line 18, after "Commission" insert "and does not meet certain requirements"; in line 22, after "items;" insert "requiring the Commission to establish a clinical advisory group for a certain purpose; requiring the Commission to develop certain recommended regulations, post the recommended regulations on its Web site, and submit the recommended regulations to the Governor and certain legislative committees for review and comment;"; in line 25, strike "certain actions" and substitute "a certain action"; and in the same line, after the semicolon insert "requiring the Commission to consider a certain factor in issuing a certificate of conformance; requiring a certain process and a certain requirement established in regulation to operate and be implemented in certain manners; providing that certain requirements of this Act do not apply to a hospital that provided cardiac surgery services and PCI services on a certain date until the Commission takes certain actions;".

AMENDMENT NO. 2

On page 3 in line 32, on page 4 in lines 3, 23, and 28, on page 5 in lines 4, 5, and 7, and on page 6 in line 16, in each instance, strike "**PRIMARY**" and substitute "**EMERGENCY**".

On page 3 in line 32, on page 4 in lines 3, 23, and 28, on page 5 in lines 23, 25, and 27, and on page 6 in line 16, in each instance, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 4, in line 6, strike "**(I)**"; in the same line, strike "**NONPRIMARY**" and substitute "**ELECTIVE**"; strike beginning with "**MEANS**" in line 6 down through "**INFARCTION**" in line 9 and substitute "**(ALSO KNOWN AS "NONPRIMARY PCI") INCLUDES PCI PROVIDED TO A PATIENT WHO IS NOT SUFFERING FROM AN ACUTE CORONARY SYNDROME, BUT WHOSE CONDITION IS APPROPRIATELY TREATED WITH PCI BASED ON REGULATIONS ESTABLISHED BY THE COMMISSION**"; strike line 10 in its entirety; after line 10, insert:

"**(5)** **"EMERGENCY PCI" (ALSO KNOWN AS "PRIMARY PCI") INCLUDES PCI CAPABLE OF RELIEVING CORONARY VESSEL NARROWING ASSOCIATED WITH STEMI OR, AS DEFINED BY THE COMMISSION IN REGULATIONS, STEMI EQUIVALENT.**";

in lines 11 and 12, strike "**(5)**" and "**(6)**", respectively, and substitute "**(6)**" and "**(7)**", respectively; and strike in their entirety lines 19 through 21, inclusive, and substitute:

"**(8)** **"STEMI" (ST–SEGMENT–ELEVATION MYOCARDIAL INFARCTION) MEANS A TYPE OF HEART ATTACK OR MYOCARDIAL INFARCTION THAT IS CAUSED BY A PROLONGED PERIOD OF BLOCKED BLOOD SUPPLY, WHICH AFFECTS A LARGE AREA OF THE HEART MUSCLE AND CAUSES CHANGES ON AN ELECTROCARDIOGRAM AND IN THE BLOOD LEVELS OF KEY CHEMICAL MARKERS.**".

On page 5, in line 10, strike "**CARE**" and substitute "**GENERAL**"; in line 21, strike "**PRIMARY**" and substitute "**EMERGENCY**"; and in line 22, strike "**NONPRIMARY**" and substitute "**ELECTIVE**".

On page 6 in lines 29 and 31 and on page 7 in line 4, in each instance, strike "nonprimary" and substitute "elective".

AMENDMENT NO. 3

On page 5, after line 9, insert:

"**(D)** **NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A CERTIFICATE OF CONFORMANCE IS NOT REQUIRED FOR AN ACUTE GENERAL HOSPITAL TO ESTABLISH ELECTIVE PCI SERVICES IF:**

(1) **ON JANUARY 1, 2012, THE ACUTE GENERAL HOSPITAL WAS PROVIDING ELECTIVE PCI SERVICES THROUGH THE C–PORT E REGISTRY UNDER AUTHORITY OF A RESEARCH WAIVER ISSUED BY THE COMMISSION;**

(2) **THE COMMISSION FINDS THAT THE C–PORT E STUDY PRODUCED RESULTS THAT SHOULD GUIDE PUBLIC POLICY; AND**

(3) THE COMMISSION DETERMINES THAT THE ELECTIVE PCI SERVICES PROVIDED BY THE ACUTE GENERAL HOSPITAL CONTINUE TO BE CONSISTENT WITH:

(I) THE REQUIREMENTS OF THE C–PORT E REGISTRY; AND

(II) EXCEPT FOR THE REQUIREMENTS UNDER COMAR 10.24.05.05, THE REQUIREMENTS FOR MAINTAINING A RESEARCH WAIVER UNDER COMAR 10.24.05 AND 10.24.17, TABLE A–1.";

in lines 10 and 23, strike "**(D)**" and "**(E)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; in line 17, after "**(C)**" insert "**OR (D)**"; and in line 24, after "**COMMISSION**" insert "**AND DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION**".

On page 6, in line 27, strike ", notwithstanding" and substitute ":

(a) Notwithstanding";

and in line 31, after "services" insert "under the authorization that existed on January 1, 2012,".

On pages 6 and 7, strike beginning with "one" in line 32 on page 6 down through "B," in line 2 on page 7 and substitute "a determination under § 19–120.1(d)(3) of the Health – General Article, as enacted by Section 1 of this Act;

(2)".

On page 7, in line 5, after "services" insert "; or

(3) makes a determination under COMAR 10.24.05 to terminate the hospital's authority to provide elective PCI services.

(b) On or before December 31, 2012, the Commission shall determine for each hospital providing elective PCI services on January 1, 2012, through the C–PORT E registry under authority of a research waiver issued by the Commission, whether the conditions of § 19–120.1(d)(3) of the Health – General Article are satisfied".

AMENDMENT NO. 4

On page 6, in line 1, strike "**(F)**" and substitute "**(G)**"; in line 11, strike "**AND**"; in line 14, after "**PERFORMANCE**" insert "**TO AN ACUTE GENERAL HOSPITAL WITHOUT ON–SITE CARDIAC SURGERY SERVICES**"; in the same line, strike "**AN**" and substitute "**THE**"; in line 15, strike "**CARDIAC SURGERY SERVICES,**"; in line 16, strike the comma; and in line 18, after "**COMMISSION**" insert "**;**

(VI) ESTABLISH A PROCESS FOR AN ACUTE GENERAL HOSPITAL THAT IS OUT OF COMPLIANCE WITH MINIMUM STANDARDS FOR A CERTIFICATE OF ONGOING PERFORMANCE TO RETURN TO GOOD STANDING;

(VII) REQUIRE THAT AN ACUTE GENERAL HOSPITAL, EXCEPT FOR AN ACUTE GENERAL HOSPITAL LOCATED IN A PART OF THE STATE THAT DOES NOT HAVE SUFFICIENT ACCESS TO EMERGENCY PCI SERVICES, HAVE PROVIDED EMERGENCY PCI SERVICES IN ACCORDANCE WITH ESTABLISHED STANDARDS BEFORE SEEKING A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES;

(VIII) PROHIBIT AN ACUTE GENERAL HOSPITAL FROM PROVIDING ELECTIVE PCI SERVICES UNLESS THE ACUTE GENERAL HOSPITAL ALSO PROVIDES EMERGENCY PCI SERVICES;

(IX) INCORPORATE, TO THE EXTENT APPROPRIATE, THE STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES RECOMMENDED BY THE CLINICAL ADVISORY GROUP ESTABLISHED UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(X) INCLUDE REQUIREMENTS FOR PEER OR INDEPENDENT REVIEW, CONSISTENT WITH THE ACCF/AHA/SCAI GUIDELINES FOR PERCUTANEOUS CORONARY INTERVENTION (REPORT OF THE AMERICAN COLLEGE OF CARDIOLOGY FOUNDATION/AMERICAN HEART ASSOCIATION TASK FORCE ON PRACTICE GUIDELINES AND THE SOCIETY FOR CARDIOVASCULAR ANGIOGRAPHY AND INTERVENTIONS), OF DIFFICULT OR COMPLICATED CASES AND FOR RANDOMLY SELECTED CASES; AND

(XI) FOR A CERTIFICATE OF CONFORMANCE FOR ELECTIVE PCI SERVICES, GIVE WEIGHT TO THE EXPERIENCE, PERFORMANCE, INVESTMENT, AND SCOPE OF INTERVENTIONAL CAPABILITIES OF AN APPLICANT HOSPITAL THAT WAS PROVIDING EMERGENCY PCI SERVICES ON JANUARY 1, 2012.

(3) (I) THE COMMISSION SHALL ESTABLISH A CLINICAL ADVISORY GROUP TO ADVISE THE COMMISSION AND RECOMMEND STANDARDS FOR CARDIAC SURGERY SERVICES, EMERGENCY PCI SERVICES, AND ELECTIVE PCI SERVICES FOR INCLUSION IN REGULATIONS ADOPTED UNDER THIS SUBSECTION.

(II) THE CLINICAL ADVISORY GROUP SHALL BE COMPOSED OF EXPERTS IN CARDIAC SURGERY SERVICES AND PCI SERVICES, INCLUDING:

1. CLINICIANS AND REPRESENTATIVES FROM HOSPITALS IN THE STATE WITH AND WITHOUT ON–SITE CARDIAC SURGERY SERVICES AND WITH AND WITHOUT PCI SERVICES;

2. AT LEAST ONE REPRESENTATIVE OF AN ACUTE GENERAL HOSPITAL THAT IS NOT PART OF A MERGED ASSET SYSTEM AND PROVIDES ONLY EMERGENCY PCI SERVICES; AND

3. OTHER PERSONS WITH NEEDED EXPERTISE FROM INSIDE AND OUTSIDE THE STATE.

(4) (I) ON OR BEFORE SEPTEMBER 30, 2013, AFTER OBTAINING ADVICE FROM THE CLINICAL ADVISORY GROUP AND OTHER APPROPRIATE STAKEHOLDERS, THE COMMISSION SHALL:

1. DEVELOP RECOMMENDED REGULATIONS UNDER THIS SUBSECTION;

2. POST THE RECOMMENDED REGULATIONS ON ITS WEB SITE FOR PUBLIC COMMENT; AND

3. SUBMIT THE RECOMMENDED REGULATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.

(II) THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE SHALL HAVE 60 DAYS FROM RECEIPT OF THE RECOMMENDED REGULATIONS FOR REVIEW AND COMMENT".

AMENDMENT NO. 5

On page 6, in line 25, strike "and"; in line 26, after "status" insert "; and

(3) shall consider, for a certificate of conformance to establish elective PCI services, applications from acute general hospitals that were providing emergency PCI services on January 1, 2012, before considering applications from other acute general hospitals.

SECTION 3. AND BE IT FURTHER ENACTED, That, in making a decision to issue a certificate of conformance, the Maryland Health Care Commission shall consider the circumstances of a hospital that is the sole hospital in a county";

and in line 27, strike "3." and substitute "4.".

AMENDMENT NO. 6

On page 7, after line 5, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the process established in regulation under § 19–120.1(g)(2)(vi) of the Health – General Article, as enacted by Section 1 of this Act, for an acute general hospital that is out of compliance with minimum standards for a certificate of ongoing performance to return to good standing shall operate in a manner consistent with the process and underlying principles that:

(1) guided the Maryland Health Care Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) provided a reasonable opportunity for an acute general hospital that was out of compliance with performance standards to come into compliance.

SECTION 6. AND BE IT FURTHER ENACTED, That the requirement established in regulation under § 19–120.1(g)(2)(v) of the Health – General Article, as enacted by Section 1 of this Act, as a condition of the issuance of a certificate of conformance or a certificate of ongoing performance for an acute general hospital without on–site cardiac surgery services to agree to voluntarily relinquish its authority to provide emergency PCI services or elective PCI services if the hospital fails to meet the applicable standards established by the Maryland Health Care Commission, shall:

(1) be implemented in a manner consistent with the regulations and underlying principles of the Commission in its oversight of hospitals providing emergency PCI services and elective PCI services under a waiver and a research waiver, respectively; and

(2) require an acute general hospital without on–site cardiac surgery services to:

(i) notify the Commission of the occurrence of specified events; and

(ii) subject to Section 5 of this Act, on written notice from the Commission, immediately relinquish its authority to provide PCI services.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) The requirements of § 19–120.1(e) of the Health – General Article, as enacted by Section 1 of this Act, do not apply to a hospital that provided cardiac surgery services and PCI services on January 1, 2012, until:

(1) the Maryland Health Care Commission consults with the clinical advisory group established under § 19–120.1(g)(3) of the Health – General Article, as enacted by Section 1 of this Act, and other appropriate stakeholders on appropriate standards for ongoing performance for cardiac surgery services and PCI services at acute general hospitals with on–site cardiac surgery services;

(2) the Commission develops recommendations for actions, including any changes in State law, that are necessary to enhance the Commission's ability to monitor ongoing performance and compliance with quality standards related to cardiac surgery services and PCI services at hospitals with on–site cardiac surgery services;

(3) the Commission:

(i) reports its recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee; and

(ii) posts the report on its Web site for a 60–day review and comment period; and

(4) the Commission adopts regulations to implement the recommendations.

(b) The Commission shall report its recommendations and post its report under subsection (a)(3) of this section on or before December 1, 2013.

(c) The report, recommendations, and regulations under subsection (a) of this section shall include:

(1) a mechanism for an acute general hospital with on–site cardiac surgery services that is out of compliance with performance standards for cardiac surgery services or PCI services to return to good standing; and

(2) a process through which the authority for an acute general hospital with on–site cardiac surgery services to provide cardiac surgery services and PCI services may be revoked for failure to meet performance standards.";

and in line 6, strike "4." and substitute "8.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 814 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licensee – Retail Delivery to Consumer – Prohibition
PG 301–12

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

Favorable report adopted.

FLOOR AMENDMENT

HB0814/833325/1
BY: Senator Muse

AMENDMENTS TO HOUSE BILL 814, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

In the Education, Health, and Environmental Affairs Committee Amendments (HB0814/324432/1), strike Amendment Nos. 1 and 2 in their entirety.

AMENDMENT NO. 2

On page 4 of the bill, strike in their entirety lines 3 through 6, inclusive, and substitute:

"**(2) THIS SUBSECTION DOES NOT APPLY TO A PERSON:**

(I) WHO IS AUTHORIZED BY THE BOARD OF LICENSE COMMISSIONERS ON OR BEFORE JULY 1, 2012, TO MAKE AN OFF–SITE RETAIL DELIVERY OF ALCOHOLIC BEVERAGES TO THE RESIDENCE OF A CONSUMER; AND

(II) WHOSE LICENSED ESTABLISHMENT IS LOCATED IN THE 27TH LEGISLATIVE DISTRICT OR THE 47TH LEGISLATIVE DISTRICT.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #12

AMENDED IN THE HOUSE

Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery

AN ACT concerning

Jury Service – Employers – Prohibited Acts

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

SB0016/442118/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 16
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "service" insert "or on a day after the individual performs jury service or acts related to jury service".

AMENDMENT NO. 2

On page 2, strike beginning with "**TO**" in line 12 down through "**TITLE**" in line 15 and substitute "**WHO IS SUMMONED AND APPEARS FOR JURY SERVICE FOR 4 OR MORE HOURS, INCLUDING TRAVELING TIME, TO WORK AN EMPLOYMENT SHIFT THAT BEGINS:**

(1) ON OR AFTER 5 P.M. ON THE DAY OF THE INDIVIDUAL'S APPEARANCE FOR JURY SERVICE; OR

(2) BEFORE 3 A.M. ON THE DAY FOLLOWING THE INDIVIDUAL'S APPEARANCE FOR JURY SERVICE".

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 – 28 Negative – 18 (See Roll Call No. 1006)

CONCURRENCE CALENDAR #13

AMENDED IN THE HOUSE

Senate Bill 571 – Senators Montgomery, Forehand, Manno, Ramirez, Raskin, and Rosapepe

AN ACT concerning

~~Libraries – Maryland~~ Task Force to Study the Establishment of a Deaf Culture Digital Library

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

SB0571/865567/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 571
(Third Reading File Bill)

On page 2, in line 2, strike "the Laws of Maryland read as follows".

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. 1007)

AMENDED IN THE HOUSE

Senate Bill 867 – ~~Senator Conway~~ Senators Conway, Dyson, Montgomery, Rosapepe, and Simonaire

AN ACT concerning

State Department of Education – Oral Health Education ~~– Certification and Monitoring~~

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

SB0867/505262/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 867
(Third Reading File Bill)

On page 2, in line 26, strike "**2012**" and substitute "**2015**".

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. 1008)

CONCURRENCE CALENDAR #11

AMENDED IN THE HOUSE

Senate Bill 151 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011

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

REPORT OF THE HOUSE APPROPRIATIONS COMMITTEE TO THE MARYLAND HOUSE OF DELEGATES – 2012 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit N of Appendix III)

HOUSE APPROPRIATIONS COMMITTEE REPRINT TO
SENATE BILL 151 – THE CAPITAL BUDGET

(See Exhibit O of Appendix III)

SB0151/224066/2
BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 151
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1
On page 5, in lines 31 and 37, in each instance, strike "3,500,000" and substitute "2,200,000".

AMENDMENT NO. 2
On page 18, in line 22, strike "36,329,000" and substitute "37,629,000".

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 0151**
SPONSOR: The Pres (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012

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 DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #20

House Bill 84 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees – Exemptions

Senator Kelley moved, duly seconded, to make the Bill a Special Order for April 6, 2012.

The motion was adopted.

House Bill 97 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

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

Affirmative – 43 Negative – 3 (See Roll Call No. 1009)

The Bill was then sent to the House of Delegates.

House Bill 98 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1010)

The Bill was then sent to the House of Delegates.

House Bill 101 – Delegates Pena–Melnyk, Anderson, Costa, and Hubbard

AN ACT concerning

Health – General – Posthumous Use of Donor Sperm and Eggs

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

Affirmative – 43 Negative – 2 (See Roll Call No. 1011)

The Bill was then sent to the House of Delegates.

House Bill 136 – Carroll County Delegation

AN ACT concerning

Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1012)

The Bill was then sent to the House of Delegates.

House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

The motion was adopted.

House Bill 213 – Delegates Branch, McIntosh, Anderson, Clippinger, Glenn, Hammen, McHale, Mitchell, Oaks, B. Robinson, and Washington

AN ACT concerning

Baltimore City Community Enhancement Transit–Oriented Development Fund

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

Affirmative – 40 Negative – 6 (See Roll Call No. 1013)

The Bill was then sent to the House of Delegates.

House Bill 224 – Delegate Beitzel

AN ACT concerning

Garrett County – Hotel Rental Tax ~~Rate~~

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

Affirmative – 42 Negative – 3 (See Roll Call No. 1014)

The Bill was then sent to the House of Delegates.

House Bill 443 – The Speaker (By Request – Administration) and Delegates Barnes, Gaines, Griffith, Hammen, Haynes, Hucker, Jones, Morhaim, Pena–Melnyk, Pendergrass, Proctor, V. Turner, ~~and Waldstreicher~~ Waldstreicher, Hubbard, Reznik, A. Kelly, Oaks, Donoghue, Nathan–Pulliam, Cullison, and Murphy

AN ACT concerning

Maryland Health Benefit Exchange Act of 2012

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

Affirmative – 35 Negative – 11 (See Roll Call No. 1015)

The Bill was then sent to the House of Delegates.

House Bill 518 – Frederick County Delegation

AN ACT concerning

Frederick County – Tax Sales – Auctioneer's Fees

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1016)

The Bill was then sent to the House of Delegates.

House Bill 563 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Kaiser, Luedtke, A. Miller, Rosenberg, Ross, Stukes, and Summers

AN ACT concerning

~~Telecommunications~~ Communications Taxes – Reform Commission ~~and Moratorium~~

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

Affirmative – 40 Negative – 6 (See Roll Call No. 1017)

The Bill was then sent to the House of Delegates.

House Bill 590 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Horse Racing – Maryland Standardbred Race Fund Advisory Committee – Registration of Horses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1018)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #21

CONSENT CALENDAR #15

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 59	Anne Arundel Co. Del.	Anne Arundel County – Property Tax Payment Deferral – Eligibility	B&T
HB 125	Frederick County Del.	Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses	B&T

HB 216	Washington County Del.	Wsh Co – Distrib of Amts to Town of Williamsport – Pymts in Lieu of Prop Taxes on Elc Generation Facs	B&T
HB 630	Del. Haynes	State Ret and Pension Systems – Reemployment of Retirees – Parole and Probation Employees	B&T
HB 910	Frederick County Del.	Frederick County – Budgetary Processes	B&T
HB 918	Del. Hixson	Sales and Use Tax – Alcoholic Beverages – Calculation of Tax	B&T
HB 1005	Washington County Del.	Washington County – Tip Jars – Accountability and Oversight	B&T
HB 1456	Del. Mizeur	Income Tax – Tax Credits – Electronic Filing Requirements	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 15 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1019)

The Bills were then sent to the House of Delegates.

House Bill 1301 – Delegate Howard

AN ACT concerning

Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1020)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #22

House Bill 526 – Delegates Clagett, Anderson, Barkley, Bohanan, Guzzone, Haynes, Hucker, Jones, Mizeur, Proctor, B. Robinson, Washington, and Zucker

AN ACT concerning

State Personnel – Special Appointments – Status

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1021)

The Bill was then sent to the House of Delegates.

House Bill 597 – Chair, Ways and Means Committee (By Request – Departmental – Labor, Licensing and Regulation)

EMERGENCY BILL

AN ACT concerning

Horse Racing – Mile Thoroughbred Racetracks – Payment of Taxes and Impact Aid and Arabian Breed Racing Authorization

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1022)

The Bill was then sent to the House of Delegates.

House Bill 802 – Prince George's County Delegation

AN ACT concerning

Education – Prince George's County School Board Budgets – Transparency PG 410–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1023)

The Bill was then sent to the House of Delegates.

House Bill 903 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Adults with Developmental Disabilities Citizen's Advisory Committee
PG 407–12

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1024)

The Bill was then sent to the House of Delegates.

House Bill 997 – Delegates Washington, Anderson, Arora, Bobo, Braveboy, Carr, Clippinger, Conaway, Cullison, Davis, Feldman, Frick, Frush, Gaines, Glenn, Howard, Hucker, Jameson, Kaiser, A. Kelly, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Summers, Tarrant, Vaughn, Walker, and Zucker

AN ACT concerning

Commercial Law – Rental–Purchase Agreements Best Practices Act

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

Affirmative – 44 Negative – 2 (See Roll Call No. 1025)

The Bill was then sent to the House of Delegates.

House Bill 1027 – Delegates Barkley and Vaughn

AN ACT concerning

Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions

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

Affirmative – 45 Negative – 1 (See Roll Call No. 1026)

The Bill was then sent to the House of Delegates.

House Bill 1059 – Delegate Feldman

AN ACT concerning

Property and Casualty Insurance – Rescission of Policy or Binder – Authorized

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1027)

The Bill was then sent to the House of Delegates.

House Bill 1068 – Delegates Burns, Braveboy, Haddaway–Riccio, Harrison, Hucker, Impallaria, Kramer, W. Miller, Minnick, Olszewski, Schuh, Schulz, and Vaughn

AN ACT concerning

Homeowner's Insurance – Limitation on Number of Claims Made – Notice

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1028)

The Bill was then sent to the House of Delegates.

House Bill 1180 – Delegates Rudolph and Malone

AN ACT concerning

Vehicle Laws – Required Security – Electronic Reporting Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1029)

The Bill was then sent to the House of Delegates.

House Bill 1182 – Charles County Delegation

AN ACT concerning

Charles County Sheriff – Collective Bargaining – Binding Arbitration

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1030)

The Bill was then sent to the House of Delegates.

House Bill 1187 – Delegates Jameson, Barkley, Barnes, Barve, Feldman, Hershey, Hucker, Kramer, Love, Minnick, Schuh, and Vaughn

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1031)

The Bill was then sent to the House of Delegates.

House Bill 1189 – Howard County Delegation

AN ACT concerning

Howard County – Deputy Sheriffs – Collective Bargaining Ho. Co. 11–12

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

Affirmative – 41 Negative – 5 (See Roll Call No. 1032)

The Bill was then sent to the House of Delegates.

House Bill 1329 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Suburban Transit Commission – Washington Metropolitan Area Transit Authority Board of Directors – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1033)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #23

CONSENT CALENDAR #16

BILL NO.	SPONSOR	CONTENT	COMMITTEE

HB 470	Del. Tarrant	Maryland Health Care Commission – Preauthorization of Health Care Services – Benchmarks	FIN
HB 742	Del. Barnes	Bail Bondsmen – Acceptance of Installment Contracts	FIN
HB 769	Ch., Econ Matters Co.	Unemployment Insurance – Coverage – Victims of Domestic Violence	FIN
HB 838	Del. Kipke	Health Ins – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists	FIN
HB 1193	Del. Nathan–Pulliam	State Personnel – Traumatic Events – Mental Health Support Services	FIN
HB 1455	Del. Costa	Mortality and Quality Review Committee – Reporting Requirements – Sunset Extension	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 16 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1034)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #24

CONSENT CALENDAR #17

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 896	PG/Montgomery Co. Del. (AMENDED)	The Washington Suburban Sanitary Dist Transparency and Rate Relief Act of 2012 PG/MC 107–12	EHE
HB 901	PG/Montgomery Co. Del.	Washington Suburban Sanitary	EHE

		Commission – High Performance Buildings PG/MC 110–12	
HB 902	PG/Montgomery Co. Del.	WSSC – Minority Business Enterprise Utilization Program – Termin Extension PG/MC 102–12	EHE
HB 979	Calvert County Del.	Calvert County – Annual Financial Report – Filing Date	EHE
HB 1023	Calvert County Del.	Calvert County – Litter Control Law – Local Ordinance	EHE
HB 1089	Calvert County Del.	Calvert County – Appointment of Assistant Sheriff – Candidates	EHE
HB 1161	Charles County Del.	Charles County – Assessment for Abatement of Zoning Violation	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 17 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1035)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #25

House Bill 74 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1036)

The Bill was then sent to the House of Delegates.

House Bill 150 – Allegany County Delegation

AN ACT concerning

Allegany County – Solicitation of Money or Donations from Occupants of Vehicles – Prohibitions and Permit Program

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1037)

The Bill was then sent to the House of Delegates.

House Bill 239 – Frederick County Delegation

AN ACT concerning

Frederick County Board of Education – Membership and Employment

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

Affirmative – 41 Negative – 5 (See Roll Call No. 1038)

The Bill was then sent to the House of Delegates.

House Bill 404 – Delegates Kaiser, Kipke, Cane, Frush, Howard, Jameson, McComas, Reznik, B. Robinson, Schulz, ~~and Summers~~ Summers, Healey, Minnick, Sophocleus, McDonough, Hough, Stocksdale, and Clagett

AN ACT concerning

Higher Education – Edward T. Conroy Memorial Scholarship Program – Eligibility

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1039)

The Bill was then sent to the House of Delegates.

House Bill 481 – ~~Delegates Lafferty, Kach, Aumann, Botcler, DeBoy, Frank, Impallaria, McDonough, and Morhaim~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Elected School Board

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

The motion was adopted.

House Bill 604 – Delegates Parrott, Afzali, Aumann, Bates, Beitzel, Boteler, Burns, DeBoy, Dwyer, Eckardt, Elliott, Frush, George, Glass, Hogan, Hough, Impallaria, Kach, Kipke, Krebs, McDonough, Niemann, Ready, B. Robinson, Serafini, Sophocleus, Stifler, Stocksdale, Vitale, and Wood

AN ACT concerning

Justice's Law

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1040)

The Bill was then sent to the House of Delegates.

House Bill 670 – Delegates Hough, Waldstreicher, Bates, and B. Robinson

AN ACT concerning

Earned Compliance Credit and Reinvestment Act of 2012

Senator Reilly moved, duly seconded, to make the Bill a Special Order for April 6, 2012.

The motion was adopted.

House Bill 904 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Drug Free School Zones – Hotline Number on Signs PG 406–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1041)

The Bill was then sent to the House of Delegates.

House Bill 906 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Common Ownership Communities – Fee for ~~Mandatory~~ Administrative Hearing Services
PG 401–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1042)

The Bill was then sent to the House of Delegates.

House Bill 1121 – Delegates Guzzone, Anderson, Clagett, Haynes, Jones, K. Kelly, Washington, and Zucker

AN ACT concerning

~~Correctional Services~~ Parole and Probation – Employee Caseloads – Disciplinary Actions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1043)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #26

CONSENT CALENDAR #18

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 72	The Speaker	St Bd for Certfn of Resid Child Care Program Profs – Sunset Ext and Program Evaluation	EHE
HB 73	The Speaker	State Board of Social Work Examiners – Sunset Extension and Program Evaluation	EHE
HB 238	Del. Nathan–Pulliam	St Bd of Nursing – Nurses, Nrsng Assts, Med Techs, and Electrologists – Lic and Certification Reqmts	EHE

HB 316	Del. Costa	State Board of Pharmacy – Wholesale Distributor Permits – Permit and Application Requirements	EHE
HB 334	Del. Costa	Health Occupations – State Board of Pharmacy – Jurisdiction Over Nonresident Pharmacies	EHE
HB 348	Del. Hubbard	State Bd of Prof Cnslrs and Therapists – Certified Prof Counselor–Alcohol and Drug – Repeal	EHE
HB 584	Del. Tarrant	Health Occupations – Physician Assistants – Patient's Access to Supervising Physician	EHE
HB 688 (Emergency Bill)	Del. Costa	State Bd of Physicians – Athletic Trainer Advisory Committee – Ed, Supervision, and Admin	EHE
HB 754	Del. Kach	St Bd of Den Exmrs – Licenses – Exam Reqmts for Dentists and Den Hygienists	EHE
HB 833	Del. Reznik	Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions	EHE
HB 862	Del. Hammen	Residential Child and Youth Care Practitioners – Certification – Modifications	EHE
HB 1207	Del. Pendergrass	State Bd of Prof Cnslrs and Therapists – Licensure of Clinical Prof Art Therapists	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 18 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1044)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #27

CONSENT CALENDAR #19

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 90	Baltimore County Del.	Election Law – Baltimore County Republican Party Central Committee – Election of Chairman	EHE
HB 135	Carroll County Del.	Carroll County – Board of Elections – Membership	EHE
HB 206	Del. Jameson	Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements	EHE
HB 228	Del. Feldman	Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels	EHE
HB 425	Del. S. Robinson	Procurement – Required Discl – Conflict Minerals Originated in the Democratic Republic of the Congo	EHE
HB 437	Del. Malone	Local States of Emergency – Time Period – Extension	EHE
HB 936	Del. Frush	Task Force on the Establishment of a Statewide Spay/Neuter Fund – Sunset Extension	EHE
HB 1103	Del. Cardin	Election Law – Campaign Contributors – Occupation and Employer	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 19 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1045)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #28

CONSENT CALENDAR #20

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 53	Del. Luedtke	Higher Education – Community Colleges – Tuition Waiver for Disabled Individuals	EHE
HB 390	Del. Luedtke	Task Force to Study the Establishment of a Deaf Culture Digital Library	EHE
HB 497	Del. Myers	Public Schools – Epinephrine Availability and Use – Policy Requirements	EHE
HB 613	Del. Rosenberg	Loan Assistance Repayment Program – Nancy Grasmick Teacher Scholars	EHE
HB 617	Del. Hough	Education – Informal Kinship Care – Enrollment Before Submission of Documentation	EHE
HB 745	Del. Serafini	Education – Maryland Advisory Council for Virtual Learning – Establishment	EHE
HB 886	Del. Ivey	Maryland After–School and Summer Opportunity Fund Program	EHE
HB 1001	Del. Hixson	Public Library – Essential Community Service – Designation	EHE
HB 1213	Harford County Del.	Harford County Board of Education – Student Member	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 20 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1046)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #29

House Bill 57 – Delegates Eckardt, Cane, and Haddaway–Riccio

AN ACT concerning

Dorchester County – Sailwinds ~~Park~~ of Cambridge, Inc. – Service of Alcohol – Wristbands

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1047)

The Bill was then sent to the House of Delegates.

House Bill 277 – Delegates Walker ~~and Vaughn~~, Vaughn, Pendergrass, Costa, Cullison, Hubbard, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1048)

The Bill was then sent to the House of Delegates.

House Bill 366 – Delegate Malone

AN ACT concerning

Public Safety – Building Performance Standards – ~~Fire and Life Safety~~ Automatic Fire Sprinkler Systems

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

Affirmative – 34 Negative – 10 (See Roll Call No. 1049)

The Bill was then sent to the House of Delegates.

House Bill 401 – Delegates McHale, Clippinger, and Hammen

AN ACT concerning

Baltimore City – Alcoholic Beverages – Refillable Containers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1050)

The Bill was then sent to the House of Delegates.

House Bill 717 – Delegates Hershey, Jacobs, Kipke, McDermott, ~~and Smigiel~~ Smigiel, Wood, Bohanan, and O'Donnell

Alcoholic Beverages – Distilleries – Tours, Samples, and Sales

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1051)

The Bill was then sent to the House of Delegates.

House Bill 737 – Chair, Baltimore County Delegation (By Request – Baltimore County Administration)

EMERGENCY BILL

AN ACT concerning

Baltimore County – Alcoholic Beverages Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1052)

The Bill was then sent to the House of Delegates.

House Bill 983 – Delegates Frush and Hubbard

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1053)

The Bill was then sent to the House of Delegates.

House Bill 1262 – Delegates Hucker, S. Robinson, and Weir

AN ACT concerning

Environment – Asbestos Worker Protection

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1054)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #30

House Bill 2 – Delegate Glenn

~~EMERGENCY BILL~~

AN ACT concerning

Public School Buildings – Carbon Monoxide Detection and Warning Equipment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1055)

The Bill was then sent to the House of Delegates.

House Bill 173 – Delegates Cardin and George

AN ACT concerning

Election Law – Voter Registration Agencies – Electronic Signatures

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1056)

The Bill was then sent to the House of Delegates.

House Bill 423 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Agricultural Preservation Advisory Board – Membership

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1057)

The Bill was then sent to the House of Delegates.

House Bill 475 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Redistricting Board – Revisions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1058)

The Bill was then sent to the House of Delegates.

House Bill 512 – Delegate Beitzel

AN ACT concerning

Environment – Garrett County Sanitary District – Imposition of Late Fees

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1059)

The Bill was then sent to the House of Delegates.

House Bill 540 – Delegate Reznik (By Request – State Board of Morticians and Funeral Directors) and Delegates Waldstreicher, Carr, Elliott, Feldman, Frank, Frush, Gaines, Hubbard, Kipke, McDonough, McHale, Smigiel, and Sophocleus

AN ACT concerning

Handling Human Remains with Dignity Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1060)

The Bill was then sent to the House of Delegates.

House Bill 817 – Prince George's County Delegation

AN ACT concerning

Prince George's County – ~~City of Bowie –~~ Alcoholic Beverages ~~Licenses for Supermarkets~~ – Entertainment Permit – Exemptions and Revisions
PG 307–12

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1061)

The Bill was then sent to the House of Delegates.

House Bill 1431 – Delegates O'Donnell, Bohanan, Fisher, Jameson, Vallario, Wilson, and Wood

EMERGENCY BILL

AN ACT concerning

Calvert, Charles, and St. Mary's Counties – Turkey Hunting on Private Property – Sundays

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

Affirmative – 44 Negative – 2 (See Roll Call No. 1062)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #31

House Bill 9 – ~~Delegate Howard~~ Delegates Howard, Cane, Healey, and B. Robinson

AN ACT concerning

Education – Children and Youth – Reporting of Information Concerning Student Health, Well–Being, and Growth

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1063)

The Bill was then sent to the House of Delegates.

House Bill 210 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – School Buses – Length of Operation

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1064)

The Bill was then sent to the House of Delegates.

House Bill 680 – Delegates Rosenberg, Luedtke, and Washington

AN ACT concerning

Education – ~~Development of Guidelines to Incorporate~~ Task Force to Explore Including Sustainable ~~Agricultural Education~~ Agriculture in Existing Curricular Areas

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1065)

The Bill was then sent to the House of Delegates.

House Bill 803 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Operation of Schools – Year–Round Basis
PG 405–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1066)

The Bill was then sent to the House of Delegates.

House Bill 805 – Prince George's County Delegation

AN ACT concerning

Prince George's County Board of Education – Recycling Program – School Facilities
PG 403–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1067)

The Bill was then sent to the House of Delegates.

House Bill 920 – Delegate Rosenberg

AN ACT concerning

Maryland Uniform Athlete Agents Act – Definitions and Prohibitions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1068)

The Bill was then sent to the House of Delegates.

House Bill 1220 – Delegate Haynes

AN ACT concerning

Secondary Education – Electronic Reader Pilot Program ~~in Baltimore City~~ – Study

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1069)

The Bill was then sent to the House of Delegates.

House Bill 1268 – Delegates Barnes, Davis, Feldman, Hershey, Impallaria, and W. Miller

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1070)

The Bill was then sent to the House of Delegates.

House Bill 1308 – ~~Delegate Fisher~~ Calvert County Delegation

AN ACT concerning

Calvert County – School Buses – Length of Operation

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1071)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #8

CONSENT CALENDAR #5

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 61	Del. Eckardt	Dorchester County – Bay Restoration Fund – Collection of Restoration Fee	EHE
HB 511	Ch., Envir. Mat. Com.	State Board of Environmental Health Specialists – Transfer of Responsibilities	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1072)

The Bills were then sent to the House of Delegates.

House Bill 402 – Delegate Beitzel

AN ACT concerning

Environment – Dormant Mineral Interests – Termination by Court Order Requirements

Senator Edwards moved, duly seconded, to make the Bill a Special Order for April 6, 2012.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #9

CONSENT CALENDAR #6

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 110	Del. Barkley	Alcoholic Beverages – Criminal History Records Checks – Procedures	EHE
HB 171	St. Mary's County Del.	St. Mary's County – Winery Special Event Permits – Farmers' Markets	EHE
HB 595	Del. Haddaway–Riccio	Alcoholic Beverages – Manufacturer's Licenses	EHE
HB 686	Montgomery Co. Del.	Montgomery Co – City of Takoma Park – Alc Bevs – Class B On– and Off–Sale License MC 17–12	EHE
HB 687	Montgomery Co. Del.	Montgomery County – Alcoholic Beverages License – Rock Spring Centre MC 2–12	EHE
HB 690	Montgomery Co. Del.	Damascus – Class H Beer and Light Wine Licenses – Repeal of Prohibition MC 6–12	EHE
HB 691	Montgomery Co. Del.	Montgomery County – Alcoholic Beverages – Special Art Gallery Beer and Wine License MC 18–12	EHE
HB 813	Prince George's Del.	PG Co – Hyattsville – Arts & Entertainment Dist – Lic'd Alc Bevs Ests – Dstnc frm Churches PG 308–12	EHE
HB 919	Prince George's Del.	Prince George's Co – Issnce, Transf, and Renewal of Alc Bevs Licenses – Payment of Taxes PG 302–12	EHE

HB 1046	Howard County Del.	Howard County – Alcoholic Beverages Sales – Golf Courses Ho. Co. 7–12	EHE
HB 1050	Del. Barkley	Alcoholic Beverages Licensees – Adult Entertainment – Exception	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1073)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #10

CONSENT CALENDAR #7

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 51 (AMENDED)	Del. Eckardt	Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor Licenses – Clubs	EHE
HB 192	Del. Jacobs	Kent County – Alcoholic Beverages – Micro–Brewery Licenses	EHE
HB 232 (AMENDED)	Del. Tarrant	Baltimore City – Alc Bevs License – Repeal of Voter Registration Requirement for Licensees	EHE
HB 254 (AMENDED)	Cecil County Del.	Cecil County – Alcoholic Beverages – Class BLX Licenses	EHE
HB 379 (AMENDED)	Frederick County Del.	Frederick County – Alcoholic Beverages – Citations Issued by Inspectors	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 7 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1074)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #11

CONSENT CALENDAR #8

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 129	Caroline County Del.	Caroline County – Deer Hunting on Private Property – Sundays	EHE
HB 134	Carroll County Del.	Carroll County – Archery Hunting – Safety Zone	EHE
HB 222	Del. Beitzel	Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation	EHE
HB 271	Ch., Envir. Mat. Com.	Housing and Community Development – Disaster Relief Housing Program	EHE
HB 368	Del. Norman	Business Occupations and Professions – State Board of Plumbing – Membership	EHE
HB 448	Del. Morhaim	Procurement – Preferences – Purchasing and Recycling Electronic Products	EHE
HB 1007	Del. George	Election Law – Campaign Finance Entities – Retention of Records	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 8 were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1075)

The Bills were then sent to the House of Delegates.

House Bill 190 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Noise Control

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for April 6, 2012.

The motion was adopted.

House Bill 940 – Delegates Stein, Bobo, Cane, Carr, Gilchrist, Holmes, Hucker, Morhaim, and Weir

AN ACT concerning

Maryland Building Performance Standards – Hotels – Mandatory Master Control Device

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

Affirmative – 32 Negative – 14 (See Roll Call No. 1076)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #12

CONSENT CALENDAR #9

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 88	Del. Griffith	State Retirement and Pension System – Medical Board Participation	B&T
HB 120	Anne Arundel Co. Del.	Maryland Income Tax Refund – Anne Arundel County – Warrants	B&T
HB 170	St. Mary's County Del.	State Employees' Ret and Pension Syss – Eligible Employees – St. Mary's Nursing Center, Inc	B&T
HB 325 (Emergency Bill)	Del. Conway	Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of Proceeds	B&T

HB 516	Allegany County Del.	Allegany County – Orphans' Court Judges – Pension	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 9 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1077)

The Bills were then sent to the House of Delegates.

House Bill 801 – Delegates Griffith, Bohanan, Clagett, Haynes, Proctor, B. Robinson, Sophocleus, and Zucker

AN ACT concerning

State Retirement and Pension System – Transfer of Members Between Systems

Senator Jones–Rodwell moved, duly seconded, to make the Bill a Special Order for April 6, 2012.

The motion was adopted.

THIRD READING CALENDAR (HOUSE BILLS) #14

CONSENT CALENDAR #11

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 248	Harford County Del.	Harford County – Alcoholic Beverages Licenses – Class C–3 Club License	EHE
HB 306	Del. Haddaway–Riccio	Talbot County – Alcoholic Beverages – Wineries	EHE
HB 324	Cecil County Del.	Cecil County – Alcoholic Beverages – Class 6 Pub–Brewery Licenses	EHE
HB 504	Del. Beitzel	Garrett County – Alcoholic Beverages – Class B Beer Licenses	EHE
HB 787	Frederick County Del.	Frederick Co – Alc Bevs –	EHE

		Licensed Restaurants – Removal of Tables and Chrs for Expanded Occupancy	
HB 962	Del. Anderson	Baltimore City – Alc Bevs – Video Lottery Facility and Video Lottery Concessionaire Licenses	EHE
HB 1319	Del. Tarrant	Baltimore City – Alcoholic Beverages – Zoo License	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 11 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1078)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #15

CONSENT CALENDAR #12

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 99 (AMENDED)	Del. Kipke	Anne Arundel County – Semipermanent Food Service Facilities – Requirements	FIN
HB 100 (AMENDED)	Del. Pena–Melnyk	Vital Records – Certificates of Death – Amendments to Cause of Death	FIN
HB 258	Del. Haddaway–Riccio	Renewable Energy Portfolio Std – Sale or Transf of Solar Renewable Energy Crs – Min Reqd Term	FIN
HB 288	Del. Hubbard	Baby Boomer Initiative Council	FIN
HB 293	Ch., Econ Matters Co.	Worker's Compensation – Uninsured Employers' Fund	FIN
HB 301	Ch., Econ Matters Co.	Insurance Fraud – Applications for Insurance	FIN

		and Claim Forms – Required Disclosure Statement	
HB 394	Ch., Hlth & Govt Ops	Office of Cemetery Oversight – Sunset Extension and Program Evaluation	FIN
HB 463 (AMENDED)	Del. Rudolph	Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms	FIN
HB 493	Del. Simmons	Task Force to Study Economic Development and Apprenticeships	FIN
HB 525	Del. Clagett	State Personnel – Hiring Prohibition – Individuals Terminated with Prejudice	FIN
HB 556	Del. Hubbard	Continuing Care Retirement Communities – Regulation	FIN
HB 1085 (AMENDED)	Del. Schulz	Workers' Compensation – Emergency Responders – Revisions	FIN
HB 1186 (AMENDED)	Del. Jameson	Renewable Energy Portfolio Standard – Renewable Energy Credits – Geothermal Heating and Cooling	FIN
HB 1235	Del. Zucker	Public Safety – Emergency Number System – Next Generation 9–1–1 Services	FIN
HB 1427	Del. Jameson	Electricity – Construction of Overhead Transmission Lines and Wind Generating Stations	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 12 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1079)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #16

CONSENT CALENDAR #13

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 442	The Speaker	Econ Dev – Md Technology Dev Corpn – Md Innovation Initiative	FIN
HB 465	Del. Hammen	Health Insurance – Health Benefit Plan Premium Rate Review	FIN
HB 571	Del. Frick	Linked Deposit Program for Small Businesses – Lend Local Act of 2012	FIN
HB 715	Del. Feldman	Motor Vehicle Ins – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement	FIN
HB 841	Del. Frick	Food Service Facilities – Open Windows and Doors	FIN
HB 876	Del. Jameson	Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases	FIN
HB 913	Del. Davis	Residential Multiple Occupancy Bldgs – Master Meters – Heating, Ventilation, and AC Services	FIN
HB 930	Del. Proctor	Correctional Services – Correctional Officer – Emergency Suspension Rescinded	FIN
HB 982 (AMENDED)	Del. Davis	Health Ins – Fees for Administrative Services Provided by Ins Producers – Authorized	FIN

HB 1006	Baltimore County Del.	Baltimore County – Public School Employees – Collective Bargaining Units	FIN
HB 1055	Del. A. Kelly	Health Ins – Habilitative Services – Required Coverage, Workgroup, and Technical Advisory Grp	FIN
HB 1118 (AMENDED)	Del. Morhaim	Nursing Home Administrator License – Revocation or Surrender – Ban on Employment	FIN
HB 1140	Del. Pendergrass	Physicians – Sharing of Information with Maryland Health Care Commission	FIN
HB 1149	Del. Lee	Health Insurance – Coverage for Services Delivered Through Telemedicine	FIN
HB 1257	Del. Kramer	Fiduciary Institutions – Protection of Elder Adlts from Financial Abuse – Reporting Requirements	FIN
HB 1280	Del. McHale	Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions	FIN
HB 1364 (AMENDED)	Del. Schulz	Labor and Employment – Workplace Fraud Act – Revisions	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 13 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1080)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #19

CONSENT CALENDAR #14

BILL NO.	SPONSOR	CONTENT	COMMITTEE

HB 421	Del. Feldman	Workers' Compensation – Death Benefits – Determination of Benefits	FIN
HB 700	Del. Feldman	Commercial Law – Uniform Commercial Code – Revisions to Title 1	FIN
HB 786	Del. Olszewski	Financial Instns – Credit Unions and Depository Instns – Auth to Conduct Savings Promotion Raffles	FIN

All of the above listed bills on the Third Reading Consent Calendar No. 14 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1081)

The Bills were then sent to the House of Delegates.

CONCURRENCE CALENDAR #14

AMENDED IN THE HOUSE

Senate Bill 476 – Senators Klausmeier, Colburn, Forehand, Madaleno, Montgomery, Raskin, Rosapepe, Stone, ~~and Young~~ Young, Kelley, and Muse

AN ACT concerning

State Government – Financial Education and Capability Commission

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

SB0476/425966/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 476
(Third Reading File Bill)

On page 3, strike beginning with "**WHO**" in line 12 down through "**EDUCATION**" in line 13.

The preceding amendment was 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 0476**
SPONSOR: Sen Klausmeier, et al
SUBJECT: State Government – Financial Education and Capability Commission

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.

MESSAGE TO THE SENATE

BILL: **HB 0094**
SPONSOR: Del Haddaway–Riccio, et al
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

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 McMillan.

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 0094**
SPONSOR: Del Haddaway–Riccio, et al
SUBJECT: Vehicle Laws – Special and Commemorative Registration Plates

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 McMillan

The Senate appoints:
Senator Gladden, Chairman
Senator Forehand
Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB 0350**
SPONSOR: Del Clippinger, et al
SUBJECT: Criminal Law – Possession of Marijuana – De Minimus Quantity

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 Valentino–Smith, and
Delegate Cluster.

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 0350**
SPONSOR: Del Clippinger, et al
SUBJECT: Criminal Law – Possession of Marijuana – De Minimus Quantity

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 Valentino–Smith
Delegate Cluster

The Senate appoints:
Senator Raskin, Chairman
Senator Gladden
Senator Forehand.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB 1146**
SPONSOR: Del Dumais, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Waldstreicher, and
Delegate Parrott.

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 1146**
SPONSOR: Del Dumais, et al
SUBJECT: Domestically Related Crimes – Reporting

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 Waldstreicher
Delegate Parrott

The Senate appoints:
Senator Ramirez, Chairman
Senator Getty
Senator Zirkin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #65

Senate Bill 724 – Senator Kelley

AN ACT concerning

Title Insurance – Closing or Settlement Protection Practices – Study

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1082)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #28

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

Senate Bill 418 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Crimes – Theft from a Motor Vehicle – Penalties

SB0418/788875/1
BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 418
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "– Penalties"; strike beginning with "knowingly" in line 3 down through "term" in line 15 and substitute "being in or on the motor vehicle of another with the intent to commit theft of property that is on the motor vehicle; establishing that a certain penalty applies to a violation of this Act"; and strike in their entirety lines 16 through 20, inclusive, and substitute:

"BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–206
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 24 on page 1 through line 14 on page 3, inclusive, and substitute:

"6–206.

(a) A person may not possess a burglar's tool with the intent to use or allow the use of the burglar's tool in the commission of a crime involving the breaking and entering of a motor vehicle.

(b) A person may not be in or on the motor vehicle of another with the intent to commit theft of the motor vehicle or property that is in **OR ON** the motor vehicle.

(c) A person who violates this section is guilty of a misdemeanor, shall be considered a rogue and vagabond, and on conviction is subject to imprisonment not exceeding 3 years.".

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 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control Regulations and Penalties

SB0419/538075/1
BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 419
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Regulations and Penalties" and substitute "Law – Enforcement"; strike beginning with "clarifying" in line 3 down through "procedures;" in line 11; strike beginning with "authorizing" in line 15 down through "definitions;" in line 19; after line 20, insert:

"BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–110(c)
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)";

and in line 23, strike "10–110" and substitute "10–110(k)".

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 6 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 11 on page 2 through line 11 on page 3, inclusive.

On page 3, in line 20, strike the brackets; and strike beginning with "**FOR**" in line 22 down through "**OWNER**" in line 25.

On pages 3 through 6, strike in their entirety the lines beginning with line 26 on page 3 through line 11 on page 6, inclusive.

On pages 11 and 12, strike in their entirety the lines beginning with line 8 on page 11 through line 16 on page 12, 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:

Senate Bill 761 – Senator Gladden

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities

SB0761/838578/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 761

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Facilities" insert "– Report"; and strike beginning with "providing" in line 3 down through "changes" in line 16 and substitute "requiring the Department of Juvenile Services to make a certain report to the General Assembly on or before a certain date".

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 6, strike "the Laws of Maryland read as follows".

On pages 2 through 8, strike in their entirety the lines beginning with line 7 on page 2 through line 24 on page 8, and substitute:

"(a) On or before December 1, 2012, the Department of Juvenile Services shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the manner in which the Department will work toward ensuring that youth charged as adults can be detained in juvenile detention facilities.

(b) The report shall include information on:

(1) the number of youth charged as adults held in adult detention facilities from January 1, 2011 through December 31, 2011; and

(2) the Department's plan to reduce the overall number of youth in juvenile detention, including:

(i) the number of youth transferred from adult detention to juvenile detention pending a transfer determination;

(ii) the number of youth transferred to juvenile court jurisdiction on a motion to transfer from adult court jurisdiction;

(iii) the number of youth in juvenile detention receiving Detention Risk Assessment Instrument (DRAI) screening;

(iv) the use of the Juvenile Detention Alternative Initiative;

(v) the use of prevention and diversion services;

(vi) the plan for reducing the number of youth in detention pending placement; and

(vii) the average length of stay for youth charged as adults in juvenile facilities.".

On page 8, in line 26, strike "October" and substitute "July".

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 #29

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

House Bill 96 – Delegates Anderson, Braveboy, Cane, Carter, Clippinger, Conaway, Dumais, Glenn, Hammen, Haynes, Holmes, Howard, Ivey, Jones, K. Kelly, McDermott, McHale, McIntosh, Morhaim, Nathan–Pulliam, Pena–Melnyk, Proctor, B. Robinson, Rosenberg, Stukes, Summers, Tarrant, V. Turner, Vallario, Washington, and Zucker

AN ACT concerning

Criminal Procedure – Probation Before Judgment – ~~Subsequent~~ Possession of a Controlled Dangerous Substance ~~Crime~~

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 149 – Delegates Beidle, Olszewski, Stein, Glenn, Lafferty, Niemann, ~~and Norman~~ and Kipke

AN ACT concerning

Mopeds and Motor Scooters – Titling, ~~Registration,~~ Insurance, and Required Use of Protective Headgear

HB0149/238678/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 149
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, after "circumstances;" insert "requiring that an excise tax be imposed for a certificate of title for a moped or motor scooter for which sales and use tax is not collected at the time of purchase;"; in line 31, after "11–134.5," insert "13–809(a)(1) and (3),"; and in line 38, strike "13–809(a)(1), (2), and (3)," and substitute "13–809(a)(2) and (b)(1),".

On page 3, in line 1, strike ", 21–1306.1, and 23–206.2(c)" and substitute "and 21–1306.1".

AMENDMENT NO. 2

On page 12, after line 7, insert:

"(b) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, **A MOPED, A MOTOR SCOOTER,** or an off–highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13–109(c) or (d) of this title without a certificate of title.";

and in line 9, strike "**OWNER**" and substitute "**OPERATOR**".

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 187 – Delegates K. Kelly and Simmons

AN ACT concerning

Criminal Procedure – Expungement – Filing on Behalf of Deceased Person

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 209 – Delegates Mitchell, Anderson, Arora, Clippinger, Cluster, Dumais, Glenn, Hubbard, McDermott, B. Robinson, Simmons, Stukes, Summers, Tarrant, Valentino–Smith, Waldstreicher, Washington, and Zucker

AN ACT concerning

Public Safety – Possession of Firearms – Crimes Committed in Other States

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 252 – Delegates Burns, Valentino–Smith, Aumann, Boteler, Minnick, and Weir

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts

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 261 – Delegates Vallario, McDermott, Anderson, Dumais, Glenn, K. Kelly, Simmons, Smigiel, Valentino–Smith, and Wilson

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – ~~Office of the Public Defender – Representation~~
Criminal Defendants – Court Appearances

HB0261/918672/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 261
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Court" and substitute "Citations and"; and strike beginning with "prohibiting" in line 12 down through "officer" in line 14 and substitute "authorizing an individual to file an application for a statement of charges with a District Court commissioner; authorizing a District Court commissioner to issue a summons or an arrest warrant under certain circumstances; requiring a police officer to charge a person by citation for certain misdemeanors and local ordinance violations; establishing that a police officer may charge a defendant by citation only under certain circumstances; providing that, under certain circumstances, an officer who has grounds to make a warrantless arrest may issue a citation in lieu of making the arrest or make the arrest and subsequently issue a citation in lieu of continued custody".

On pages 1 and 2, strike beginning with "repealing" in line 22 on page 1 down through "proceedings;" in line 1 on page 2.

On page 2, in line 14, after "dates;" insert "requiring certain law enforcement officers to record certain information pertaining to the issuance of certain citations; requiring the Police Training Commission and the Maryland Statistical Analysis Center (MSAC), in consultation with the Administrative Office of the Courts, to develop a certain format for the recording of certain data and to develop certain procedures relating to the compilation and submission of certain data on or before a certain date; requiring the Police Training Commission to develop certain guidelines for certain data collection and a certain model policy relating to citations; requiring the MSAC to analyze certain data based on a methodology developed in conjunction with the Police Training Commission; requiring the MSAC to make certain reports to the General Assembly, the Governor, and law enforcement agencies; requiring law enforcement agencies to adopt certain policies regarding the issuance of certain citations; defining certain terms;"; in line 16, after "measure;" insert "providing for the effective date of a certain provision of this Act;"; in line 17, strike "court" and substitute "citations for and"; after line 18, insert:

"BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 2–607
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)";

in line 21, strike "2–607(f) and"; strike in their entirety lines 24 through 28, inclusive; in line 31, after "Section" insert "4–101 and"; and after line 33, insert:

"BY adding to
Article – Criminal Procedure
Section 4–101.1 and 5–215
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 35 on page 2 through line 12 on page 3, inclusive, and substitute:

"WHEREAS, The recent court decision in DeWolfe v. Richmond established the right of indigent defendants to counsel at bail proceedings in the State; and

WHEREAS, In 2011, over 170,000 people appeared before a District Court commissioner in the State where their liberty was subject to restriction and over 70,000 of them were granted release on personal recognizance without the benefit of the presence of counsel; and

WHEREAS, A defendant who is not represented at a bail proceeding must speak to secure his freedom and thereby risk self–incrimination and prejudice to rights; and

WHEREAS, Many defendants cannot afford bail set at even a low amount of $100 and some wait in jail for weeks before a court appearance for misdemeanor crimes; and

WHEREAS, Unnecessary pretrial detention has a severely disproportionate racial impact and major social costs; and

WHEREAS, Implementation of the changes called for by the DeWolfe decision will be extremely costly at a time when the State is already struggling with revenue shortfalls; and

WHEREAS, Alternatives to the incarceration of indigent individuals can reduce expenses to the State and local government without sacrificing public safety; and

WHEREAS, Altering the charging process for some misdemeanor crimes will improve the current administration of justice while also preserving the rights of indigent defendants; now, therefore,".

AMENDMENT NO. 3

On page 3, in line 18, strike "3" and substitute "4".

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 2 on page 4, inclusive, and substitute:

"(a) (1) The administrative judge of each district, with the approval of the Chief Judge of the District Court, may appoint the number of commissioners necessary to perform the functions of the office within each county.

(2) In multicounty districts, the administrative judge shall obtain the recommendation of the resident judge in each county as to the number of commissioners required in the county and as to the persons to be appointed.

(b) (1) Commissioners shall be adult residents of the counties in which they serve, but they need not be lawyers.

(2) Each commissioner shall hold office at the pleasure of the Chief Judge of the District Court, and has the powers and duties prescribed by law.

(3) Except without additional compensation, unless otherwise fixed by law, an employee of the District Court, who is an adult, may be granted, in the same manner, commissioner powers and duties in the county where the employee is employed.

(c) (1) A commissioner shall receive applications and determine probable cause for the issuance of charging documents.

(2) A commissioner shall advise arrested persons of their constitutional rights, set bond or commit persons to jail in default of bond or release them on personal recognizance if circumstances warrant, and conduct investigations and inquiries into the circumstances of any matter presented to the commissioner in order to determine if probable cause exists for the issuance of a charging document, warrant, or criminal summons and, in general, perform all the functions of committing magistrates as exercised by the justices of the peace prior to July 5, 1971.

(3) There shall be in each county, at all times, one or more commissioners available for the convenience of the public and police in obtaining charging documents, warrants, or criminal summonses and to advise arrested persons of their rights as required by law.

(4) A commissioner may exercise the powers of office in any county to which the commissioner is assigned by the Chief Judge of the District Court or a designee of the Chief Judge of the District Court.

(5) The Chief Judge of the District Court may authorize one or more commissioners to perform the duties of a commissioner regarding persons arrested in a county other than the county in which the commissioner resides and for which the commissioner was appointed when the arrested persons are brought before the commissioner by a peace officer of the jurisdiction in which that arrest was made.

(6) (I) AN INDIVIDUAL MAY FILE AN APPLICATION FOR A STATEMENT OF CHARGES WITH A DISTRICT COURT COMMISSIONER.

(II) ON REVIEW OF AN APPLICATION FOR A STATEMENT OF CHARGES, A DISTRICT COURT COMMISSIONER MAY ISSUE A SUMMONS OR AN ARREST WARRANT.

(III) A DISTRICT COURT COMMISSIONER MAY ISSUE AN ARREST WARRANT ONLY ON A FINDING THAT:

1. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT COMMITTED THE OFFENSE CHARGED IN THE CHARGING DOCUMENT; AND

2. A. THE DEFENDANT PREVIOUSLY HAS FAILED TO RESPOND TO A SUMMONS THAT HAS BEEN PERSONALLY SERVED OR A CITATION;

B. THE WHEREABOUTS OF THE DEFENDANT ARE UNKNOWN AND THE ISSUANCE OF A WARRANT IS NECESSARY TO SUBJECT THE DEFENDANT TO THE JURISDICTION OF THE COURT;

C. THE DEFENDANT IS IN CUSTODY FOR ANOTHER OFFENSE; OR

D. THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT POSES A DANGER TO ANOTHER PERSON OR TO THE COMMUNITY.

(d) (1) The authority under this subsection applies only to a respondent who is an adult.

(2) A commissioner may issue an interim order for protection of a person eligible for relief in accordance with § 4–504.1 of the Family Law Article or a petitioner in accordance with § 3–1503.1 of this article.

(e) Notwithstanding the residence requirements set out in subsection (b) of this section, the Chief Judge of the District Court or a designee of the Chief Judge of the District Court may assign a commissioner of the District Court to serve temporarily in any county.

Article – Criminal Procedure

4–101.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Citation" means a written charging document that a police officer or fire marshal issues to a defendant, alleging the defendant has committed a crime.

(ii) "Citation" does not include an indictment, information, or statement of charges.

(3) "Fire marshal" means:

(i) the State Fire Marshal;

(ii) a deputy State fire marshal; or

(iii) as designated under § 6–304 of the Public Safety Article:

1. an assistant State fire marshal; or

2. a special assistant State fire marshal.

(4) "Police officer" has the meaning stated in § 2–101 of this article.

(b) Within areas of the National Park System, a United States Park Police officer may exercise the authority of a police officer to issue a citation under this section.

(c) (1) Subject to paragraph (2) of this subsection, in addition to any other law allowing a crime to be charged by citation, a police officer **[**may issue a**]** **SHALL CHARGE BY** citation for:

(i) **[**sale of an alcoholic beverage to an underage drinker or intoxicated person under Article 2B, § 12–108 of the Code;

(ii) malicious destruction of property under § 6–301 of the Criminal Law Article, if the amount of damage to the property is less than $500;

(iii) disturbing the peace or disorderly conduct under § 10–201 of the Criminal Law Article; or

(iv) misdemeanor theft under § 7–104(g)(2) or (3) of the Criminal Law Article**]** **ANY MISDEMEANOR OR LOCAL ORDINANCE VIOLATION THAT DOES NOT CARRY A PENALTY OF IMPRISONMENT;**

(II) **ANY MISDEMEANOR OR LOCAL ORDINANCE VIOLATION FOR WHICH THE MAXIMUM PENALTY OF IMPRISONMENT IS 90 DAYS OR LESS, EXCEPT:**

1. **FAILURE TO COMPLY WITH A PEACE ORDER UNDER § 3–1508 OF THE COURTS ARTICLE;**

2. **FAILURE TO COMPLY WITH A PROTECTIVE ORDER UNDER § 4–509 OF THE FAMILY LAW ARTICLE;**

3. **VIOLATION OF A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE WHILE CHARGED WITH A SEXUAL CRIME AGAINST A MINOR UNDER § 5–213.1 OF THIS ARTICLE;**

4. **POSSESSION OF AN ELECTRONIC CONTROL DEVICE AFTER CONVICTION OF A DRUG FELONY OR CRIME OF VIOLENCE UNDER § 4–109(B) OF THE CRIMINAL LAW ARTICLE;**

5. **VIOLATION OF AN OUT–OF–STATE DOMESTIC VIOLENCE ORDER UNDER § 4–508.1 OF THE FAMILY LAW ARTICLE; OR**

6. **ABUSE OR NEGLECT OF AN ANIMAL UNDER § 10–604 OF THE CRIMINAL LAW ARTICLE; OR**

(III) **POSSESSION OF MARIJUANA UNDER § 5–601 OF THE CRIMINAL LAW ARTICLE.**

(2) A police officer may **[**issue a citation to**]** **CHARGE** a defendant **BY CITATION ONLY** if**:**

(I) the officer is satisfied with the defendant's evidence of identity **[**and**]****;**

(II) **THE OFFICER** reasonably believes that the defendant will comply with the citation**;**

(III) THE OFFICER REASONABLY BELIEVES THAT THE FAILURE TO CHARGE ON A STATEMENT OF CHARGES WILL NOT POSE A THREAT TO PUBLIC SAFETY;

(IV) THE DEFENDANT IS NOT SUBJECT TO ARREST FOR ANOTHER CRIMINAL CHARGE ARISING OUT OF THE SAME INCIDENT; AND

(V) THE DEFENDANT COMPLIES WITH ALL LAWFUL ORDERS BY THE OFFICER.

(3) A POLICE OFFICER WHO HAS GROUNDS TO MAKE A WARRANTLESS ARREST FOR AN OFFENSE THAT MAY BE CHARGED BY CITATION UNDER THIS SUBSECTION MAY:

(I) ISSUE A CITATION IN LIEU OF MAKING THE ARREST; OR

(II) MAKE THE ARREST AND SUBSEQUENTLY ISSUE A CITATION IN LIEU OF CONTINUED CUSTODY.

(d) (1) Subject to paragraph (2) of this subsection, in addition to any other law allowing a crime to be charged by citation, a fire marshal may issue a citation for:

(i) discharging fireworks without a permit under § 10–104 or § 10–110 of the Public Safety Article;

(ii) possessing with intent to discharge or allowing the discharge of fireworks under § 10–104 or § 10–110 of the Public Safety Article; or

(iii) maintaining a fire hazard under § 6–317 of the Public Safety Article.

(2) A fire marshal may issue a citation if the fire marshal is satisfied with the defendant's evidence of identity and reasonably believes that the defendant will comply with the citation.

(e) (1) This section does not apply to a citation that is:

(i) authorized for a violation of a parking ordinance or a regulation adopted by a State unit or political subdivision of the State under Title 26, Subtitle 3 of the Transportation Article;

(ii) authorized by the Department of Natural Resources under § 1–205 of the Natural Resources Article; or

(iii) authorized by Baltimore City under § 16–16A (special enforcement officers) of the Code of Public Local Laws of Baltimore City for violation of a code, ordinance, or public local law of Baltimore City concerning building, housing, health, fire, safety, zoning, or sanitation.

(2) Except as otherwise expressly provided by law, the Chief Judge of the District Court shall prescribe a uniform, statewide form of a citation.

(3) Except for the uniform motor vehicle citation form, the law enforcement agencies of the State, the United States Park Police, and the Office of the State Fire Marshal shall reimburse the District Court for printing the citation forms that law enforcement officers and the State Fire Marshal require.".

AMENDMENT NO. 4

On page 5, in line 10, strike "Representation" and substitute "**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, REPRESENTATION**"; in line 11, strike the brackets; and in line 20, strike "3." and substitute "4.".

AMENDMENT NO. 5

On page 6, strike beginning with "Quinton" in line 13 down through "litigation" in line 14 and substitute "DeWolfe v. Richmond litigation".

AMENDMENT NO. 6

On page 7, after line 31, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

4–101.1.

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

(2) "LAW ENFORCEMENT AGENCY" MEANS AN AGENCY THAT IS LISTED IN § 3–101(E) OF THE PUBLIC SAFETY ARTICLE AND THAT, IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, IS SUBJECT TO THE PROVISIONS OF THIS SECTION.

(3) "LAW ENFORCEMENT OFFICER" MEANS ANY PERSON WHO, IN AN OFFICIAL CAPACITY, IS AUTHORIZED BY LAW TO MAKE ARRESTS AND WHO IS AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY THAT IS SUBJECT TO THIS SECTION.

(4) "MARYLAND STATISTICAL ANALYSIS CENTER" MEANS THE RESEARCH, DEVELOPMENT, AND EVALUATION COMPONENT OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

(5) "POLICE TRAINING COMMISSION" MEANS THE UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES ESTABLISHED UNDER § 3–202 OF THE PUBLIC SAFETY ARTICLE.

(B) THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A FORMAT FOR THE EFFICIENT RECORDING OF DATA REQUIRED TO BE SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION.

(C) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION, IN CONSULTATION WITH THE MARYLAND STATISTICAL ANALYSIS CENTER, SHALL DEVELOP:

(1) GUIDELINES THAT EACH LAW ENFORCEMENT AGENCY MAY USE AS A MANAGEMENT TOOL TO EVALUATE DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION FOR USE IN COUNSELING AND IMPROVED TRAINING; AND

(2) A MODEL POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT A LAW ENFORCEMENT AGENCY CAN USE IN DEVELOPING ITS POLICY IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION.

(D) THIS SECTION APPLIES TO EACH LAW ENFORCEMENT AGENCY THAT HAS ONE OR MORE LAW ENFORCEMENT OFFICERS.

(E) EACH TIME A LAW ENFORCEMENT OFFICER ISSUES A CITATION IN ACCORDANCE WITH § 4–101 OF THIS SUBTITLE, THAT OFFICER SHALL REPORT THE FOLLOWING INFORMATION ON THE MARYLAND UNIFORM CITATION FORM CONSISTENT WITH THE PROCEDURES DEVELOPED UNDER SUBSECTION (F) OF THIS SECTION USING THE FORMAT DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION:

(1) THE DATE, LOCATION, AND TIME OF THE ISSUANCE OF THE CITATION;

(2) THE OFFENSE CHARGED;

(3) THE GENDER OF THE OFFENDER;

(4) THE DATE OF BIRTH OF THE OFFENDER;

(5) THE STATE AND, IF AVAILABLE, THE COUNTY OF RESIDENCE OF THE OFFENDER; AND

(6) THE RACE OR ETHNICITY OF THE OFFENDER AS:

(I) ASIAN;

(II) BLACK;

(III) HISPANIC;

(IV) WHITE; OR

(V) OTHER.

(F) ON OR BEFORE DECEMBER 31, 2012, THE POLICE TRAINING COMMISSION AND THE MARYLAND STATISTICAL ANALYSIS CENTER, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, SHALL DEVELOP A PROCEDURE FOR:

(1) THE COMPILATION OF DATA REQUIRED TO BE COLLECTED UNDER THIS SECTION FOR THE CALENDAR YEAR AS A REPORT IN THE FORMAT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

(2) THE SUBMISSION OF THE REPORT TO THE MARYLAND STATISTICAL ANALYSIS CENTER NO LATER THAN MARCH 1 OF THE FOLLOWING CALENDAR YEAR BEGINNING ON MARCH 1, 2014.

(G) (1) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL ANALYZE THE ANNUAL REPORTS SUBMITTED UNDER SUBSECTION (F) OF THIS SECTION BASED ON A METHODOLOGY DEVELOPED IN CONSULTATION WITH THE POLICE TRAINING COMMISSION.

(2) THE MARYLAND STATISTICAL ANALYSIS CENTER SHALL SUBMIT A REPORT OF THE FINDINGS TO THE GOVERNOR, THE GENERAL ASSEMBLY, AS PROVIDED IN § 2–1246 OF THE STATE GOVERNMENT ARTICLE, AND EACH LAW ENFORCEMENT AGENCY BEFORE SEPTEMBER 1 OF EACH YEAR BEGINNING ON SEPTEMBER 1, 2014.

(H) (1) A LAW ENFORCEMENT AGENCY SHALL ADOPT A POLICY AGAINST THE ISSUANCE OF A CITATION ON THE BASIS OF RACE THAT IS TO BE USED AS A MANAGEMENT TOOL TO PROMOTE NONDISCRIMINATORY LAW ENFORCEMENT AND IN THE TRAINING AND COUNSELING OF ITS OFFICERS.

(2) (I) THE POLICY SHALL PROHIBIT THE PRACTICE OF USING AN INDIVIDUAL'S RACE OR ETHNICITY AS THE SOLE JUSTIFICATION TO ISSUE A CITATION.

(II) THE POLICY SHALL MAKE CLEAR THAT IT MAY NOT BE CONSTRUED TO ALTER THE AUTHORITY OF A LAW ENFORCEMENT OFFICER TO MAKE AN ARREST, CONDUCT A SEARCH OR SEIZURE, OR OTHERWISE FULFILL THE OFFICER'S LAW ENFORCEMENT OBLIGATIONS.

(3) THE POLICY SHALL PROVIDE FOR THE LAW ENFORCEMENT AGENCY TO PERIODICALLY REVIEW DATA COLLECTED UNDER SUBSECTION (E) OF THIS SECTION AND TO REVIEW THE ANNUAL REPORT OF THE MARYLAND STATISTICAL ANALYSIS CENTER FOR PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2013.".

On page 8, in line 1, strike "4." and substitute "7."; in line 4, strike "2" and substitute "3"; after line 5, insert:

"SECTION 8. AND BE IT FURTHER ENACTED, That, beginning January 1, 2013, data shall be collected under Section 5 of this Act through December 31, 2017, and the Maryland Statistical Analysis Center shall issue a final report of its findings to the Governor, the General Assembly, in accordance with § 2–1246 of the State Government Article, and each law enforcement agency on or before August 31, 2018.";

in line 6, strike "5." and substitute "9."; in line 9, strike ", and" and substitute "and, except as provided in Section 6 of this Act,"; in lines 10 and 12, in each instance, strike "3" and substitute "4"; and in line 13, after the period insert "Section 5 of this Act shall remain effective until September 1, 2018, and, at the end of August 31, 2018, with no further action required by the General Assembly, Section 5 of this Act shall be abrogated and of no further force and effect.".

The preceding 6 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 281 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Real Property – Exception for Prerequisites to Recording

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 598 – Delegates McComas, Afzali, Clippinger, Frush, Kach, McDonough, B. Robinson, Sophocleus, Stocksdale, and Vitale

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

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 668 – Delegates Schulz, Wood, Aumann, Bates, Clagett, Cluster, Eckardt, Glass, Haddaway–Riccio, Hershey, Hogan, Jacobs, McComas, McDermott, W. Miller, O'Donnell, Otto, Serafini, Smigiel, and Weir

AN ACT concerning

Vehicle Laws – Historic Motor Vehicles – Trucks, Tractors, and Motor Homes

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 721 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation and Collection of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program
MC 10–12

HB0721/258679/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 721
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "purposes;" insert "providing for the application and issuance of a permit issued under a local law enacted under this Act;".

AMENDMENT NO. 2

On page 2, after line 33, insert:

"**(IV) A PERMIT ISSUED UNDER A LOCAL LAW ENACTED UNDER THIS SECTION SHALL APPLY TO THE SOLICITATION AND COLLECTION OF MONEY OR DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, AND SIDEWALKS ADJACENT TO ROADWAYS AND MAY NOT LIMIT THE AUTHORIZATION TO FEWER THAN ALL THREE OF THOSE LOCATIONS.**".

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 1122 – Delegates Valderrama, Anderson, Lee, F. Turner, and Valentino–Smith

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

HB1122/598776/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1122
(Third Reading File Bill)

On page 8, in line 32, strike "use existing resources to ensure" and substitute "work toward ensuring"; and in line 36, strike "December 1, 2011 through December 1, 2012" and substitute "January 1, 2011 through December 31, 2011".

The preceding amendment was read and adopted.

Senator Muse moved, duly seconded, to make the Bill and Report a Special Order for April 6, 2012.

The motion was adopted.

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

House Bill 1138 – Delegates Carter, Alston, Anderson, Dumais, Lee, Mitchell, Oaks, Parrott, Smigiel, and Washington

AN ACT concerning

Criminal Procedure – Charging or Arrest of Minor – Notification of Parent or Guardian

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 1334 – Delegates McDermott and Cluster

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty

(Ava's Law)

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 1373 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosed Property Registry

HB1373/498276/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1373
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "the" in line 6 down through "Department" in line 7 and substitute "a local jurisdiction to enact a local law"; in line 10, strike "government" and substitute "jurisdiction"; in line 11, strike "charge" and substitute "collect"; in the same line, strike "part of" and substitute "a charge on"; in line 12, strike "assessment" and substitute "bill"; in the same line, after the semicolon insert "requiring a local jurisdiction to give certain advance written notice before taking certain actions;"; in line 20, after the semicolon insert "establishing that a certain provision does not restrict or otherwise affect the ability of a unit of government to require a certain notice or registration to be filed for a certain purpose;"; and in line 21, after the semicolon insert "establishing that this Act is not intended to repeal a certain local law;".

AMENDMENT NO. 2

On page 5, in line 24, strike "**THE DEPARTMENT**" and substitute "**A LOCAL JURISDICTION**"; and in line 25, strike "**IMPOSE**" and substitute "**ENACT A LOCAL LAW THAT IMPOSES**".

AMENDMENT NO. 3

On page 5, in line 28, strike "**A**" and substitute "**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**"; and in the same line, strike "**GOVERNMENT**" and substitute "**JURISDICTION**".

On page 6, in line 2, strike "**CHARGE**" and substitute "**COLLECT**"; in line 3, strike "**PART OF**" and substitute "**A CHARGE INCLUDED ON**"; in the same line, strike "**ASSESSMENT**" and substitute "**BILL**"; and after line 3, insert:

"**(2) (I) THE COST ASSOCIATED WITH AN ABATEMENT OR OTHER ACTION TAKEN UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE INCLUDED AS A CHARGE ON THE RESIDENTIAL PROPERTY'S PROPERTY TAX BILL UNLESS THE LOCAL JURISDICTION PROVIDES ADVANCE WRITTEN NOTICE IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH TO:**

1. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS AUTHORIZED TO ACCEPT LEGAL SERVICE FOR THE FORECLOSURE PURCHASER; AND

2. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY.

(II) THE NOTICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. DESCRIBE THE INTENDED ABATEMENT OR OTHER ACTION THE LOCAL JURISDICTION INTENDS TO TAKE; AND

2. BE PROVIDED:

A. IN ACCORDANCE WITH THE NOTICE PROVISIONS OF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE; OR

B. IF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE DOES NOT PROVIDE FOR NOTICE, AT LEAST 30 DAYS BEFORE THE LOCAL JURISDICTION ABATES THE NUISANCE OR TAKES ACTION TO MAINTAIN THE PROPERTY.".

AMENDMENT NO. 4

On page 7, in line 15, strike "**ONLY**" and substitute "**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY**"; in line 16, strike "**RELATING**"; in the same line, after "**TO**" insert "**REGISTER**"; and after line 17, insert:

"**(2) THIS SUBSECTION DOES NOT RESTRICT OR OTHERWISE AFFECT THE ABILITY OF A UNIT OF GOVERNMENT TO REQUIRE A REGISTRATION**

OR NOTICE TO BE FILED FOR A PURPOSE OTHER THAN ONE RELATING TO FORECLOSURE, EVEN IF A PROPERTY TO BE IDENTIFIED IN THE REGISTRATION OR NOTICE IS SUBJECT TO FORECLOSURE.".

AMENDMENT NO. 5

On page 3, in line 8, strike the comma.

On page 4, in line 1, strike the second "**THE**" and substitute "**A**"; in line 15, after "**OF**" insert "**THE**"; and in line 20, strike "**CAN**" and substitute "**IS AUTHORIZED TO**".

On page 5, in line 1, strike "**THE**" and substitute "**A**"; strike beginning with "**HAS**" in line 1 down through "**OF**" in line 2 and substitute "**TRANSFERRING TITLE TO THE**"; and in line 2, after "**PROPERTY**" insert "**HAS BEEN RECORDED**".

On page 7, in lines 25 and 26, strike "December 1, 2012" and substitute "January 1, 2013".

AMENDMENT NO. 6

On page 8, after line 3, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That this Act is not intended to repeal any local law that was enacted under Chapter 149 of the Acts of the General Assembly of 2009 and that is in effect on the effective date of this Act.";

and in line 4, strike "3." and substitute "4.".

The preceding 6 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 1374 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosures and Mediation

HB1374/528277/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1374
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "certain" in line 9 down through the first "to" in line 10; in line 11, after "processes" insert "do not apply to certain foreclosure actions on certain property"; in line 12, strike "authorizing" and substitute "requiring"; in line 16, strike "determination of vacancy" and substitute "certificate"; and in line 17, after the semicolon insert "authorizing a county or municipal corporation to charge a certain fee to issue a certain certificate;".

On page 2, in line 3, after "law;" insert "providing for the application of certain provisions of this Act;".

AMENDMENT NO. 2

On page 20, in line 22, after "**(B)**" insert "**THIS SECTION APPLIES ONLY TO A COUNTY OR MUNICIPAL CORPORATION THAT ISSUES A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.**

(C)";

and in line 26, strike "**(C)**" and substitute "**(D)**".

On page 21, in lines 4, 10, and 32, strike "**(D)**", "**(E)**", and "**(F)**", respectively, and substitute "**(E)**", "**(F)**", and "**(G)**", respectively.

AMENDMENT NO. 3

On page 20, in line 22, strike "**A**" and substitute "**IF A MORTGAGE OR DEED OF TRUST ON RESIDENTIAL PROPERTY IS IN DEFAULT, A**"; in the same line, after "**IN**" insert "**THE**"; and in line 23, strike "**THAT IS IN DEFAULT ON A MORTGAGE OR DEED OF TRUST**".

On page 21, strike beginning with "**AND**" in line 11 down through "**VACANT**" in line 12 and substitute "**OR CERTIFICATE OF PROPERTY UNFIT FOR HUMAN**

HABITATION"; in line 23, after "**FILING**" insert "**AN ORDER TO DOCKET OR COMPLAINT TO FORECLOSE BASED ON**"; strike beginning with "**INCLUDE**" in line 25 down through "**SUBTITLE**" in line 26 and substitute "**SERVE THE FORECLOSURE DOCUMENTS IN ACCORDANCE WITH § 7–105.1(H)(1) OF THIS SUBTITLE ALONG WITH**".

AMENDMENT NO. 4

On page 21, after line 3, insert:

"**(4) A COUNTY OR MUNICIPAL CORPORATION MAY CHARGE A FEE NOT EXCEEDING $100 TO A SECURED PARTY TO ISSUE A CERTIFICATE OF VACANCY OR A CERTIFICATE OF PROPERTY UNFIT FOR HUMAN HABITATION.**".

AMENDMENT NO. 5

On page 22, after line 19, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That § 10–208(r) of the Tax – General Article, as enacted by Section 1 of this Act, shall take effect July 1, 2012, and shall be applicable to all taxable years beginning after December 31, 2011.";

in line 20, strike "4." and substitute "5."; and in the same line, after "That" insert ", except as provided in Section 4 of this Act,".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #22

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

House Bill 19 – Delegate Kach

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Reservists

HB0019/819031/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 19
(Third Reading File Bill)

On page 3, in line 5, strike "**OF**" and substitute "**WITH**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 158 – Delegates Beidle ~~and Vitale~~, Vitale, Summers, A. Miller, Boteler, Stukes, Walker, Myers, Kaiser, Ross, Hixson, Rosenberg, Howard, F. Turner, Cardin, Ivey, Frick, George, and Luedtke

AN ACT concerning

Property Tax – High Performance Building Tax Credit – National Green Building Standards

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 898 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – ~~Exemption for Economic Development Projects~~ Payment in Lieu of Taxes Agreements
PG 418–12

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1054 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – Conservation Easements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1081 – Delegate Rosenberg

AN ACT concerning

Homestead Property Tax Credit Reform Act of 2012

HB1081/429336/1
BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1081
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "be ineligible" and substitute "not qualify"; strike beginning with the second "is" in line 4 down through "for" in line 5 and substitute "shall be assessed"; in line 5, strike "and" and substitute "; requiring that a person be assessed, under certain circumstances,"; in line 6, strike "included" and substitute "separately itemized"; and strike beginning with "paid" in line 7 down through "full" in line 8 and substitute "certain actions are taken".

AMENDMENT NO. 2

On page 3, in line 9, strike "**BE INELIGIBLE**" and substitute "**NOT QUALIFY**"; strike beginning with "**IS**" in line 10 down through "**(I)**" in line 11 and substitute "**SHALL BE ASSESSED**"; in line 13, strike "**IMPROPERLY RECEIVED**" and substitute "**DID NOT QUALIFY TO RECEIVE**"; in line 13, strike "**; AND**" and substitute a period; in line 14, strike "**(II)**" and substitute:

"**(2)** **(I)** **IF A PERSON IS FOUND BY THE DEPARTMENT TO HAVE WILLFULLY MISREPRESENTED FACTS REGARDING QUALIFICATION FOR THE PROPERTY TAX CREDIT UNDER THIS SECTION, THE PERSON SHALL BE ASSESSED**";

in line 15, strike "**IMPROPERLY**"; in the same line, after "**YEAR**" insert "**FOR WHICH THE PERSON DID NOT QUALIFY**"; in line 16, strike "**(2)**" and substitute "**(II)**"; in the same line, after "**THE**" insert "**AMOUNT OF THE**"; in the same line, strike "**INCLUDED**" and substitute "**SEPARATELY ITEMIZED**"; strike beginning with "**PAID**" in line 17 down through "**FULL**" in line 18 and substitute "**:**

1. **PAYMENT OF THE PENALTY IN FULL; OR**

2. **IF THE PROPERTY IS SOLD IN AN ACTION TO FORECLOSE ON A MORTGAGE OR DEED OF TRUST:**

A. **A COPY OF THE COURT ORDER RATIFYING THE FORECLOSURE SALE IS PROVIDED TO THE SUPERVISOR OF ASSESSMENTS FOR THE COUNTY IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED; OR**

B. **AN INSTRUMENT OF WRITING TRANSFERRING THE PROPERTY IS RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.**

(3) **IF A LIEN IS RELEASED UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION, ANY UNPAID PENALTY AMOUNT SHALL REMAIN THE PERSONAL LIABILITY OF THE PERSON AGAINST WHOM THE PENALTY WAS ASSESSED**";

and in line 19, strike "**(3)**" and substitute "**(4)**".

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 BUDGET AND TAXATION REPORT #23

CONSENT CALENDAR #64

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

House Bill 434 – Delegate O'Donnell

AN ACT concerning

Sales and Use Tax – Sales of Dyed Diesel Fuel

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 806 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 807 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Contribution Rates and Reinvestment of Savings – Technical Clarifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 916 – Delegate Braveboy

AN ACT concerning

State Retirement and Pension System – Study of Asset Management

HB0916/629233/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 916
(Third Reading File Bill)

On page 3, in line 6, after "classes" insert ", consistent with the fiduciary responsibilities of the Investment Division of the State Retirement Agency"; and in line 9, after "Agency" insert ", that are consistent with the fiduciary responsibilities of the Investment Division of the State Retirement Agency".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1248 – Delegates Ross, Beidle, Bohanan, James, Luedtke, Rudolph, and Valentino–Smith

AN ACT concerning

Income Tax Credit – Security ~~Clearance Expenses~~ Clearances – Employer Costs

HB1248/579935/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1248
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, strike "providing for the termination of certain provisions of this Act;".

AMENDMENT NO. 2

On page 3, in line 29, after "**CLEARANCES**" insert "**FOR EMPLOYEES IN THE STATE**".

AMENDMENT NO. 3

On page 4, in line 2, after "**SYSTEMS**" insert "**IN THE STATE**"; in line 4, after "**EMPLOYEES**" insert "**IN THE STATE**"; and in line 8, after "**("SCIF")**" insert "**LOCATED IN THE STATE**".

AMENDMENT NO. 4

On page 5, in line 1, strike "**2017**" and substitute "**2019**".

AMENDMENT NO. 5

On page 8, strike beginning with the second comma in line 2 down through "2016" in line 8.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #34

Senator Middleton, Chair, for the Committee on Finance and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 693 – Senators Pipkin, Brinkley, Colburn, and Getty

AN ACT concerning

Maryland Transportation Authority – Termination – Exchange of Bonds

SB0693/517671/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 693

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Getty" and substitute "Getty, Kittleman, Middleton, Pugh, Simonaire, and Stone"; strike line 2 in its entirety and substitute "Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects"; strike beginning with "terminating" in line 3 down through "Authority" in line 23 and substitute "establishing a Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects; specifying the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Maryland Transportation Authority to hire a certain consultant for certain purposes; requiring the Task Force to study certain issues relating to certain tolls and the funding of certain transportation facilities projects; requiring the Task Force to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects"; and strike lines 24 through 28, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with "That" in line 2 down through "ENACTED," in line 4.

On pages 2 and 3, strike in their entirety the lines beginning with line 5 on page 2 through line 29 on page 3, inclusive, and substitute:

"(a) There is a Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate; and

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Chair of the Maryland Transportation Authority, or the Chair's designee;

(4) the Secretary of Business and Economic Development, or the Secretary's designee;

(5) the State Treasurer, or the Treasurer's designee; and

(6) the following members, appointed by the Governor:

(i) a representative from the business community;

(ii) a representative of an organization that represents public employees;

(iii) a representative of the motor carrier industry;

(iv) a representative of the Maryland Association of Counties;

(v) a representative of the transportation construction industry; and

(vi) three citizens of the State, at least one of whom is from a rural area in the State.

(c) The Governor shall designate the chair of the Task Force after consultation with the President of the Senate and the Speaker of the House.

(d) The Maryland Transportation Authority:

(1) shall provide staff support to the Task Force; and

(2) if necessary, may hire an independent consultant to assist and advise the Task Force on the matters for study under subsection (f) of this section.

(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 of expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) (1) The Task Force shall:

(i) examine the toll rates for each of the Maryland Transportation Authority's (MDTA) toll facilities and how MDTA is using revenues from each facility, including whether toll rates are appropriate and fair and whether revenues from each transportation facility are being used in a manner that is reasonably related to the benefit that users of each toll facility derive from use of each toll facility;

(ii) examine MDTA's financial program, including its debt capacity, bond ratings, cost of borrowing, and toll revenue projections;

(iii) analyze, based on revenue projections from current toll revenues, MDTA's ability to operate, maintain, improve, and protect existing facilities, and the extent to which MDTA is able to undertake new transportation facilities projects;

(iv) analyze whether MDTA is meeting timelines and cost targets for projects underway, such as the project to construct express toll lanes on I–95;

(v) consider the pros and cons of tolling currently untolled portions of MDTA roadways, including any cost or safety impacts on State and local roads due to increased traffic resulting from efforts of motorists to avoid tolls;

(vi) examine the possibility of entering into reciprocity agreements with other states for the purpose of collecting unpaid tolls of out–of–state users of MDTA transportation facilities; and

(vii) review the operating structure of MDTA and consider whether it is the best possible structure to meet the State's transportation needs in the future.

(2) The Task Force's analysis of toll rates and revenue use shall include:

(i) a comparison of rates, on a per–mile basis, for each toll facility in the State and other comparable transportation facilities in the region; and

(ii) a review of toll revenue use practices by other public–private partnerships that operate comparable transportation facilities.

(g) On or before December 31, 2012, the Task Force shall submit a report of its findings and recommendations to the Governor and, subject to § 2–1246 of the State Government Article, the General Assembly.".

On page 3, in line 30, strike "3." and substitute "2."; and in line 31, strike "October 1, 2012" and substitute "July 1, 2012. It shall remain effective for a period of 1 year and, at the end of June 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0693/123929/1
BY: Senator Middleton

AMENDMENT TO SENATE BILL 693, AS AMENDED

On page 4 of the Finance Committee Amendments (SB0693/517671/2), in line 4 of Amendment No. 2, after "for" insert "capital"; after line 5, insert:

"(v) analyze the future system preservation needs and fiscal ability to fund future system preservation projects;";

in lines 6, 9, and 12, strike "(v)", "(vi)", and "(vii)", respectively, and substitute "(vi)", "(vii)", and "(viii)", respectively; in line 17, strike ", on a per–mile basis,"; in line 18, strike the first "and" and substitute "to"; and in lines 19 and 20, strike "public–private partnerships" and substitute "similar toll entities".

The preceding amendment was read and 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:

House Bill 835 – Delegate Barnes

AN ACT concerning

Workers' Compensation – Permanent Partial Disability Benefits – Washington Metropolitan Area Transit Authority

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 842 – Delegate Oaks

AN ACT concerning

Maryland Transit Administration – Free Ridership for State Employees

HB0842/627970/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 842
(Third Reading File Bill)

AMENDMENT NO. 1

In line 2, after "Employees" insert "– Prohibition"; in line 3, strike "requiring" and substitute "prohibiting"; strike beginning with the first "to" in line 3 down through "government" in line 7 and substitute "from providing free transportation to employees of any branch of State government; repealing certain authority of the Administration to contract with the State for certain payments for a certain purpose"; and after line 8, insert:

"BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–505(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

Strike beginning with "Maryland" in line 10 down through the period in line 13 and substitute "Laws of Maryland read as follows:

Article – Transportation

7–505.

(d) (1) **THE ADMINISTRATION MAY NOT PROVIDE FREE TRANSPORTATION TO STATE GOVERNMENT EMPLOYEES.**

(2) The Administration may contract with the federal government**[**, this State**]**, **[**or**]** any **[**of their**]** **FEDERAL** agencies**,** or political subdivisions **OF THE STATE** for payments to the Administration for free or reduced fare transportation of employees or other persons.

[(2)**](3)** With respect to the operation of transit service, the Administration shall allow individuals with disabilities who are employed by sheltered workshops and who earn less than the current minimum wage, as determined by the Federal Wage and Hours Board, to travel free to and from those workshops.".

The preceding 2 amendments were read only.

Senator Pugh moved, duly seconded, to recommit the Bill.

The motion was adopted.

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

House Bill 1438 – Delegate Clagett

AN ACT concerning

City of Frederick – Criminal History Records Check – Taxi Driver ~~and Tow Truck Driver~~ Applicants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #15

AMENDED IN THE HOUSE

Senate Bill 745 – ~~Senator Middleton~~ Senators Middleton, Kelley, and Klausmeier

EMERGENCY BILL

AN ACT concerning

Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

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

SB0745/613894/2
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 745
(Third Reading File Bill)

AMENDMENT NO. 1
On page 3, in line 20, after "consider" insert "and prohibited from considering".

AMENDMENT NO. 2
On page 17, in line 14, strike "**DISCLOSURES**" and substitute "**DISCLOSES**".

On page 33, in line 21, after "agency;" insert "and"; strike in their entirety lines 22 through 25, inclusive; and in line 26, strike "(vi)" and substitute "(v)".

On page 34, after line 13, insert:

"(3) The study may not consider the Fund's exemption from the premium tax that existed prior to June 1, 2011.".

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 0745**
SPONSOR: Sen Middleton, et al
SUBJECT: Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company

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 Middleton, Chairman
Senator Kelley
Senator Klausmeier.

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 407 – Senators Zirkin and Jennings

AN ACT concerning

Baltimore County – Elected School Board

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0407/704930/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Elected School"; in the same line, after "Board" insert "of Education – Selection of Members"; in lines 3 and 18, in each instance, after "election" insert "and appointment"; in line 5, after the first "of" insert "all"; in the same line, after "Education;" insert "establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board;"; strike beginning with "establishing" in line 7 down through "members;" in line 8; in line 8, after "elected" insert "or appointed"; in line 9, after "terms;" insert "providing for a student member of the county board; providing for the term and duties of the student member;"; in line 10, after "of" insert ", and hearings and appeal procedures for, certain"; in the same line, strike "under certain circumstances" and substitute "of the county board"; strike beginning with "providing" in line 10 down through "board;" in line 11; and strike beginning with "providing" in line 13 down through "Commission;" in line 16.

AMENDMENT NO. 2

On page 2, strike line 9 in its entirety; in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, in each instance, strike the brackets; and in lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, strike "**(3)**", "**(4)**", "**(5)**", "**(6)**", "**(7)**", "**(8)**", "**(9)**", "**(10)**", "**(11)**", "**(12)**", "**(13)**", "**(14)**", "**(15)**", "**(16)**", and "**(17)**", respectively.

On page 3, in lines 1 and 2, in each instance, strike the brackets; in lines 1 and 2, strike "**(18)**" and "**(19)**", respectively; after line 2, insert:

"**(B) IN BALTIMORE COUNTY, IN ACCORDANCE WITH SUBTITLE 2A OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.**";

and in lines 3, 6, 9, and 16, strike "(b)", "(c)", "(d)", and "(e)", respectively, and substitute "**(C)**", "**(D)**", "**(E)**", and "**(F)**", respectively.

AMENDMENT NO. 3

On page 3, in line 21, strike "**NINE**" and substitute "**SIX**"; in the same line, after "**NONPARTISAN**" insert "**ELECTED**"; strike beginning with "**ELECTED**" in line 21 down through "**AND**" in line 22 and substitute a semicolon; after line 22, insert:

"**(2) FIVE APPOINTED MEMBERS; AND**";

in line 23, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**FROM THE COUNTY AT LARGE**"; in line 24, strike "**THE NINE**" and substitute "**OF THE ELEVEN**"; in the same line, after "**ELECTED**" insert "**AND APPOINTED**"; strike beginning with "**SHALL**" in line 24 down through "**(2)**" in line 26 and substitute "**OF THE COUNTY BOARD:**

(I)";

in line 26, strike "**NINE**" and substitute "**SIX**"; in line 27, after "**COUNTY**" insert "**, ESTABLISHED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION,**"; and in the same line, after "**DISTRICT**" insert "**; AND**

(II) FIVE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR";

after line 27, insert:

"**(2) (I) THE SIX ELECTED MEMBERS SHALL BE ELECTED AT A GENERAL ELECTION IN ACCORDANCE WITH § 3–2A–02 OF THIS SUBTITLE.**

(II) THE FIVE APPOINTED MEMBERS SHALL BE APPOINTED, WHEN APPROPRIATE, WITHIN 90 DAYS AFTER THE GENERAL ELECTION.".

AMENDMENT NO. 4

On page 4, in line 8, after "**ELECTED**" insert "**OR APPOINTED**"; after line 13, insert:

"**(C) (1) FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, THE COUNTY COUNCIL OF BALTIMORE COUNTY IN CONSULTATION WITH THE COUNTY BOARD, AND AFTER REASONABLE OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT, SHALL ESTABLISH THE SCHOOL BOARD DISTRICTS IN THE COUNTY.**

(2) EACH SCHOOL BOARD DISTRICT SHALL BE SUBSTANTIALLY EQUAL IN POPULATION.

(3) REAPPORTIONED SCHOOL BOARD DISTRICTS SHALL BECOME EFFECTIVE FOR THE TERM OF OFFICE THAT BEGINS AFTER THE FIRST REGULAR PRIMARY ELECTION THAT IS HELD AT LEAST 15 MONTHS AFTER THE OFFICIAL REPORT ON POPULATION IS RECEIVED BY THE STATE FROM THE BUREAU OF THE CENSUS.";

in line 15, after the second "**THE**" insert "**ELECTED MEMBERS OF THE**"; in line 28, strike "**EACH ELECTED**" and substitute "**EXCEPT FOR THE STUDENT MEMBER, A**"; in line 30, after "**ELECTION**" insert "**OR APPOINTMENT**"; in the same line, after "**ELECTED**" insert "**OR APPOINTED**"; and in line 33, after "**ELECTED**" insert "**OR APPOINTED**".

AMENDMENT NO. 5

On page 5, in line 1, after "**ELECTED**" insert "**OR APPOINTED**".

On page 6, in line 9, strike "**ELECTED**" and substitute "**NONSTUDENT**"; in lines 10 and 12, in each instance, strike "**$3,000**" and substitute "**$100**"; in line 19, after "**A**" insert "**NONSTUDENT**"; and in line 27, after "**ELECTED**" insert "**OR APPOINTED**".

On page 7, in line 2, after "**ELECTED**" insert "**OR APPOINTED**".

On pages 7 through 9, strike in their entirety the lines beginning with line 28 on page 7 through line 16 on page 9, inclusive.

On page 9, in line 17, strike "**3–2A–10.**" and substitute "**3–2A–09.**".

AMENDMENT NO. 6

On page 12, in lines 6 and 7, strike "on November 30, 2014" and substitute "as follows:

(a) The term of the one member appointed from councilmanic district 5 of Baltimore County whose term is scheduled to expire on June 30, 2013, shall terminate at the end of June 30, 2013, and the Governor shall appoint an additional member to the county board, as authorized under this Act, who shall succeed the member whose term terminated and serve for a term of 1 year, 5 months, and 7 days, until a successor is appointed and qualifies; and

(b) The terms of the six members appointed from councilmanic districts 1, 2, 3, 4, 6, and 7 of Baltimore County, or their successors, who are in office on the effective date of this Act, shall terminate at the end of December 7, 2014, and the members elected from the school board districts 1, 2, 3, 4, 5, and 6 in Baltimore County, as established in accordance with this Act, at the general election in November 2014, shall succeed those appointed members and serve for a term of 4 years beginning on December 8, 2014, until a successor is elected and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That, in appointing members to the Baltimore County Board of Education, the Governor shall ensure, to the extent practicable, that the total makeup of the county board reflects gender, ethnic, and racial diversity";

and in line 8, strike "3." and substitute "4.".

The preceding 6 amendments were read only.

Senator Jones–Rodwell moved, duly seconded, to make the Bill and Amendments a Special Order for April 6, 2012.

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

Affirmative – 3 Negative – 36 (See Roll Call No. 1083)

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0407/113523/2
BY: Senator Kelley

AMENDMENT TO SENATE BILL 407, AS AMENDED

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (SB0407/704930/1), in line 3 of Amendment No. 4, after "**(1)**" insert "**(I)**"; and after line 7, insert:

"**(II) ON RECEIPT OF THE DECENNIAL CENSUS DATA, THE COUNTY COUNCIL SHALL:**

1. COMMENCE CONSULTATIONS WITH THE COUNTY BOARD ON THE ESTABLISHMENT OF THE NEW SCHOOL BOARD DISTRICTS WITHIN 30 DAYS AFTER RECEIPT OF THE CENSUS DATA; AND

2. ADOPT AND MAKE PUBLIC ITS FINAL SCHOOL BOARD DISTRICT PLAN NO LATER THAN 30 DAYS BEFORE THE FILING DEADLINE FOR CANDIDATES FOR ELECTION TO THE COUNTY BOARD.".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0407/953420/1
BY: Senator Kelley

AMENDMENT TO SENATE BILL 407, AS AMENDED

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (SB0407/704930/1), in line 1 of Amendment No. 4, after "**(1)**" insert "**(I)**"; and after line 5, insert:

"**(II) IN ESTABLISHING THE SCHOOL BOARD DISTRICTS, THE COUNTY COUNCIL SHALL:**

1. HOLD HEARINGS FOR PUBLIC REVIEW AND COMMENT ON THE PROPOSED SCHOOL BOARD DISTRICTS WITHIN 1 MILE OF EACH OF THE FIVE EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY FOR THE ELECTION; AND

2. PROVIDE NOTICE TO THE PUBLIC OF EACH HEARING AT LEAST 10 DAYS BEFORE THE DATE OF THE HEARING.".

The preceding amendment was read and rejected.

FLOOR AMENDMENT

SB0407/183825/1
BY: Senator Kelley

AMENDMENT TO SENATE BILL 407, AS AMENDED
(First Reading File Bill)

On page 1 of the bill, in line 17, after "board;" insert "specifying that the school board district plan adopted by the County Council of Baltimore County is subject to adoption or rejection by the voters of the county; specifying that the plan may take effect only if it is adopted by a majority of the voters voting on the question at a certain general election;".

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (SB0407/704930/1), in line 3 of Amendment No. 4, after "**(1)**" insert "**(I)**"; and after line 7, insert:

"**(II) EACH WORK SESSION OF THE COUNTY COUNCIL ON THE PLAN TO ESTABLISH SCHOOL BOARD DISTRICTS SHALL BE HELD IN OPEN SESSION.**

(III) THE SCHOOL BOARD DISTRICT PLAN ADOPTED BY THE COUNTY COUNCIL UNDER THIS PARAGRAPH:

1. IS SUBJECT TO ADOPTION OR REJECTION BY THE VOTERS OF THE COUNTY AT THE GENERAL ELECTION FOLLOWING ITS ADOPTION; AND

2. MAY TAKE EFFECT ONLY IF IT IS ADOPTED BY A MAJORITY OF THE VOTERS VOTING ON THE QUESTION AT THAT GENERAL ELECTION.".

The preceding amendment was read and rejected.

FLOOR AMENDMENT

SB0407/543925/1
BY: Senator Kelley

AMENDMENT TO SENATE BILL 407, AS AMENDED

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0407/704930/1), in line 16 of Amendment No. 3, after "**GOVERNOR**" insert "**, SUBJECT TO CONFIRMATION BY THE SENATE OF MARYLAND**".

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

Affirmative – 16 Negative – 28 (See Roll Call No. 1084)

FLOOR AMENDMENT

SB0407/663221/2
BY: Senator Kelley

AMENDMENTS TO SENATE BILL 407, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 6, before "requiring" insert "prohibiting certain elected members from running on a slate with certain partisan candidates for certain offices;"; and in line 8, before "specifying" insert "requiring the appointed members of the county board to reside in and be a registered voter in Baltimore County for at least a certain period of time;".

AMENDMENT NO. 2

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (SB0407/704930/1), in line 3 of Amendment No. 3, strike "**GENERAL**" and substitute "**PRIMARY**"; and in line 5, strike "**90 DAYS AFTER THE GENERAL ELECTION**" and substitute "**45 DAYS OF THE CERTIFICATION OF THE ELECTION OF THE ELECTED MEMBERS**".

On page 3 of the bill, in line 29, after "**COUNTY**" insert "**AT LEAST 1 YEAR**".

AMENDMENT NO. 3

On page 4 of the bill, after line 7, insert:

"**(4) AN APPOINTED MEMBER SHALL BE A RESIDENT OF AND A REGISTERED VOTER OF BALTIMORE COUNTY AT LEAST 1 YEAR BEFORE THE ELECTION.**

(5) AN ELECTED MEMBER MAY NOT RUN ON A SLATE WITH PARTISAN CANDIDATES FOR COUNTY COUNCIL OR THE GENERAL ASSEMBLY.";

in line 8, strike "**(4)**" and substitute "**(6)**"; after line 14, insert:

"**(A) THE ELECTED MEMBERS SHALL BE ELECTED AT THE PRIMARY ELECTION IN JUNE.**";

in lines 15, 19, and 22, strike "**(A)**", "**(B)**", and "**(C)**", respectively, and substitute "**(B)**", "**(C)**", and "**(D)**", respectively; in line 15, strike "**GENERAL**" and substitute "**PRIMARY**"; and in line 29, strike "**MONDAY IN DECEMBER**" and substitute "**BUSINESS DAY IN SEPTEMBER**".

AMENDMENT NO. 4

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 4, in lines 1 and 2, strike "**OR APPOINTED**".

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 5, in line 1, strike "**OR APPOINTED**".

On page 5 of the bill, after line 4, insert:

"**(2) AN INDIVIDUAL APPOINTED BY THE GOVERNOR TO FILL A VACANCY FOR AN APPOINTED MEMBER SERVES FOR THE REMAINDER OF THE TERM FOR WHICH THE APPOINTMENT WAS MADE AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**";

in line 5, strike "**(2)**" and substitute "**(3)**"; and in lines 5 and 6, in each instance, after "**EXECUTIVE**" insert "**OR GOVERNOR**".

AMENDMENT NO. 5

On page 7 of the bill, in line 25, strike "**DECEMBER**" and substitute "**SEPTEMBER**".

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in line 7 of Amendment No. 6, strike "<u>, 5 months, and 7 days</u>" and substitute "<u>and 2 months</u>"; and in line 11, strike "<u>December 7</u>" and substitute "<u>August 31</u>".

On page 5 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 6, strike "general" and substitute "primary"; in the same line, strike "November" and substitute "June"; and in line 4, strike "December 8" and substitute "September 1".

The preceding 5 amendments were read and rejected by a roll call vote as follows:

Affirmative – 10 Negative – 30 (See Roll Call No. 1085)

FLOOR AMENDMENT

SB0407/973427/1
BY: Senator Kelley

AMENDMENTS TO SENATE BILL 407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after "changes;" insert "prohibiting certain employee organizations from making a contribution to members of or candidates for election to the county board;".

On page 2, after line 1, insert:

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

AMENDMENT NO. 2

On page 12, after line 4, insert:

"Article – Election Law

13–237.

(A) IN THIS SECTION, "EMPLOYEE ORGANIZATION" HAS THE MEANING STATED IN §§ 6–401 AND 6–501 OF THE EDUCATION ARTICLE.

(B) AN EMPLOYEE ORGANIZATION THAT REPRESENTS CERTIFICATED OR NONCERTIFICATED EMPLOYEES OF THE BALTIMORE COUNTY PUBLIC SCHOOLS MAY NOT MAKE A CONTRIBUTION TO A MEMBER OF OR CANDIDATE FOR ELECTION TO THE BALTIMORE COUNTY BOARD OF EDUCATION.".

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

Affirmative – 4 Negative – 39 (See Roll Call No. 1086)

Read the second time and ordered prepared for Third Reading.

House Bill 481 – ~~Delegates Lafferty, Kach, Aumann, Botcler, DeBoy, Frank, Impallaria, McDonough, and Morhaim~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Elected School Board

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

FLOOR AMENDMENT

HB0481/203626/1
BY: Senator Jennings

AMENDMENT TO HOUSE BILL 481, AS AMENDED

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (HB0481/954933/1), in line 3 of Amendment No. 4, after "**(1)**" insert "**(I)**"; and after line 7, insert:

"**(II) ON RECEIPT OF THE DECENNIAL CENSUS DATA, THE COUNTY COUNCIL SHALL:**

1. COMMENCE CONSULTATIONS WITH THE COUNTY BOARD ON THE ESTABLISHMENT OF THE NEW SCHOOL BOARD DISTRICTS WITHIN 30 DAYS AFTER RECEIPT OF THE CENSUS DATA; AND

2. ADOPT AND MAKE PUBLIC ITS FINAL SCHOOL BOARD DISTRICT PLAN NO LATER THAN 30 DAYS BEFORE THE FILING DEADLINE FOR CANDIDATES FOR ELECTION TO THE COUNTY BOARD.".

The preceding amendment was read and adopted.

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

Affirmative – 34 Negative – 9 (See Roll Call No. 1087)

The Bill was then sent to the House of Delegates.

House Bill 167 – Delegates Hucker, Anderson, Arora, Barve, Bobo, Carr, Carter, Conaway, Cullison, Frush, Gilchrist, Holmes, Howard, A. Kelly, Lafferty, Luedtke, Oaks, Reznik, S. Robinson, Stein, Waldstreicher, and Washington

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

FLOOR AMENDMENT

HB0167/853422/1
BY: Senator Colburn

AMENDMENTS TO HOUSE BILL 167
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "arsenic;" insert "authorizing a person to use, sell, or distribute certain commercial feed that contains histostat;".

AMENDMENT NO. 2

On page 2, in line 1, strike "**A**" and substitute "**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**"; and after line 5, insert:

"**(B) A PERSON MAY USE, SELL, OR DISTRIBUTE FOR USE OR SALE WITHIN THE STATE ANY COMMERCIAL FEED INTENDED FOR USE AS POULTRY FEED THAT CONTAINS HISTOSTAT.**".

The preceding 2 amendments were read and adopted.

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

Affirmative – 32 Negative – 14 (See Roll Call No. 1088)

The Bill was then sent to the House of Delegates.

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

Senator Colburn moved, duly seconded, to place **Senate Bill 207** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0207/863622/1
BY: Senator Colburn

AMENDMENTS TO SENATE BILL 207
(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 5, after "arsenic;" insert "authorizing a person to use, sell, or distribute certain commercial feed that contains histostat;".

AMENDMENT NO. 2

On page 1, in line 18, strike "**A**" and substitute "**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A**".

On page 2, after line 2, insert:

"**(B) A PERSON MAY USE, SELL, OR DISTRIBUTE FOR USE OR SALE WITHIN THE STATE ANY COMMERCIAL FEED INTENDED FOR USE AS POULTRY FEED THAT CONTAINS HISTOSTAT.**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: **SB 0151**
SPONSOR: The Pres (Admin)
SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012

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 DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

The House appoints: Delegate Jones, Chair
Delegate Griffith
Delegate Conway
Delegate Bohanan
Delegate Gaines

In addition, the House has appointed in advisory capacity: Delegates Beitzel, Haynes and Zucker.

Said Bill is returned herewith.

By Order,

Mary Monahan

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **HB 0365**
SPONSOR: Del Mitchell, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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 Glenn, Chairman
Delegate Healey, and
Delegate Hogan.

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 0365**
SPONSOR: Del Mitchell, et al
SUBJECT: Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations

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 Glenn, Chair
Delegate Healey
Delegate Hogan

The Senate appoints:
Senator Gladden, Chairman
Senator Brochin
Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB 0292**
SPONSOR: Del Glenn, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Glenn, and
Delegate Norman.

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 0292**
SPONSOR: Del Glenn, et al
SUBJECT: Vehicle Laws – Provisional Driver's Licenses – Driver Education Requirements

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 Glenn
Delegate Norman

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

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1089)

ADJOURNMENT

At 1:22 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 31, 2012, Calendar Day, Friday, April 6, 2012.

Annapolis, Maryland
Legislative Day: March 31, 2012
Calendar Day: Friday, April 6, 2012
10:00 A.M. Session

The Senate met at 10:18 A.M.

Prayer by Father Mark Smith, St. Joseph Catholic Church, guest of Senator Middleton.

(See Exhibit A of Appendix III)

The Journal of March 30, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Mathias and Muse be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1091)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #24

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

Senate Bill 990 – Senator Mathias

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

SB0990/429736/1
BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 990
(First Reading File Bill)

On page 2, in lines 18 and 31, in each instance, strike "**15**" and substitute "**20**".

On page 3, in line 10, strike "**15**" and substitute "**20**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1087 – Senators Mathias, Colburn, and DeGrange

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution of Money to Volunteer Companies

SB1087/479930/1
BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1087
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after the semicolon insert "requiring each county to include certain information in a certain report;"; and in line 19, strike "and 8–104" and substitute ", 8–104, and 8–105".

AMENDMENT NO. 2

On page 3, in line 33, strike "**2012**" and substitute "**2011**".

On page 7, after line 7, insert:

"8–105.

(a) (1) On or before December 31 of each year, each county shall submit to the Director a report for the preceding fiscal year that states:

(i) the amount of money distributed to each recipient and the purpose of expenditure of this money categorized as provided in § 8–102(f)(1) of this subtitle;

(ii) the amount and disposition of any unencumbered or unexpended money; **[**and**]**

(iii) the amount of expenditures for fire protection by the county**, INCLUDING THE AMOUNT OF MONEY DISTRIBUTED TO VOLUNTEER FIRE, RESCUE, AND AMBULANCE COMPANIES FROM SOURCES OTHER THAN THE FUND; AND**

(IV) THE NATURE AND ESTIMATED DOLLAR AMOUNT OF ANY IN–KIND CONTRIBUTIONS MADE BY THE COUNTY TO VOLUNTEER FIRE, RESCUE, AND AMBULANCE COMPANIES.

(2) Each county shall provide a copy of the report required under paragraph (1) of this subsection, subject to § 2–1246 of the State Government Article, to the Department of Legislative Services.

(b) Each year the Director shall report to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly on the information provided by the counties on the distribution of money provided under this subtitle, including an assessment of the extent to which the purposes of this subtitle are being achieved.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 1092)

CONCURRENCE CALENDAR #16

AMENDED IN THE HOUSE

Senate Bill 187 – Chair, Finance Committee

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation

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

SB0187/723195/1
BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 187
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike "a certain report" and substitute "certain reports"; and in line 10, strike "a certain date" and substitute "certain dates".

AMENDMENT NO. 2

On page 5, in line 5, after "year;" insert "and"; in line 16, strike "; and" and substitute a period; in line 17, strike "(3)" and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2012, the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors shall report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, on";

and in lines 20, 24, 27, and 30, strike "(i)", "(ii)", "(iii)", and "(iv)", respectively, and substitute "(1)", "(2)", "(3)", and "(4)", respectively.

On page 6, in line 1, strike "3." and substitute "4.".

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. 1093)

AMENDED IN THE HOUSE

Senate Bill 282 – Chair, Finance Committee

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

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

SB0282/516685/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 282
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after "Director;" insert "requiring certain reports to be accompanied by certain statements that include certain information;".

On page 2, in line 12, after "5–602(a)," insert "5–606(b),"; and in the same line, after "5–702(a)," insert "5–710(b),".

AMENDMENT NO. 2

On page 7, after line 7, insert:

"5–606.

(b) (1) Each sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle shall submit a report to the Director within 120 days after the close of each calendar or other fiscal year chosen by the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle.

(2) The report shall:

(i) be on the form that the Director requires;

(ii) be certified as to correctness by a certified public accountant retained by the cemetery;

(iii) be accompanied by a trustee's **ANNUAL** summary statement of assets **FOR THE REPORTING PERIOD THAT INCLUDES:**

1. THE AMOUNT OF MONEY IN THE PERPETUAL CARE TRUST FUND AT THE BEGINNING OF THE REPORTING PERIOD;

2. AN INVESTMENT PORTFOLIO SUMMARY DESCRIBING THE ASSET AND THE MARKET VALUE FOR EACH INVESTMENT CLASS;

3. A TRANSACTION SUMMARY OF THE PERPETUAL CARE TRUST FUND CONTAINING:

A. TRUST ACCOUNT EARNINGS, INCLUDING INTEREST, DIVIDENDS, AND REALIZED GAINS OR LOSSES;

B. MONEY DEPOSITED;

C. TOTAL RECEIPTS;

D. ADMINISTRATIVE EXPENSES;

E. DISBURSEMENTS OF INCOME FOR CEMETERY CARE, MAINTENANCE, ADMINISTRATION, AND EMBELLISHMENT;

F. OTHER DISBURSEMENTS; AND

G. TOTAL DISBURSEMENTS; AND

4. THE AMOUNT OF MONEY IN THE PERPETUAL CARE TRUST FUND AT THE END OF THE REPORTING PERIOD;

(iv) be accompanied by a fee of $25; and

(v) include:

1. the name of the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

2. each location of the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

3. the amount of money in each perpetual care trust fund at the beginning of the calendar or other fiscal year chosen by the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle;

4. the amount of money that the sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle received during that year that is subject to the trust requirements of this subtitle;

5. the amount of money actually deposited into each perpetual care trust fund in that year;

6. the amount of money spent during that year to provide care, maintenance, administration, and embellishment of each cemetery, except for money used for the care of monuments and memorials; and

7. the name and address of each trustee.

(3) IF THE DIRECTOR DETERMINES, AFTER A REVIEW OF THE REPORT AND ANNUAL SUMMARY STATEMENT OF ASSETS REQUIRED BY THIS SUBSECTION, THAT ADDITIONAL DOCUMENTATION IS REQUIRED, A SOLE PROPRIETOR REGISTERED CEMETERIAN, PERMIT HOLDER, OR ANY OTHER PERSON SUBJECT TO THE TRUST REQUIREMENTS OF THIS SUBTITLE SHALL PROVIDE THE ADDITIONAL DOCUMENTATION TO THE DIRECTOR.

[(3)**](4)** A sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle who stops selling burial lots or burial rights in a cemetery as to which perpetual care is stated or implied shall notify the Director in the required report for the year in which sales stop.

[(4)**](5)** The Director may require a sole proprietor registered cemeterian, permit holder, or any other person subject to the trust requirements of this subtitle to correct any underfunding, including interest, due to the perpetual care trust fund.";

and after line 16, insert:

"5–710.

(b) (1) Each seller subject to the trust requirements of this subtitle shall submit a report to the Director within 120 days after the close of each calendar or other fiscal year chosen by the seller.

(2) The report shall:

(i) be on the form that the Director requires;

(ii) be certified by a certified public accountant retained by the seller;

(iii) be accompanied by a trustee's **ANNUAL** summary statement of assets **FROM THE TRUSTEE FOR THE REPORTING PERIOD WHICH INCLUDES:**

1. THE AMOUNT OF MONEY IN THE PRENEED TRUST FUND AT THE BEGINNING OF THE REPORTING PERIOD;

2. AN INVESTMENT PORTFOLIO SUMMARY DESCRIBING THE ASSET AND THE MARKET VALUE FOR EACH INVESTMENT CLASS;

3. A TRANSACTION SUMMARY OF THE PRENEED TRUST FUND CONTAINING:

A. TRUST ACCOUNT EARNINGS;

B. MONEY DEPOSITED;

C. TOTAL RECEIPTS;

D. ADMINISTRATIVE EXPENSES;

E. WITHDRAWALS FROM THE TRUST ACCOUNT FOR CANCELED CONTRACTS;

F. WITHDRAWALS FROM THE TRUST ACCOUNT FOR DELIVERY OF MERCHANDISE FOR USE OR STORAGE, AND FOR SERVICES PERFORMED, INCLUDING THE PRINCIPAL AND EARNINGS;

G. OTHER DISBURSEMENTS; AND

H. TOTAL DISBURSEMENTS; AND

4. THE AMOUNT OF MONEY IN THE PRENEED TRUST FUND AT THE END OF THE REPORTING PERIOD;

(iv) be accompanied by a fee of $25; and

(v) include:

1. the name of the seller;

2. each location of the seller;

3. the amount of money that the seller received during that year that is subject to the trust requirements of this subtitle;

4. the amount of money actually deposited into trust accounts in that year;

5. the amount of money required to be disbursed from the trust accounts in that year;

6. the amount of money actually disbursed from the trust accounts in that year; and

7. the name and address of the trustee.

(3) IF THE DIRECTOR DETERMINES, AFTER A REVIEW OF THE REPORT AND ANNUAL SUMMARY STATEMENT OF ASSETS REQUIRED BY THIS SUBSECTION, THAT ADDITIONAL DOCUMENTATION IS REQUIRED, A SELLER SUBJECT TO THE TRUST REQUIREMENTS OF THIS SUBTITLE SHALL PROVIDE THE ADDITIONAL DOCUMENTATION TO THE DIRECTOR.

[(3)**](4)** (i) A seller of preneed goods or preneed services that sells its business, files a petition in bankruptcy, or ceases to operate shall provide written notice within 15 days:

1. to the Director, detailing the changes and the arrangements the seller has made for carrying out the preneed burial contracts and the disbursement of any moneys held in an escrow or trust account; and

2. to each buyer of a preneed burial contract, advising the buyer of the buyer's options under State law in regard to the preneed contract.

(ii) Nothing in this paragraph exempts a seller of preneed goods or services that sells its business, files a petition in bankruptcy, or ceases to operate from filing the annual report required under this section.".

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. 1094)

CONCURRENCE CALENDAR #17

AMENDED IN THE HOUSE

Senate Bill 258 – Senator Glassman

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

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

SB0258/813997/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 258
(Third Reading File Bill)

On page 3, in line 8, strike "October" and substitute "June".

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. 1095)

AMENDED IN THE HOUSE

Senate Bill 297 – Senator Kelley

AN ACT concerning

Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms

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

SB0297/743896/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 297
(Third Reading File Bill)

On page 2, in line 27, strike "**PARAGRAPH (2)**" and substitute "**PARAGRAPHS (2) AND (3)**".

On page 3, after line 5, insert:

"**(3) THE COMMISSIONER MAY DESIGNATE A CERTIFICATE OF INSURANCE FORM REQUIRED BY A FEDERAL AGENCY AS DEEMED APPROVED.**".

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. 1096)

AMENDED IN THE HOUSE

Senate Bill 546 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Mortgage Lenders and Mortgage Loan Originators

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

SB0546/193796/1
BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 546
(Third Reading File Bill)

On page 6, strike beginning with the comma in line 4 down through "**LENDER**" in line 6 and substitute "**LICENSED UNDER SUBTITLE 6 OF THIS TITLE**".

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. 1097)

AMENDED IN THE HOUSE

Senate Bill 1073 – Senator Middleton

AN ACT concerning

Electricity – Certificate of Public Convenience and Necessity – Overhead Transmission Lines

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

SB1073/953091/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1073
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Certificate of Public Convenience and Necessity –" and substitute "Construction of"; in line 3, after "Lines" insert "and Wind Generating Stations"; in line 10, after "construction" insert "related to an existing overhead transmission line that is"; in line 13, after the semicolon, insert "providing that a certain provision that requires a person to obtain certain approval from the Commission before constructing a certain generating station does not apply to a person constructing a certain wind generating station that has wind turbines within a certain distance from the Patuxent River Naval Air Station, as determined by certain regulation;"; in line 14, strike "certificates of public convenience and necessity for" and substitute "the construction of"; and in line 15, after "lines" insert "and certain wind generating stations".

On page 2, in line 1, after "7–207(b)" insert "and 7–207.1(a)".

AMENDMENT NO. 2

On page 3, in line 26, strike "**THE**" and substitute "**FOR CONSTRUCTION RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE, THE**".

On page 4, in line 5, after "**CONSTRUCTION**" insert "**RELATED TO AN EXISTING OVERHEAD TRANSMISSION LINE**"; and after line 11, insert:

"7–207.1.

(a) This section applies to a person who:

(1) constructs a generating station:

(i) designed to provide on–site generated electricity if:

1. the capacity of the generating station does not exceed 70 megawatts; and

2. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; or

(ii) that produces electricity from wind if:

1. the generating station is land–based;

2. the capacity of the generating station does not exceed 70 megawatts;

3. the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; **[**and**]**

4. the Commission provides an opportunity for public comment at a public hearing as provided in subsection (e) of this section; **AND**

5. THE GENERATING STATION'S WIND TURBINES ARE NOT LOCATED WITHIN A DISTANCE FROM THE PATUXENT RIVER NAVAL AIR STATION THAT IS DETERMINED BY REGULATIONS ADOPTED BY THE COMMISSION IN COORDINATION WITH THE COMMANDER, NAVAL AIR WARFARE

CENTER AIRCRAFT DIVISION, PROVIDED THAT THE DISTANCE REQUIREMENT UNDER THE REGULATION IS:

A. NOT GREATER THAN IS NECESSARY TO ENCOMPASS AN AREA IN WHICH UTILITY SCALE WIND TURBINES COULD CREATE DOPPLER RADAR INTERFERENCE FOR MISSIONS AT THE PATUXENT RIVER NAVAL AIR STATION;

B. NOT GREATER THAN 46 MILES, MEASURED FROM LOCATION 38.29667N, 76.37668W; AND

C. SUBJECT TO MODIFICATION IF NECESSARY TO REFLECT CHANGES IN MISSIONS OR TECHNOLOGY AT THE PATUXENT RIVER NAVAL AIR STATION OR CHANGES IN WIND ENERGY TECHNOLOGY; or

(2) constructs a generating station if:

(i) the capacity of the generating station does not exceed 25 megawatts;

(ii) the electricity that may be exported for sale from the generating station to the electric system is sold only on the wholesale market pursuant to an interconnection, operation, and maintenance agreement with the local electric company; and

(iii) at least 10% of the electricity generated at the generating station each year is consumed on–site.".

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. 1098)

CONCURRENCE CALENDAR #18

AMENDED IN THE HOUSE

Senate Bill 34 – Senator Colburn

AN ACT concerning

Talbot County – Zoning Regulations – Enforcement

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

SB0034/940717/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 34
(Third Reading File Bill)

On page 1, in line 6, after "violations;" insert "making a conforming change;"; after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401(b)(17) and (18)
Annotated Code of Maryland
(As enacted by Ch. ___ (H.B. 1290) of the Acts of the General Assembly of 2012)";

in line 10, after "Section" insert "1–401(b)(18); and"; and after line 17, insert:

"1–401.

(b) The following provisions of this division apply to a charter county:

(17) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County); **[**and**]**

(18) FOR TALBOT COUNTY ONLY, TITLE 9, SUBTITLE 18 (SINGLE–COUNTY PROVISIONS – TALBOT COUNTY); AND

[(18)**] (19)** Title 11, Subtitle 2 (Civil Penalty).".

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 – 44 Negative – 0 (See Roll Call No. 1099)

AMENDED IN THE HOUSE

Senate Bill 114 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Controlled Hazardous Substance Driver Certification – Elimination

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

SB0114/270816/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 114
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "definition;" insert "requiring the Department to conduct a certain review in consultation with certain officials and to report its findings and recommendations to certain committees of the General Assembly on or before a certain date;".

AMENDMENT NO. 2

On page 12, after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Department of the Environment:

(1) shall conduct a review, in consultation with federal and State transportation officials, relating to the efficiency and regulatory consistency of its controlled hazardous substance vehicle certification process; and

(2) on or before December 15, 2012, shall report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.";

and in line 10, 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 – 45 Negative – 0 (See Roll Call No. 1100)

AMENDED IN THE HOUSE

Senate Bill 129 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements

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

SB0129/410711/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 129
(Third Reading File Bill)

On page 1, in line 10, after "circumstances;" insert "providing for the effective date of this Act;".

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. 1101)

AMENDED IN THE HOUSE

Senate Bill 193 – Senators Young, Colburn, Forehand, Madaleno, Middleton, and Montgomery

AN ACT concerning

Agriculture – Maryland Standard of Identity for Honey

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

SB0193/500611/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 193
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 9 down through "State" in line 13 and substitute "authorizing certain persons to file an action to enforce this Act in a certain court; authorizing the court to order certain relief under certain circumstances".

AMENDMENT NO. 2

On page 6, strike in their entirety lines 27 through 29, inclusive.

On page 7, strike in their entirety lines 1 through 12, inclusive, and substitute:

"**(A) AN ACTION TO ENFORCE THIS SUBTITLE MAY BE FILED IN THE CIRCUIT COURT OF THE COUNTY IN WHICH THE VIOLATION OCCURRED BY:**

(1) A BEEKEEPER OR AN ASSOCIATION OF BEEKEEPERS;

(2) A HONEY PACKER OR AN ASSOCIATION OF HONEY PACKERS;

(3) A HONEY PRODUCER OR AN ASSOCIATION OF HONEY PRODUCERS; OR

(4) THE ATTORNEY GENERAL.

(B) IF THE COURT DETERMINES THAT A VIOLATION OF THIS SUBTITLE EXISTS, THE COURT MAY ORDER APPROPRIATE RELIEF, INCLUDING AN ORDER TO ENJOIN A PRODUCER, MANUFACTURER, OR DISTRIBUTOR FROM DISTRIBUTING IN THE STATE A PRODUCT DESIGNATED AS "HONEY" IF THE PRODUCT DOES NOT CONFORM TO THE MARYLAND STANDARD OF IDENTITY FOR HONEY ESTABLISHED UNDER THIS SUBTITLE.".

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. 1102)

AMENDED IN THE HOUSE

Senate Bill 208 – Senators Pinsky, Brochin, Forehand, Montgomery, and Raskin

AN ACT concerning

Environment – Recycling – Apartment Buildings and Condominiums

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

SB0208/940713/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 208
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "plan;" insert "requiring a county to address, in a certain recycling plan, a method for implementing a reporting requirement for certain recyclable materials under certain circumstances;"; and strike beginning with "requiring" in line 12 down through "councils;" in line 16 and substitute "authorizing a county to require certain property owners, managers, and councils to report to the county on recycling activities;".

AMENDMENT NO. 2

On page 3, in line 15, strike "**AND**" and substitute:

"**(13)** **IF APPLICABLE, A METHOD FOR IMPLEMENTING A REPORTING REQUIREMENT FOR RECYCLABLE MATERIALS GENERATED AT APARTMENT BUILDINGS AND CONDOMINIUMS THAT CONTAIN 10 OR MORE DWELLING UNITS; AND**";

and in line 16, strike "**(13)**" and substitute "**(14)**".

AMENDMENT NO. 3

On page 4, in line 6, after "**A**" insert "**COUNCIL OF UNIT OWNERS OF A**"; strike in their entirety lines 14 through 21, inclusive; in line 22, strike "**(II)**"; and strike beginning with "**A**" in line 29 down through "**COUNTY**" in line 34 and substitute:

"**(2)** **A COUNTY MAY REQUIRE A PROPERTY OWNER OR MANAGER OF AN APARTMENT BUILDING OR A COUNCIL OF UNIT OWNERS OF A CONDOMINIUM THAT PROVIDES FOR RECYCLING FOR THE RESIDENTS OF THE DWELLING UNITS IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION TO REPORT TO THE COUNTY ON RECYCLING ACTIVITIES IN A MANNER DETERMINED BY THE COUNTY**".

AMENDMENT NO. 4

On page 5, in line 6, strike "**SUBSECTIONS**" and substitute "**SUBSECTION**"; and in the same line, strike "**AND**" and substitute "**OR**".

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 – 33 Negative – 12 (See Roll Call No. 1103)

AMENDED IN THE HOUSE

Senate Bill 549 – Senators Montgomery, Benson, Colburn, Mathias, Ramirez, ~~and Raskin~~ Raskin, and Rosapepe

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

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

SB0549/476883/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 549
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 20, insert:

"Preamble

WHEREAS, Maryland small businesses are an integral component and driving force for job creation and economic security; and

WHEREAS, The Maryland Small Business Reserve Program plays a key role in supporting Maryland small businesses, creating a forum for fostering increased competitive opportunities for growth; and

WHEREAS, The Maryland Small Business Reserve Program is also an important race–neutral program intended to reduce the impact of discrimination against minority– and women–owned businesses, especially those businesses seeking to become prime contractors, and to promote the development of competitive and economically viable minority– and women–owned businesses; and

WHEREAS, Increasing opportunities for more small business through increased participation in the Small Business Reserve Program is in the best interest of Maryland; and

WHEREAS, In order to meet its objectives, the structure, composition, and requirements of participation in the Small Business Reserve Program must be accessible and fair, and structured to create a fair competitive environment for all potential program participants; now, therefore,".

AMENDMENT NO. 2

On page 3, in line 22, after "Services" insert ", in consultation with the Governor's Office of Minority Affairs and the Maryland Department of Transportation, shall study the Small Business Reserve Program to evaluate the Program's structure,

composition, and requirements for participation and its impact and"; and strike beginning with the first "the" in line 25 down through "Program" in line 26, and substitute "recommendations concerning the changes enacted by this Act to the requirements for participation in the Program, including the Program's financial and employment guidelines, and additional legislation to implement any recommended changes".

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. 1104)

CONCURRENCE CALENDAR #19

AMENDED IN THE HOUSE

Senate Bill 251 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption

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

SB0251/894763/1
BY: Appropriations Committee

AMENDMENT TO SENATE BILL 251
(Third Reading File Bill)

On page 5, in line 28, strike "**AND**" and substitute "**OR**".

On page 6, in line 15, strike "**AND**" and substitute "**OR**"; and in line 28, strike "**FOR**" and substitute "**OF**".

On page 11, in lines 5 and 25, in each instance, strike "**AND**" and substitute "**OR**"; and in line 28, after "**OR**" insert "**THE**".

On page 12, in line 2, strike "**FOR**" and substitute "**OF**".

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 – 43 Negative – 0 (See Roll Call No. 1105)

CONCURRENCE CALENDAR #20

AMENDED IN THE HOUSE

Senate Bill 659 – Senators Pinsky, Klausmeier, Manno, and Rosapepe

AN ACT concerning

State Procurement – Preference and Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

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

SB0659/586085/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 659
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Preference and"; in line 13, strike "the State or"; strike beginning with "prohibiting" in line 14 down through "regulations;" in line 17; in line 18, strike "a"; in line 19, strike "term;" and substitute "terms; providing for the termination of this Act;"; and in lines 20 and 21, strike "preferences and".

On page 2, in line 2, strike "14–413" and substitute "12–110".

AMENDMENT NO. 2

On page 2, in line 23, strike "**14–413.**" and substitute "**12–110.**"; and in line 24, after "**(A)**" insert "**(1)**"; in the same line, strike "**, "PUBLIC**" and substitute "**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2) **"PUBLIC"**;

in lines 25, 26, 27, 28, and 29, strike "**(1)**", "**(2)**", "**(3)**", "**(4)**", and "**(5)**", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", and "**(V)**", respectively; and after line 29, insert:

"**(3)** **(I)** **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "SERVICES" HAS THE MEANING STATED IN § 11–101(T) OF THIS ARTICLE.**

(II) **"SERVICES" INCLUDES:**

1. **CONSTRUCTION–RELATED SERVICES;**

2. **ARCHITECTURAL SERVICES;**

3. **ENGINEERING SERVICES; OR**

4. **ENERGY PERFORMANCE CONTRACT SERVICES.**".

AMENDMENT NO. 3

On page 3, in line 6, strike "**ANTICIPATES THAT THE BIDDER**"; in line 7, after "**CONTRACTOR**" insert "**THAT**"; in line 8, strike "**WILL**" and substitute "**HAS PLANS, AT THE TIME THE BID IS SUBMITTED, TO**"; and in lines 9, 11, and 14, in each instance, strike "**THE STATE OR**".

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 7 on page 4, inclusive.

AMENDMENT NO. 4

On page 5, in line 23, after "2012." insert "It shall remain effective for a period of 3 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 4 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 0659**
SPONSOR: Sen Pinsky, et al
SUBJECT: State Procurement – Preference and Disclosure – Location of the Performance of Services

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.

MESSAGE TO THE SENATE

BILL: **HB 0109**
SPONSOR: Del Vitale
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

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.

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 0109**
SPONSOR: Del Vitale
SUBJECT: Public Safety – Elevator Safety Review Board – Membership

The Senate does not recede in the Senate amendments, and respectfully requests the House reconsider and concur.

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

Senator Astle, Chairman
Senator Kelley
Senator Kittleman.

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 72	Sen. Kelley	Med and Den Treatment – Consent by Minors and Protections for Lic'd Hlth Care Practitioners
SB 88	Sen. Glassman	Local States of Emergency – Time Period – Extension
SB 94	The President	St Bd for Certfn of Resid Child Care Program Profs – Sunset Ext and Program Evaluation
SB 95	The President	State Board of Social Work Examiners – Sunset Extension and Program Evaluation
SB 96	The President	Occupational and Professional

		Licensing Design Boards – Sunset Provisions and Program Evaluation
SB 108	Chair, EHE Com.	Maryland Horse Industry Board – Licensing
SB 109	Chair, EHE Com.	State Board of Architects – Continuing Professional Competency
SB 112	Chair, EHE Com.	Maryland Agricultural Land Preservation Foundation – Appraisal Requirement
SB 118	Chair, EHE Com.	Voluntary Agricultural Nutrient and Sediment Credit Certification Program
SB 121	Ch., Finance Com.	Senior Prescription Drug Assistance Program – Sunset Extension
SB 126	Chair, EHE Com.	Department of Natural Resources – Land Preservation and Recreation Plans
SB 132	Sen. Conway	Health Occupations – State Board of Pharmacy – Jurisdiction Over Nonresident Pharmacies
SB 133	Sen. Conway	State Board of Pharmacy – Wholesale Distributor Permits – Permit and Application Requirements
SB 142	Chair, EHE Com.	Secretary of Agriculture – Farm Food Safety
SB 144	Chair, EHE Com.	DLLR – Occupational and Prof Licensing – Licensees on Military Deployment
SB 145	Chair, EHE Com.	State Real Estate Commission – Continuing Education – Documentation
SB 148	Chair, EHE Com.	Maryland Agricultural Land Preservation Foundation – Lot Release
SB 149	Chair, EHE Com.	State Government – Maryland Veterans Commission – Membership
SB 179	Sen. Pugh	Kathleen A. Mathias Chemotherapy Parity Act of 2012
SB 226	Ch., Finance Com.	Commissioner of Labor and Industry – Inflatable

		Amusement Attractions – Inspection
SB 232	Ch., Finance Com.	Elevator Safety Review Board – Licensing
SB 290	Ch., Finance Com.	Financial Institutions – Savings Banks – Conversions
SB 291	Ch., Finance Com.	Unemployment Insurance – Coverage – Victims of Domestic Violence
SB 302	Ch., Finance Com.	Financial Instns – Commissioner of Financial Reg – Invstgv and Enforc Powers and Reg of Mtge Lenders
SB 303	Ch., Finance Com.	Credit Regulation – Debt Management Services – Agreement and Prohibited Acts
SB 315	Sen. Pugh	Council for the Procurement of Health, Educational, and Social Services
SB 450	Chair, EHE Com.	State Board of Environmental Health Specialists – Transfer of Responsibilities
SB 452	Sen. Middleton	Other Tobacco Products – Restrictions on Sale, Distribution, and Shipment – Exemptions
SB 479	Sen. Ferguson	Health Occupations – Physician Assistants – Patient's Access to Supervising Physician
SB 507	Sen. Kelley	Financial Instns – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts
SB 545	Ch., Finance Com.	Money Transmitters – Licensing Requirements and Participation in Nationwide Licensing System
SB 551	Sen. Montgomery	Procurement – Required Discl – Conflict Minerals Originated in the Democratic Republic of the Congo
SB 655	Sen. Klausmeier	Residential Multiple Occupancy Bldgs – Master Meters – Heating, Ventilation, and AC Services
SB 756	Sen. Young	Governor's Advisory

		Commission on Maryland Wine and Grape Growing – Membership
SB 778	Sen. Pugh	Commercial Law – Rental–Purchase Agreements – Disclosures
SB 811	Sen. Astle	Insurance – Fraud Violations – Fines and Administrative Penalties
SB 941	Sen. Klausmeier	Fiduciary Institutions – Protection of Elder Adlts from Financial Abuse – Reporting Requirements
SB 997	Sen. Garagiola	Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions
SB 1018	Sen. Kasemeyer	Alcoholic Beverages – Rectifiers – Tours, Samples, and Sales

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 373 – Delegates Braveboy, Alston, Anderson, Branch, Burns, Cane, Carr, Carter, Cullison, Glenn, Gutierrez, Harrison, Haynes, Holmes, Ivey, Jones, Mitchell, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, B. Robinson, Stukes, Summers, Tarrant, V. Turner, Valentino–Smith, Vaughn, Washington, and Wilson

AN ACT concerning

Education – Age for Compulsory Public School Attendance – Exemptions

FOR the purpose of altering the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; altering the age of certain children for which certain persons are responsible for the child's attendance at school or receipt of certain instruction; requiring certain children to return to attendance at school under certain circumstances; requiring the State Department of Education to complete certain tasks on or before a certain date; requiring the ~~Department of Labor, Licensing, and Regulation~~ State Department of Education, in consultation with the ~~State~~

~~Department of Education~~ Department of Labor, Licensing, and Regulation, to develop a certain program and request necessary legislation on or before a certain date; requiring the county boards of education to submit certain plans to the State Department of Education on or before a certain date; requiring the State Department of Education to submit certain reports to certain persons and entities on or before certain dates; making certain stylistic changes; providing for the application of this Act; providing for delayed effective dates; and generally relating to the age for compulsory public school attendance.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(a), (a–1)(1), (c), ~~and (e)(2)~~ (e)(2), and (g)
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)
(As enacted by Section 1 of this Act)

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

House Bill 677 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

FOR the purpose of specifying that certain residential customers are entitled to only a certain number of directory assistance calls each month without charge; requiring the Public Service Commission to approve other charges for directory assistance, subject to certain exceptions; repealing a provision that authorizes the Commission to establish additional exemptions from directory assistance charges; and generally relating to telephone service and directory assistance.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 8–202
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1194 – Delegates Braveboy, Alston, V. Turner, Vaughn, and Wilson

AN ACT concerning

Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal

FOR the purpose of prohibiting the State Board of Plumbing from renewing certain apprentice plumber licenses or apprentice natural gas fitters licenses for more than a certain number of consecutive terms under certain circumstances; establishing a certain exception; and generally relating to the license renewal of apprentice plumbers and apprentice natural gas fitters.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 12–101(b) and (c) and 12–307(c) and (g)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–308(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 12–308.1
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Bill 1237 – Delegate Morhaim

AN ACT concerning

~~Maryland Energy Administration – Study on the Use of Solar Panels on~~ School Buildings – Solar Technology – Design Development Documents

FOR the purpose of ~~requiring the Maryland Energy Administration to establish a workgroup to study the feasibility of creating a program to use county and State school buildings for the collection of solar energy; authorizing the Administration to include certain persons in the workgroup in its discretion; requiring the workgroup to consider certain cost savings, examine certain laws that would need to be amended to facilitate a program and to streamline procedures under a program, consider the desirability of establishing a certain pilot program, and make certain surveys to determine certain levels of interest in participating in a program; requiring the workgroup to submit a report of its~~

~~findings and recommendations by a certain date; providing for the termination of this Act;~~ requiring the Board of Public Works to adopt certain regulations requiring certain design development documents for the construction of new school buildings or the improvement of existing buildings to include certain information relating to the use of solar technology; requiring the Interagency Committee on School Construction to submit a certain report that includes certain information to the Governor and the General Assembly on or before a certain date each year; and generally relating to ~~a study on the use of solar panels on~~ school buildings and solar technology.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–301.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

FOR the purpose of prohibiting a person from selling, distributing, or offering for sale to a minor certain electronic devices that can be used to deliver nicotine to the individual inhaling from the device; providing a certain exception to the prohibition; providing that a violation of this Act is a misdemeanor subject to a certain fine; establishing a certain defense for a violation of this Act; providing for the application of this Act; and generally relating to prohibiting the sale, distribution, or offer for sale of electronic devices that deliver nicotine to minors.

BY adding to
Article – Health – General
Section 24–305
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1356 – Delegate Barkley

AN ACT concerning

Health Insurance – Dental Preventive Care – Coverage

FOR the purpose of requiring certain insurers, nonprofit health service plans, health maintenance organizations, ~~dental plan organizations, and certain other persons~~ and dental plan organizations to provide coverage for certain dental preventive care if certain conditions are met; prohibiting a carrier from imposing a certain frequency limitation on dental preventive care; prohibiting certain provisions of this Act from being construed to require coverage for a certain service; making certain requirements of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; and generally relating to coverage for dental preventive care under health insurance.

BY adding to
Article – Insurance
Section 15–135.1
Annotated Code of Maryland
(2011 Replacement Volume)

BY adding to
Article – Health – General
Section 19–706(llll)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1445 – Delegate Stifler

AN ACT concerning

Plumbing and Heating, Ventilation, Air–Conditioning, and Refrigeration Employees – Public Work Contracts – License Requirement and Employee Classification

FOR the purpose of prohibiting a person from employing an individual to provide or assist in providing plumbing services under a certain public work contract unless the individual is licensed by the State Board of Plumbing, the Baltimore County Plumbing Board, or the Washington Suburban Sanitary Commission; prohibiting a person from employing an individual to provide or assist in providing heating, ventilation, air–conditioning, or refrigeration services under a certain public work contract unless the individual is licensed by the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors; prohibiting certain persons from classifying certain employees under certain public work contracts at a certain work classification higher than the employee's license type; and generally relating to plumbing and heating, ventilation, air–conditioning, and refrigeration employees under public work contracts.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 12–602
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–502
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

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

House Joint Resolution 3 – Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan–Pulliam, Pena–Melnyk, Ross, Stein, and Waldstreicher

A House Joint Resolution concerning

Maryland Ratification of the 17th Amendment to the United States Constitution

FOR the purpose of ratifying the 17th Amendment to the United States Constitution relative to the popular election of United States Senators.

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

THE COMMITTEE ON RULES REPORT #13

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re–referred to the Committee on Judicial Proceedings:

Senate Bill 1101 – Senator Ramirez

EMERGENCY BILL

AN ACT concerning

Red Light, Speeding, and Parking Violations – Civil Penalties – Late Payment Fee

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 472 – Delegates McIntosh and Feldman

AN ACT concerning

~~Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund~~
Workgroup on Lead Liability Protection for Rental Property

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 Finance:

House Bill 520 – Delegates Nathan–Pulliam, Barkley, Braveboy, Burns, Davis, Feldman, Harrison, Impallaria, Jameson, Jones, Kramer, Love, McHale, Minnick, Oaks, Olszewski, B. Robinson, Schuh, Stukes, Tarrant, and Vaughn

EMERGENCY BILL

AN ACT concerning

Electric Companies – Contact Voltage – Surveys and Mitigation – The Deanna Camille Green Act of 2012

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 Finance:

House Bill 861 – Delegate Braveboy

AN ACT concerning

~~Insurance –~~ Unfair Claim Settlement Practices – Refusal to Pay a Claim Under Homeowner's Insurance

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 Finance:

House Bill 1269 – Delegates Barnes, Davis, and Hucker

AN ACT concerning

~~Public Utilities – Consumer Relations –~~ Public Service Commission – Study on Tenant Payment of Landlord Utility Bills

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 1347 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Class D Licenses ~~– Follow–Up Records Checks~~

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 1436 – Delegates Conway and McDermott

AN ACT concerning

Worcester County – Alcoholic Beverages – Beer and Wine Festivals

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 1476 – Delegate Rudolph

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2010 – Cecil County – Lower Susquehanna Heritage Greenway

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

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #51

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

House Bill 440 – The Speaker (By Request – Administration) and Delegates Reznik, Hammen, Jones, Mizeur, ~~and Rosenberg~~ Rosenberg, Pendergrass, Bromwell, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, and Tarrant

AN ACT concerning

Procurement – Investment Activities in Iran

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 (SENATE BILLS) #66

Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone

SECOND PRINTING

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

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

Affirmative – 30 Negative – 14 (See Roll Call No. 1106)

The Bill was then sent to the House of Delegates.

Senate Bill 407 – Senators Zirkin and Jennings

AN ACT concerning

Baltimore County – ~~Elected School~~ Board of Education – Selection of Members

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

Affirmative – 36 Negative – 5 (See Roll Call No. 1107)

The Bill was then sent to the House of Delegates.

Senate Bill 418 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Crimes – Theft from a Motor Vehicle ~~– Penalties~~

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1108)

The Bill was then sent to the House of Delegates.

Senate Bill 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Litter Control ~~Regulations and Penalties~~ Law – Enforcement

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1109)

The Bill was then sent to the House of Delegates.

Senate Bill 478 – Senator Ferguson

AN ACT concerning

Education – School Buses – Fire Safety Standards for Engine Components – Study

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

Affirmative – 31 Negative – 14 (See Roll Call No. 1110)

The Bill was then sent to the House of Delegates.

Senate Bill 693 – Senators Pipkin, Brinkley, Colburn, ~~and Getty~~ Getty, Kittleman, Middleton, Pugh, Simonaire, and Stone

AN ACT concerning

~~Maryland Transportation Authority – Termination – Exchange of Bonds~~
Task Force to Study Toll Rates and the Funding of Transportation Facilities Projects

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1111)

The Bill was then sent to the House of Delegates.

Senate Bill 750 – ~~Senator Middleton~~ Senators Middleton and Pugh

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1112)

The Bill was then sent to the House of Delegates.

Senate Bill 761 – Senator Gladden

AN ACT concerning

Juveniles – Confinement in Juvenile Facilities – Report

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1113)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #51

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

House Bill 456 – Delegates Reznik, Mizeur, Kipke, Donoghue, A. Kelly, and Ready

AN ACT concerning

Small Business Reserve Program – Definition of Small Business – Revision

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 865 – Delegates Pena–Melnyk, Barnes, Braveboy, Bromwell, Cardin, Carr, Clagett, Guzzone, Healey, Hucker, Ivey, A. Kelly, Kipke, Lafferty, Mitchell, Mizeur, Nathan–Pulliam, Oaks, Olszewski, Reznik, Rosenberg, Stein, Summers, F. Turner, V. Turner, and Zucker

AN ACT concerning

State Procurement – Disclosure ~~of the Relocation of Jobs to a Foreign Country~~ – Location of the Performance of Services

HB0865/234933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 865
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after "the" insert "State or the"; and strike beginning with "providing" in line 15 down through "Act;" in line 16.

AMENDMENT NO. 2

On page 3, in lines 18 and 23, in each instance, after the second "**THE**" insert "**STATE OR THE**"; and in line 20, after "**THE**" insert "**STATE OR THE**".

On page 5, strike beginning with "It" in line 7 down through "effect." in line 9.

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 875 – Delegates Conway, Cane, Jacobs, Malone, Otto, Rudolph, and Wood

AN ACT concerning

Public Safety – Explosives – Package of Components

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 1126 – Delegates Schulz, Hogan, ~~and Stifler~~ Stifler, Barkley, Hershey, Hucker, Impallaria, Jameson, Love, and Olszewski

AN ACT concerning

Alcoholic Beverages – Farm Brewery Manufacturer's License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #52

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

House Bill 362 – Delegates Rudolph and James

AN ACT concerning

Northeast Maryland Higher Education Advisory Board

HB0362/174235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 362
(Third Reading File Bill)

On page 3, in line 19, after "**(1)**" insert "**(I)**"; in the same line, strike "**THE**" and substitute "**SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**"; and after line 20, insert:

"**(II) A MEMBER WHO IS A REPRESENTATIVE OF AN OUT–OF–STATE INSTITUTION MAY NOT SERVE AS CHAIR.**".

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 with amendments:

House Bill 515 – Delegates Stein, Arora, Bobo, Cardin, DeBoy, Frick, Kach, A. Kelly, Kipke, Kramer, Lafferty, Morhaim, Olszewski, Reznik, B. Robinson, Stukes, ~~and Zucker~~ Zucker, Howard, and Walker

AN ACT concerning

State Government – Financial Education and Capability Commission

HB0515/934038/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 515
(Third Reading File Bill)

On page 3, in line 13, before the semicolon insert "**WHO TEACHES A COURSE INVOLVING PRINCIPLES OF FINANCIAL EDUCATION**".

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 757 – Delegates Luedtke and Wilson

AN ACT concerning

Education – ~~Children in State-Supervised Care – Geographical Attendance Area~~ Domicile Requirements for Attendance – Exception

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 766 – Delegates Vallario, Proctor, Alston, Bohanan, Braveboy, Davis, Elliott, Frush, Gaines, Healey, Hershey, Holmes, Hough, Howard, Hubbard, Ivey, K. Kelly, Lee, McDermott, Niemann, Summers, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, ~~and Wilson~~ Wilson, Hammen, Pendergrass, Bromwell, Costa, Cullison, Frank, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Ready, Reznik, and Tarrant

AN ACT concerning

State Government – Commemorative Days – Crime Victims and Advocates

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 1227 – Delegates Busch, Kaiser, Branch, Conway, Cullison, Gilchrist, Haddaway–Riccio, Kach, Luedtke, McComas, McHale, Mitchell, O'Donnell, Olszewski, Reznik, S. Robinson, Rudolph, Stukes, Waldstreicher, ~~and Zucker~~ Zucker, Cardin, Fisher, Hixson, Howard, Ivey, A. Miller, Myers, Rosenberg, Ross, Serafini, Summers, and F. Turner

AN ACT concerning

Education – Core Content Areas – Accountability Program

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 1401 – Delegates Oaks, Costa, Frank, Kipke, ~~and Pena-Melnyk~~ Pena–Melnyk, and Stukes

AN ACT concerning

State Department of Education – Oral Health Education – ~~Certification and~~ Monitoring

HB1401/944130/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1401
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike the second "Education –" and substitute "Education"; in line 3, strike "Monitoring"; in line 7, after the first "certain" insert "oral health"; in the same line, strike "and" and substitute a comma; in line 8, after "education" insert ", and submit a certain summary to the Governor and General Assembly on or before a certain date; requiring the State Board of Education to encourage certain county boards of education to incorporate certain lessons into certain curriculum"; strike beginning with "requiring" in line 8 down through "intervals;" in line 10; and after line 15, insert:

"BY repealing and reenacting, with amendments,
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 2, in line 12, strike "**(A)**"; in line 18, after "**EDUCATION**" insert "**, INCLUDING ORAL DISEASE PREVENTION AND DENTAL HEALTH PROMOTION,**"; in line 19, strike "**AND**"; and in line 21, after "**EDUCATION**" insert "**; AND**

(3) ON OR BEFORE DECEMBER 1, 2015, AND EVERY 5 YEARS THEREAFTER, SUBMIT TO THE GOVERNOR AND, SUBJECT TO § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A SUMMARY OF THE INFORMATION REPORTED BY THE DEPARTMENT TO THE STATE SUPERINTENDENT DURING THE CERTIFICATION OF THE HEALTH EDUCATION STATE CURRICULUM";

On page 3, strike in their entirety lines 5 through 10, inclusive, and substitute:

"7–411.1.

The State Board shall encourage the county boards to incorporate age–appropriate lessons on dating violence**, ORAL DISEASE PREVENTION, AND DENTAL HEALTH PROMOTION** into the county boards' health education curriculum.".

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 1429 – Delegates Lee, Nathan–Pulliam, Alston, Arora, Beidle, Bobo, Braveboy, Burns, Cane, Carr, Conaway, Cullison, Eckardt, Frick, Frush, Gaines, George, Glenn, Gutierrez, Harrison, Healey, Howard, Jones, A. Kelly, Love, Luedtke, McComas, A. Miller, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valderrama, ~~and Washington~~ Washington, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, McDonough, Morhaim, Murphy, Oaks, Ready, and Reznik

AN ACT concerning

State Government – Statue of Harriet Tubman

HB1429/554734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1429
(Third Reading File Bill)

On page 2, in line 23, after "statue" insert "in Emancipation Hall"; and in line 24, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

On page 3, in line 4, after "to" insert "Emancipation Hall in"; and in line 5, strike "Building" and substitute "Visitor Center or another appropriate federal property located in Washington, D.C.".

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 1435 – Delegates Stukes ~~and Mitchell~~, Mitchell, Bromwell, Donoghue, Kach, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, and Tarrant

EMERGENCY BILL

AN ACT concerning

Maryland Veterans Commission – Membership – Revision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 647** SPONSOR: **Senator Ramirez**
SUBJECT: **Domestically Related Crimes – Reporting**

THIRD READING CALENDAR HOUSE NO. **15** SENATE NO. **46**

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 House Judiciary Committee Amendment (SB0647/482715/1) be adopted.

SB0647/482715/1
BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 647
(Third Reading File Bill)

On page 2, in line 14, after "**ARTICLE**" insert "**, OR WHO HAD A SEXUAL RELATIONSHIP WITH THE DEFENDANT WITHIN 12 MONTHS BEFORE THE COMMISSION OF THE CRIME**".

Senate Members:	House Members:
Chair, **Victor R. Ramirez**	Chair, **Luiz R. S. Simmons**
Joseph M. Getty	**Jeff Waldstreicher**
Bobby A. Zirkin	**Neil Parrott**

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. 1114)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #53

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

House Bill 70 – Delegate Kach

AN ACT concerning

State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees

HB0070/234335/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 70
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "authorizing" and substitute "requiring"; in line 6, after "circumstances;" insert "providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances;"; in line 10, after "circumstances;" insert "providing that failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding;"; in line 15, after "examinations" insert "under certain circumstances; requiring the Board to pay the reasonable costs of certain examinations for certain licensees"; and in line 19, strike "and 7–319(h)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 down through line 6 on page 3 and substitute:

"**(A) IF, WHEN INVESTIGATING AN ALLEGATION BROUGHT AGAINST AN APPLICANT OR A LICENSEE UNDER THIS TITLE, THE BOARD FINDS REASONABLE EVIDENCE INDICATING THAT THE APPLICANT OR LICENSEE CANNOT PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, THE BOARD SHALL REQUIRE THE APPLICANT OR LICENSEE TO SUBMIT TO A MENTAL OR**

PHYSICAL EXAMINATION BY A HEALTH CARE PRACTITIONER DESIGNATED BY THE BOARD.

(B) IN RETURN FOR THE PRIVILEGE TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION IN THE STATE, AN APPLICANT OR A LICENSEE IS DEEMED TO HAVE:

(1) CONSENTED TO SUBMIT TO AN EXAMINATION UNDER THIS SECTION, IF REQUESTED BY THE BOARD IN WRITING; AND

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE EXAMINATION REPORT.".

On page 3, in line 7, strike "**(B)**" and substitute "**(C)**"; in line 8, strike "**EVALUATION**" and substitute "**EXAMINATION**"; after line 10, insert:

"**(D) THE UNREASONABLE FAILURE OR REFUSAL OF AN APPLICANT OR A LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER THIS SECTION IS PRIMA FACIE EVIDENCE OF THE APPLICANT'S OR LICENSEE'S INABILITY TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE APPLICANT OR LICENSEE.**";

in line 17, strike "**(C)**" and substitute "**(E)**"; in the same line, strike "**(1)**"; in the same line, strike "**SUBPARAGRAPH (II)**" and substitute "**PARAGRAPH (2)**"; in lines 21 and 25, strike "**(II)**" and "**(2)**", respectively, and substitute "**(2)**" and "**(F)**", respectively; and strike in their entirety lines 27 through 31, 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:

House Bill 172 – Delegate Kipke

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

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 276 – Delegate Hubbard

AN ACT concerning

Health Occupations – Psychologists – Penalties for Misrepresentation and Practicing Without a 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 with amendments:

House Bill 283 – Chair, Health and Government Operations Committee and Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sunset Extension and Revisions

HB0283/424031/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 283
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 6 down through "Board;" in line 10.

On page 2, in line 14, strike "12–204(d),".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 36 on page 2 through line 7 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 395 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Nursing – Sunset Extension and Revisions

HB0395/784539/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 395
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike "Board" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management,"; in line 16, after the first "certain" insert "management and"; and in the same line, after "date;" insert "requiring the Department of Health and Mental Hygiene and the Department of Budget and Management jointly to develop specifications for a certain solicitation; requiring the Department of Budget and Management to oversee a certain independent entity; requiring that the costs of a certain study be paid from the Board of Nursing Fund; requiring the Department of Budget and Management, on or before a certain date, to report to certain committees of the General Assembly on the results of a certain study;".

AMENDMENT NO. 2

On page 6, in line 6, after "(a)" insert "(1)"; in the same line, strike "State Board of Nursing" and substitute "Department of Health and Mental Hygiene, in consultation with the Department of Budget and Management,"; in line 7, after "a"

insert "management and"; in the same line, strike "to determine the necessity and allocation of additional staff"; after line 7, insert:

"(2) The Department of Health and Mental Hygiene and the Department of Budget and Management jointly shall develop the specifications for the solicitation of the contract required under paragraph (1) of this subsection.

(3) (i) The Department of Budget and Management shall oversee the independent entity that is performing the management and personnel study required under paragraph (1) of this subsection.

(ii) The independent entity that is performing the management and personnel study required under paragraph (1) of this subsection shall report directly to the Department of Budget and Management regarding the study.

(4) The costs of the management and personnel study required under paragraph (1) of this subsection shall be paid from the Board of Nursing Fund established under § 8–206 of the Health Occupations Article.";

in line 9, strike "(i) 1." and substitute "(1)"; in line 11, strike "2." and substitute "(2)"; in the same line, after "minimum" insert ";

(i)";

in line 12, strike the comma and substitute ";

(ii)";

in line 13, strike the comma and substitute a semicolon; in the same line, after "and" insert "(iii)"; in line 15, strike "(ii)" and substitute "(3)"; in lines 16 and 17, strike "1." and "2.", respectively, and substitute "(i)" and "(ii)", respectively; in line 18, strike "(iii)" and substitute "(4)"; and after line 21, insert:

"(d) On or before December 1, 2013, the Department of Budget and Management shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the results of the management and personnel study required under subsection (a) 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 753 – Delegate Kach

AN ACT concerning

Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains

HB0753/874830/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 753
(Third Reading File Bill)

On page 3, in line 19, after "**OR**" insert "**AN**".

On page 5, in line 28, after the semicolon insert "**AND**"; in line 29, strike "**(2)**"; and in lines 29 and 30, strike "**A CRIMINAL HISTORY RECORDS CHECK; AND**".

On page 6, in line 1, strike "**(3)**" and substitute "**(2)**".

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 with amendments:

House Bill 824 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – ~~Sunset Extension and Program Evaluation~~ Appointment and Term of Chair

HB0824/114034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 824
(Third Reading File Bill)

On page 1, in line 2, strike "and Allied Health Advisory Committees".

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 with amendments:

House Bill 827 – Delegate Hubbard

AN ACT concerning

Polysomnographic Technologists – Education and Examination Requirements

HB0827/204936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 827
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "altering" in line 4 down through "organization;" in line 6.

AMENDMENT NO. 2

On page 2, strike line 9 in its entirety; strike beginning with "**HAVE**" in line 16 down through the colon in line 17; in line 18, strike the second "**A**" and substitute "**HAVE GRADUATED FROM A**"; in line 20, after the semicolon insert "**AND**"; strike beginning with "**A**" in line 21 down through "**RECOMMENDED**" in line 24 and

substitute "**HAVE COMPLETED A CLINICAL COMPONENT OF AN EDUCATIONAL PROGRAM AS ESTABLISHED**"; and in line 25, after "**APPROVED**" insert "**BY**".

On page 3, strike line 14 in its entirety.

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 957 – Delegates Cullison, Bromwell, Frank, Kach, A. Kelly, Krebs, Luedtke, Murphy, Oaks, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health Occupations – Public Disclosure of Professional Credentials and Reports on Advertising Regulations and Policies

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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 269 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Boating – Disclosure of Personal Information

HB0269/804232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 269

(Third Reading File Bill)

On page 1, in line 3, after "of" insert "repealing a requirement that an owner of a certain vessel submit a written request to the Department of Natural Resources to prohibit the Department from disclosing certain information to any person;"; and in line 4, strike "of Natural Resources".

On page 2, strike beginning with "upon" in line 5 down through "disclosed," in line 7.

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 991 – Delegates Rosenberg and Carr

AN ACT concerning

Task Force to Study the Renovation and Repair Needs of Senior Homeowners

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 1303 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Agriculture – Cost Sharing for Water Pollution Control

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 1304 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Animal Waste Technology Fund

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 1305 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Authority to Establish Free Fishing Areas

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 1306 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Aquaculture Leasing

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2012.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #36

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

Senate Bill 493 – Senator Gladden

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study – Study Period

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 873 – Senator Pugh

AN ACT concerning

Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund

SB0873/847476/1
BY: Finance Committee

AMENDMENTS TO SENATE BILL 873
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund" and substitute "Workgroup on Lead Liability Protection for Rental Property"; and strike beginning with "establishing" in line 4 down through "poisoning" in line 28 and substitute "requiring the Maryland Insurance Commissioner to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Commissioner to report the findings and any recommendations of the workgroup on or before a certain date; and generally relating to lead liability insurance for rental property".

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 through line 24 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 16, strike in their entirety the lines beginning with line 25 on page 2 through line 20 on page 16, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Maryland Insurance Commissioner shall convene a workgroup to evaluate and make recommendations relating to lead liability protection for owners of pre–1978 rental property.

(b) The workgroup required under this section shall include:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary's designee;

(4) the Secretary of Housing and Community Development, or the Secretary's designee;

(5) the Secretary of Health and Mental Hygiene, or the Secretary's designee; and

(6) representatives of the following:

(i) the Judiciary;

(ii) the insurance industry;

(iii) owners of pre–1978 rental property; and

(iv) childhood lead poisoning advocacy groups;

(7) representatives with expertise in legal claims arising out of lead poisoning, including attorneys representing plaintiffs and defendants;

(8) representatives from academic institutions with expertise in insurance and actuarial science; and

(9) any other representative the Commissioner determines to be included in the workgroup.

(c) The workgroup shall evaluate:

(1) the feasibility of encouraging the existing insurance marketplace to provide lead liability coverage for owners of pre–1978 rental property;

(2) the feasibility of establishing other mechanisms for providing lead liability insurance coverage for owners of pre–1978 rental property;

(3) (i) the feasibility of establishing an insurance fund for lead liability insurance coverage;

(ii) the accounting and financial reporting standards that should apply to an insurance fund;

(iii) the minimum surplus requirements that should be met by an insurance fund, including appropriate amounts to maintain in relation to an insurance fund's risk;

(iv) the appropriate underwriting standards to be applied to relevant policies;

(v) the level of premiums that might be necessary to support policies in an actuarially sound manner;

(vi) whether an insurance fund should be subject to Maryland's premium tax obligations;

(vii) projected start–up and ongoing administrative costs associated with the establishment of an insurance fund; and

(viii) any other relevant insurance–related matters identified in the course of the study; and

(4) the extent to which private risk management tools such as insurance and bonds are available on the commercial market.

(d) On or before December 1, 2012, the Commissioner shall report the findings of the workgroup required under this section and any recommendations of the workgroup to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2012.".

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 FINANCE REPORT #37

CONSENT CALENDAR #65

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

BILL NO.	REPORT	SPONSOR	CONTENT
HB 713	FAV	Del Feldman	Commercial Law – Uniform Commercial Code – Secured Transactions – Revision
HB 964	FAV	Del Washington, et al	Labor and Employment – User Name and Password Privacy Protection and Exclusions
HB 1340	FAV	Del Cullison	Life and Health Insurance Guaranty Corporation Act – Revisions
HB 1407	FAV	Del Walker, et al	DHMH – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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:

House Bill 1141 – Delegates Pendergrass, Hammen, Frank, Hubbard, A. Kelly, and Pena–Melnyk

AN ACT concerning

Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #31

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

Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

SB0414/718879/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 414
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first "a" in line 3 down through "court" in line 4 and substitute "an intake officer of the Department of Juvenile Services, after conducting a certain inquiry, to file with a court an application for an arrest warrant prepared by a law enforcement officer; providing certain requirements relating to an application for an arrest warrant under this Act; providing that an arrest warrant under this Act may only be issued by the court on a finding of probable cause; requiring an arrest warrant issued under this Act to direct the law enforcement officer

to take immediate custody of the child who is the subject of the warrant; making a certain conforming change"; and after line 10, insert:

"BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–14.1
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 1, strike beginning with "**OR**" in line 18 down through "**COURT**" in line 19.

On page 2, in line 2, strike "or"; and in line 5, after "custodian" insert: "**; OR**

(5) IN ACCORDANCE WITH § 3–8A–14.1 OF THIS SUBTITLE".

AMENDMENT NO. 3

On page 2, after line 21, insert:

"**3–8A–14.1.**

(A) AFTER AN INQUIRY CONDUCTED IN ACCORDANCE WITH § 3–8A–10 OF THIS SUBTITLE, AN INTAKE OFFICER MAY FILE WITH THE COURT AN APPLICATION FOR AN ARREST WARRANT PREPARED BY A LAW ENFORCEMENT OFFICER.

(B) AN APPLICATION FOR AN ARREST WARRANT UNDER THIS SECTION SHALL BE:

(1) IN WRITING;

(2) SIGNED AND SWORN TO BY THE LAW ENFORCEMENT OFFICER; AND

(3) ACCOMPANIED BY AN AFFIDAVIT THAT SETS FORTH THE BASIS FOR THERE BEING PROBABLE CAUSE TO BELIEVE THAT:

(I) THE CHILD WHO IS THE SUBJECT OF THE WARRANT HAS COMMITTED A DELINQUENT ACT; AND

(II) UNLESS THE CHILD WHO IS THE SUBJECT OF THE WARRANT IS TAKEN INTO CUSTODY, THE CHILD:

1. IS LIKELY TO LEAVE THE JURISDICTION OF THE COURT;

2. MAY NOT BE APPREHENDED;

3. MAY CAUSE PHYSICAL INJURY OR PROPERTY DAMAGE TO ANOTHER; OR

4. MAY TAMPER WITH, DISPOSE OF, OR DESTROY EVIDENCE.

(C) AN ARREST WARRANT REQUESTED UNDER SUBSECTION (A) OF THIS SECTION MAY ONLY BE ISSUED BY THE COURT ON A FINDING OF PROBABLE CAUSE AND SHALL DIRECT THE LAW ENFORCEMENT OFFICER TO TAKE IMMEDIATE CUSTODY OF THE CHILD.".

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:

Senate Bill 788 – Senators Muse, Colburn, and Ramirez

AN ACT concerning

Registration of Property Subject to Foreclosure

SB0788/408774/1
BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 788
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Real Property – Foreclosed Property Registry"; strike beginning with "requiring" in line 3 down through "State" in line 15 and substitute "requiring the Department of Labor, Licensing, and Regulation to establish and maintain a Foreclosed Property Registry for certain property; requiring certain foreclosure purchasers to register certain residential property and to pay certain fees under certain circumstances; authorizing a local jurisdiction to enact a local law to impose a certain civil penalty for a certain violation of this Act; imposing certain limits on access to the Foreclosed Property Registry; establishing that certain fees are nonrefundable; authorizing a local jurisdiction that takes certain actions related to a residential property on the Registry to collect the cost associated with the action as a charge on the residential property's property tax bill; requiring a local jurisdiction to give certain advance written notice before taking certain actions; establishing the Foreclosed Property Registry Fund; providing for the purpose and composition of the Fund; requiring the State Treasurer to invest money in the Fund; providing that earnings from the Fund shall be credited to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; repealing a certain provision of law authorizing a county or municipal corporation to enact a certain local law relating to notice of a foreclosure on residential property; establishing that only the State may enact a certain law; establishing that a certain provision does not restrict or otherwise affect the ability of a unit of government to require a certain notice or registration to be filed for a certain purpose; requiring the Department to report certain information to the General Assembly on or before a certain date; establishing that this Act is not intended to repeal a certain local law; and generally relating to the Foreclosed Property Registry."; after line 15, insert:

"BY repealing
Article – Real Property
Section 14–126(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)";

in line 18, strike "7–105.11" and substitute "14–126.1"; and after line 20, insert:

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

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)64.
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 1, after line 23, insert:

"14–126.

[(c) (1) In this subsection, "residential property" has the meaning stated in § 7–105.1 of this article.

(2) A county or municipal corporation may enact a local law requiring that notice be given to a county or municipal agency or official when an order to docket or a complaint to foreclose a mortgage or deed of trust is filed on residential property located within the county or municipal corporation.

(3) A local law enacted under this subsection shall require that within five days after filing an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property, the person authorized to make the sale shall give notice of the filing to the county or municipal agency or official designated by the local law.

(4) The notice required under paragraph (3) of this subsection shall include:

(i) The street address of the residential property subject to the foreclosure action;

(ii) The names and addresses, if known, of all owners of the residential property subject to the foreclosure action; and

(iii) The name, address, and telephone number of the person authorized to make the sale.]

14–126.1.

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

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.

(3) "FORECLOSED PROPERTY REGISTRY" MEANS THE FORECLOSED PROPERTY REGISTRY ESTABLISHED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.

(4) "FORECLOSURE PURCHASER" MEANS THE PERSON IDENTIFIED AS THE PURCHASER ON THE REPORT OF SALE REQUIRED BY MARYLAND RULE 14–305 FOR A FORECLOSURE SALE OF RESIDENTIAL PROPERTY.

(5) "FUND" MEANS THE FORECLOSED PROPERTY REGISTRY FUND ESTABLISHED BY THE DEPARTMENT UNDER SUBSECTION (I) OF THIS SECTION.

(6) "LOCAL JURISDICTION" MEANS:

(I) A COUNTY; OR

(II) A MUNICIPAL CORPORATION.

(7) "RESIDENTIAL PROPERTY" MEANS REAL PROPERTY IMPROVED BY FOUR OR FEWER DWELLING UNITS THAT ARE DESIGNED PRINCIPALLY AND ARE INTENDED FOR HUMAN HABITATION.

(B) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN AN INTERNET–BASED FORECLOSED PROPERTY REGISTRY FOR INFORMATION RELATING TO FORECLOSURE SALES OF RESIDENTIAL PROPERTY.

(C) AT THE TIME OF A FORECLOSURE SALE OF RESIDENTIAL PROPERTY, THE PERSON RESPONSIBLE FOR CONDUCTING THE FORECLOSURE SHALL OBTAIN FROM THE FORECLOSURE PURCHASER A WRITTEN ACKNOWLEDGMENT OF THE REQUIREMENTS OF THIS SECTION.

(D) (1) WITHIN 30 DAYS AFTER A FORECLOSURE SALE OF RESIDENTIAL PROPERTY, A FORECLOSURE PURCHASER SHALL SUBMIT AN INITIAL REGISTRATION TO THE FORECLOSED PROPERTY REGISTRY.

(2) THE INITIAL REGISTRATION SHALL:

(I) BE IN THE FORM THE DEPARTMENT REQUIRES; AND

(II) CONTAIN THE FOLLOWING INFORMATION:

1. THE NAME, TELEPHONE NUMBER, AND ADDRESS OF THE FORECLOSURE PURCHASER;

2. THE STREET ADDRESS OF THE PROPERTY THAT IS THE SUBJECT OF THE FORECLOSURE SALE;

3. THE DATE OF THE FORECLOSURE SALE;

4. WHETHER THE PROPERTY IS A SINGLE–FAMILY OR MULTIFAMILY PROPERTY;

5. THE NAME AND ADDRESS OF THE PERSON, INCLUDING A SUBSTITUTE PURCHASER, WHO IS AUTHORIZED TO ACCEPT LEGAL SERVICE FOR THE FORECLOSURE PURCHASER;

6. TO THE BEST OF THE FORECLOSURE PURCHASER'S KNOWLEDGE AT THE TIME OF REGISTRATION:

A. WHETHER THE RESIDENTIAL PROPERTY IS VACANT; AND

B. THE NAME, TELEPHONE NUMBER, AND STREET ADDRESS OF THE PERSON WHO IS RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY; AND

7. WHETHER THE FORECLOSURE PURCHASER HAS POSSESSION OF THE PROPERTY.

(3) WITHIN 30 DAYS AFTER A DEED TRANSFERRING TITLE TO THE RESIDENTIAL PROPERTY HAS BEEN RECORDED, THE FORECLOSURE PURCHASER SHALL SUBMIT A FINAL REGISTRATION TO THE FORECLOSED PROPERTY REGISTRY.

(4) THE FINAL REGISTRATION SHALL:

(I) BE IN THE FORM THE DEPARTMENT REQUIRES; AND

(II) CONTAIN THE FOLLOWING INFORMATION AS OF THE DATE OF FINAL REGISTRATION:

1. THE NAME, TELEPHONE NUMBER, AND ADDRESS OF THE OWNER ON THE DEED;

2. THE DATE OF THE RATIFICATION OF THE SALE; AND

3. THE DATE THE DEED WAS RECORDED.

(E) (1) THE FILING FEES FOR REGISTERING A RESIDENTIAL PROPERTY ARE:

(I) $50 FOR AN INITIAL REGISTRATION FILED WITHIN THE TIME PERIOD REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION; AND

(II) $100 FOR AN INITIAL REGISTRATION FILED AFTER THE TIME PERIOD REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.

(2) THERE IS NO FEE FOR A FINAL REGISTRATION.

(3) A FILING FEE PAID UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NONREFUNDABLE.

(4) A LOCAL JURISDICTION MAY ENACT A LOCAL LAW THAT IMPOSES A CIVIL PENALTY FOR FAILURE TO REGISTER UNDER THIS SECTION IN AN AMOUNT NOT EXCEEDING $1,000.

(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A LOCAL JURISDICTION THAT, IN ACCORDANCE WITH ANY APPLICABLE BUILDING CODE OR LOCAL ORDINANCE, ABATES A NUISANCE ON A RESIDENTIAL PROPERTY REGISTERED UNDER THIS SECTION OR TAKES ACTION TO MAINTAIN A RESIDENTIAL PROPERTY REGISTERED UNDER THIS SECTION MAY COLLECT THE COST ASSOCIATED WITH THE ABATEMENT OR OTHER ACTION AS A CHARGE INCLUDED ON THE RESIDENTIAL PROPERTY'S PROPERTY TAX BILL.

(2) (I) THE COST ASSOCIATED WITH AN ABATEMENT OR OTHER ACTION TAKEN UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE INCLUDED AS A CHARGE ON THE RESIDENTIAL PROPERTY'S PROPERTY TAX BILL UNLESS THE LOCAL JURISDICTION PROVIDES ADVANCE WRITTEN NOTICE IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH TO:

1. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS AUTHORIZED TO ACCEPT LEGAL SERVICE FOR THE FORECLOSURE PURCHASER; AND

2. THE PERSON IDENTIFIED IN THE REGISTRY WHO IS RESPONSIBLE FOR THE MAINTENANCE OF THE PROPERTY.

(II) THE NOTICE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. DESCRIBE THE INTENDED ABATEMENT OR OTHER ACTION THE LOCAL JURISDICTION INTENDS TO TAKE; AND

2. BE PROVIDED:

A. IN ACCORDANCE WITH THE NOTICE PROVISIONS OF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE; OR

B. IF THE APPLICABLE BUILDING CODE OR LOCAL ORDINANCE DOES NOT PROVIDE FOR NOTICE, AT LEAST 30 DAYS BEFORE THE LOCAL JURISDICTION ABATES THE NUISANCE OR TAKES ACTION TO MAINTAIN THE PROPERTY.

(G) (1) THE FORECLOSED PROPERTY REGISTRY:

(I) IS NOT A PUBLIC RECORD AS DEFINED BY § 10–611 OF THE STATE GOVERNMENT ARTICLE; AND

(II) IS NOT SUBJECT TO TITLE 10, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE.

(2) THE DEPARTMENT MAY AUTHORIZE ACCESS TO THE FORECLOSED PROPERTY REGISTRY ONLY TO LOCAL JURISDICTIONS, THEIR AGENCIES, AND REPRESENTATIVES AND STATE AGENCIES.

(3) NOTWITHSTANDING PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, THE DEPARTMENT OR A LOCAL JURISDICTION MAY PROVIDE INFORMATION FOR A SPECIFIC PROPERTY IN THE FORECLOSED PROPERTY REGISTRY TO:

(I) A PERSON WHO OWNS PROPERTY ON THE SAME BLOCK; OR

(II) A HOMEOWNERS ASSOCIATION OR CONDOMINIUM IN WHICH THE PROPERTY IS LOCATED.

(H) REVENUE COLLECTED FROM THE FILING FEES REQUIRED UNDER SUBSECTION (E)(1) OF THIS SECTION SHALL BE DISTRIBUTED TO THE FUND.

(I) (1) THERE IS A FORECLOSED PROPERTY REGISTRY FUND IN THE DEPARTMENT.

(2) THE PURPOSE OF THE FUND IS TO SUPPORT THE DEVELOPMENT, ADMINISTRATION, AND MAINTENANCE OF THE FORECLOSED PROPERTY REGISTRY ESTABLISHED UNDER THIS SECTION.

(3) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(5) THE FUND CONSISTS OF:

(I) REVENUE DISTRIBUTED TO THE FUND UNDER SUBSECTION (H) OF THIS SECTION;

(II) INVESTMENT EARNINGS OF THE FUND;

(III) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

(IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(6) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(II) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO THE FUND.

(J) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ONLY THE STATE MAY ENACT A LAW REQUIRING A NOTICE TO BE FILED WITH A UNIT OF GOVERNMENT TO REGISTER RESIDENTIAL PROPERTIES THAT ARE SUBJECT TO FORECLOSURE.

(2) THIS SUBSECTION DOES NOT RESTRICT OR OTHERWISE AFFECT THE ABILITY OF A UNIT OF GOVERNMENT TO REQUIRE A REGISTRATION OR NOTICE TO BE FILED FOR A PURPOSE OTHER THAN ONE RELATING TO FORECLOSURE, EVEN IF A PROPERTY TO BE IDENTIFIED IN THE REGISTRATION OR NOTICE IS SUBJECT TO FORECLOSURE.

Article – State Finance and Procurement

6–226.

(a) (2) (ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

62. Veterans Trust Fund; **[**and**]**

63. Transportation Trust Fund**; AND**

64. FORECLOSED PROPERTY REGISTRY FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2013, the Department of Labor, Licensing, and Regulation shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the status of the Foreclosed Property Registry and the Foreclosed Property Registry Fund established under this Act, including the number of properties registered, the cost of maintaining the Foreclosed Property Registry, the Fund balance, whether the registration fees need to be altered to reflect the costs of maintaining the Foreclosed Property Registry, and the Department's assessment of the effectiveness of the Registry.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is not intended to repeal any local law that was enacted under Chapter 149 of the Acts of the General Assembly of 2009 and that is in effect on the effective date of this Act.".

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 31 on page 2, inclusive.

On page 2, in line 32, strike "2." and substitute "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 Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 925 – Senator Gladden

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

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:

Senate Bill 944 – Senator Jacobs

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty

SB0944/978976/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 944
(First Reading File Bill)

On page 1, after line 3, insert:

"(Ava's Law)".

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:

Senate Bill 1045 – Senator Muse

AN ACT concerning

Missing Children – Search Efforts and Collaboration
(Phylicia's Law)

SB1045/138679/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1045
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child;"; strike beginning with "coordinate" in line 9 down through the first "to" in line 11; and in line 12, after "State;" insert "authorizing the Clearinghouse to establish and maintain a list of organizations and groups that provide volunteer search teams or resources relating to missing children;".

AMENDMENT NO. 2

On page 2, in line 9, strike "14" and substitute "**17**".

AMENDMENT NO. 3

On page 3, in line 28, strike "**SHALL**"; and strike beginning with "**COORDINATE**" in line 29 down through "**(3)**" in line 34 and substitute "**SHALL**".

On page 4, in line 2, after the semicolon insert "**AND**"; strike beginning with "**UPDATES**" in line 3 down through "**(III)**" in line 5; and in line 5, after "**CHILDREN**" insert "**; AND**

(2) MAY ESTABLISH AND MAINTAIN A LIST OF ORGANIZATIONS AND GROUPS THAT PROVIDE VOLUNTEER SEARCH TEAMS OR RESOURCES RELATING TO MISSING CHILDREN".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #32

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

Senate Bill 63 – Senators Kelley, Astle, Colburn, Conway, DeGrange, Forehand, Klausmeier, Manno, Mathias, McFadden, Middleton, Pinsky, Pugh, Robey, Stone, and Young

AN ACT concerning

Child Abuse and Neglect – Failure to Provide Notice or Report – Civil Liability and Criminal Penalty

SB0063/238071/3

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 63
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "Young, Brochin, Jacobs, Ramirez, Raskin, Shank, and Jones–Rodwell"; strike beginning with "Failure" in line 2 down through "Penalty" in line 3 and substitute "Notice and Reporting Requirements, Disclosure, and Task Force"; strike beginning with "adding" in line 6 down through "circumstances;" in line 14; strike beginning with "establishing" in line 17 down through "report" in line 20 and substitute "making it a misdemeanor, subject to a certain penalty, for a certain person to knowingly and willfully fail to file a certain report of abuse under certain circumstances; requiring certain entities that employ or contract with a certain person to have a certain policy

relating to child abuse and neglect and to provide employees and contractors with certain information; providing that a report concerning child abuse or neglect may be disclosed on request to a certain president of a public institution of higher education or the Chancellor of the University System of Maryland under certain circumstances; establishing the Task Force to Study Training for School Employees and Volunteers on the Prevention, Identification, and Reporting of Child Sexual Abuse; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act"; in line 20, strike "reporting"; and after line 26, insert:

"BY adding to
Article – Criminal Law
Section 3–602.2
Annotated Code of Maryland
(2002 Volume and 2011 Supplement)".

On page 2, after line 5, insert:

"BY adding to
Article – Family Law
Section 5–705.2
Annotated Code of Maryland
(2006 Replacement Volume and 2011 Supplement)";

and after line 10, insert:

"BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a) and (c)(2)
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)(1)(ix) and (x)

Annotated Code of Maryland
(2007 Volume and 2011 Supplement)

BY adding to
Article – Human Services
Section 1–202(c)(1)(xi)
Annotated Code of Maryland
(2007 Volume and 2011 Supplement)".

AMENDMENT NO. 2
On page 2, after line 21, insert:

"Article – Criminal Law

3–602.2.

(A) AN INDIVIDUAL REQUIRED TO FILE A REPORT UNDER § 5–704 OF THE FAMILY LAW ARTICLE MAY NOT KNOWINGLY AND WILLFULLY FAIL TO FILE A REPORT OF ABUSE AS REQUIRED UNDER § 5–704 OF THE FAMILY LAW ARTICLE IF:

(1) THE INDIVIDUAL:

(I) HAS ACTUAL AND DIRECT KNOWLEDGE OF THE ABUSE; AND

(II) KNOWS OR SHOULD HAVE KNOWN THAT THE ABUSE IS LIKELY TO CAUSE OR HAS CAUSED SERIOUS PHYSICAL INJURY OR DEATH TO A CHILD; OR

(2) THE INDIVIDUAL HAS ACTUAL AND DIRECT KNOWLEDGE THAT THERE HAS BEEN A VIOLATION OF § 3–303, § 3–304, § 3–305, § 3–306, OR § 3–602 OF THE CRIMINAL LAW ARTICLE IN WHICH THE VICTIM IS A CHILD.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING $10,000 OR BOTH.";

and strike beginning with "**MEDICAL**" in line 25 down through "**AGENT,**" in line 26.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 through 13, inclusive and substitute:

"**5–705.2.**

A PROPRIETORSHIP, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER PUBLIC OR PRIVATE ENTITY THAT EMPLOYS OR CONTRACTS WITH A PERSON REQUIRED UNDER § 5–704 OF THIS SUBTITLE TO REPORT ABUSE OR NEGLECT SHALL:

(1) HAVE A POLICY REQUIRING COMPLIANCE WITH ALL LAWS AND REGULATIONS REGARDING CHILD ABUSE AND NEGLECT; AND

(2) PROVIDE EMPLOYEES AND CONTRACTORS WITH INFORMATION REGARDING HOW TO REPORT CHILD ABUSE AND NEGLECT.".

AMENDMENT NO. 4

On page 4, before line 22, insert:

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

(a) There is a Task Force to Study Training for School Employees and Volunteers on the Prevention, Identification, and Reporting of Child Sexual Abuse.

(b) The Task Force consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the State Superintendent of Education, or the Superintendent's designee;

(4) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(5) the Secretary of Human Resources, or the Secretary's designee;

(6) the Secretary of Juvenile Services, or the Secretary's designee; and

(7) the following six members, appointed by the Governor:

(i) one representative of the Governor's Office of Crime Control and Prevention;

(ii) one representative of the State Council on Child Abuse and Neglect;

(iii) one representative of public school employees with expertise regarding the current operations and training practices within nonpublic schools on the prevention, identification, and reporting of child sexual abuse;

(iv) one representative of nonpublic school employees with expertise regarding the current operations and training practices within public schools on the prevention, identification, and reporting of child sexual abuse;

(v) one representative of the federally recognized State sexual assault coalition; and

(vi) one representative of a child advocacy center with expertise in sexual abuse and victimization.

(c) The Governor shall designate the chair of the Task Force.

(d) The State Department of Education 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:

(i) current practices and resources used by local school systems to train employees and volunteers on the prevention, identification, and reporting of child sexual abuse;

(ii) nationally recognized model programs for training professional school employees on the prevention, identification, and reporting of child sexual abuse;

(iii) the current child sexual abuse prevention curriculum in schools; and

(iv) the resources currently available in the State for the prevention, identification, and reporting of child sexual abuse, including resources available through sexual assault programs, child advocacy centers, and nonprofit organizations; and

(2) make recommendations regarding:

(i) whether training on child sexual abuse should be incorporated into broader training on all child abuse and neglect, should be addressed separately, or both;

(ii) whether certain school–based employees, including guidance counselors and psychologists, should receive additional training on the identification and reporting of child sexual abuse;

(iii) whether an age–appropriate statewide child sexual abuse curriculum is advisable for elementary school students; and

(iv) the best practices for training school employees and volunteers on the prevention, identification, and reporting of child sexual abuse.

(g) On or before December 1, 2012, the Task Force shall report its findings and recommendations on the best practices for training school employees and

volunteers on the prevention, identification, and reporting of child sexual abuse to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee, the Senate Judicial Proceedings Committee, the House Committee on Ways and Means, and the House Judiciary Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2012.";

in line 22, strike "2." and substitute "4."; in the same line, after "That" insert ", subject to Section 3 of this Act,"; and in line 23, strike "October 1, 2012" and substitute "June 1, 2012. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2013, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect".

AMENDMENT NO. 5

On page 4, after line 21, insert:

"Article – Human Services

1–202.

(a) Except as otherwise provided in Title 5, Subtitles 7 and 12 of the Family Law Article, § 1–203 of this subtitle, and this section, a person may not disclose a report or record concerning child abuse or neglect.

(c) A report or record concerning child abuse or neglect:

(1) may be disclosed on request to:

(ix) the Juvenile Justice Monitoring Unit of the Office of the Attorney General established under Title 6, Subtitle 4 of the State Government Article; **[**or**]**

(x) subject to subsection (d) of this section, a licensed practitioner of a hospital or birthing center to make discharge decisions concerning a child, when the practitioner suspects that the child may be in danger after discharge based on the practitioner's observation of the behavior of the child's parents or immediate family members; **[**and**] OR**

(XI) THE PRESIDENT OF A PUBLIC INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10–101(F) OF THE EDUCATION ARTICLE, OR THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND TO CARRY OUT APPROPRIATE PERSONNEL OR ADMINISTRATIVE ACTION FOLLOWING A REPORT OF SUSPECTED CHILD ABUSE COMMITTED:

1. BY A CURRENT EMPLOYEE;

2. BY A CONTRACTOR, EMPLOYEE OF A CONTRACTOR, OR VOLUNTEER OF THE INSTITUTION WHO HAS ON–CAMPUS CONTACT WITH CHILDREN;

3. IN CONNECTION WITH AN INSTITUTION SPONSORED, RECOGNIZED, OR APPROVED PROGRAM, CAMP, OR OTHER ACTIVITY; OR

4. ON INSTITUTION PROPERTY; AND

(2) may be disclosed by the Department of Human Resources to the operator of a child care center that is required to be licensed or to hold a letter of compliance under Title 5, Subtitle 5, Part VII of the Family Law Article or to a family child care provider who is required to be registered under Title 5, Subtitle 5, Part V of the Family Law Article, to determine the suitability of an individual for employment in the child care center or family child care home.”.

The preceding 5 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 1146** SPONSOR: **Delegate Dumais**

SUBJECT: **Domestically Related Crimes – Reporting**

THIRD READING CALENDAR HOUSE NO. **34** SENATE NO. **2**

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 Amendment (HB1146/338577/1) be rejected.

Senate Members:	House Members:
Chair, **Victor R. Ramirez**	Chair, **Luiz R. S. Simmons**
Joseph M. Getty	**Jeff Waldstreicher**
Bobby A. Zirkin	**Neil Parrott**

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. 1115)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON RULES REPORT #14

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

House Bill 1272 – Delegates A. Miller, Cullison, Reznik, S. Robinson, and Washington

AN ACT concerning

Public Health – Electronic Cigarettes – Distribution to Minors Prohibited

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 160 – Delegates Niemann, Barnes, Beidle, Branch, Braveboy, Carr, Carter, Clippinger, Frush, Gilchrist, Glenn, Healey, Hogan, Holmes, Kipke, Lafferty, McMillan, Proctor, Ross, Summers, V. Turner, ~~and Weir~~ Weir, and Wilson

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

FOR the purpose of ~~establishing a motor vehicle towing, recovery, and storage lien on a towed motor vehicle on behalf of the tower for certain towing, recovery, and storage charges; prohibiting a motor vehicle towing, recovery, and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; providing that a motor vehicle towing, recovery, and storage lienor may only sell a motor vehicle to which a lien is attached in a certain manner; requiring a motor vehicle towing, recovery, and storage lienor to return certain motor vehicle registration plates to the Motor Vehicle Administration under certain circumstances; requiring the Motor Vehicle Administration to provide a receipt for the return of certain motor vehicle registration plates; establishing certain notice and publication requirements for the public sale of a towed vehicle; requiring the Administration to issue a salvage certificate to the purchaser of an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien under certain circumstances; providing for the application process for a salvage certificate for an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien; requiring certain motor vehicle towing, recovery, and storage lienors to file a certain court action in a certain manner under certain circumstances; requiring the Motor Vehicle Administration to issue a certificate of title that contains a conspicuous "salvage" notation under certain circumstances;~~ clarifying the application of certain security requirements for tow trucks; altering certain security requirements for tow trucks; altering certain penalties for certain violations related to tow truck vehicle registration; providing for the statewide application of certain provisions of law governing the towing or removal of vehicles from parking lots; repealing a certain provision exempting abandoned vehicles from the application of certain provisions relating to the towing and removal of vehicles from parking lots; altering the content required on certain signage related to the towing, recovery, and storage of vehicles; altering the maximum distance that, and the locations to which, a vehicle towed from a parking lot

may be transported for storage, subject to a certain exception; ~~altering certain maximum amounts that a person may charge for towing, recovering, and storing a vehicle under certain circumstances; authorizing a tower to charge certain persons for the actual costs of providing certain notice;~~ altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to provide certain notice to certain persons within a certain time period after towing a vehicle from a parking lot; ~~requiring a tower to provide certain persons with certain itemized costs;~~ requiring a tower to obtain certain photographic evidence from the parking lot owner before towing a vehicle from a parking lot; prohibiting a tower from towing a vehicle for a certain violation within a certain time period; requiring the Motor Vehicle Administration to establish and maintain a database containing certain addresses for certain insurers and make the database available to any tower free of charge; altering the storage facility to which a tower is required to transport a towed vehicle; prohibiting the removal of a towed vehicle from a certain storage facility for a certain time period; clarifying the required opportunity that certain persons must provide for the reclamation of a towed vehicle; requiring a tower to release a towed vehicle to certain persons under certain circumstances; requiring a storage facility for towed vehicles to accept payment in certain manners under certain circumstances and to make an automatic teller machine available on the premises under certain circumstances; requiring a storage facility that is in possession of a towed vehicle to make the vehicle available to certain persons for certain purposes; altering the persons eligible to seek certain civil damages from a tower under certain circumstances; altering certain penalties for certain towing violations; establishing certain penalties for violations relating to motor vehicle towing, recovery, and storage liens; making a certain stylistic change; making a certain technical correction; ~~altering a certain definition;~~ and generally relating to motor vehicle towing practices and procedures.

~~BY repealing and reenacting, with amendments,~~
~~Article – Commercial Law~~
~~Section 16–202(c) and 16–207~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2011 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Commercial Law~~
~~Section 16–206~~
~~Annotated Code of Maryland~~
~~(2005 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Transportation
Section ~~11–152, 13–506(b), (c), and (f), 13–507(b),~~ 13–920, 21–10A–01 through 21–10A–06, and 27–101(c)
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

~~BY adding to~~
~~Article – Transportation~~
~~Section 13–506(e)~~
~~Annotated Code of Maryland~~
~~(2009 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Transportation
Section ~~13–507(a)(1) and (2) and~~ 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 885 – Delegates Jameson, Barkley, Burns, Haddaway–Riccio, Impallaria, Love, W. Miller, Minnick, and Schulz

AN ACT concerning

Fraudulent Insurance Acts – Individual Sureties – Contracts of Surety Insurance

FOR the purpose of establishing that it is a fraudulent insurance act for an individual surety to make a certain representation or to issue a contract of surety insurance, except as provided in certain provisions of law; ~~establishing that it is a fraudulent insurance act for a person to knowingly or willfully assist a person to obtain a contract of surety insurance from an individual surety, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully make a certain false or fraudulent statement or representation about certain assets pledged by an individual surety or to knowingly or willfully fail to return certain money or premiums paid for a contract of surety insurance under certain circumstances;~~ establishing certain penalties for certain violations of this Act; defining a certain term; requiring the Maryland Insurance Administration to conduct a certain analysis of certain practices of corporate sureties and individual sureties; requiring the Administration to consult with certain persons or entities; requiring the Administration to consider certain items, make certain determinations, and conduct certain surveys and reviews in a certain analysis; requiring the Administration to submit certain reports to certain committees of the General Assembly on or before certain dates; and generally relating to individual sureties, contracts of surety insurance, and fraudulent insurance acts.

BY adding to
Article – Insurance

Section 27–406.1
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–408
Annotated Code of Maryland
(2011 Replacement Volume)

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

House Bill 1017 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

~~**Injured Workers' Insurance Fund – Conversion to Chesapeake Employers' Insurance Company**~~
Task Force to Study Maryland Insurance of Last Resort Programs

FOR the purpose of establishing the Task Force to Study Maryland Insurance of Last Resort Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings to the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Task Force to Study Maryland Insurance of Last Resort Programs. ~~converting the Injured Workers' Insurance Fund into a statutorily created, private, nonprofit, and nonstock workers' compensation insurer to be named the Chesapeake Employers' Insurance Company; requiring the Company to file certain documents and take certain actions before a certain transfer date; providing that the Company has certain powers, privileges, and immunities granted by and is subject to certain provisions imposed on certain insurers; providing that the Company is a member of the Property and Casualty Insurance Guaranty Corporation; requiring the Company to be an authorized insurer and certain insurer of last resort; specifying the circumstances under which the Company may cancel or refuse to renew or issue a policy; authorizing the Company to engage only in a certain business; establishing the Board for the Chesapeake Employers' Insurance Company; specifying the qualifications and terms of members of the Board; requiring the Board to adopt rules, bylaws, and procedures; authorizing the Board to declare a policyholder dividend in a certain form under certain circumstances; providing that the Company is independent of State government and that the employees of the Company are~~

~~not State employees and not members of the State Retirement and Pension System; providing that the money of the Company is not part of the General Fund of the State; providing that the State may not budget for or provide General Fund appropriations to the Company; providing that the debts, claims, obligations, and liabilities of the Company are not a debt of the State or a pledge of the credit of the State; requiring the Board to attempt to use minority business enterprises under certain circumstances for certain brokerage and investment management services; requiring the Board to submit a certain report on or before a certain date each year; requiring, on a certain date, that certain functions, powers, duties, assets, property, accounts, liabilities, contracts, and obligations be irrevocably transferred to the Company; prohibiting a certain contract or agreement with the State from being transferred or assigned to the Company until a certain time; prohibiting the Company from being converted to a mutual or stock company or being dissolved; requiring the Fund to serve as a certain insurer of last resort in a certain manner before a certain date; providing that the Fund shall continue to exist on and after a certain date; prohibiting the Fund from issuing certain policies or engaging in a certain business except through the Company on and after a certain date; authorizing the Fund to continue to be a certain third party administrator on and after a certain date; requiring the Company to utilize certain employees; authorizing the Fund to utilize certain employees; requiring the Company and the Fund to execute a certain agreement; prohibiting the Fund from hiring certain employees on and after a certain date; authorizing certain employees to remain employees of the Fund and continue to be State employees on and after a certain date; providing that certain employees of the Fund may not be required to be employees of the Company; authorizing certain employees to make a certain election; providing that members of the Board for the Fund continue to serve a certain term and serve on the Board for the Company under certain terms and conditions; requiring the Board for the Fund to be subject to certain rules, bylaws, and procedures; authorizing the President of the Fund to be the President of the Company; requiring the Fund to remain in existence under certain circumstances; providing for the termination of the Fund; repealing certain provisions relating to the Fund that are obsolete upon the conversion of the Fund to the Company; providing that the Company is the successor of the Fund, the Board for the Company is the successor of the Board for the Fund, and the President of the Company is the successor of the President of the Fund; requiring that certain names and titles of certain agencies and officials mean the names and titles of the successor agency or official; providing that certain forms and documents may be used by the Company; providing that certain functions, powers, duties, equipment, assets, and liabilities be transferred to the Company on a certain date; providing that compliance with certain provisions of law is not required until a certain time; defining certain terms; stating a certain intent of the General Assembly; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to make certain corrections in the Code; and generally relating to the conversion of the Injured Workers' Insurance Fund to the Chesapeake Employers' Insurance Company.~~

~~BY adding to~~
~~Article – Insurance~~
~~Section 24–301 through 24–311 to be under the new subtitle "Subtitle 3. Chesapeake Employers' Insurance Company" and the amended title "Title 24. State Created Mutual Societies and Other Entities"~~
~~Annotated Code of Maryland~~
~~(2011 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Labor and Employment~~
~~Section 10–101, 10–104, 10–107, 10–109, and 10–113~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY repealing~~
~~Article – Labor and Employment~~
~~The part designation "Part I. Definitions" immediately preceding Section 10–101; and Section 10–105, 10–106, and 10–108 and the part "Part II. Fund"; 10–110, 10–111, 10–112, and 10–114 and the part "Part III. Board"; 10–117, 10–118, 10–120, 10–121, 10–122, 10–125, 10–126, and 10–127 and the part "Part IV. Purposes and Administration of Fund"; 10–130, 10–131, 10–132, 10–133, 10–134, 10–135, 10–136, 10–137, and 10–138 and the part "Part V. Insurance Program"; and 10–141 and the part "Part VI. Prohibited Acts; Penalty"~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

~~BY adding to~~
~~Article – Labor and Employment~~
~~Section 10–103 and 10–107~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2011 Supplement)~~

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

House Bill 1087 – Delegates Hixson and Davis

AN ACT concerning

~~Telecommunications~~ Communications Companies – Universal Service Trust Fund – Surcharge

FOR the purpose of expanding the services that are subject to the Universal Service Trust Fund surcharge; requiring that a certain surcharge be applied to certain bills and be payable at a certain time; altering the maximum amount of a certain surcharge; providing that a certain surcharge is payable by account;

requiring the ~~Public Service Commission~~ Secretary of Information Technology to direct certain companies to add the surcharge to certain bills for certain services under certain circumstances; providing that the money in the Fund may only be used for certain purposes; requiring the Public Service Commission to determine a certain surcharge annually for the following fiscal year; requiring the Commission to set and adjust a certain surcharge in a certain manner and under certain circumstances; requiring that certain funds be carried forward in the Fund for a certain purpose; requiring certain companies to act as collection agents for the Fund and to remit certain proceeds to the Comptroller for deposit in the Fund; providing certain companies a certain credit against certain proceeds; providing that this Act may not be construed to expand the jurisdiction of the Commission in any manner over certain services; defining certain terms; making certain technical changes; and generally relating to the Universal Services Trust Fund surcharge on certain ~~telecommunications~~ communications services.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–501(a) ~~and (c)~~, 3A–504(a), 3A–601(a) and (c), 3A–602(a), and 3A–606
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY adding to
Article – State Finance and Procurement
Section ~~3A–501(g)~~ 3A–501(c) and ~~(i)~~ (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~3A–501(g)~~ 3A–501(c) through (g) and 3A–506
Annotated Code of Maryland
(2009 Replacement Volume and 2011 Supplement)

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

House Bill 1223 – Delegate Guzzone

AN ACT concerning

Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration

FOR the purpose of requiring certain institutions of postsecondary education that enroll certain students in certain online distance education programs to register with the Maryland Higher Education Commission before commencing or continuing to operate, do business, or function in the State within a certain

period of time under certain circumstances; prohibiting certain institutions from commencing or continuing to operate, doing business, or functioning in the State; requiring the Commission to give certain institutions certain notice under certain circumstances within a certain period of time; authorizing certain institutions to request a certain hearing under certain circumstances; requiring the Commission to render a certain decision within a certain period of time; providing certain institutions a certain right to judicial review; providing for a certain exception from the requirement for registration; requiring certain institutions to be accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; requiring the Commission to establish certain refund policies and procedures; requiring the payment of certain fees to be used for certain purposes; requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; requiring the Commission to submit certain reports to the Governor and the General Assembly; authorizing the Commission to require certain institutions to furnish certain bonds or other financial guarantees under certain circumstances; authorizing the Commission to create a certain guaranty fund; providing for the use of a certain fund; authorizing certain students to make certain claims against a certain fund under certain circumstances; requiring certain institutions to pay a certain fee into a certain fund subject to a certain ~~exceptions~~ exception; prohibiting the Commission from issuing a certain registration and requiring the Commission to revoke a certain registration under certain circumstances; authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; prohibiting certain institutions from enrolling certain students under certain circumstances; authorizing certain students to complete certain online distance education programs under certain circumstances; ~~providing that certain persons are guilty of a misdemeanor and subject to certain fines and imprisonment for a certain period of time under certain circumstances~~ providing that an institution shall be subject to a certain fine if it fails to register with the Commission under certain circumstances; requiring certain institutions to submit certain data to the Maryland Longitudinal Data System; providing for the construction of this Act; defining certain terms; and generally relating to institutions of postsecondary education that offer fully online distance education programs in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–202, 11–203, 11–204, and 24–707
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

BY adding to
Article – Education
Section 11–202.2
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

House Bill 1424 – Delegates Conway and McDermott

AN ACT concerning

Ocean City Convention Center – Financial Obligations and Taxing Authority

FOR the purpose of altering a certain provision that places a limit on the amount of certain bonds that may be issued by a local governing body in connection with a certain convention center facility in a resort area and a tax on the sale of food and beverages in the resort area so that the limit applies to the total outstanding principal amount of the bonds; extending the time during which Ocean City and the Stadium Authority each own a certain leasehold interest in the Ocean City Convention Center and its expansion; altering certain required terms of a certain agreement between the Stadium Authority and Ocean City in connection with the timing for Ocean City to become solely responsible for certain operating deficits and capital improvements and the timing for certain required contributions to a certain capital improvement reserve fund; and generally relating to financial obligations and taxing authority related to the Ocean City Convention Center and its expansion.

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13H(b)(1)
Annotated Code of Maryland
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–643(d)(5) and (f)(1)
Annotated Code of Maryland
(2008 Volume and 2011 Supplement)

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #30

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

House Bill 7 – Delegate Olszewski

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition

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 119 – Delegates McDermott, Anderson, Clippinger, Conaway, Hough, McComas, Mitchell, Smigiel, ~~and Waldstreicher~~ Waldstreicher, Jameson, Murphy, and Wilson

AN ACT concerning

Criminal Procedure – Misdemeanors and Local Ordinance Violations – Citations and Study

HB0119/548674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 119
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Study"; strike beginning with "requiring" in line 4 down through "violations;" in line 5; and strike beginning with "requiring" in line 13 down through "requiring" in line 23.

On page 2, strike beginning with "the" in line 1 down through "Act;" in line 12; in line 15, after "4–101(c)" insert "(2)"; and in line 30, strike "4–101.1" and substitute "4–101(c)(2) and (4)".

AMENDMENT NO. 2

On pages 3 and 4, strike beginning with "(1)" in line 16 on page 3 down through "**GRAMS**." in line 16 on page 4.

AMENDMENT NO. 3

On pages 4 through 6, strike beginning with the second "**A**" in line 19 on page 4 down through "**ARTICLE.**" in line 31 on page 6 and substitute "**:**

(I) MISDEMEANOR THEFT UNDER § 7–104(G)(2) OR (3) OF THE CRIMINAL LAW ARTICLE;

(II) PROSTITUTION UNDER § 11–306 OF THE CRIMINAL LAW ARTICLE;

(III) SALE OF AN ALCOHOLIC BEVERAGE TO AN UNDERAGE DRINKER OR INTOXICATED PERSON UNDER ARTICLE 2B, § 12–108 OF THE CODE;

(IV) BAD CHECK UNDER § 8–103 OF THE CRIMINAL LAW ARTICLE;

(V) CABLE TV FRAUD UNDER § 7–303 OF THE CRIMINAL LAW ARTICLE;

(VI) BRIBING A VOTER UNDER § 9–203 OF THE CRIMINAL LAW ARTICLE; AND

(VII) A VIOLATION OF STATEWIDE GAMING PROVISIONS UNDER TITLE 12, SUBTITLE 1 OF THE CRIMINAL LAW ARTICLE.".

AMENDMENT NO. 4

On pages 9 through 12, strike in their entirety the lines beginning with line 11 on page 9 through line 36 on page 12, inclusive.

On page 13, in line 1, strike "4." and substitute "2."; and strike beginning with "Section" in line 2 down through "effect." in line 5.

The preceding 4 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 130 – Delegates Arora, Conaway, McComas, McDermott, McMillan, Mitchell, and Washington

AN ACT concerning

Laser Safety Act

Senator Ferguson moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2012.

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

Affirmative – 25 Negative – 19 (See Roll Call No. 1116)

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

House Bill 499 – ~~Delegate Niemann~~ Delegates Niemann and Frush

AN ACT concerning

Vehicle Laws – Disposition of Vehicle to Automotive Dismantler and Recycler or Scrap Processor

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 545 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Oaks

AN ACT concerning

Crimes – Theft from a Motor Vehicle ~~– Penalties~~

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 573 – Delegates K. Kelly, Cluster, Hough, McDermott, Smigiel, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Bail Bondsman Solicitation – Penalty

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 579 – Delegate Elliott

AN ACT concerning

Public Safety – Regulated Firearms – Exemption from Training Course

HB0579/828878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 579
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Exemption from Training Course" and substitute "Training Requirements"; in line 3, after "of" insert "repealing a requirement that a certain firearms safety training course be conducted without charge; requiring a person to complete a certain firearms safety training course before applying for a certain permit;"; in line 10, after "Section" insert "5–118(b),"; and in the same line, strike "and 5–134(c)" and substitute ", 5–134(c), and 5–306(a)".

AMENDMENT NO. 2

On page 1, after line 15, insert:

"5–118.

(b) A firearm application shall contain:

(1) the firearm applicant's name, address, Social Security number, place and date of birth, height, weight, race, eye and hair color, signature, driver's or photographic identification soundex number, occupation, and regulated firearm information for each regulated firearm to be purchased, rented, or transferred;

(2) the date and time that the firearm applicant delivered the completed firearm application to the prospective seller or transferor; and

(3) a statement by the firearm applicant under the penalty of perjury that the firearm applicant:

(i) is at least 21 years old;

(ii) has never been convicted of a disqualifying crime;

(iii) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(iv) is not a fugitive from justice;

(v) is not a habitual drunkard;

(vi) is not addicted to a controlled dangerous substance or is not a habitual user;

(vii) has never spent more than 30 consecutive days in a medical institution for treatment of a mental disorder, unless a physician's certificate issued within 30 days before the date of application is attached to the application, certifying that the firearm applicant is capable of possessing a regulated firearm without undue danger to the firearm applicant or to another;

(viii) is not a respondent against whom a current non ex parte civil protective order has been entered under § 4–506 of the Family Law Article;

(ix) if under the age of 30 years at the time of application, has not been adjudicated delinquent by a juvenile court for an act that would be a disqualifying crime if committed by an adult; and

(x) subject to § 5–119 of this subtitle, has completed a certified firearms safety training course that the Police Training Commission conducts [without charge] or that meets the standards that the Police Training Commission establishes under § 3–207 of this article.".

AMENDMENT NO. 3

On page 2, after line 32, insert:

"5–306.

(a) Subject to subsection (b) of this section, the Secretary shall issue a permit within a reasonable time to a person who the Secretary finds:

(1) is an adult;

(2) (i) has not been convicted of a felony or of a misdemeanor for which a sentence of imprisonment for more than 1 year has been imposed; or

(ii) if convicted of a crime described in item (i) of this item, has been pardoned or has been granted relief under 18 U.S.C. § 925(c);

(3) has not been convicted of a crime involving the possession, use, or distribution of a controlled dangerous substance;

(4) is not presently an alcoholic, addict, or habitual user of a controlled dangerous substance unless the habitual use of the controlled dangerous substance is under legitimate medical direction; **[**and**]**

(5) HAS COMPLETED A CERTIFIED FIREARMS SAFETY TRAINING COURSE IN PERSON APPROVED BY THE POLICE TRAINING COMMISSION BEFORE SUBMITTING AN APPLICATION FOR A PERMIT; AND

[(5)**] (6)** based on an investigation:

(i) has not exhibited a propensity for violence or instability that may reasonably render the person's possession of a handgun a danger to the person or to another; and

(ii) has good and substantial reason to wear, carry, or transport a handgun, such as a finding that the permit is necessary as a reasonable precaution against apprehended danger.".

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 589 – Delegates A. Miller, McComas, Stein, Beidle, Arora, Hixson, Howard, Ivey, Lee, Luedtke, S. Robinson, Stukes, and Waldstreicher

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Mephedrone

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 644 – Delegates Oaks and Niemann

AN ACT concerning

Environment – Reducing the Incidence of Lead Poisoning

HB0644/768075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 644
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "date;" insert "exempting certain properties built between certain dates from certain requirements relating to certain risk reduction standards;"; and strike beginning with "establishing" in line 8 down through "evidence;" in line 10 and substitute "providing for the admissibility of certain evidence in certain actions for damages for alleged injury or loss caused by the ingestion of lead; requiring a court to require a certain party, the party's attorney, or both to pay certain costs under certain circumstances;".

On page 2, in line 4, after "6–801(b)," insert "6–817(a)(1) and (b)(1), 6–819(f),"; after line 6, insert:

"BY repealing
Article – Environment
Section 6–838
Annotated Code of Maryland
(2007 Replacement Volume and 2011 Supplement)";

and in line 9, strike "6–830.1" and substitute "6–838".

AMENDMENT NO. 2

On page 2, after line 33, insert:

"6–817.

(a) (1) **[**On**] EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2001, an owner of affected properties shall ensure that at least 50% of the owner's affected properties have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle, without regard to the number of affected properties in which there has been a change in occupancy.

(b) (1) **[**On**] EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE, ON** and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk resides, and of whom the owner has been notified in writing, have satisfied the risk reduction standard specified in § 6–815(a) of this subtitle.

6–819.

(f) Except as provided in § 6–817(b) of this subtitle **AND EXCEPT FOR PROPERTIES CONSTRUCTED BETWEEN JANUARY 1, 1950, AND DECEMBER 31, 1997, BOTH INCLUSIVE**, on and after February 24, 2006, an owner of affected properties shall ensure that 100% of the owner's affected properties in which a person at risk does not reside have satisfied the modified risk reduction standard.".

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 6 on page 4, inclusive, and substitute:

"[6–838.

(a) An owner of an affected property that is not in compliance with the provisions of Part IV of this subtitle during the period of residency of the person at risk is presumed to have failed to exercise reasonable care with respect to lead hazards during that period in an action seeking damages for alleged injury or loss caused by the ingestion of lead by a person at risk in the affected property.

(b) The owner has the burden of rebutting the presumption established under subsection (a) of this section by a preponderance of the evidence.]

6–838.

(A) (1) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER EXERCISED REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(2) IN AN ACTION SEEKING DAMAGES FOR ALLEGED INJURY OR LOSS CAUSED BY THE INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY, EVIDENCE THAT THE OWNER OF THE AFFECTED PROPERTY WAS NOT IN COMPLIANCE WITH THE PROVISIONS OF PART IV OF THIS SUBTITLE DURING THE PERIOD OF RESIDENCY OF THE PERSON AT RISK IS ADMISSIBLE AS EVIDENCE THAT THE OWNER FAILED TO EXERCISE REASONABLE CARE WITH RESPECT TO LEAD HAZARDS DURING THAT PERIOD.

(B) IF A PARTY TO AN ACTION FOR DAMAGES ARISING FROM INGESTION OF LEAD BY A PERSON AT RISK IN AN AFFECTED PROPERTY ALLEGES OR DENIES THE TIME AND PLACE OF RESIDENCE OF THE PERSON AT RISK WITHOUT A GOOD FAITH BASIS FOR THE ALLEGATION OR DENIAL, THE COURT SHALL REQUIRE THE OFFENDING PARTY, THE PARTY'S ATTORNEY, OR BOTH TO PAY THE REASONABLE COSTS, INCLUDING ATTORNEY'S FEES, INCURRED BY THE ADVERSE PARTY IN OPPOSING THE ALLEGATION OR DENIAL.".

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 666 – Delegates Smigiel, Dwyer, George, McComas, McConkey, McDermott, and Ready

AN ACT concerning

Criminal Procedure – Victims' Rights – Remedy and Priority of Restitution

HB0666/948579/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 666
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Remedy and"; strike beginning with "expanding" in line 3 down through "violation;" in line 14; in line 15, strike "so as"; in line 17, strike "providing for the application of this Act;"; in line 18, strike "enforcement of victims' rights and"; and in line 21, strike "11–103 and".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 9 on page 2 through line 23 on page 3, inclusive.

On page 4, strike beginning with "That" in line 21 down through "ENACTED," in line 24.

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 834 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Child Abuse and Neglect – ~~Child Welfare –~~ Alternative Response

HB0834/968971/1
BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 834
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after "program;" insert "providing that a certain independent agency may not receive certain funding;".

AMENDMENT NO. 2

On page 10, in line 20, strike "Services" and substitute "Resources"; in line 25, strike "the" and substitute ":

(a) The";

and after line 27, insert:

"(b) The independent agency may not receive any funding from any State agency other than the compensation received under the contract entered into under subsection (a) of this section.".

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 7, 2012.

The motion was adopted.

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

House Bill 884 – Delegates Summers, Bobo, Braveboy, Gaines, Healey, Holmes, Howard, Ivey, Jacobs, Jones, Kaiser, Lafferty, McDonough, Niemann, B. Robinson, Stocksdale, and Zucker

AN ACT concerning

Electric, Gas, Sewer, and Water Service – Default Notice to Condominium Unit Owners and Residents

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 1031 – Delegates Alston and Vallario

AN ACT concerning

Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea

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 1120 – Delegates Carter, Alston, Anderson, Barnes, Boteler, Braveboy, Cane, Dumais, Haynes, Holmes, Kach, K. Kelly, Lee, Mitchell, Nathan–Pulliam, Oaks, Proctor, B. Robinson, Rosenberg, Simmons, Smigiel, Stukes, Tarrant, F. Turner, Walker, and Washington

AN ACT concerning

Missing Children – Search Efforts and Collaboration (Phylicia's Law)

HB1120/248473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1120

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "altering a certain factor that a law enforcement agency considers when evaluating a report regarding a missing child;"; and strike beginning with "requiring" in line 9 down through "appropriate;" in line 11.

AMENDMENT NO. 2

On page 2, in line 19, strike "14"; and in the same line, before "years" insert "**17**".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 29 through 32, 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:

House Bill 1238 – Delegate Dumais

AN ACT concerning

Maryland Legal Services Corporation Fund – Net Interest Earnings

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 1365 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

~~Criminal Procedure~~ Department of Juvenile Services – Restitution ~~and Other Payments~~ – Referral to the Central Collection Unit

HB1365/838775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1365
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Department of Juvenile Services" and substitute "Criminal Procedure"; in the same line, after "Restitution" insert "and Other Payments"; in line 4, after the second "the" insert "Division of Parole and Probation and the"; in line 5, after "restitution" insert "payments, court costs, fines, fees, or"; in line 7, after "collection;" insert "authorizing the Central Collection Unit to collect funds in a certain manner and certify certain arrearages in a certain manner; requiring the Division, Department of Juvenile Services, or Central Collection Unit to provide certain notifications if certain costs, fines, fees, or accounts are paid; expanding certain authority of the State Lottery Agency to withhold certain prize money to include certain costs, fines, fees, and accounts;"; and in line 16, after "11–616" insert "and 11–618".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 2 on page 2 through line 28 on page 3, inclusive.

On page 5, after line 15, insert:

"11–616.

(a) The Division or the Department of Juvenile Services**[**:

(1)**]** in addition to other actions authorized under Part I of this subtitle, may refer **[**an overdue**]** **ALL** restitution**, [**account**]** **COURT COSTS, FINES, FEES, OR ACCOUNTS** for collection to the Central Collection Unit**[**; and

(2) if probation or other supervision is terminated and restitution is still owed, shall refer the overdue restitution account for collection to the Central Collection Unit**]**.

(b) Subject to subsection (c) of this section, the Central Collection Unit may:

(1) collect **[**overdue restitution**]** **FUNDS** in accordance with Title 3, Subtitle 3 of the State Finance and Procurement Article; and

(2) certify [a restitution] **AN** obligor who is in arrears on [restitution] payments exceeding $30 [under the judgment of restitution] to:

(i) the Comptroller for income tax refund interception in accordance with Title 13, Subtitle 9, Part III of the Tax – General Article; and

(ii) the State Lottery Agency for State lottery prize interception in accordance with § 11–618 of this subtitle.

(c) (1) The Central Collection Unit may not compromise and settle a judgment of restitution unless:

(i) the Division or the Department of Juvenile Services obtains the consent of the victim; or

(ii) the court orders otherwise because a victim cannot be located.

(2) The Division or the Department of Juvenile Services shall contact the victim to determine whether the victim consents to compromise and settle a judgment of restitution.

(d) If complete restitution and interest have been paid [or]**,** a judgment of restitution has been compromised and settled as provided in subsection (c) of this section, **OR ANY OTHER COST, FINE, FEE, OR ACCOUNT HAS BEEN PAID IN FULL,** the Division, the Department of Juvenile Services, or the Central Collection Unit immediately shall notify:

(1) the court that issued the judgment by filing the statement as provided under § 11–608(c) of this subtitle that the judgment has been satisfied; and

(2) the last known employer of [a restitution] **AN** obligor to terminate an earnings withholding order issued under § 11–617 of this subtitle.

[(e) (1) Restitution is overdue if the restitution or a restitution payment is not paid:

(i) by the date that the court orders; or

(ii) if no date is ordered, by the later of:

1. the date the Division or the Department of Juvenile Services directs the restitution obligor to pay restitution or make a restitution payment; or

2. 30 days after the court enters a judgment of restitution.

(2) If restitution is overdue, the amount of the arrearage is the amount of restitution ordered and any interest allowed by law, minus any amount previously paid or received under the judgment of restitution.**]**

11–618.

(a) A certification of arrearage on restitution **[**payments**], COURT COSTS, FINES, FEES, OR ACCOUNTS OWED** that the Central Collection Unit sends to the State Lottery Agency under § 11–616 of this subtitle shall contain:

(1) the full name of the **[**restitution**]** obligor and any other name known to be used by the **[**restitution**]** obligor;

(2) the Social Security number of the **[**restitution**]** obligor; and

(3) the amount of the arrearage.

(b) If **[**a restitution**] AN** obligor who is overdue in **[**restitution**]** payments **REFERRED TO THE CENTRAL COLLECTION UNIT UNDER § 11–616 OF THIS SUBTITLE** wins a lottery prize to be paid by check directly by the State Lottery Agency, the State Lottery Agency shall send a notice to the **[**restitution**]** obligor that:

(1) the **[**restitution**]** obligor has won a prize to be paid by the State Lottery Agency;

(2) the State Lottery Agency has received notice from the Central Collection Unit of the **[**restitution**]** obligor's **[**restitution**]** arrearage in the specified amount;

(3) State law requires the State Lottery Agency to withhold the prize and to pay it towards the [restitution] obligor's [restitution] arrearage;

(4) the [restitution] obligor may appeal to the Central Collection Unit if the [restitution] obligor disputes the existence or the amount of the arrearage; and

(5) if an appeal is not filed within 15 days after the date of the notice, the State Lottery Agency will transfer the prize or the part of the prize that equals the [restitution] arrearage to the Central Collection Unit.

(c) (1) The State Lottery Agency shall withhold all or part of the prize up to the amount of the arrearage until the Central Collection Unit notifies the State Lottery Agency as to whom the withheld prize money is to be paid.

(2) The State Lottery Agency shall honor lottery prize interception requests in the following order:

(i) an interception request under § 10–113.1 of the Family Law Article;

(ii) an interception request under this section; and

(iii) an interception request under § 3–307 of the State Finance and Procurement Article.

(d) (1) On receipt of a notice from the State Lottery Agency, [a restitution] **AN** obligor who disputes the existence or amount of the arrearage may appeal the proposed transfer.

(2) If an appeal is not filed within 15 days after the date of the notice, the State Lottery Agency shall transfer the amount of the prize withheld to the Central Collection Unit.

(3) If the [restitution] obligor appeals the proposed transfer, after a hearing the Central Collection Unit shall notify the State Lottery Agency that the withheld prize shall be:

(i) paid to the [restitution] obligor;

(ii) transferred to the Central Collection Unit; or

(iii) in specified amounts, partly paid to the [restitution] obligor and partly transferred to the Central Collection Unit.

(e) The Secretary of Budget and Management and the Director of the State Lottery Agency may jointly adopt regulations to carry out 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 1418 – Delegates Anderson, Alston, Carter, Simmons, Valentino–Smith, Vallario, and Waldstreicher

AN ACT concerning

Criminal Procedure – Coram Nobis – Failure to Seek Appeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #55

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

House Bill 596 – Delegates Kaiser, Barkley, Cullison, Gutierrez, Ivey, A. Kelly, Luedtke, Reznik, S. Robinson, Stukes, Summers, and Zucker

AN ACT concerning

Child with a Disability – Individualized Education Program Meeting – Document Access

HB0596/424937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 596
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "of" insert "providing that the parents of a child with a disability may notify appropriate school personnel that they do not want to receive certain documents;".

AMENDMENT NO. 2

On page 2, in line 3, strike "**MEANS**" and substitute "**INCLUDES**"; in line 4, strike "**, INCLUDING A SPECIALIZED FORMAT**"; strike beginning with the comma in line 5 down through "**DOCUMENT**" in line 7; in line 31, strike "subparagraph (ii)" and substitute "**SUBPARAGRAPHS (II) AND (III)**".

On page 3, after line 8, insert:

"**(III) THE PARENTS OF A CHILD MAY NOTIFY APPROPRIATE SCHOOL PERSONNEL THAT THEY DO NOT WANT TO RECEIVE THE DOCUMENTS REQUIRED TO BE PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**".

AMENDMENT NO. 3

On page 3, in line 25, strike "**SCHOOL**" and substitute "**TO FULFILL THE PURPOSES OF THIS SECTION, SCHOOL**"; in line 26, strike "**ANY**" and substitute "**:**

(1) ELECTRONIC DELIVERY;

(2) HOME DELIVERY WITH THE STUDENT; OR

(3) ANY OTHER";

and in line 27, strike "**TO FULFILL THE PURPOSES OF THIS SECTION**".

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 with amendments:

House Bill 658 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Safety – Emergency Management – Emergency Plans for Human Service Facilities – Dialysis Centers

HB0658/924631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 658
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "–" and substitute "and"; strike beginning with "altering" in line 4 down through "plan;" in line 6; in line 7, strike "a human service facility is" and substitute "certain facilities and centers are"; strike beginning with "human" in line 9 down through "facility" in line 10 and substitute "certain facility or center"; in line 10, after "reimbursement;" insert "requiring certain kidney dialysis centers to have certain emergency plans; requiring certain plans to include certain policies and procedures; requiring certain kidney dialysis centers to provide access to certain plans to certain organizations for emergency management;"; in line 12, after "entities;" insert "requiring the Department to ensure that certain regulations do not conflict with certain federal requirements; defining a certain term;"; in line 13, after "facilities" insert "and kidney dialysis centers"; and after line 18, insert:

"BY adding to
Article – Public Safety
Section 14–110.2
Annotated Code of Maryland
(2011 Replacement Volume)".

AMENDMENT NO. 2

On page 2, in line 14, strike the brackets; and strike beginning with the semicolon in line 16 down through "**ARTICLE**" in line 18.

AMENDMENT NO. 3

On page 3, after line 24, insert:

"**14–110.2.**

(A) IN THIS SECTION, "KIDNEY DIALYSIS CENTER" HAS THE MEANING STATED IN § 19–3B–01 OF THE HEALTH – GENERAL ARTICLE.

(B) A KIDNEY DIALYSIS CENTER SHALL HAVE AN EMERGENCY PLAN.

(C) AN EMERGENCY PLAN SHALL INCLUDE POLICIES AND PROCEDURES THAT WILL BE FOLLOWED BEFORE, DURING, AND AFTER AN EMERGENCY TO ADDRESS:

(1) THE SAFE MANAGEMENT OF INDIVIDUALS WHO ARE RECEIVING SERVICES AT THE KIDNEY DIALYSIS CENTER WHEN AN EMERGENCY OCCURS;

(2) NOTIFICATION OF PATIENTS, FAMILIES, STAFF, AND LICENSING AUTHORITIES REGARDING ACTIONS THAT WILL BE TAKEN CONCERNING THE PROVISION OF DIALYSIS SERVICES TO THE INDIVIDUALS SERVED BY THE KIDNEY DIALYSIS CENTER;

(3) STAFF COVERAGE, ORGANIZATION, AND ASSIGNMENT OF RESPONSIBILITIES; AND

(4) THE CONTINUITY OF OPERATIONS, INCLUDING PROCEDURES TO SECURE ACCESS TO ESSENTIAL GOODS, EQUIPMENT, AND DIALYSIS SERVICES.

(D) (1) THIS SUBSECTION DOES NOT PROHIBIT A KIDNEY DIALYSIS CENTER FROM APPLYING FOR AND RECEIVING REIMBURSEMENT:

(I) UNDER ANY APPLICABLE INSURANCE POLICY; OR

(II) FROM ANY STATE OR FEDERAL FUNDS THAT MAY BE AVAILABLE DUE TO A DECLARED STATE OR FEDERAL EMERGENCY.

(2) A KIDNEY DIALYSIS CENTER IS SOLELY RESPONSIBLE FOR ANY FINANCIAL OBLIGATION ARISING FROM VOLUNTARY OR MANDATORY ACTIVATION OF ANY ASPECT OF THE EMERGENCY PLAN DEVELOPED BY THE KIDNEY DIALYSIS CENTER UNDER THIS SECTION.

(E) FOR PURPOSES OF COORDINATING LOCAL EMERGENCY PLANNING EFFORTS, A KIDNEY DIALYSIS CENTER SHALL PROVIDE ACCESS TO THE EMERGENCY PLANS DEVELOPED UNDER THIS SECTION TO LOCAL ORGANIZATIONS FOR EMERGENCY MANAGEMENT.".

AMENDMENT NO. 4

On page 3, in line 25, strike ", on" and substitute ":

(a) On".

On page 4, after line 2, insert:

"(b) In developing the regulations required under this section, the Department shall ensure that the requirements for emergency plans for kidney dialysis centers under this Act do not conflict with federal requirements of kidney dialysis centers.".

The preceding 4 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 701 – Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting
MC 9–12

HB0701/854732/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 701
(Third Reading File Bill)

On page 2, in line 32, strike the bracket.

On page 3, in line 1, strike the bracket; and strike beginning with "**IN**" in line 1 down through "**MEMBER**" in line 4 and substitute "**; AND**

(II) SCHOOL BOUNDARIES".

The preceding amendment was read and adopted.

Senator Frosh moved, duly seconded, to make the Bill and Report a Special Order for April 9, 2012.

The motion was adopted.

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

House Bill 725 – Montgomery County Delegation

AN ACT concerning

Montgomery County – County Council Special Elections – Voting by Mail
MC 5–12

HB0725/234034/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 725
(Third Reading File Bill)

On page 5, in line 6, strike "**THREE VOTING CENTERS**" and substitute "**ONE VOTING CENTER**"; and in lines 8 and 9, strike "**THREE VOTING CENTERS**" and substitute "**ONE VOTING CENTER**".

The preceding amendment was read and adopted.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2012.

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

Affirmative – 10 Negative – 32 (See Roll Call No. 1117)

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 1124 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – Revisions and Corrections

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 1130 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Land Use – Cross–References and Corrections

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 1290 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Land Use

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2012.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #56

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

House Bill 182 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Board of Elections – Salary

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 900 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George's County – Proposed Subdivisions – ~~Escrow Funds~~ Development Impact Fees for Traffic Mitigation
PG/MC 109–12

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 1188 – Delegates Ross, Ivey, Summers, Vaughn, ~~and Walker~~ Walker, Cardin, and Frick

AN ACT concerning

State Department of Education – Lacrosse Opportunities Program

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 1264 – Howard County Delegation (By Request)

AN ACT concerning

Howard County – Massage Establishment, Pawnbroker or Secondhand Dealer Establishment, and Taxicab Licenses – Criminal History Records Checks
Ho. Co. 8–12

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 1369 – Chair, Health and Government Operations Committee (By Request – Departmental – Minority Affairs, Office of) and Delegates Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly, Morhaim, Murphy, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Office of Minority Affairs – Duties of Special Secretary – Minority Business Enterprises

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 1370 – Chair, Health and Government Operations Committee (By Request – Departmental – Transportation) (By Request – Departmental – Minority Affairs, Office of) and Delegates Pendergrass, Bromwell, Cullison, Donoghue, Hubbard, A. Kelly, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

Procurement – Minority Business Participation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #57

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

House Bill 10 – Delegate Haddaway–Riccio

AN ACT concerning

Business Occupations – Electrical Inspectors – Master Electrician License Required

HB0010/684731/1
BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 10
(Third Reading File Bill)

On page 2, strike beginning with the colon in line 24 down through "**(I)**" in line 25; and strike beginning with "**; OR**" in line 28 down through "**ELECTRICIAN**" in line 30.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1118)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #32

House Bill 96 – Delegates Anderson, Braveboy, Cane, Carter, Clippinger, Conaway, Dumais, Glenn, Hammen, Haynes, Holmes, Howard, Ivey, Jones, K. Kelly, McDermott, McHale, McIntosh, Morhaim, Nathan–Pulliam, Pena–Melnyk, Proctor, B. Robinson, Rosenberg, Stukes, Summers, Tarrant, V. Turner, Vallario, Washington, and Zucker

AN ACT concerning

Criminal Procedure – Probation Before Judgment – ~~Subsequent~~ Possession of a Controlled Dangerous Substance ~~Crime~~

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

Affirmative – 33 Negative – 13 (See Roll Call No. 1120)

The Bill was then sent to the House of Delegates.

House Bill 149 – Delegates Beidle, Olszewski, Stein, Glenn, Lafferty, Niemann, ~~and Norman~~ and Kipke

AN ACT concerning

Mopeds and Motor Scooters – Titling, ~~Registration,~~ Insurance, and Required Use of Protective Headgear

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

Affirmative – 33 Negative – 13 (See Roll Call No. 1121)

The Bill was then sent to the House of Delegates.

House Bill 187 – Delegates K. Kelly and Simmons

AN ACT concerning

Criminal Procedure – Expungement – Filing on Behalf of Deceased Person

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

Affirmative – 39 Negative – 6 (See Roll Call No. 1122)

The Bill was then sent to the House of Delegates.

House Bill 209 – Delegates Mitchell, Anderson, Arora, Clippinger, Cluster, Dumais, Glenn, Hubbard, McDermott, B. Robinson, Simmons, Stukes, Summers, Tarrant, Valentino–Smith, Waldstreicher, Washington, and Zucker

AN ACT concerning

Public Safety – Possession of Firearms – Crimes Committed in Other States

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

Affirmative – 27 Negative – 19 (See Roll Call No. 1123)

The Bill was then sent to the House of Delegates.

House Bill 252 – Delegates Burns, Valentino–Smith, Aumann, Boteler, Minnick, and Weir

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1124)

The Bill was then sent to the House of Delegates.

House Bill 261 – Delegates Vallario, McDermott, Anderson, Dumais, Glenn, K. Kelly, Simmons, Smigiel, Valentino–Smith, and Wilson

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – ~~Office of the Public Defender – Representation~~ Criminal Defendants – Court Appearances

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1125)

The Bill was then sent to the House of Delegates.

House Bill 281 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Real Property – Exception for Prerequisites to Recording

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1126)

The Bill was then sent to the House of Delegates.

House Bill 598 – Delegates McComas, Afzali, Clippinger, Frush, Kach, McDonough, B. Robinson, Sophocleus, Stocksdale, and Vitale

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1127)

The Bill was then sent to the House of Delegates.

House Bill 668 – Delegates Schulz, Wood, Aumann, Bates, Clagett, Cluster, Eckardt, Glass, Haddaway–Riccio, Hershey, Hogan, Jacobs, McComas, McDermott, W. Miller, O'Donnell, Otto, Serafini, Smigiel, and Weir

AN ACT concerning

Vehicle Laws – Historic Motor Vehicles – Trucks, Tractors, and Motor Homes

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1128)

The Bill was then sent to the House of Delegates.

House Bill 721 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation and Collection of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program
MC 10–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1129)

The Bill was then sent to the House of Delegates.

House Bill 814 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licensee – Retail Delivery to Consumer – Prohibition
PG 301–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1130)

The Bill was then sent to the House of Delegates.

House Bill 1138 – Delegates Carter, Alston, Anderson, Dumais, Lee, Mitchell, Oaks, Parrott, Smigiel, and Washington

AN ACT concerning

Criminal Procedure – Charging or Arrest of Minor – Notification of Parent or Guardian

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1131)

The Bill was then sent to the House of Delegates.

House Bill 1334 – Delegates McDermott and Cluster

AN ACT concerning

Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a Controlled Dangerous Substance – Penalty
(Ava's Law)

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1132)

The Bill was then sent to the House of Delegates.

House Bill 1373 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosed Property Registry

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

Affirmative – 44 Negative – 2 (See Roll Call No. 1133)

The Bill was then sent to the House of Delegates.

House Bill 1374 – Chair, Environmental Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Property – Foreclosures and Mediation

FLOOR COMMITTEE AMENDMENT

HB1374/188772/1
BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1374
(Third Reading File Bill)

On page 21, in line 4, strike "**(E)**" and substitute "**(F)**".

On page 22, in line 18, strike "§ 7–105.11(e)(2)" and substitute "§ 7–105.11(f)(2)".

The preceding amendment was read and adopted.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1134)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #33

CONSENT CALENDAR #21

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 434	Del. O'Donnell	Sales and Use Tax – Sales of Dyed Diesel Fuel	B&T
HB 807	Del. Griffith	State Ret and Pension System – Contrib Rates and Reinvestment of Savings – Technical Clarifs	B&T
HB 916 (AMENDED)	Del. Braveboy	State Retirement and Pension System – Study of Asset Management	B&T
HB 1248 (AMENDED)	Del. Ross	Income Tax Credit – Security Clearances – Employer Costs	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 21 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1135)

The Bills were then sent to the House of Delegates.

House Bill 806 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Investment Division – Salary Setting

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

Affirmative – 43 Negative – 3 (See Roll Call No. 1136)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #34

House Bill 19 – Delegate Kach

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Reservists

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1137)

The Bill was then sent to the House of Delegates.

House Bill 158 – Delegates Beidle ~~and Vitale~~, Vitale, Summers, A. Miller, Boteler, Stukes, Walker, Myers, Kaiser, Ross, Hixson, Rosenberg, Howard, F. Turner, Cardin, Ivey, Frick, George, and Luedtke

AN ACT concerning

Property Tax – High Performance Building Tax Credit – National Green Building Standards

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1138)

The Bill was then sent to the House of Delegates.

House Bill 835 – Delegate Barnes

AN ACT concerning

Workers' Compensation – Permanent Partial Disability Benefits – Washington Metropolitan Area Transit Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1139)

The Bill was then sent to the House of Delegates.

House Bill 898 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax – ~~Exemption for Economic Development Projects~~ Payment in Lieu of Taxes Agreements
PG 418–12

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1140)

The Bill was then sent to the House of Delegates.

House Bill 1054 – Charles County Delegation

AN ACT concerning

Charles County – Property Tax Credit – Conservation Easements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1141)

The Bill was then sent to the House of Delegates.

House Bill 1081 – Delegate Rosenberg

AN ACT concerning

Homestead Property Tax Credit Reform Act of 2012

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1142)

The Bill was then sent to the House of Delegates.

House Bill 1438 – Delegate Clagett

AN ACT concerning

City of Frederick – Criminal History Records Check – Taxi Driver ~~and Tow Truck Driver~~ Applicants

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1143)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 365** SPONSOR: **Delegate Mitchell**

SUBJECT: **Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations**

THIRD READING CALENDAR HOUSE NO. **13** SENATE NO. **2**

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 (HB0365/628271/1) be rejected.

Senate Members:	House Members:
Chair, **Lisa A. Gladden**	Chair, **Cheryl D. Glenn**
James Brochin	**Anne Healey**
Brian E. Frosh	**Patrick N. Hogan**

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 Pugh moved, duly seconded, to make the Bill and Report a Special Order for April 7, 2012.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 1144)

ADJOURNMENT

At 1:38 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 1, 2012, Calendar Day, Saturday, April 7, 2012.