

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2012 Special Sessions**

Compiled and edited by:

Donald G. Hopkins  
Journal Clerk

...

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

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**First**  
**Special Session**

May 14, 2012

Through

May 16, 2012



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**Annapolis, Maryland**  
**Monday, May 14, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

This being the day prescribed by the Executive Order of the Governor of Maryland, for the meeting of the General Assembly of Maryland, in Special Session. The Honorable Thomas V. Mike Miller, Jr., President of the Senate called the Senate to order.

Prayer by Senator Ramirez.

Present at the roll call were the following Senators:

District 1	–	Allegheny, Garrett and Washington George C. Edwards
District 2	–	Washington Christopher B. Shank (Excused)
District 3	–	Frederick and Washington Ronald N. Young
District 4	–	Frederick and Carroll David R. Brinkley
District 5	–	Carroll and Baltimore Joseph M. Getty
District 6	–	Baltimore County Norman R. Stone, Jr.
District 7	–	Baltimore and Harford J.B. Jennings
District 8	–	Baltimore County Katherine A. Klausmeier (Excused)
District 9	–	Howard and Carroll Allan H. Kittleman
District 10	–	Baltimore County Delores G. Kelley
District 11	–	Baltimore County Robert A. Zirkin
District 12	–	Baltimore County and Howard Edward J. Kasemeyer
District 13	–	Howard James N. Robey
District 14	–	Montgomery Karen S. Montgomery
District 15	–	Montgomery

		Robert J. Garagiola
District 16	–	Montgomery Brian E. Frosh
District 17	–	Montgomery Jennie M. Forehand
District 18	–	Montgomery Richard S. Madaleno, Jr.
District 19	–	Montgomery Roger Manno
District 20	–	Montgomery Jamie Raskin
District 21	–	Prince George’s and Anne Arundel James Rosapepe
District 22	–	Prince George’s Paul G. Pinsky
District 23	–	Prince George’s Douglas J.J. Peters
District 24	–	Prince George’s Joanne C. Benson
District 25	–	Prince George’s Ulysses Currie
District 26	–	Prince George’s C. Anthony Muse
District 27	–	Prince George’s and Calvert Thomas V. Mike Miller, Jr.
District 28	–	Charles Thomas Mac Middleton
District 29	–	Calvert, Charles and St. Mary’s Roy P. Dyson
District 30	–	Anne Arundel John C. Astle
District 31	–	Anne Arundel Bryan W. Simonaire
District 32	–	Anne Arundel James E. DeGrange, Sr.
District 33	–	Anne Arundel Edward R. Reilly
District 34	–	Harford and Cecil Nancy Jacobs
District 35	–	Harford Barry Glassman
District 36	–	Kent, Queen Anne’s, Cecil and Caroline E.J. Pipkin
District 37	–	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	–	Somerset, Wicomico and Worcester James N. Mathias, Jr.

District 39 – Montgomery  
Nancy J. King

District 40 – Baltimore City  
Catherine E. Pugh

District 41 – Baltimore City  
Lisa A. Gladden

District 42 – Baltimore County  
James Brochin

District 43 – Baltimore City  
Joan Carter Conway (Excused)

District 44 – Baltimore City  
Verna Jones–Rodwell

District 45 – Baltimore City  
Nathaniel J. McFadden

District 46 – Baltimore City  
Bill Ferguson

District 47 – Prince George’s  
Victor R. Ramirez

Forty–four Senators having answered to their names, the President announced that a quorum being present, the Senate of Maryland, 2012 Special Session is now ready for the transaction of business.

On motion of Senator Garagiola it was ordered that Senators Conway, Klausmeier and Shank be excused from today’s session.

## MESSAGE FROM THE EXECUTIVE

### EXECUTIVE ORDER

01.01.2012.10

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

WHEREAS, The operating Budget Bill that passed the General Assembly on the final day of the 2012 Session contains over \$436 million in budget reductions to important Maryland priorities;

WHEREAS, Conferees from the House and Senate had reached agreement on legislation that would have averted the reductions, but that legislation did not pass prior to *sine die*;

WHEREAS, The budget reductions, if allowed to go into effect, will impede our ability to maintain the #1 public school system in the country (four years in a row), will reduce community college

funding, and will cause double-digit tuition increases at our public universities;

WHEREAS, The budget reductions, if allowed to go into effect, will threaten our ability to compete in the knowledge economy, by eliminating the successful biotechnology research and development tax credit and our stem cell research program;

WHEREAS, The budget reductions, if allowed to go into effect, will hurt our efforts to care for the most needy and vulnerable of our citizens;

WHEREAS, The budget reductions, if allowed to go into effect, will have a drastic impact on our State employees – burdening them with additional health care costs, eliminating a scheduled cost of living increase, and forcing the elimination of 500 positions – an estimated 400 of which are filled;

WHEREAS, If the General Assembly does not act soon, the Board of Public Works on May 23, 2012 will be presented with over \$165 million in budget reductions – \$50 million in agency reductions; \$30 million from 500 eliminated positions; \$15 million in increased health care costs to employees; and an additional \$71 million in cuts just to balance the FY 2013 Budget;

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

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

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

LEGISLATION TO ADDRESS MARYLAND'S FISCAL YEAR  
2013 BUDGET.

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

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Martin O'Malley  
Governor

ATTEST:

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John P. McDonough  
Secretary of State

Read and ordered journalized.

**ORDERS**

May 14, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that for the Special Legislative  
Session of 2012, the Senate adopts the Rules as in effect at the end of the Regular  
Legislative Session of 2012.

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

May 14, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that the Desk Officers elected during  
the 2012 Regular Session continue to serve for the Special Legislative Session of 2012.

By Order,

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

Read and adopted.

May 14, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that the Monies appropriated for the expenses of the Special Legislative Session of 2012, as set forth in the Appropriations Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

By Order,

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

Read and adopted.

May 14, 2012

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of business of this Special Legislative Session of 2012, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

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

Read and adopted.

### **ANNOUNCEMENT BY THE PRESIDENT**

May 14, 2012

The President announces that the positions of leadership will remain the same as Announced on April 10, 2012.

Read and ordered journalized.

May 14, 2012

The President announces that assignments to the Standing Committees will remain as announced on April 10, 2012.

Read and ordered journalized.

**MESSAGE TO THE HOUSE OF DELEGATES**

May 14, 2012

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the House of Delegates:

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

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

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

**MESSAGE TO THE EXECUTIVE**

May 14, 2012

BY THE MAJORITY LEADER:

His Excellency, the Governor of Maryland  
Martin O'Malley:

The Senate of Maryland is organized and prepared to receive any communication you may desire to make.

The President of the Senate is the Honorable Thomas V. Mike Miller, Jr.

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

## INTRODUCTION OF BILLS

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

AN ACT concerning

#### **Budget Reconciliation and Financing Act of 2012**

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; authorizing the transfer of certain funds; requiring certain appropriations to certain counties; altering the distribution of certain traffic conviction surcharges; requiring the State Court Administrator to submit a certain annual report on or before a certain date; altering certain categories required to be included in certain annual budgets of county boards of education; prohibiting a county council or board of county commissioners from reducing a certain budget amount for a county board of education; authorizing the State to deduct a certain amount under certain circumstances from certain State funds that would otherwise be paid to certain county boards of education in a certain fiscal year; requiring the State to provide a certain grant to a county board of education in a certain fiscal year if certain funding provided to a county board decreases by a certain amount; adding St. Mary's College of Maryland to the list of public senior higher education institutions eligible for money from the Higher Education Investment Fund; clarifying language relating to the Higher Education Investment Fund; providing a certain exception to a certain requirement that certain money is to be included in the budget bill; altering certain State education funding for certain fiscal years; authorizing the Department of Health and Mental Hygiene to impose a certain claims processing charge on certain Medicaid claims; setting a limit on the claims processing charge; requiring the Department of Health and Mental Hygiene to adopt certain regulations; repealing a requirement for a certain payment to certain nursing facilities under certain circumstances; altering a certain authority for the Health Services Cost Review Commission to adopt certain regulations under certain circumstances; requiring a certain nonprofit health service plan to provide a certain subsidy; altering the percentage of the amount that may be assessed in the aggregate on certain nursing facilities; requiring that certain proceeds of a certain account be transferred into the Mental Hygiene Community-Based Services Fund; repealing a certain provision related to the Injured Workers' Insurance Fund; providing that the State has no interest in the assets of the Injured Workers'

Insurance Fund and that all revenues, money, and assets of the Fund belong to the Fund and are held in trust for certain persons; prohibiting the State from borrowing, appropriating, or directing payments from the Fund for any purpose; prohibiting the dissolution of the Fund; providing that certain money received by the State or otherwise subject to the direction or control of a State official as a result of a certain settlement, judgment, or consent decree shall be deposited in the State treasury, shall be expended only in a certain manner, and may be transferred by budget amendment; providing for a certain exception; authorizing certain State officials to recommend certain restrictions on the use of certain payments; requiring certain State officials to make certain requests; establishing a Mortgage Loan Servicing Practices Settlement Fund as a continuing, nonlapsing fund; requiring certain funds to be credited to the Mortgage Loan Servicing Practices Settlement Fund; providing for the use of the Mortgage Loan Servicing Practices Settlement Fund; requiring the Governor to take certain actions in connection with each program, project, or activity receiving certain funds; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering certain commissions for certain licensed agents for a certain fiscal year; requiring county boards of education to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to include a separate certification of a certain normal contribution rate in the certification of certain rates; providing for the manner of payment by certain county boards of education for certain employer contributions; requiring certain county boards of education to make certain payments of certain employer contributions in certain fiscal years; requiring the Comptroller to withhold certain delinquent amounts from any money due under certain circumstances; requiring the Maryland Aviation Administration Fire Rescue Service to charge a certain ambulance transport fee; prohibiting certain regulations adopted by the Secretary of Health and Mental Hygiene from applying to certain prior calendar years; authorizing the Department of Health and Mental Hygiene to make certain changes to a certain methodology in connection with a certain Value Based Purchasing Initiative for a certain calendar year; altering the time period during which a certain education index adjustment is to be updated; altering certain criteria and methodology to be used in updating a certain education index adjustment; prohibiting the payment of certain merit increases for certain State employees for a certain period; requiring certain reports to be submitted to certain committees of the General Assembly; authorizing a county board of education to spend certain funds after approval by the county fiscal authority; requiring the county fiscal authority to approve the amount of certain funds within a certain period of time; providing that failure to take action constitutes approval by the county fiscal authority under certain circumstances; requiring the Governor to include a certain transfer in the budget bill for a certain fiscal year; declaring the intent of the General Assembly; repealing certain provisions relating to payment of overpayment of retirement contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; setting certain limits on

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

BY repealing

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

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1105  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–301(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–523(a)(3)(i)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

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

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

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

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

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

BY adding to

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

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 14–106(d)  
Annotated Code of Maryland  
(2011 Replacement Volume)  
(As enacted by Chapter 66 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

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

BY repealing

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

BY adding to

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

BY repealing and reenacting, without amendments,

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

BY adding to

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

BY repealing and reenacting, with amendments,

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

(2009 Replacement Volume and 2011 Supplement)

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

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

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

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

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

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

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

BY adding to  
Article – Transportation  
Section 5–415

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

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

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

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

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

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

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

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

AN ACT concerning

**State and Local Revenue and Financing Act of 2012**

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; modifying a fiduciary's adjusted gross income to add back that portion of an electing small business trust consisting of stock of one or more S corporations that is subject to

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

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

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

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

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

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

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

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

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

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

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

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

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

**Senate Bill 1304 – Senators Kittleman, Brinkley, Getty, Pipkin, and Reilly**

AN ACT concerning

**Procurement – Required Clauses – Project Labor Agreement Prohibition**

FOR the purpose of requiring State procurement contracts to include a clause prohibiting certain parties from participating in certain project labor agreements; and generally relating to project labor agreements and State procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**MOTION**

Senator Pipkin moved, duly seconded, to reschedule committee hearings on three budget related **Senate Bills 1301, 1302 and 1303** from May 14, 2012 to May 15, 2012.

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

Affirmative – 12    Negative – 31    (See Roll Call No. 1419)

**INTRODUCTION OF BILLS**

**Senate Bill 1305 – Senators Pipkin, Brinkley, Getty, Kittleman, and Reilly**

AN ACT concerning

**Environment – On–Site Sewage Disposal Systems – Nitrogen Removal  
Technology**

FOR the purpose of prohibiting the Department of the Environment from adopting regulations that require a person to install, or have installed, an on–site sewage disposal system that utilizes nitrogen removal technology on certain property in the State; and generally relating to on–site sewage disposal systems.

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.

**Senate Bill 1306 – Senators Pipkin, Brinkley, Getty, Kittleman, and Reilly**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Office of the Inspector General – Establishment**

FOR the purpose of establishing the office of the Inspector General; specifying eligibility qualifications that an individual must meet for the office; requiring that the Inspector General receive a certain salary; specifying the term of office; providing that an individual who has served as Inspector General for a certain number of terms is ineligible for reelection for a certain period; providing that the Inspector General is subject to removal by the General Assembly under certain circumstances; authorizing the General Assembly to provide by law for the impeachment of the Inspector General; requiring that a certain process for impeachment be consistent with a certain provision of the Maryland Constitution; specifying the method to be used for filling a vacancy in the office of Inspector General; prohibiting an individual who has held the office of Inspector General from being a candidate in a certain election for a certain time period after leaving office; specifying the duties and powers of the Inspector General; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
New Article XX – Inspector General  
Section 1 through 6

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

**Senate Bill 1307 – Senators Pipkin, Getty, Kittleman, and Reilly**

**EMERGENCY BILL**

AN ACT concerning

**Courts – Dangerous Dog Presumption – Specific Breed Prohibition**

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

providing for the application of this Act; making this Act an emergency measure; and generally relating to dogs.

BY adding to

Article – Courts and Judicial Proceedings

Section 10–922

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 1308 – Senators Pipkin, Brinkley, Getty, Kittleman, and Reilly**

AN ACT concerning

**Budget – Reductions to Appropriations – Level Funding for Fiscal Year 2013**

FOR the purpose of reducing certain State education funding for fiscal year 2013; reducing certain public safety, personnel, transportation, environment, health, and education appropriations for fiscal year 2013; and generally relating to reductions to appropriations for fiscal year 2013 that result in level funding of appropriations from fiscal year 2012 to fiscal year 2013.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(13)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 1309 – Senators Pipkin, Brinkley, Getty, Kittleman, and Reilly**

AN ACT concerning

**State Government – Inspector General**

FOR the purpose of specifying that there is an Inspector General of the State; specifying the Inspector General's annual salary; providing that the Inspector General is entitled to certain reimbursement; establishing the Office of the Inspector General; authorizing the Inspector General to have certain offices and employ certain staff; requiring certain staff to perform certain duties and to carry certain identification; specifying that certain staff serve at the pleasure of the Inspector General and are entitled to certain compensation and reimbursement; authorizing the Inspector General to designate a certain Chief Deputy Inspector General and certain other deputy inspectors general; requiring the Chief Deputy Inspector General to serve as acting Inspector

General for a certain period under certain circumstances; authorizing the Inspector General to adopt certain regulations and assist in a certain investigation or conduct a joint investigation with certain entities; requiring the Inspector General to develop a certain operations manual, make the operations manual available to the public, and provide certain training; requiring the Inspector General to examine and investigate the management and affairs of units and conduct audits of the units; authorizing the Inspector General to investigate certain matters; requiring the Inspector General periodically to review certain policies and procedures and make certain recommendations; requiring the Inspector General to receive certain complaints and establish a certain hotline number and Web site; requiring the Inspector General to take certain action when the Inspector General receives a complaint or discovers certain evidence; requiring that a unit cooperate fully with the Inspector General under certain circumstances; requiring that the Inspector General have access to certain documents of a unit under certain circumstances; authorizing the Inspector General, or the Inspector General's designee, to take certain action in the performance of certain duties; specifying the process under which the Inspector General is authorized to issue a subpoena or subpoena duces tecum; authorizing a subpoena to be served by certain methods; authorizing a certain judge to take certain action if a person refuses to obey a certain subpoena; providing that, under certain circumstances, certain records are confidential and not subject to disclosure under a certain provision of law until a certain report is issued; requiring the Inspector General, at the end of each fiscal year, to submit a certain annual report to the Governor and the General Assembly; requiring the Inspector General to issue a certain final report; requiring that the final report be submitted to the Governor and the General Assembly and be posted on a certain Web site; requiring that the Inspector General, except under certain circumstances, provide a certain unit an opportunity to respond to a certain report; authorizing certain special elections be held to fill a certain vacancy; requiring that certain special elections be held at a time specified in a certain provision of this Act; requiring the State Board of Elections to determine the dates that certain elections are to be held; requiring that a certain primary election be held at least a certain number of days after a certain vacancy occurs; requiring that a certain general election be held at least a certain number of days after a certain primary election is held; making this Act contingent on the passage and ratification of a certain constitutional amendment; defining certain terms; and generally relating to the Inspector General.

BY adding to

Article – State Government

Section 7.5–101 through 7.5–112 to be under the new title “Title 7.5. Inspector General”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 8–401  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Election Law  
Section 8–402  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 1310 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

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

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1202 and 13–1203(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1204  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 1420)

**RECESS**

At 10:38 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 4:00 P.M. on Monday, May 14, 2012.

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**AFTER RECESS  
Annapolis, Maryland  
Monday, May 14, 2012**

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At 4:12 P.M. the Senate resumed its session.

**QUORUM CALL**

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

(See Roll Call No. 1421)

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

**MESSAGE TO THE SENATE**

May 14, 2012

By The Majority Leader:

Ladies and Gentleman of the Senate:

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

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

By Order,  
Mary Monahan  
Chief Clerk

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #30**

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

AN ACT concerning

**Budget Reconciliation and Financing Act of 2012**

Senator Kasemeyer moved, duly seconded, to put **Senate Bill 1301** on Second Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 36    Negative – 10    (See Roll Call No. 1422)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 1301** on Second Reading.

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

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

AN ACT concerning

**Budget Reconciliation and Financing Act of 2012**

Favorable report adopted.

FLOOR AMENDMENT

**SB1301/483023/1**

BY: Senator Jacobs

AMENDMENTS TO SENATE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

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

On page 4, in line 13, after “Section” insert “10-442 and”.

AMENDMENT NO. 2

On page 9, after line 25, insert:

“10-442.”

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

(b) The report shall [identify] INCLUDE:

(1) THE NAME OF each recipient of money from the Fund;

(2) the amount of money awarded to each recipient; [and]

(3) a description of the type of stem cell research performed by the recipient; AND

(4) AT THE CONCLUSION OF THE FUNDING PERIOD OF AN AWARD, THE FINAL RESULTS OF THE RESEARCH PERFORMED BY THE RECIPIENT, INCLUDING THE NUMBER OF PATIENTS TREATED AS A DIRECT RESULT OF THE RESEARCH.”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

**SB1301/503625/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 1301  
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, strike beginning with “requiring” in line 7 down through “claims;” in line 12.

AMENDMENT NO. 2

On pages 43 and 44, strike beginning with “AND” in line 22 on page 43 down through “organizations” in line 2 on page 44 and substitute “RESERVED”.

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

Affirmative – 14    Negative – 32    (See Roll Call No. 1423)

FLOOR AMENDMENT

**SB1301/663627/1**

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 1301

(First Reading File Bill)

On page 54, after line 3, insert:

“SECTION 29. AND BE IT FURTHER ENACTED, That the appropriation for fiscal year 2013 for the following purpose that was included in the Budget Bill for Fiscal Year 2013 as enacted during the 2012 Regular Session (Chapter 148 of the Acts of 2012) is reduced by the amount indicated below:

<u>Appropriation</u> <u>Code</u>	<u>Program</u> <u>Title</u>	<u>Special</u> <u>Fund</u> <u>Reduction</u>
<u>J00H01.05</u>	<u>Facilities and Capital Equipment</u> <u>Eliminate Development and Evaluation Funding</u> <u>for the Purple Line, Red Line, and the Corridor</u> <u>Cities Transitway</u>	<u>\$119,000,000.”;</u>

and in lines 4, 10, 14, 17, and 19, strike “29.”, “30.”, “31.”, “32.”, and “33.”, respectively, and substitute “30.”, “31.”, “32.”, “33.”, and “34.”, respectively.

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

Affirmative – 16    Negative – 30    (See Roll Call No. 1424)

FLOOR AMENDMENT

**SB1301/213921/1**

BY: Senator Brinkley

AMENDMENTS TO SENATE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “years;” insert “prohibiting the Department of the Environment from adopting regulations that require a person to install, or have installed, an on-site sewage disposal system that utilizes nitrogen removal technology on certain property in the State;”.

On page 4, in line 29, after “(h)” insert “, 9-1108,”.

AMENDMENT NO. 2

On page 21, after line 19, insert:

“9-1108.

(a) (1) In this section the following words have the meanings indicated.

(2) “Nitrogen removal technology” means the best available technology for the removal of nitrogen.

(3) “On-site sewage disposal system” means a sewage treatment unit, collection system, disposal area, and related appurtenances.

(b) A person may not:

(1) Install, or have installed, on property a person owns in the State in the Chesapeake and Atlantic Coastal Bays Critical Area, an on-site sewage disposal system to service a newly constructed building, unless the on-site sewage disposal system utilizes nitrogen removal technology; or

(2) Replace or have replaced, an existing on-site sewage disposal system on property a person owns in the State in the Chesapeake and Atlantic Coastal Bays Critical Area, unless the replacement on-site sewage disposal system utilizes nitrogen removal technology.

(c) (1) Subject to paragraph (2) of this subsection and in accordance with § 9-1605.2(h) of this title, the Department shall assist homeowners in paying the cost difference between a conventional on-site sewage disposal system and a system that utilizes nitrogen removal technology with money from the Bay Restoration Fund, if sufficient funds are available.

(2) In calendar years 2010, 2011, and 2012, the Department shall assist homeowners by paying 100% of the cost difference between a conventional on-site sewage disposal system and a system that utilizes nitrogen removal technology with money from the Bay Restoration Fund, if the homeowner:

(i) Is required under subsection (b)(2) of this section to replace an existing on-site sewage disposal system with an on-site sewage disposal system that utilizes nitrogen removal technology; and

(ii) Has a failing on-site sewage disposal system.

(d) (1) Subject to paragraph (2) of this subsection, a person who violates subsection (b) of this section is subject to the civil and administrative penalties and the enforcement mechanisms provided in §§ 9-334 through 9-342 of this title.

(2) The penalties imposed under this section may not exceed \$8,000.

(e) (1) The Department [shall]:

(I) SHALL adopt regulations to implement this section; AND

(II) MAY NOT ADOPT REGULATIONS TO REQUIRE A PERSON TO INSTALL, OR HAVE INSTALLED, ON PROPERTY A PERSON OWNS IN THE STATE THAT IS LOCATED OUTSIDE THE CHESAPEAKE AND ATLANTIC COASTAL BAYS CRITICAL AREA, AN ON-SITE SEWAGE DISPOSAL SYSTEM THAT UTILIZES NITROGEN REMOVAL TECHNOLOGY.

(2) The regulations adopted in accordance with paragraph (1) of this subsection shall include provisions to ensure that appropriate management measures are provided for the operation and maintenance of nitrogen removal technology.”.

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

Affirmative – 15    Negative – 30    (See Roll Call No. 1425)

FLOOR AMENDMENT

SB1301/553625/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1301  
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 21 down through “circumstances;” in line 31 and substitute “requiring the State Board of Education to provide for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring certain counties to pay a certain amount of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State Board of Education, the Maryland Higher Education Commission, and each county to submit certain information to the Board of Trustees on or before a certain date each year; requiring the Board of Trustees to make certain determinations based on certain information;”.

On page 6, strike in their entirety lines 10 through 14, inclusive; and in line 17, strike “21-304(a) and (b) and 21-308(a)(1)” and substitute “21-304 and 21-308”.

AMENDMENT NO. 2

On page 30, after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On pages 30 through 35, strike in their entirety the lines beginning with line 14 on page 30 through line 28 on page 35, inclusive, and substitute:

“21-304.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Preliminary funding rate” means the sum of:
- (i) the aggregate normal rate that is based on the normal contribution rate calculated under subsection [(c)] (D) of this section; and
- (ii) the aggregate unfunded accrued liability contribution rate that is based on the unfunded accrued liability contribution rate under subsection [(d)(1)(i)] (E)(1)(I) and (ii)1 and 2 and (2) of this section.
- (3) “Funding ratio for the employees’ systems” means the actuarial value of assets for the employees’ systems divided by the actuarial accrued liability for the employees’ systems.
- (4) “Funding ratio for the teachers’ systems” means the actuarial value of assets for the teachers’ systems divided by the actuarial accrued liability for the teachers’ systems.
- (5) “LOCAL COMMUNITY COLLEGE EMPLOYEES” MEANS THOSE MEMBERS OF THE TEACHERS’ RETIREMENT SYSTEM OR THE TEACHERS’ PENSION SYSTEM WHO ARE FACULTY, PROFESSIONAL, OR CLERICAL EMPLOYEES OF A COMMUNITY COLLEGE THAT IS ESTABLISHED UNDER THE EDUCATION ARTICLE.
- (6) “LOCAL COMMUNITY COLLEGE SHARE” MEANS THAT PORTION OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES THAT IS:
- (I) SOLELY ATTRIBUTABLE TO THE AMOUNT OF A LOCAL COMMUNITY COLLEGE EMPLOYEE’S SALARY THAT IS IN EXCESS OF THE STATEWIDE MEDIAN COMMUNITY COLLEGE EMPLOYEE SALARY; AND
- (II) ATTRIBUTABLE TO THE LOCAL COMMUNITY COLLEGE EMPLOYEES OF EACH COUNTY.

(7) “LOCAL LIBRARIAN EMPLOYEES” MEANS THOSE MEMBERS OF THE TEACHERS’ RETIREMENT SYSTEM OR THE TEACHERS’ PENSION SYSTEM WHO ARE LIBRARIANS OR CLERICAL EMPLOYEES OF A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.

(8) “LOCAL LIBRARIAN SHARE” MEANS THAT PORTION OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES THAT IS:

(I) SOLELY ATTRIBUTABLE TO THE AMOUNT OF A LOCAL LIBRARIAN EMPLOYEE’S SALARY THAT IS IN EXCESS OF THE STATEWIDE MEDIAN LIBRARIAN EMPLOYEE SALARY; AND

(II) ATTRIBUTABLE TO THE LOCAL LIBRARIAN EMPLOYEES OF EACH COUNTY.

(9) “LOCAL MEDIAN COMMUNITY COLLEGE EMPLOYEE SALARY” MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL COMMUNITY COLLEGE EMPLOYEES FOR EACH COUNTY AS DETERMINED BY EACH COUNTY AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A-1) OF THIS SECTION.

(10) “LOCAL MEDIAN LIBRARIAN EMPLOYEE SALARY” MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL LIBRARIAN EMPLOYEES FOR EACH COUNTY AS DETERMINED BY EACH COUNTY AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A-1) OF THIS SECTION.

(11) “LOCAL MEDIAN TEACHER EMPLOYEE SALARY” MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL TEACHER EMPLOYEES FOR EACH COUNTY AS DETERMINED BY EACH COUNTY AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A-1) OF THIS SECTION.

(12) “LOCAL TEACHER EMPLOYEES” MEANS THOSE MEMBERS OF THE TEACHERS’ RETIREMENT SYSTEM OR THE TEACHERS’ PENSION SYSTEM WHO ARE EMPLOYEES OF A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, EMPLOYED AS:

- (I) A CLERK;
- (II) A HELPING TEACHER;
- (III) A TEACHER;
- (IV) A SUPERVISOR;
- (V) A PRINCIPAL; OR
- (VI) A SUPERINTENDENT.

**(13) “LOCAL TEACHER SHARE” MEANS THAT PORTION OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES THAT IS:**

**(I) SOLELY ATTRIBUTABLE TO THE AMOUNT OF A LOCAL TEACHER EMPLOYEE’S SALARY THAT IS IN EXCESS OF THE STATEWIDE MEDIAN TEACHER EMPLOYEE SALARY; AND**

**(II) ATTRIBUTABLE TO THE LOCAL TEACHER EMPLOYEES OF EACH COUNTY.**

**[(5)] (14) “State member” does not include a member on whose behalf a participating governmental unit is required to make an employer contribution under § 21–305 or § 21–306 of this subtitle.**

**(15) “STATEWIDE MEDIAN LOCAL COMMUNITY COLLEGE EMPLOYEE SALARY” MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL COMMUNITY COLLEGE EMPLOYEES AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A–1) OF THIS SECTION.**

**(16) “STATEWIDE MEDIAN LOCAL LIBRARIAN EMPLOYEE SALARY” MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL LIBRARIAN EMPLOYEES AS**

DETERMINED BY THE STATE BOARD OF EDUCATION AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A-1) OF THIS SECTION.

(17) "STATEWIDE MEDIAN LOCAL TEACHER EMPLOYEE SALARY" MEANS THE MEDIAN ANNUAL SALARY OF ALL LOCAL TEACHER EMPLOYEES AS DETERMINED BY THE STATE BOARD OF EDUCATION AND SUBMITTED TO THE BOARD OF TRUSTEES UNDER SUBSECTION (A-1) OF THIS SECTION.

(18) "TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES" MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO ALL LOCAL COMMUNITY COLLEGE EMPLOYEES.

(19) "TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES" MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO ALL LOCAL LIBRARIAN EMPLOYEES.

(20) "TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES" MEANS THAT PORTION OF THE EMPLOYER CONTRIBUTION CALCULATED UNDER SUBSECTION (B) OF THIS SECTION THAT IS ATTRIBUTABLE TO ALL LOCAL TEACHER EMPLOYEES.

(A-1) (1) (i) ON OR BEFORE APRIL 1 OF EACH YEAR, THE STATE BOARD OF EDUCATION SHALL SUBMIT TO THE BOARD OF TRUSTEES:

1. THE AMOUNT OF THE STATEWIDE MEDIAN LOCAL LIBRARIAN EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR; AND

2. THE AMOUNT OF THE STATEWIDE MEDIAN LOCAL TEACHER EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR.

(ii) 1. THIS SUBPARAGRAPH DOES NOT INCLUDE LOCAL COMMUNITY COLLEGE EMPLOYEES EMPLOYED BY BALTIMORE CITY COMMUNITY COLLEGE.

**2. ON OR BEFORE APRIL 1 OF EACH YEAR, THE MARYLAND HIGHER EDUCATION COMMISSION SHALL SUBMIT TO THE BOARD OF TRUSTEES THE AMOUNT OF THE STATEWIDE MEDIAN LOCAL COMMUNITY COLLEGE EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR.**

**(2) ON OR BEFORE APRIL 1 OF EACH YEAR, EACH COUNTY SHALL SUBMIT TO THE BOARD OF TRUSTEES:**

**(I) THE AMOUNT OF THE LOCAL MEDIAN COMMUNITY COLLEGE EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR;**

**(II) THE AMOUNT OF THE LOCAL MEDIAN LIBRARIAN EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR; AND**

**(III) THE AMOUNT OF THE LOCAL MEDIAN TEACHER EMPLOYEE SALARY FOR THE PRECEDING CALENDAR YEAR.**

**(b) (1) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, EACH fiscal year, on behalf of the State members of each State system, the State shall pay to the appropriate accumulation fund an amount equal to or greater than the sum of the amount, if any, required to be included in the budget bill under § 3-501(c)(2)(ii) of this article and the product of multiplying:**

**(i) the aggregate annual earnable compensation of the State members of that State system; and**

**(ii) 1. for State members of the Law Enforcement Officers' Retirement System, State Police Retirement System, and the Judges' Retirement System, the sum of the normal contribution rate and the accrued liability contribution rate, as determined under this section;**

**2. for State members of the Employees' Pension System, Employees' Retirement System, Correctional Officers' Retirement System, and Legislative Pension Plan, the employees' systems contribution rate determined under subsection [(e)] (F) of this section; or**

3. for State members of the Teachers' Pension System and Teachers' Retirement System, the teachers' systems contribution rate determined under subsection [(f)] (G) of this section.

(2) The amount determined under paragraph (1) of this subsection for each State system shall be based on an actuarial determination of the amounts that are required to preserve the integrity of the funds of the several systems using:

(i) the entry-age actuarial cost method; and

(ii) actuarial assumptions adopted by the Board of Trustees.

(3) For the purpose of making the determinations required under this section:

(i) the Employees' Retirement System, the Employees' Pension System, the Correctional Officers' Retirement System, and the Legislative Pension Plan shall be considered together as one State system; and

(ii) the Teachers' Retirement System and the Teachers' Pension System shall be considered together as one State system.

**(C) (1) (I) 1. THIS SUBPARAGRAPH DOES NOT APPLY TO:**

**A. BALTIMORE CITY COMMUNITY COLLEGE; AND**

**B. ANY COUNTY WHOSE LOCAL MEDIAN COMMUNITY COLLEGE EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL COMMUNITY COLLEGE EMPLOYEE SALARY.**

**2. BEGINNING JULY 1, 2013, ON BEHALF OF THE LOCAL COMMUNITY COLLEGE EMPLOYEES OF EACH COUNTY, EACH COUNTY SHALL PAY EACH FISCAL YEAR TO THE APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO OR GREATER THAN THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES.**

3. A. FOR A REGIONAL COMMUNITY COLLEGE, AS DEFINED UNDER § 16-202 OF THE EDUCATION ARTICLE, THE OBLIGATION OF THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES SHALL BE SHARED BY EACH COUNTY SUPPORTING THE REGIONAL COMMUNITY COLLEGE.

B. EACH COUNTY'S SHARE SHALL BE PRORATED BY DIVIDING THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS, AS CALCULATED UNDER § 16-305(B)(7) OF THE EDUCATION ARTICLE FOR THE SECOND PRIOR FISCAL YEAR, WHO ARE ENROLLED AT THE REGIONAL COMMUNITY COLLEGE AND ARE RESIDENTS OF THE COUNTY BY THE TOTAL NUMBER OF FULL-TIME EQUIVALENT STUDENTS, AS CALCULATED UNDER § 16-305(B)(7) OF THE EDUCATION ARTICLE FOR THE SECOND PRIOR FISCAL YEAR, WHO ARE RESIDENTS OF THE REGION.

4. THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES OF EACH COUNTY AND THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTIONS FOR LOCAL COMMUNITY COLLEGE EMPLOYEES OF EACH COUNTY SHALL BE THE OBLIGATION OF THE STATE.

(ii) 1. THIS SUBPARAGRAPH DOES NOT APPLY TO ANY COUNTY WHOSE LOCAL MEDIAN LIBRARIAN EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL LIBRARIAN EMPLOYEE SALARY.

2. BEGINNING JULY 1, 2013, ON BEHALF OF THE LOCAL LIBRARIAN EMPLOYEES OF EACH COUNTY, EACH COUNTY SHALL PAY EACH FISCAL YEAR TO THE APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO OR GREATER THAN THE LOCAL LIBRARIAN SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES.

3. THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES OF EACH COUNTY AND THE LOCAL LIBRARIAN SHARE OF THE TOTAL EMPLOYER CONTRIBUTIONS FOR LOCAL LIBRARIAN EMPLOYEES OF EACH COUNTY SHALL BE THE OBLIGATION OF THE STATE.

**(III) 1. THIS SUBPARAGRAPH DOES NOT APPLY TO ANY COUNTY WHOSE LOCAL MEDIAN TEACHER EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL TEACHER EMPLOYEE SALARY.**

**2. BEGINNING JULY 1, 2013, ON BEHALF OF THE LOCAL TEACHER EMPLOYEES OF EACH COUNTY, EACH COUNTY SHALL PAY EACH FISCAL YEAR TO THE APPROPRIATE ACCUMULATION FUND AN AMOUNT EQUAL TO OR GREATER THAN THE LOCAL TEACHER SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES.**

**3. THE DIFFERENCE BETWEEN THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES OF EACH COUNTY AND THE LOCAL TEACHER SHARE OF THE TOTAL EMPLOYER CONTRIBUTIONS FOR LOCAL TEACHER EMPLOYEES OF EACH COUNTY SHALL BE THE OBLIGATION OF THE STATE.**

**(2) IN ADDITION TO ANY PAYMENTS MADE BY THE STATE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE SHALL PAY 100% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B) OF THIS SECTION FOR THOSE MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM OR TEACHERS' PENSION SYSTEM WHO ARE:**

**(I) FACULTY, PROFESSIONAL, OR CLERICAL EMPLOYEES OF BALTIMORE CITY COMMUNITY COLLEGE;**

**(II) FACULTY EMPLOYEES OF AN EDUCATIONAL INSTITUTION, OTHER THAN A COMMUNITY COLLEGE, SUPPORTED BY AND UNDER THE CONTROL OF THE STATE;**

**(III) STAFF EMPLOYEES OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY'S COLLEGE OF MARYLAND WHO WERE MEMBERS OF THE TEACHERS' PENSION SYSTEM AS OF JANUARY 1, 1998, OR WHO TRANSFERRED FROM THE TEACHERS' RETIREMENT SYSTEM ON OR AFTER JANUARY 1, 1998;**

(IV) LOCAL COMMUNITY COLLEGE EMPLOYEES OF A COUNTY WHOSE LOCAL MEDIAN COMMUNITY COLLEGE EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL COMMUNITY COLLEGE EMPLOYEE SALARY;

(V) LOCAL LIBRARIAN EMPLOYEES OF A COUNTY WHOSE LOCAL MEDIAN LIBRARIAN EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL LIBRARIAN EMPLOYEE SALARY; OR

(VI) LOCAL TEACHER EMPLOYEES OF A COUNTY WHOSE LOCAL MEDIAN TEACHER EMPLOYEE SALARY IS LESS THAN THE STATEWIDE MEDIAN LOCAL TEACHER EMPLOYEE SALARY.

[(c)] (D) (1) As part of each actuarial valuation, the actuary shall determine the normal contributions, net of member contributions, on account of the State members of each State system.

(2) For each State system, the normal contribution rate equals the fraction that has:

(i) as its numerator, the sum of the normal contributions determined under this subsection; and

(ii) as its denominator, the aggregate annual earnable compensation of the State members of the State system.

[(d)] (E) (1) Beginning July 1, 2001, each year the Board of Trustees shall set contribution rates for each State system that shall amortize:

(i) all unfunded liabilities or surpluses accrued as of June 30, 2000, over 20 years; and

(ii) any new unfunded liabilities or surpluses that have accrued from July 1 of the preceding fiscal year over 25 years to reflect:

1. experience gains and losses;

2. the effect of changes in actuarial assumptions; and

3. the effect of legislation effective on or after July 1, 2001.

(2) If the accrued liability is increased by legislation that provides for early retirement of State employees, the additional liability shall be funded over a period of 5 years beginning on:

(i) July 1, 1997 for legislation effective June 1, 1996; and

(ii) July 1, 1998 for legislation effective June 1, 1997.

(3) If the accrued liability is increased by legislation effective June 1, 1998, that provides for the early retirement of employees of the University System of Maryland who are members of the Employees' Pension System or the Employees' Retirement System, the additional liability shall be determined by the actuary and funded over a period of 5 years beginning on July 1, 1999 by payment of an annual accrued liability contribution by the University System of Maryland and the Medical System as provided in § 21-307(h) and (i) of this subtitle.

[(e)] (F) (1) When the funding ratio for the employees' systems is between 90% and 110%, inclusive, the employees' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the employees' systems.

(2) Subject to paragraph (4) of this subsection, when the funding ratio for the employees' systems is below 90%, the employees' system contribution rate shall be the sum of:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 20% of the difference between the preliminary funding rate for the current fiscal year and the employees' system contribution rate for the previous fiscal year.

(3) Subject to paragraph (4) of this subsection, when the funding ratio for the employees' systems is above 110%, the employees' system contribution rate shall be the difference between:

(i) the employees' system contribution rate for the previous fiscal year; and

(ii) 20% of the difference between the employees' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.

(4) The contribution rate for the employees' systems under paragraph (2) or (3) of this subsection shall be adjusted to reflect the cost or savings of legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over 25 years any changes in accrued liabilities of the employees' systems.

**[f] (G)** (1) When the funding ratio for the teachers' systems is between 90% and 110%, the teachers' system contribution rate is the rate for the previous fiscal year, adjusted to reflect legislative changes that result in changes in normal cost and to amortize over 25 years any actuarial liabilities of the teachers' systems.

(2) Subject to paragraph (4) of this subsection, when the funding ratio for the teachers' systems is below 90%, the teachers' system contribution rate shall be the sum of:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 20% of the difference between the preliminary funding rate for the current fiscal year and the teachers' system contribution rate for the previous fiscal year.

(3) Subject to paragraph (4) of this subsection, when the funding ratio for the teachers' systems is above 110%, the teachers' system contribution rate shall be the difference between:

(i) the teachers' system contribution rate for the previous fiscal year; and

(ii) 20% of the difference between the teachers' system contribution rate for the previous fiscal year and the preliminary funding rate for the current fiscal year.

(4) The contribution rate for the teachers' systems under paragraph (2) or (3) of this subsection shall be adjusted to reflect the cost or savings of legislative changes that result in changes in normal contributions or accrued liabilities and to amortize over 25 years any changes in accrued liabilities of the teachers' systems.

21-308.

(a) (1) ON OR BEFORE APRIL 1 OF EACH YEAR, THE STATE BOARD OF EDUCATION SHALL CERTIFY TO THE BOARD OF TRUSTEES THE FOLLOWING INFORMATION:

(I) THE TOTAL NUMBER OF LOCAL LIBRARIAN EMPLOYEES AND LOCAL TEACHER EMPLOYEES; AND

(II) THE NUMBER OF LOCAL LIBRARIAN EMPLOYEES AND LOCAL TEACHER EMPLOYEES DISAGGREGATED BY COUNTY OF EMPLOYMENT.

(2) ON OR BEFORE APRIL 1 OF EACH YEAR, THE MARYLAND HIGHER EDUCATION COMMISSION SHALL CERTIFY TO THE BOARD OF TRUSTEES THE FOLLOWING INFORMATION:

(I) THE TOTAL NUMBER OF LOCAL COMMUNITY COLLEGE EMPLOYEES; AND

(II) THE NUMBER OF LOCAL COMMUNITY COLLEGE EMPLOYEES DISAGGREGATED BY COUNTY OF EMPLOYMENT.

(3) THE BOARD OF TRUSTEES SHALL USE THE INFORMATION PROVIDED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION TO DETERMINE:

(I) THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES;

(II) THE LOCAL LIBRARIAN SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES; AND

**(III) THE LOCAL TEACHER SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES.**

**[(1)] (4)** On or before December 1 of each year, the Board of Trustees shall:

(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year; and

(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid to the Teachers' Retirement System and the Teachers' Pension System expressed as a percentage of the payroll of all members of those State systems **REDUCED BY THE AMOUNT OF THE FOLLOWING PAID BY COUNTY GOVERNMENTS UNDER § 21-304(C) OF THIS SUBTITLE:**

**1. THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES;**

**2. THE LOCAL LIBRARIAN SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES; AND**

**3. THE LOCAL TEACHER SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES.**

**[(2)] (5)** The Governor shall include in the budget bill:

(i) the total amount of the State's contribution to each State system as ascertained based on the rates certified by the Board of Trustees under paragraph **[(1)] (4)** of this subsection;

(ii) the additional amounts as ascertained under subsection (d) of this section for the State's payment to the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees' Retirement System of Montgomery County and are excluded from

membership in the Teachers' Retirement System or the Teachers' Pension System; and

(iii) any additional amount required to be in the budget bill under § 3-501(c)(2)(ii) of this article.

[(3)] (6) The amounts that the Governor is required to include in the budget bill under paragraph [(2)] (5) of this subsection shall be reduced by the amount of administrative and operational expenses for the Board of Trustees and the State Retirement Agency that are to be paid by local employers under § 21-316 of this subtitle other than participating governmental units or employers who are required to make contributions under § 21-307 of this subtitle.

[(4)] (7) (i) On or before December 1, 2012, and each December 1 thereafter, the Board of Trustees shall certify to the Governor and the Secretary of Budget and Management the amount of the difference between the total amount of the State's contribution required under paragraph [(2)] (5) of this subsection and the amount that the Board determines would have been required had legislation increasing employee contributions to, and reducing the liabilities of, the State Retirement and Pension System not been enacted in 2011.

(ii) For fiscal year 2014 and each fiscal year thereafter, in addition to the amounts required under paragraph [(2)] (5) of this subsection, the Governor shall include in the budget bill the lesser of:

1. \$300,000,000; and
2. the amount certified under subparagraph (i) of this paragraph.

(b) (1) (i) As to members of the several systems whose compensation is paid by the State, the Comptroller shall compute the amounts to be charged to the appropriation of each unit as the unit's share of retirement costs for its employees.

(ii) The Comptroller shall make the computation under subparagraph (i) of this paragraph using the total rates of contributions as set by the actuary under § 21-304 of this subtitle.

(2) As to members of the Teachers' Retirement System or the Teachers' Pension System whose compensation is not paid by the State, on September 30, December 31, May 31, and April 15 of each year, the State Department of Education and the Maryland Higher Education Commission shall certify to the Comptroller 25% of the amount appropriated in the budget of those units for employer contributions **REDUCED BY THE AMOUNT OF THE FOLLOWING PAID BY COUNTY GOVERNMENTS UNDER § 21-304(C) OF THIS SUBTITLE:**

(I) THE LOCAL COMMUNITY COLLEGE SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL COMMUNITY COLLEGE EMPLOYEES;

(II) THE LOCAL LIBRARIAN SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL LIBRARIAN EMPLOYEES; AND

(III) THE LOCAL TEACHER SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL TEACHER EMPLOYEES.

(c) (1) As payrolls are paid, the Comptroller shall issue a warrant or warrants to the State Treasurer in the amounts to be charged under subsection (b)(1) of this section against the budgets of the units.

(2) On or before October 1, January 1, June 1, and April 16 of each year, the Comptroller shall issue a warrant or warrants to the State Treasurer for the amounts certified to the Comptroller under subsection (b)(2) of this section.

(3) On the receipt of the warrant of the Comptroller, the State Treasurer immediately shall transfer to the appropriate State system the amounts due.

(d) (1) (i) The State Superintendent of Schools shall determine the amount that equals the applicable percentage as determined under subparagraph (ii) of this paragraph of the payroll of the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees' Retirement System of Montgomery County and are excluded from membership in the Teachers' Retirement System or the Teachers' Pension System.

(ii) The applicable percentage under subparagraph (i) of this paragraph is the lesser of:

1. the State's contribution percentage for the Teachers' Retirement System and the Teachers' Pension System, as certified by the Board of Trustees; or

2. the percentage of the payroll of its employees that Montgomery County has contributed to the Employees' Retirement System of Montgomery County, as determined by an actuarial valuation.

(2) The amount determined under paragraph (1) of this subsection shall be:

(i) included in the budget estimate for the Superintendent of Schools;

(ii) certified by the State Superintendent of Schools to the State Comptroller; and

(iii) paid to Montgomery County as provided in this subsection.

(3) The Comptroller shall issue a warrant or warrants to the State Treasurer for the amount to be paid Montgomery County under this subsection.

(4) On the receipt of the warrant of the Comptroller, the State Treasurer shall pay to the treasurer of Montgomery County the amount due.

(e) For each nonclerical and nonprofessional former Community College of Baltimore employee who chose to remain a member of the Baltimore City Retirement Plan, the State shall contribute annually to the Baltimore City Retirement Plan on behalf of the employee an amount equal to the lesser of the contribution the State would otherwise have made on behalf of each employee of the State to the Employees' Pension System or the rate required for the Baltimore City Retirement Plan.

**21-309.1.**

**(A) ON OR BEFORE JUNE 1 OF EACH YEAR, THE BOARD OF TRUSTEES SHALL CERTIFY TO EACH COUNTY THE STATE'S NORMAL CONTRIBUTION RATE**

AND THE STATE'S ACCRUED LIABILITY CONTRIBUTION RATE AND THE AMOUNTS PAYABLE UNDER § 21-304(C) OF THIS SUBTITLE.

(B) (1) ON SEPTEMBER 30, DECEMBER 31, APRIL 15, AND MAY 31, EACH COUNTY SHALL PAY TO THE BOARD OF TRUSTEES 25% OF THE AMOUNT OF THE CHARGES CERTIFIED TO THE COUNTY BY THE BOARD OF TRUSTEES UNDER SUBSECTION (A) OF THIS SECTION.

(2) IF A COUNTY DOES NOT PAY THE AMOUNTS CERTIFIED UNDER THIS SECTION WITHIN THE TIME REQUIRED, THE COUNTY IS LIABLE FOR:

(I) A PENALTY OF 10% OF THE AMOUNT DUE; AND

(II) INTEREST ON DELINQUENT AMOUNTS AT 10% A YEAR UNTIL PAYMENT.

(3) THE SECRETARY OF THE BOARD OF TRUSTEES MAY ALLOW A GRACE PERIOD FOR PAYMENT OF THE AMOUNTS CERTIFIED UNDER THIS SECTION NOT TO EXCEED 10 CALENDAR DAYS.

(4) ON NOTIFICATION BY THE SECRETARY OF THE BOARD OF TRUSTEES THAT A DELINQUENCY EXISTS, THE COMPTROLLER IMMEDIATELY SHALL EXERCISE THE RIGHT OF SETOFF AGAINST ANY MONEY DUE OR COMING DUE TO THAT COUNTY FROM THE STATE.

(C) ON RECEIPT OF THE PAYMENTS FROM EACH COUNTY OR THE COMPTROLLER, THE BOARD OF TRUSTEES SHALL CREDIT THESE AMOUNTS TO THE ACCUMULATION FUND OF THE APPROPRIATE STATE SYSTEM.”

#### AMENDMENT NO. 3

On page 41, in line 26, strike “2.” and substitute “3.”.

On page 42, in lines 15, 17, and 24, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively.

On page 43, in lines 14 and 22, strike “6.” and “7.”, respectively, and substitute “7.” and “8.”, respectively.

On page 44, in lines 3, 8, 18, 24, 27, and 31, strike “8.”, “9.”, “10.”, “11.”, “12.”, and “13.”, respectively, and substitute “9.”, “10.”, “11.”, “12.”, “13.”, and “14.”, respectively.

On page 45, in lines 1, 21, 27, and 33, strike “14.”, “15.”, “16.”, and “17.”, respectively, and substitute “15.”, “16.”, “17.”, and “18.”, respectively.

On page 46, in line 12, strike “18.” and substitute “19.”.

On page 47, in lines 1, 6, 21, 25, and 31, strike “19.”, “20.”, “21.”, “22.”, and “23.”, respectively, and substitute “20.”, “21.”, “22.”, “23.”, and “24.”, respectively; and in line 5, strike “18” and substitute “19”.

On page 48, in lines 12 and 26, strike “24.” and “25.”, respectively, and substitute “25.” and “26.”, respectively.

On page 51, in line 20, strike “26.” and substitute “27.”.

On page 53, in lines 24 and 28, strike “27.” and “28.”, respectively, and substitute “28.” and “29.”, respectively.

On page 54, in lines 4, 10, 14, 17, and 19, strike “29.”, “30.”, “31.”, “32.”, and “33.”, respectively, and substitute “30.”, “31.”, “32.”, “34.”, and “35.”, respectively; in lines 10 and 13, in each instance, strike “26” and substitute “27”; after line 16, insert:

“SECTION 33. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2012, and shall be applicable to all fiscal years beginning after June 30, 2013.”;

and in line 17, strike “3” and substitute “4”.

The preceding 3 amendments were read and rejected.

FLOOR AMENDMENT

**SB1301/473228/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 31, after “circumstances;” insert “establishing the Office of the Inspector General in the State Department of Transportation; providing for the authority, duties, and powers of the Office; specifying that the Inspector General be hired and appointed by the Office of the Attorney General and be subject to the authority of the Office of the Attorney General and the Department;”.

On page 6, after line 34, insert:

“BY adding to

Article – Transportation

Section 2–501 through 2–504 to be under the new subtitle “Subtitle 5. Office of the Inspector General”; and 5–415

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)”.

On page 7, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 37, after line 1, insert:

**“SUBTITLE 5. OFFICE OF THE INSPECTOR GENERAL.**

**2–501.**

**THERE IS AN OFFICE OF THE INSPECTOR GENERAL IN THE DEPARTMENT.**

**2–502.**

**THE INSPECTOR GENERAL:**

**(1) SHALL BE HIRED AND APPOINTED BY THE OFFICE OF THE ATTORNEY GENERAL; AND**

(2) IS SUBJECT TO THE JOINT AUTHORITY OF THE OFFICE OF THE ATTORNEY GENERAL AND THE DEPARTMENT.

2-503.

THE INSPECTOR GENERAL:

(1) MAY INVESTIGATE FRAUD, WASTE, AND ABUSE OF FUNDS IN THE DEPARTMENT;

(2) SHALL COORDINATE INVESTIGATIVE EFFORTS WITHIN THE DEPARTMENT AND COOPERATE WITH INVESTIGATIONS BY OTHER UNITS OF STATE GOVERNMENT OR FEDERAL AGENCIES AND, IF A PRELIMINARY INVESTIGATION OF FRAUD, WASTE, AND ABUSE OF FUNDS ESTABLISHES A SUFFICIENT BASIS TO WARRANT REFERRAL, REFER THE MATTER TO APPROPRIATE STATE OR FEDERAL ENFORCEMENT OFFICIALS; AND

(3) IN CARRYING OUT THE DUTIES UNDER ITEMS (1) AND (2) OF THIS SECTION, SHALL TAKE STEPS TO ENSURE THAT A PERSON SUBJECT TO THE JURISDICTION OF THE DEPARTMENT IS NOT SUBJECT TO DUPLICATIVE AUDITS.

2-504.

THE INSPECTOR GENERAL, IN COLLABORATION WITH THE APPROPRIATE AUTHORITY WITHIN THE DEPARTMENT, MAY TAKE NECESSARY STEPS TO RECOVER:

(1) FUNDS MISTAKENLY OR FRAUDULENTLY PAID BY OR OBTAINED FROM THE DEPARTMENT OR A PERSON SUBJECT TO THE JURISDICTION OF THE DEPARTMENT; AND

(2) ANY COSTS INCURRED IN RECOVERING THE FUNDS DESCRIBED IN ITEM (1) OF THIS SECTION.”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

**SB1301/103828/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1301

(First Reading File Bill)

AMENDMENT NO. 1

On pages 2 and 3, strike beginning with “requiring” in line 46 on page 2 down through “Assembly;” in line 1 on page 3.

AMENDMENT NO. 2

On page 44, strike beginning with “AND” in line 8 down through “2001” in line 17 and substitute “RESERVED”.

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

Affirmative – 13    Negative – 33    (See Roll Call No. 1426)

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #31**

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

AN ACT concerning

**State and Local Revenue and Financing Act of 2012**

Senator Kasemeyer moved, duly seconded, to put **Senate Bill 1302** on Second Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 36    Negative – 10    (See Roll Call No. 1427)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 1302** on Second Reading.

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

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

AN ACT concerning

**State and Local Revenue and Financing Act of 2012**

Favorable report adopted.

FLOOR AMENDMENT

**SB1302/783922/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 10 down through “manner;” in line 15; and strike beginning with “requiring” in line 24 down through “date;” in line 27.

On page 2, strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 6 and 7, strike in their entirety the lines beginning with line 12 on page 6 through line 5 on page 7, inclusive.

On page 7, in line 6, strike “4.” and substitute “3.”.

On page 8, in lines 13, 15, 17, and 23, strike “5.”, “6.”, “7.”, and “8.”, respectively, and substitute “4.”, “5.”, “6.”, and “7.”, respectively.

On pages 8 and 9, strike in their entirety the lines beginning with line 30 on page 8 through line 19 on page 9, inclusive.

On page 9, strike in their entirety lines 26 through 28, inclusive; and in lines 20, 24, and 29, strike “10.”, “11.”, and “13.”, respectively, and substitute “8.”, “9.”, and “10.”, respectively.

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

Affirmative – 17    Negative – 29    (See Roll Call No. 1428)

FLOOR AMENDMENT

**SB1302/383426/1**

BY: Senator Brochin

AMENDMENT TO SENATE BILL 1302

(First Reading File Bill)

On page 3, in line 8, strike “\$100,000” and substitute “\$125,000”; in line 9, strike “\$100,001” and substitute “\$125,001”; in line 10, strike “\$125,000” and substitute “\$150,000”; in line 11, strike “\$125,001” and substitute “\$150,001”; in line 12, strike “\$150,000” and substitute “\$250,000”; in line 14, strike “\$150,001” and substitute “\$250,001”; in lines 14 and 16, in each instance, strike “\$250,000” and substitute “\$1,000,000”; in line 24, strike “\$150,000” and substitute “\$175,000”; in line 25, strike “\$150,001” and substitute “\$175,001”; in line 26, strike “\$175,000” and substitute “\$225,000”; in line 27, strike “\$175,001” and substitute “\$225,001”; and in line 28, strike “\$225,000” and substitute “\$300,000”.

On page 4, in line 2, strike “\$225,001” and substitute “\$300,001”; and in lines 2 and 4, in each instance, strike “\$300,000” and substitute “\$1,000,000”.

The preceding amendment was read and rejected.

FLOOR AMENDMENT

**SB1302/313123/1**

BY: Senator Shank

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 17 down through “utilities;” in line 19.

On page 2, in line 32, strike “10–306(c), 10–708, and”.

AMENDMENT NO. 2

On page 8, strike in their entirety lines 13 and 14; and in lines 15, 17, 23, and 30, strike “6.”, “7.”, “8.”, and “9.”, respectively, and substitute “5.”, “6.”, “7.”, and “8.”, respectively.

On page 9, strike beginning with “Section” in line 20 down through the first “and” in line 21; in lines 20, 24, 26, and 29, strike “10.”, “11.”, “12.”, and “13.”, respectively, and substitute “9.”, “10.”, “11.”, and “12.”, respectively; and in line 24, strike “6” and substitute “5”.

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

Affirmative – 15    Negative – 31    (See Roll Call No. 1429)

## FLOOR AMENDMENT

**SB1302/383424/1**

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 29 on page 5, inclusive.

On page 8, strike beginning with “or” in line 21 down through “exemption” in line 22.

On page 9, in line 21, strike “§§ 10–105(a) and 10–211(b)” and substitute “§ 10–105(a)”.

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

Affirmative – 16    Negative – 30    (See Roll Call No. 1430)

FLOOR AMENDMENT

**SB1302/843724/1**

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 38 on page 2 through line 15 on page 4, inclusive.

On page 8, strike beginning with “an” in line 20 down through “or” in line 21 and substitute “a”.

On page 9, in line 21, strike “§§ 10–105(a) and 10–211(b)” and substitute “§ 10–211(b)”.

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

Affirmative – 17    Negative – 29    (See Roll Call No. 1431)

FLOOR AMENDMENT

**SB1302/833828/1**

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike beginning with “repealing” in line 15 down through “charge;” in line 17.

On page 2, in line 32, strike “, 10–708, and 11–202” and substitute “and 10–708”.

#### AMENDMENT NO. 2

On page 8, strike in their entirety lines 15 and 16; and in lines 17, 23, and 30, strike “7.”, “8.”, and “9.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 9, in lines 20, 24, 26, and 29, strike “10.”, “11.”, “12.”, and “13.”, respectively, and substitute “9.”, “10.”, “11.”, and “12.”, respectively; and in line 24, strike “Sections 2 and 6” and substitute “Section 2”.

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

Affirmative – 15    Negative – 31    (See Roll Call No. 1432)

#### FLOOR AMENDMENT

#### **SB1302/553023/1**

BY: Senator Brinkley

#### AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike line 9 in its entirety.

On page 2, in line 2, strike “, 10–211(b), and 12–105(b)” and substitute “and 10–211(b)”.

#### AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 32 on page 5 through line 13 on page 6, inclusive.

On page 7, in line 6, strike “4.” and substitute “3.”.

On page 8, in lines 13, 15, 17, and 30, strike “5.”, “6.”, “7.”, and “9.”, respectively, and substitute “4.”, “5.”, “6.”, and “7.”, respectively; and strike in their entirety lines 23 through 29, inclusive.

On page 9, in lines 20, 24, 26, and 29, strike “10.”, “11.”, “12.”, and “13.”, respectively, and substitute “8.”, “9.”, “10.”, and “11.”, respectively; in line 20, strike “5” and substitute “4”; in line 24, strike “Sections 2 and 6” and substitute “Section 5”; and in line 26, strike “3” and substitute “2”.

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

Affirmative – 15    Negative – 31    (See Roll Call No. 1433)

#### FLOOR AMENDMENT

#### **SB1302/863626/1**

BY: Senator Pipkin

#### AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

“Budget – Reductions to Appropriations – Level Funding for Fiscal Year 2013

FOR the purpose of reducing certain State education funding for fiscal year 2013; reducing certain public safety, personnel, transportation, environment, health, and education appropriations for fiscal year 2013; and generally relating to reductions to appropriations for fiscal year 2013 that result in level funding of appropriations from fiscal year 2012 to fiscal year 2013.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(a)(13)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 34 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 9, strike in their entirety the lines beginning with line 37 on page 2 through line 28 on page 9, inclusive, and substitute:

“Article – Education5–202.

(a) (13) “Target per pupil foundation amount” means:

(i) In fiscal years 2008, 2009, and 2010, \$6,694;

(ii) Except as provided in items (iii) and (iv) of this paragraph, in subsequent fiscal years:

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 5%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year;

(iii) In fiscal year 2012, \$6,694; [and]

(iv) **IN FISCAL YEAR 2013, \$6,650; AND**

(v) In each of fiscal years [2013 through] **2014 AND 2015:**

1. The target per pupil foundation amount for the prior fiscal year increased by the same percentage as the lesser of:

A. The increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year;

B. The Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year; or

C. 1%; or

2. If there is no increase in the implicit price deflator for State and local government expenditures for the second prior fiscal year or in the Consumer Price Index for all urban consumers for the Washington–Baltimore metropolitan area, or any successor index, for the second prior fiscal year, the target per pupil foundation amount for the prior fiscal year.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) In this section, “Budget Bill” means the Budget Bill for Fiscal Year 2013 as enacted during the 2012 Regular Session (Chapter 148 of the Acts of 2012).

(b) The appropriations for fiscal year 2013 for the following purposes that were included in the Budget Bill are reduced by the amounts indicated below:

<u>Appropriation</u>	<u>Program</u>	<u>General</u>	<u>Special</u>	<u>Federal</u>
<u>Code</u>	<u>Title</u>	<u>Fund</u>	<u>Fund</u>	<u>Fund</u>
		<u>Reduction</u>	<u>Reduction</u>	<u>Reduction</u>
		<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
<u>D15A05.16</u>	<u>Governor’s Office of Crime Control and Prevention</u> <u>Reduce Police Aid Formula Grants by 50%</u>	<u>22,710,500</u>		
<u>F10A02.08</u>	<u>Statewide Expenses</u> <u>Eliminate State employee cost–</u>		<u>8,003,653</u>	<u>5,130,230</u>

of-living adjustment

<u>J00H01.05</u>	<u>Facilities and Capital Equipment Eliminate Development and Evaluation funding for the Purple Line, Red Line, and the Corridor Cities Transitway</u>	<u>119,000,000</u>	
<u>K00A05.10</u>	<u>Outdoor Recreation Land Loan Eliminate funds for Program Open Space and related program which are bond funded</u>	<u>49,249,882</u>	
<u>L00A11.11</u>	<u>Capital Appropriation Eliminate funds for Program Open Space and related program which are bond funded</u>	<u>16,253,258</u>	
<u>M00Q01.03</u>	<u>Medical Care Provider Reimbursements Impose service limitations on non-emergency room outpatient visits</u>	<u>45,000,000</u>	<u>45,000,000</u>
<u>M00Q01.03</u>	<u>Medical Care Provider Reimbursements Lower estimate of Medicaid enrollment and costs</u>	<u>40,000,000</u>	<u>40,000,000</u>
<u>M00Q01.03</u>	<u>Medical Care Provider Reimbursements Reduce expansion of rates for evaluation and management codes for non-primary care physicians to the Medicare rate</u>	<u>15,990,000</u>	<u>15,990,000</u>
<u>M00Q01.03</u>	<u>Medical Care Provider Reimbursements Reduce Managed Care</u>	<u>15,675,000</u>	<u>15,675,000</u>

Organization rates by an  
additional 1%

<u>M00Q01.03</u>	<u>Medical Care Provider Reimbursements</u> <u>Reduce the nursing home rate increase</u>	<u>5,500,000</u>	<u>5,500,000</u>
<u>R00A02.01</u>	<u>State Share of Foundation Program</u> <u>Reduce per pupil foundation amount from \$6,694 to \$6,650</u>	<u>44,774,042</u>	
<u>R00A02.02</u>	<u>Compensatory Education</u> <u>Reduce per pupil foundation amount from \$6,694 to \$6,650</u>	<u>18,877,131</u>	
<u>R00A02.07</u>	<u>Students with Disabilities</u> <u>Reduce per pupil foundation amount from \$6,694 to \$6,650</u>	<u>4,368,607</u>	
<u>R00A02.24</u>	<u>Limited English Proficient</u> <u>Reduce per pupil foundation amount from \$6,694 to \$6,650</u>	<u>2,917,010</u>	
<u>R62I00.03</u>	<u>Joseph A. Sellinger Formula for Aid to Non–Public Institutions of Higher Education</u> <u>Eliminate Aid (Reduce by 100%)</u>	<u>38,056,175</u>	
<u>R75T00.01</u>	<u>Support for State Operated Institutions of Higher Education</u> <u>Reduce public higher education 10%</u>	<u>76,971,349</u>	
<u>U00A01.11</u>	<u>Capital Appropriation–Bay Restoration Fund–Wastewater</u> <u>Level fund at the fiscal 2012 appropriation</u>		<u>55,500,000</u>

U00A01.12      Capital      Appropriation–Bay      8,500,000”.  
Restoration      Fund–Septic  
Systems  
Level fund at the fiscal 2012  
appropriation

AMENDMENT NO. 3

On page 9, in line 29, strike “13.” and substitute “3.”; and strike beginning with “, except” in line 29 down through “Act,” in line 30.

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

Affirmative – 14    Negative – 32    (See Roll Call No. 1434)

FLOOR AMENDMENT

**SB1302/793029/1**

BY:    Senator Pipkin

AMENDMENTS TO SENATE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On pages 7 and 8, strike in their entirety the lines beginning with line 8 on page 7 through line 3 on page 8, inclusive.

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

Affirmative – 19    Negative – 27    (See Roll Call No. 1435)

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #32**

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

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

Senator Kasemeyer moved, duly seconded, to put **Senate Bill 1303** on Second Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 38    Negative – 8    (See Roll Call No. 1436)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 1303** on Second Reading.

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

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

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 1437)

**ADJOURNMENT**

At 6:54 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:30 A.M. on Tuesday, May 15, 2012.

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**Annapolis, Maryland  
Tuesday, May 15, 2012  
10:30 A.M. Session**

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The Senate met at 10:42 A.M.

Prayer by Senator Jones–Rodwell.

(See Exhibit A of Appendix III)

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

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

**QUORUM CALL**

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

(See Roll Call No. 1439)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1440)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #71**

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

AN ACT concerning

**Budget Reconciliation and Financing Act of 2012**

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

Affirmative – 33    Negative – 13    (See Roll Call No. 1441)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

**State and Local Revenue and Financing Act of 2012**

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

Affirmative – 27    Negative – 19    (See Roll Call No. 1442)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 1443)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 1444)

**ADJOURNMENT**

At 12:18 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 12:30 P.M. on Wednesday, May 16, 2012.

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**Annapolis, Maryland  
Wednesday, May 16, 2012  
12:30 P.M. Session**

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The Senate met at 1:36 P.M.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 1445)

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

On motion of Senator Garagiola it was ordered that Senators Brochin, Klausmeier, Middleton and Rosapepe be excused from today's session.

**YEAS AND NAYS**

**SENATE BILLS PASSED IN THE HOUSE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
SB 1301	The President	Budget Reconciliation and Financing Act of 2012
SB 1302	The President	State and Local Revenue and Financing Act of 2012
SB 1303	The President	Creation of a State Debt – Qualified Zone Academy Bonds

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

**MESSAGE TO THE SENATE**

May 16, 2012

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE SENATE:

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

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

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

By Order,  
Mary Monahan  
Chief Clerk

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

May 16, 2012

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

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

The Senate concurs therein.

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 40 Members present.

(See Roll Call No. 1446)

At 1:43 P.M. on motion of Senator Garagiola the Senate adjourned Sine Die, in honor of retiring Ethics Adviser William Somerville.



**Rules  
of the  
Senate  
of Maryland**

**2012 First Special Session**



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



# Appendix I

## Roll Calls



Senate of Maryland  
2012 Special Session

Motion to reschedule committee hearings on 3 budget-related bills from May 14th, 2012 to May 15th, 2012

12 Yeas 31 Nays 1 Not Voting 0 Excused 3 Absent

**Voting Yea - 12**

Brinkley	Glassman	Manno
Colburn	Jacobs	Pipkin
Edwards	Jennings	Reilly
Getty	Kittleman	Simonaire

**Voting Nay - 31**

Mr. President	Gladden	Peters
Astle	Jones-Rodwell	Pinsky
Benson	Kasemeyer	Pugh
Brochin	King	Ramirez
Currie	Madaleno	Raskin
DeGrange	Mathias	Robey
Dyson	McFadden	Rosapepe
Ferguson	Middleton	Stone
Forehand	Montgomery	Young
Frosh	Muse	Zirkin
Garagiola		

**Not Voting - 1**

Kelley

**Excused from Voting - 0**

**Excused (Absent) - 3**

Conway J	Klausmeier	Shank
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Senate of Maryland  
2012 Special Session

Quorum

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

**Voting Yea - 44**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Currie	Kelley	Raskin
DeGrange	King	Reilly
Dyson	Kittleman	Robey
Edwards	Madaleno	Rosapepe
Ferguson	Manno	Simonair
Forehand	Mathias	Stone
Frosh	McLadden	Young
Garagiola	Middleton	Zirkin
Getty	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Conway J	Klausmeier	Shank
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Senate of Maryland  
2012 Special Session

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

**Voting Yea - 46**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Shank
Ferguson	Mathias	Simonaire
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Budget & Taxation Report No. 30  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012  
  
Favorable  
Suspend Rule 24/Constitutional Provision Kasemeyer

**36 Yeas 10 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 36**

Mr. President	Frosh	Montgomery
Astle	Garagiola	Muse
Benson	Gladden	Peters
Brochin	Jones-Rodwell	Pinsky
Colburn	Kasemeyer	Pugh
Conway J	Kelley	Ramirez
Currie	King	Raskin
DeGrange	Madaleno	Robey
Dyson	Manno	Rosapepe
Edwards	Mathias	Stone
Ferguson	McFadden	Young
Forehand	Middleton	Zirkin

**Voting Nay - 10**

Brinkley	Jennings	Reilly
Getty	Kittleman	Shank
Glassman	Pipkin	Simonaire
Jacobs		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Budget & Taxation Report No. 30  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012  
Floor amendment Kittleman /503625/1

**14 Yeas 32 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 14**

Brinkley	Getty	Pipkin
Brochin	Glassman	Reilly
Colburn	Jacobs	Shank
Dyson	Jennings	Simonaire
Edwards	Kittleman	

**Voting Nay - 32**

Mr. President	Jones-Rodwell	Peters
Astle	Kasemeyer	Pinsky
Benson	Kelley	Pugh
Conway J	King	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Ferguson	Mathias	Rosapepe
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Gladden	Muse	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Budget & Taxation Report No. 30  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012  
Floor amendment Kittleman /663627/1

**16 Yeas 30 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 16**

Brinkley	Jacobs	Shank
Brochin	Jennings	Simonaire
Colburn	Kittleman	Stone
Edwards	Pipkin	Young
Getty	Reilly	Zirkin
Glassman		

**Voting Nay - 30**

Mr. President	Garagiola	Middleton
Astle	Gladden	Montgomery
Benson	Jones-Rodwell	Muse
Conway J	Kasemeyer	Peters
Currie	Kelley	Pinsky
DeGrange	King	Pugh
Dyson	Madaleno	Ramirez
Ferguson	Manno	Raskin
Forehand	Mathias	Robey
Frosh	McFadden	Rosapepe

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Budget & Taxation Report No. 30  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012  
Floor amendment Brinkley /213921/1

15 Yeas 30 Nays 1 Not Voting 0 Excused 1 Absent

**Voting Yea - 15**

Astle	Getty	Mathias
Brinkley	Glassman	Pipkin
Colburn	Jacobs	Reilly
Dyson	Jennings	Shank
Edwards	Kittleman	Simonaire

**Voting Nay - 30**

Mr. President	Gladden	Peters
Benson	Jones-Rodwell	Pinsky
Brochin	Kasemeyer	Pugh
Conway J	Kelley	Ramirez
Currie	King	Raskin
DeGrange	Madaleno	Robey
Ferguson	Manno	Rosapepe
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin

**Not Voting - 1**

Muse

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Budget & Taxation Report No. 30  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012  
Floor amendment Pipkin /103828/1

13 Yeas 33 Nays 0 Not Voting 0 Excused 1 Absent

**Voting Yea - 13**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Shank
Edwards	Kittleman	Simonaire
Getty		

**Voting Nay - 33**

Mr. President	Gladden	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	Kelley	Pugh
Currie	King	Ramirez
DeGrange	Madaleno	Raskin
Dyson	Manno	Robey
Ferguson	Mathias	Rosapepe
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
  
Favorable  
Suspend Rule 24/Constitutional Provision

**36 Yeas 10 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 36**

Mr. President	Frosh	Montgomery
Astle	Garagiola	Muse
Benson	Gladden	Peters
Brochin	Jones-Rodwell	Pinsky
Colburn	Kasemeyer	Pugh
Conway J	Kelley	Ramirez
Currie	King	Raskin
DeGrange	Madaleno	Robey
Dyson	Manno	Rosapepe
Edwards	Mathias	Stone
Ferguson	McFadden	Young
Forehand	Middleton	Zirkin

**Voting Nay - 10**

Brinkley	Jennings	Reilly
Getty	Kittleman	Shank
Glassman	Pipkin	Simonaire
Jacobs		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Kittleman /783922/1

17 Yeas 29 Nays 0 Not Voting 0 Excused 1 Absent

**Voting Yea - 17**

Brinkley	Jacobs	Shank
Brochin	Jennings	Simonaire
Colburn	Kittleman	Stone
Edwards	Mathias	Young
Getty	Pipkin	Zirkin
Glassman	Reilly	

**Voting Nay - 29**

Mr. President	Garagiola	Montgomery
Astle	Gladden	Muse
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Pinsky
Currie	Kelley	Pugh
DeGrange	King	Ramirez
Dyson	Madaleno	Raskin
Ferguson	Manno	Robey
Forehand	McFadden	Rosapepe
Frosh	Middleton	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Shank /313123/1

**15 Yeas 31 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 15**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Shank
Edwards	Kittleman	Simonaire
Getty	Mathias	Stone

**Voting Nay - 31**

Mr. President	Gladden	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	Kelley	Pugh
Currie	King	Ramirez
DeGrange	Madaleno	Raskin
Dyson	Manno	Robey
Ferguson	McFadden	Rosapepe
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin
Garagiola		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Reilly /383424/1

**16 Yeas 30 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 16**

Brinkley	Jacobs	Reilly
Brochin	Jennings	Shank
Colburn	Kittleman	Simonaire
Edwards	Mathias	Stone
Getty	Pipkin	Zirkin
Glassman		

**Voting Nay - 30**

Mr. President	Garagiola	Montgomery
Astle	Gladden	Muse
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Pinsky
Currie	Kelley	Pugh
DeGrange	King	Ramirez
Dyson	Madaleno	Raskin
Ferguson	Manno	Robey
Forehand	McFadden	Rosapepe
Frosh	Middleton	Young

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

**Senate of Maryland  
2012 Special Session**

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Reilly /843724/1

**17 Yeas 29 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 17**

Astle	Getty	Pipkin
Brinkley	Glassman	Reilly
Brochin	Jacobs	Shank
Colburn	Jennings	Simonaire
Dyson	Kittleman	Zirkin
Edwards	Mathias	

**Voting Nay - 29**

Mr. President	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	Kelley	Pugh
Currie	King	Ramirez
DeGrange	Madaleno	Raskin
Ferguson	Manno	Robey
Forehand	McFadden	Rosapepe
Frosh	Middleton	Stone
Garagiola	Montgomery	Young
Gladden	Muse	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

**Senate of Maryland  
2012 Special Session**

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Jennings /833828/1

**15 Yeas 31 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 15**

Brinkley	Getty	Pipkin
Brochin	Glassman	Reilly
Colburn	Jacobs	Shank
Edwards	Jennings	Simonaire
Forehand	Kittleman	Zirkin

**Voting Nay - 31**

Mr. President	Jones-Rodwell	Muse
Astle	Kasemeyer	Peters
Benson	Kelley	Pinsky
Conway J	King	Pugh
Currie	Madaleno	Ramirez
DeGrange	Manno	Raskin
Dyson	Mathias	Robey
Ferguson	McFadden	Rosapepe
Frosh	Middleton	Stone
Garagiola	Montgomery	Young
Gladden		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Brinkley /553023/1

**15 Yeas 31 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 15**

Astle	Getty	Mathias
Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Shank
Edwards	Kittleman	Simonaire

**Voting Nay - 31**

Mr. President	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	Kelley	Pugh
Currie	King	Ramirez
DeGrange	Madaleno	Raskin
Dyson	Manno	Robey
Ferguson	McFadden	Rosapepe
Forehand	Middleton	Stone
Frosh	Montgomery	Young
Garagiola	Muse	Zirkin
Gladden		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Pipkin /863626/1

**14 Yeas 32 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 14**

Brinkley	Glassman	Reilly
Brochin	Jacobs	Shank
Colburn	Jennings	Simonaire
Edwards	Kittleman	Stone
Getty	Pipkin	

**Voting Nay - 32**

Mr. President	Gladden	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	Kelley	Pugh
Currie	King	Ramirez
DeGrange	Madaleno	Raskin
Dyson	Manno	Robey
Ferguson	Mathias	Rosapepe
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola	Montgomery	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Budget & Taxation Report No. 31  
The President (B&T)  
State and Local Revenue and Financing Act of 2012  
Floor amendment Pipkin /793029/1

**19 Yeas 27 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 19**

Astle	Glassman	Pipkin
Brinkley	Jacobs	Reilly
Brochin	Jennings	Shank
Colburn	Kittleman	Simonaire
Dyson	Mathias	Stone
Edwards	Muse	Zirkin
Getty		

**Voting Nay - 27**

Mr. President	Gladden	Montgomery
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Pinsky
Currie	Kelley	Pugh
DeGrange	King	Ramirez
Ferguson	Madaleno	Raskin
Forehand	Manno	Robey
Frosh	McFadden	Rosapepe
Garagiola	Middleton	Young

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1303** Budget & Taxation Report No. 32  
The President (B&T)  
Creation of a State Debt - Qualified Zone Academy  
Bonds  
Favorable  
Suspend Rule 24/Constitutional Provision

**38 Yeas 8 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 38**

Mr. President	Frosh	Muse
Astle	Garagiola	Peters
Benson	Gladden	Pinsky
Brinkley	Jones-Rodwell	Pugh
Brochin	Kasemeyer	Ramirez
Colburn	Kelley	Raskin
Conway J	King	Robey
Currie	Madaleno	Rosapepe
DeGrange	Manno	Simonaire
Dyson	Mathias	Stone
Edwards	McFadden	Young
Ferguson	Middleton	Zirkin
Forehand	Montgomery	

**Voting Nay - 8**

Getty	Jennings	Reilly
Glassman	Kittleman	Shank
Jacobs	Pipkin	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

Quorum

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

**Voting Yea - 46**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Shank
Ferguson	Mathias	Simonaire
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

Quorum - Attendance

46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent

**Voting Yea - 46**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Shank
Ferguson	Mathias	Simonaire
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

Quorum

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

**Voting Yea - 45**

Mr. President	Getty	Montgomery
Astle	Gladden	Muse
Benson	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Jones-Rodwell	Pugh
Conway J	Kasemeyer	Ramirez
Currie	Kelley	Raskin
DeGrange	King	Reilly
Dyson	Kittleman	Robey
Edwards	Madaleno	Rosapepe
Ferguson	Manno	Shank
Forehand	Mathias	Simonaire
Frosh	McFadden	Stone
Garagiola	Middleton	Young

**Voting Nay - 0**

**Not Voting - 1**

Zirkin

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1301** Third Reading (SB) Calendar No.71  
The President (B&T)  
Budget Reconciliation and Financing Act of 2012

On Third Reading

**33 Yeas 13 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 33**

Mr. President	Gladden	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Brochin	Kelley	Pugh
Conway J	King	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Edwards	Mathias	Rosapepe
Ferguson	McFadden	Stone
Forehand	Middleton	Young
Garagiola	Montgomery	Zirkin

**Voting Nay - 13**

Brinkley	Glassman	Pipkin
Colburn	Jacobs	Reilly
Dyson	Jennings	Shank
Frosh	Kittleman	Simonaire
Getty		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1302** Third Reading (SB) Calendar No.71  
The President (B&T)  
State and Local Revenue and Financing Act of 2012

On Third Reading

**27 Yeas 19 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 27**

Mr. President	Gladden	Montgomery
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Pinsky
Currie	Kelley	Pugh
DeGrange	King	Ramirez
Ferguson	Madaleno	Raskin
Forehand	Manno	Robey
Frosh	McFadden	Rosapepe
Garagiola	Middleton	Young

**Voting Nay - 19**

Astle	Glassman	Pipkin
Brinkley	Jacobs	Reilly
Brochin	Jennings	Shank
Colburn	Kittleman	Simonaire
Dyson	Mathias	Stone
Edwards	Muse	Zirkin
Getty		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

**SB 1303** Third Reading (SB) Calendar No.71  
The President (B&T)  
Creation of a State Debt - Qualified Zone Academy  
Bonds  
On Third Reading

**46 Yeas 0 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 46**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Shank
Ferguson	Mathias	Simonaire
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

Quorum

**46 Yeas   0 Nays   0 Not Voting   0 Excused   1 Absent**

**Voting Yea - 46**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Shank
Ferguson	Mathias	Simonaire
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Klausmeier

Senate of Maryland  
2012 Special Session

Quorum - Attendance

43 Yeas 0 Nays 0 Not Voting 0 Excused 4 Absent

**Voting Yea - 43**

Mr. President	Gladden	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Colburn	Jones-Rodwell	Pugh
Conway J	Kasemeyer	Ramirez
Currie	Kelley	Raskin
DeGrange	King	Reilly
Dyson	Kittleman	Robey
Edwards	Madaleno	Shank
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Montgomery	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 4**

Brochin	Middleton	Rosapepe
Klausmeier		

Senate of Maryland  
2012 Special Session

Quorum

40 Yeas 0 Nays 3 Not Voting 0 Excused 4 Absent

**Voting Yea - 40**

Mr. President	Getty	Peters
Astle	Gladden	Pinsky
Benson	Glassman	Pipkin
Brinkley	Jacobs	Pugh
Colburn	Jennings	Ramirez
Conway J	Kasemeyer	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Shank
Edwards	Manno	Simonaire
Ferguson	McFadden	Stone
Forehand	Montgomery	Young
Frosh	Muse	Zirkin
Garagiola		

**Voting Nay - 0**

**Not Voting - 3**

Jones-Rodwell	Kelley	Mathias
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**Excused from Voting - 0**

**Excused (Absent) - 4**

Brochin	Middleton	Rosapepe
Klausmeier		



# Appendix II

## Committee Votes



# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 1

Bill/Resolution Number: SB 1301  
 Vote Date: 5-14-12  
 Final Action: FAN

**Motion:**

- Favorable     
  Favorable with Amendment     
  Unfavorable     
  Withdrawn by Sponsor  
 No Motion     
  Referred to Interim - Summer Study     
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.	✓				
COLBURN, R.		✓			
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.	✓				
MADALENO, R.	✓				
BRINKLEY, D.		✓			
JONES-RODWELL, V.	✓				
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
Totals	11	2			

Amendment Numbers, Consent Bill lists, Other

*McFadden  
 Jones-Rodwell*

Committee Reporter: *Karen Landry*  
 1

# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 1

Bill/Resolution Number:

SB 1302

Vote Date:

5-14-12

Final Action:

FAV

**Motion:**

- Favorable     
  Favorable with Amendment     
  Unfavorable     
  Withdrawn by Sponsor  
 No Motion     
  Referred to Interim - Summer Study     
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.	✓				
COLBURN, R.		✓			
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.		✓			
MADALENO, R.	✓				
BRINKLEY, D.		✓			
JONES-RODWELL, V.	✓				
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
Totals	10	3			

Amendment Numbers,  
Consent Bill lists, Other

Madaleno  
King

Committee Reporter:

Gene Landry

# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 1

Bill/Resolution Number:

**SB 1303**

Vote Date:

**5-14-12**

Final Action:

**FAV**

**Motion:**

- Favorable
- Favorable with Amendment
- Unfavorable
- Withdrawn by Sponsor
- No Motion
- Referred to Interim - Summer Study
- Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.	✓				
COLBURN, R.	✓				
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.	✓				
MADALENO, R.	✓				
BRINKLEY, D.	✓				
JONES-RODWELL, V.	✓				
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
Totals	<b>13</b>				

Amendment Numbers, Consent Bill lists, Other

*McFadden*  
*Jones - Rodwell*

Committee Reporter:

*Ken Landry*

# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 1

Bill/Resolution Number:

SB1308

Vote Date:

5-14-12

Final Action:

UNF

**Motion:**

- Favorable     
  Favorable with Amendment     
  Unfavorable     
  Withdrawn by Sponsor  
 No Motion     
  Referred to Interim - Summer Study     
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.		✓			
COLBURN, R.	✓				
ROBEY, J.		✓			
PETERS, D.		✓			
KING, N.		✓			
MANNO, R.		✓			
EDWARDS, G.	✓				
MADALENO, R.		✓			
BRINKLEY, D.	✓				
JONES-RODWELL, V.		✓			
CURRIE, U.		✓			
MCFADDEN, N., VICE CHAIR		✓			
KASEMEYER, E., CHAIR		✓			
Totals	3	10			

Amendment Numbers, Consent Bill lists, Other

Brinkley  
Edwards

*Kenn Landry*

# Appendix III

## Exhibit A



## Special Session Prayer

5.15.12

Submitted by Senator Verna Jones-Rodwell

Good morning Colleagues and friends please join me in prayer.

Holy and ever-loving God,  
We, your humble people, honor thee.  
And in all your many names, we pray.

We, your servants, are listening.  
We come before you at this moment to say Thank You and hear a word from you.

Thank you for waking each of us up this morning with a functioning mine and able body.

Thank You for the continues love, protection, grace and mercies which you shower upon each of us every moment of every day.

Thank You for entrusting us to do your work in this legislative body as we humbling strive to service all people in the State of Maryland with integrity, foresight, compassion and conviction.

As we move forward God please help us not be tempted to wallow in dismay, dissatisfaction or divisiveness due to work left undone from the regular 2012 Session. Help us work together as we take actions to stabilize and enhance the quality of life for hundreds of thousand of individuals and families while maintaining our quality educational systems, strengthening communities throughout this State and stabilizing Maryland's economy.

Show us Dear God how to change adversity into opportunity.

God guide us as we step out of our comfort zones to do what is needed to keep our State moving forward. Might a few drops of your favor fall upon us today. **Giving us your servant leaders Courage and wisdom so that we** are instruments of your peace  
Sowing love where there is hatred,  
Pardon, where there is injury,  
Union, in place of discord,  
Faith, instead doubt,  
Hope, not despair,  
Light to cast away the darkness  
And where there is sadness, joy.

Giver of immortal gladness, fill us with new life and spirit as we go forward in this session.

Amen.

# Appendix IV

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**Second**  
**Special Session**

August 9, 2012

Through

August 15, 2012



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**Annapolis, Maryland**  
**Thursday, August 9, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

This being the day prescribed by the Executive Order of the Governor of Maryland, for the meeting of the General Assembly of Maryland, in Special Session No. 2. The Honorable Thomas V. Mike Miller, Jr., President of the Senate called the Senate to order.

Prayer by Senator King

(See Exhibit A of Appendix VII)

Present at the roll call were the following Senators:

District 1	–	Allegany, Garrett and Washington George C. Edwards
District 2	–	Washington Christopher B. Shank
District 3	–	Frederick and Washington Ronald N. Young
District 4	–	Frederick and Carroll David R. Brinkley
District 5	–	Carroll and Baltimore Joseph M. Getty
District 6	–	Baltimore County Norman R. Stone, Jr.
District 7	–	Baltimore and Harford J.B. Jennings
District 8	–	Baltimore County Katherine A. Klausmeier
District 9	–	Howard and Carroll Allan H. Kittleman
District 10	–	Baltimore County Delores G. Kelley
District 11	–	Baltimore County Robert A. Zirkin
District 12	–	Baltimore County and Howard Edward J. Kasemeyer
District 13	–	Howard James N. Robey
District 14	–	Montgomery

		Karen S. Montgomery
District 15	–	Montgomery Robert J. Garagiola
District 16	–	Montgomery Brian E. Frosh
District 17	–	Montgomery Jennie M. Forehand
District 18	–	Montgomery Richard S. Madaleno, Jr.
District 19	–	Montgomery Roger Manno
District 20	–	Montgomery Jamie Raskin
District 21	–	Prince George’s and Anne Arundel James Rosapepe
District 22	–	Prince George’s Paul G. Pinsky
District 23	–	Prince George’s Douglas J.J. Peters
District 24	–	Prince George’s Joanne C. Benson
District 25	–	Prince George’s Ulysses Currie
District 26	–	Prince George’s C. Anthony Muse
District 27	–	Prince George’s and Calvert Thomas V. Mike Miller, Jr.
District 28	–	Charles Thomas Mac Middleton
District 29	–	Calvert, Charles and St. Mary’s Roy P. Dyson
District 30	–	Anne Arundel John C. Astle
District 31	–	Anne Arundel Bryan W. Simonaire
District 32	–	Anne Arundel James E. DeGrange, Sr.
District 33	–	Anne Arundel Edward R. Reilly
District 34	–	Harford and Cecil Nancy Jacobs
District 35	–	Harford Barry Glassman
District 36	–	Kent, Queen Anne’s, Cecil and Caroline E.J. Pipkin
District 37	–	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn

District 38	–	Somerset, Wicomico and Worcester James N. Mathias, Jr.
District 39	–	Montgomery Nancy J. King
District 40	–	Baltimore City Catherine E. Pugh
District 41	–	Baltimore City Lisa A. Gladden
District 42	–	Baltimore County James Brochin
District 43	–	Baltimore City Joan Carter Conway
District 44	–	Baltimore City Verna Jones–Rodwell
District 45	–	Baltimore City Nathaniel J. McFadden
District 46	–	Baltimore City Bill Ferguson
District 47	–	Prince George’s Victor R. Ramirez

Forty–two Senators having answered to their names, the President announced that a quorum being present, the Senate of Maryland, 2012 Special Session No. 2 is now ready for the transaction of business.

(See Roll Call No. 9)

On motion of Senator Garagiola it was ordered that Senators Forehand, Kelley, Jones–Rodwell, Pugh, and Shank be excused from today’s session.

### **MESSAGE FROM THE EXECUTIVE**

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

(See Exhibit B of Appendix VII)

Read and ordered journalized.

### **ORDER**

August 9, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that for the Second Special Legislative Session of 2012, the Senate adopts the Rules as in effect at the end of the Regular Legislative Session of 2012.

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### ORDER

August 9, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that the Desk Officers elected during the 2012 Regular Session continue to serve for the Second Special Legislative Session of 2012.

By Order,

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

Read and adopted.

### ORDER

August 9, 2012

BY THE MAJORITY LEADER:

ORDERED BY THE SENATE OF MARYLAND, that the Monies appropriated for the expenses of the Second Special Legislative Session of 2012, as set forth in the Appropriations Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

By Order,

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

Read and adopted.

**ORDER**

August 9, 2012

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of business of this Second Special Legislative Session of 2012, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

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

Read and adopted.

**ANNOUNCEMENT BY THE PRESIDENT**

August 9, 2012

The President announces that the positions of leadership will remain the same as announced on April 10, 2012.

Read and ordered journalized.

August 9, 2012

The President announces that assignments to the Standing Committees will remain as announced on April 10, 2012.

Read and ordered journalized.

**MESSAGE TO THE HOUSE OF DELEGATES**

August 9, 2012

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the House of Delegates:

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

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

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### MESSAGE TO THE EXECUTIVE

August 9, 2012

BY THE MAJORITY LEADER

His Excellency, the Governor of Maryland  
Martin O'Malley:

The Senate of Maryland is organized and prepared to receive any communication you may desire to make.

The President of the Senate is the Honorable Thomas V. Mike Miller, Jr.

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### VETOED SENATE BILLS – 2012

VETOED SENATE BILLS AND MESSAGES – 2012 REGULAR SESSION

(See Exhibit C of Appendix VII)

The Messages from the Governor were read and ordered journalized.

**2012 Bills Vetoed by the Governor**  
(Duplicative Vetoes)

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 34	Sen. Colburn	Talbot County – Zoning Regulations – Enforcement	EHE
SB 44	Sen. Colburn	Dorchester County – Bay Restoration Fund – Collection of Restoration Fee	EHE
SB 45	Sen. Colburn	Dorchester County – Alcohol Awareness Program – Certificate of Completion	EHE
SB 66	Sen. Glassman	Harford County – Alcoholic Beverages Licenses – Class C-3 Club License	EHE
SB 68	Sen. Glassman	Harford County – Alcoholic Beverages – Wine Festival License	EHE
SB 94	The President	St Bd for Certfn of Resid Child Care Program Profs – Sunset Ext and Program Evaluation	EHE
SB 96	The President	Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation	EHE
SB 104	Sen. Colburn	Dorchester County – Sailwinds of Cambridge, Inc. – Service of Alcohol – Wristbands	EHE
SB 106	Sen. Colburn	Talbot County – Alcoholic Beverages Violations – Issuance of Citations	EHE

SB 187	Ch., Finance Com.	St Comm of Real Este Appraisers and Home Inspectors – Sunset Ext and Program Evaluation	FIN
SB 188	Sen. Shank	Wsh Co – Distrib of Amts to Town of Williamsport – Pymts in Lieu of Prop Taxes on Elc Generation Facs	B&T
SB 259	Harford Co. Senators	Harford County – Harford Community College – Authority to Incur Debt	B&T
SB 265	Sen. Brinkley	Frederick County – Tax Sales – Auctioneer’s Fees	B&T
SB 266	Sen. Brinkley	Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses	B&T
SB 274	Chair, EHE Com.	State Board of Pharmacy – Sunset Extension and Revisions	EHE
SB 282	Ch., Finance Com.	Office of Cemetery Oversight – Sunset Extension and Program Evaluation	FIN
SB 333	Sen. Edwards	Garrett County – Hotel Rental Tax	B&T
SB 388	Sen. Kittleman	Howard County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences	FIN
SB 450	Chair, EHE Com.	State Board of Environmental Health Specialists – Transfer of Responsibilities	EHE
SB 470	Sen. Edwards	Allegany County – Orphans’ Court Judges – Pension	B&T
SB 472	Sen. Edwards	Environment – Dormant Mineral Interests – Termination by	EHE

		Court Order Requirements	
SB 527	Sen. Edwards	Garrett County – Alcoholic Beverages – Class B Beer Licenses	EHE
SB 587	Sen. Edwards	Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation	EHE
SB 629	Sen. Conway	State Board of Physicians – Appointment and Term of Chair	EHE
SB 662	Carroll Co. Senators	Carroll County – Archery Hunting – Safety Zone	EHE
SB 663	Carroll Co. Senators	Carroll County – Board of Elections – Membership	EHE
SB 670	Sen. Shank	Washington County – Tip Jars – Accountability and Oversight	B&T
SB 802	Sen. Brinkley	Frederick County – Budgetary Processes	B&T
SB 1040	Sen. Brinkley	Frederick County – Middletown Wine Festival License	EHE
SB 1075	Sen. Mathias	Worcester County – Alcoholic Beverages – Beer and Wine Festivals	EHE

The President put the question: “Shall the Bills pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 0    Negative – 42    (See Roll Call No. 10)

The President announced the vetoes were sustained.

**2012 Bills Vetoed by the Governor**  
(Technical Vetoes)

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BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 153	The President	Creation of a State Debt – Qualified Zone Academy Bonds	B&T
SB 365	Sen. Garagiola	Higher Education – The Charles W. Riley Fire and Emergency Medical Services Scholarship	EHE

The President put the question: “Shall the Bills pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 0 Negative – 42 (See Roll Call No. 11)

The President announced the vetoes were sustained.

## INTRODUCTION OF BILLS

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

AN ACT concerning

#### **Gaming Expansion – Video Lottery Terminals and Table Games**

FOR the purpose of establishing the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency with certain powers and duties; transferring the responsibilities of the State Lottery Commission and the State Lottery Agency to the State Lottery and Gaming Control Commission and the State Lottery and Gaming Control Agency, respectively; providing for the membership of the State Lottery and Gaming Control Commission; providing for certain qualifications, terms of office, salaries, and reimbursements of expenses for members of the State Lottery and Gaming Control Commission; providing for certain staffing and consultants for the State Lottery and Gaming Control Commission; requiring certain video lottery facilities to own or lease certain video lottery terminals and associated equipment and software; requiring that certain savings related to the ownership or leasing of video lottery terminals and associated equipment and software be appropriated to the Education Trust Fund; authorizing certain counties to impose certain requirements under certain circumstances; altering the distribution of certain proceeds of video lottery terminals; altering the timing for certain transfers of funds; altering the period of time and authorized use for certain local impact grants; extending certain reporting requirements; altering

the staffing for the Video Lottery Facility Location Commission; repealing certain limitations on a certain video lottery facility; requiring certain applicants for a video lottery operation license to take certain steps before being awarded a license; requiring the Governor's Office of Minority Affairs, in consultation with the Office of the Attorney General, to provide certain assistance; requiring certain proceedings before the Board of Contract Appeals to proceed in a certain manner; authorizing certain petitions for judicial review to be heard in certain circuit courts; requiring that certain proceedings related to certain petitions for judicial review proceed in a certain manner under certain circumstances; authorizing certain parties to certain proceedings related to certain petitions for judicial review to appeal the decision of the circuit court in a certain manner; prohibiting certain persons from making certain contributions under certain circumstances; authorizing, subject to a certain contingency, the use and regulation of table games in the State; authorizing, subject to a certain contingency, an additional license to operate a video lottery facility in the State and additional video lottery terminal devices; prohibiting a certain fee under certain circumstances; prohibiting the operation of certain video lottery terminals in a certain location before a certain date; repealing, subject to a certain contingency, a limitation on the hours of operation of a video lottery facility; providing, subject to a certain contingency, for the distribution of proceeds from table games and video lottery terminals; authorizing the State Lottery and Gaming Control Commission to adjust the distribution of proceeds from video lottery terminals after a certain license is awarded under certain circumstances and subject to a certain reporting requirement; altering, subject to a certain contingency, the distribution of proceeds from video lottery terminals, including certain impact grants; altering, subject to a certain contingency, the distribution of certain local impact grants; requiring, subject to a certain contingency, the State Lottery and Gaming Control Commission to take certain actions; declaring the intent of the General Assembly; requiring that certain persons submit certain campaign finance statements in a certain manner; requiring the State Board of Elections to take certain actions; providing for the expiration of the terms of the members of the State Lottery Commission and for the staggering of the terms of the initial members of the State Lottery and Gaming Control Commission; authorizing the applicant for a video lottery operation license in Prince George's County to request that the Video Lottery Facility Location Commission authorize a temporary table games facility upon the award of a video lottery operation license; requiring the State Lottery and Gaming Control Commission to make certain recommendations and prepare certain reports; providing for the transfer of certain functions, powers, duties, equipment, assets, liabilities, employees, and appropriations under certain circumstances; providing for certain employee rights if transferred; providing for the continuity of certain transactions, rights, duties, and interests; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders and other directives, forms, plans, contracts, property, investigations, administrative and judicial responsibilities, rights, duties, and responsibilities; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall

correct certain cross-references and terminology; defining certain terms; altering certain definitions; submitting certain provisions of this Act to a referendum of the qualified voters of the State; providing for the effective dates of this Act; making certain provisions of this Act subject to certain contingencies; and generally relating to authorizing and regulating gaming in the State.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–101(a) and 9–1A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

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

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

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

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 12–309

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 13–237

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–01(u), 9–1A–04, 9–1A–27, 9–1A–31(a) and (b), and 9–1A–36(r)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–237(a)(2), (6), and (7)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – Election Law

Section 13–237(a)(6)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–27

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Section 2 of this Act)

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

**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

EMERGENCY BILL

AN ACT concerning

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

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

BY adding to

Article – Courts and Judicial Proceedings

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

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 3 – Senator Middleton**

AN ACT concerning

#### **Video Lottery Terminals and Table Games – Expansion**

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

BY repealing and reenacting, with amendments,

Article – State Government

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

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 4 – Senator Kittleman**

AN ACT concerning

#### **Procurement – Required Clauses – Project Labor Agreement Prohibition**

FOR the purpose of requiring State procurement contracts to include a clause prohibiting certain parties from participating in certain project labor agreements; and generally relating to project labor agreements and State procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 5 – Senator Kittleman**

AN ACT concerning

#### **Procurement – Living Wage – Repeal**

FOR the purpose of repealing the provisions of law regarding the living wage for State contracts; repealing the requirement that certain employers pay certain hourly wages to employees who work on certain State contracts; repealing the requirement that the Commissioner of Labor and Industry adjust and publish certain wages; repealing the requirement that the Commissioner adopt certain regulations; repealing the authority of the Commissioner to require certain employers to keep certain records and submit certain reports; repealing the requirement that the Commissioner make certain assessments regarding the appropriateness of certain measures and placements under the living wage requirements; repealing the requirement that certain employers post certain information regarding the living wage; repealing certain requirements regarding the filing, investigation, and resolution of violations of the living wage requirements; repealing provisions regarding the filing of actions for the violation of living wage requirements; and generally relating to the repeal of the living wage law.

BY repealing  
Article – State Finance and Procurement  
Section 18–101 through 18–109 and the title “Title 18. Living Wage”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 6 – Senator Kittleman**

AN ACT concerning

**Labor and Employment – Right to Work**

FOR the purpose of prohibiting an employer from refusing to employ or continue employing an individual based on membership or nonmembership in a labor organization; prohibiting an employer from requiring an individual to refrain from joining or to become a member of a labor organization; prohibiting an employer from requiring an individual to pay certain charges to a labor organization; providing a civil cause of action for an individual who is denied employment, required to refrain from joining or required to become a member of a labor organization, or required to pay dues, fees, or other charges to a labor organization in violation of this Act; authorizing the recovery of certain damages and costs; authorizing the Attorney General to bring a certain civil action; providing that certain provisions of this Act do not affect certain remedies or rights; establishing the purpose of this Act; defining a certain term; providing for the application of this Act; and generally relating to the rights of individuals, employee organizations, and employers.

BY adding to

Article – Labor and Employment

Section 4–701 through 4–706 to be under the new subtitle “Subtitle 7. Right to Work”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 7 – Senator Kittleman**

AN ACT concerning

**Procurement – Prevailing Wage Rate Law – Repeal**

FOR the purpose of repealing provisions of law regarding prevailing wage rates for public work contracts; repealing provisions limiting the application of the prevailing wage rates to a public work contract above a certain amount or a part of a public work contract that is required to comply with the prevailing wage rate determined by the United States Secretary of Labor; repealing the provisions of law regarding the Advisory Council on Prevailing Wage Rates in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation; repealing the provision of law that requires a contractor or subcontractor under a public work contract to employ only certain workers and apprentices; repealing the provision of law that prohibits a contractor or subcontractor under a public work contract from employing certain helpers and trainees; repealing the provision of law that authorizes a contractor or subcontractor under a public work contract to refuse to employ a certain worker that is a resident of another state under certain circumstances; repealing the requirement that the Commissioner of Labor and Industry adopt prevailing

wage rates for straight time and overtime for each classification of worker engaged in work of the same or similar character; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross-references and terminology rendered incorrect by this Act; and generally relating to repeal of the prevailing wage rate law.

BY repealing

Article – State Finance and Procurement

Section 17–201 through 17–205, 17–208 through 17–216, and 17–219 through 17–226 and the subtitle “Subtitle 2. Prevailing Wage Rates – Public Work Contracts”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 8 – Senators Rosapepe, Madaleno, Montgomery, and Raskin**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **End the Gridlock**

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

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

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

**Senate Bill 9 – Senator Frosh**

EMERGENCY BILL

AN ACT concerning

**Electric Companies – Rate Adjustment to Recover Profits Lost During  
Service Disruption – Prohibition**

FOR the purpose of prohibiting the Public Service Commission from authorizing an electric company to adjust the electric company's rates to recover profits lost during a disruption in electrical service; making this Act an emergency measure; and generally relating to the adjustment of rates by an electric company to recover profits lost during a disruption in electrical service.

BY adding to  
Article – Public Utilities  
Section 4–307  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 10 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

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

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1202 and 13–1203(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

Section 13–1204  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 11 – Senators Pipkin and Kittleman**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

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

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

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

**Senate Bill 12 – Senators Pipkin and Kittleman**

EMERGENCY BILL

AN ACT concerning

**Regulatory Review and Evaluation Act – Work Plan – Additional Procedures**

FOR the purpose of revising the procedures for a work plan under the Regulatory Review and Evaluation Act to require participation by a certain panel of stakeholders and to require public hearings on certain regulations under certain circumstances; defining certain terms; making this Act an emergency measure; and generally relating to work plan procedures under the Regulatory Review and Evaluation Act.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–130(a), (c), and (f) through (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government

Section 10–134  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 13 – Senators Pipkin and Kittleman**

**EMERGENCY BILL**

AN ACT concerning

**Environment – On–Site Sewage Disposal Systems – Nitrogen Removal  
Technology**

FOR the purpose of prohibiting the Department of the Environment from adopting regulations that require a person to install, or have installed, an on–site sewage disposal system that utilizes nitrogen removal technology on certain property in the State; making this Act an emergency measure; and generally relating to on–site sewage disposal systems.

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.

**Senate Bill 14 – Senator Pipkin**

AN ACT concerning

**Corporate Income Tax – Foreign and Domestic Corporations – Capital  
Investments**

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

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

(2007 Replacement Volume and 2011 Supplement)

BY repealing, and reenacting, with amendments,

Article – Tax – General

Section 10–105(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–105.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 15 – Senators Pipkin and Kittleman**

EMERGENCY BILL

AN ACT concerning

**Regulations – Fees and Fines – Legislative Approval Required**

FOR the purpose of prohibiting a certain regulation from taking effect until the General Assembly takes certain action; making this Act an emergency measure; and generally relating to the effective date of regulations.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–117

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 16 – Senators Pipkin and Kittleman**

AN ACT concerning

**Economic Development – Maryland Agricultural and Resource–Based  
Industry Development Corporation – Agricultural Grant Program**

FOR the purpose of establishing the Agricultural Grant Program; specifying the purpose of the Program; requiring a grant applicant to meet certain eligibility requirements; requiring the Maryland Agricultural and Resource–Based Industry Development Corporation and the Corporation’s Board of Directors to

develop the Program; requiring the Corporation to administer the Program; requiring a grant applicant to submit certain information in the grant application; requiring the Corporation to consider certain factors when awarding a grant; specifying that a grant from the Program may be used for certain purposes; prohibiting a grant from the Program to be used for certain purposes; limiting the amount of a grant awarded under the Program; authorizing the Corporation to limit the amount of funding awarded to a single project; specifying the source of Program funding; requiring that certain information be included in the Corporation's annual report; requiring the Secretary of Business and Economic Development to adopt certain regulations; altering the amount of the annual appropriation for the Corporation for certain fiscal years; defining certain terms; and generally relating to the Agricultural Grant Program and the Maryland Agricultural and Resource-Based Industry Development Corporation.

BY adding to

Article – Economic Development  
Section 10–520.1  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

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

(As enacted by Chapter 1 of the Acts of the General Assembly of the First Special Session of 2012)

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

**Senate Bill 17 – Senator Pipkin**

### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Budget Deficits – Education Trust Fund and Taxes, Fees, and Tolls**

FOR the purpose of proposing an amendment to the Maryland Constitution requiring money in a certain Education Trust Fund to be transferred to the General Fund of the State in certain fiscal years in an amount sufficient to cover any budget deficit for that fiscal year and prohibiting the rates of certain taxes, fees, or tolls from being increased or certain new taxes, fees, or tolls from being imposed or collected in certain fiscal years; providing for the expiration of certain provisions; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article XVIII – Provisions of Limited Duration  
Section 6

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

### **Senate Bill 18 – Senator Pipkin**

AN ACT concerning

#### **Environment – Watershed Implementation Plan – County Implementation**

FOR the purpose of providing that a local jurisdiction may not be required to implement certain activities or strategies of a State Watershed Implementation Plan unless certain funding is provided; defining certain terms; and generally relating to the local implementation of certain activities or strategies of a State Watershed Implementation Plan.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 19 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of County Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be

used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Criminal Law  
Section 13–906.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 20 – Senator DeGrange**

EMERGENCY BILL

AN ACT concerning

**Criminal Law – Part-Time School Employees and Coaches – Sexual Contact  
with Minors**

FOR the purpose of altering the definition of a “person in a position of authority” relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances to remove a limitation to full-time employees and to include certain coaches; making this Act an emergency measure; and generally relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 21 – Senator Ferguson**

EMERGENCY BILL

AN ACT concerning

**Public Safety – Handgun Permits – Requirements and Limitations**

FOR the purpose of specifying that a person who has been issued a permit to wear, carry, or transport a handgun may only wear, carry, or transport the handgun within the scope of the permit issued; altering a certain list of criteria that the Secretary of State Police must use to determine whether a certain handgun permit shall be issued to a person to include findings by the Secretary that the person is not prohibited from possessing a certain regulated firearm under a certain provision of law, has completed a certain firearms safety training course within a certain time period unless a certain ground for exemption applies, has not been discharged from the armed forces of the United States under dishonorable conditions, does not have a pending charge for a felony or a misdemeanor for which a sentence of imprisonment for more than a certain amount of time may be imposed, or has not exhibited certain conduct indicating the person is potentially dangerous to the public if issued a permit; repealing the requirement that the Secretary find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person; requiring a person renewing a certain handgun permit to complete a certain firearms safety training course within a certain time period, unless a certain ground for exemption applies; prohibiting a certain handgun permit holder from possessing a handgun on certain real property; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to the issuing by the Secretary of State Police of a permit to wear, carry, or transport a handgun.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 4–203(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 4–203(b)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306 and 5–309  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 5–315  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 12)

### **ADJOURNMENT**

At 12:14 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Friday, August 10, 2012.

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**Annapolis, Maryland**  
**Friday, August 10, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:22 A.M.

Prayer by Senator McFadden.

(See Exhibit A of Appendix VII)

The Journal of August 9, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Gladden, Kelley and Shank be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 14)

**MESSAGE TO THE SENATE**

AUGUST 10, 2012

By The Majority Leader:

Ladies and Gentlemen of the Senate:

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

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

By Order,  
Mary Monahan  
Chief Clerk

Read and ordered journalized.

### INTRODUCTION OF BILLS

**Senate Bill 22 – Senators Madaleno, Manno, and Montgomery**

AN ACT concerning

#### **Public Service Commission – Membership**

FOR the purpose of altering the membership of the Public Service Commission; and generally relating to the Public Service Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 2–102

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1

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

**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

#### EMERGENCY BILL

AN ACT concerning

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

Favorable report adopted.

FLOOR AMENDMENT

**SB0002/523127/1**

BY: Senator Kittleman

#### AMENDMENTS TO SENATE BILL 2

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Civil Action – Liability for Damages Caused by Dog Bite”; strike beginning with the second “the” in line 3 down through “dogs” in line 10 and substitute “, in a civil action for damages caused by a dog bite, the common law that applied on a certain date to a civil action for damages caused by a dog bite shall be retained; stating the intent of the General Assembly to abrogate the holding by the Court of Appeals in a certain case; providing for the application of this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to liability in a civil action for damages caused by a dog bite”; and in lines 13 and 14, strike “Personal Injury or Death Caused by Dog” and substitute “Damages Caused by Dog Bite”.

#### AMENDMENT NO. 2

On page 1, in line 20, strike “**PERSONAL INJURY OR DEATH CAUSED BY DOG**” and substitute “**DAMAGES CAUSED BY DOG BITE**”.

On pages 1 through 3, strike in their entirety the lines beginning with line 22 on page 1 through line 15 on page 3, inclusive, and substitute:

**“IN A CIVIL ACTION FOR DAMAGES CAUSED BY A DOG BITE, THE COMMON LAW THAT APPLIED ON JANUARY 1, 2012, TO A CIVIL ACTION FOR DAMAGES CAUSED BY A DOG BITE SHALL BE RETAINED.”**

On page 3, in line 27, after “enacted.” insert “It shall remain effective through September 30, 2013, and, at the end of September 30, 2013, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

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

Affirmative – 11    Negative – 33    (See Roll Call No. 15)

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

The motion was adopted.

#### **THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

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

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

AN ACT concerning

**Gaming Expansion – Video Lottery Terminals and Table Games**

**SB0001/489039/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Commission;” insert “altering the number of members who must concur before the State Lottery and Gaming Control Commission may act;”; in line 19, after “funds;” insert “altering the authorized uses of a certain fund;”.

On page 2, in line 10, after “terminals;” insert “authorizing the State Lottery and Gaming Control Commission to establish a certain annual fee;”.

On page 3, in line 8, after “9-1A-29(k),” insert “9-1A-30(c)”; in the same line, after “(b),” insert “9-1A-33(a)”; and strike in their entirety lines 33 through 38, inclusive.

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 12, in line 4, after “procurement” insert “, INCLUDING THE PROCUREMENT OF EQUIPMENT AND ONGOING SERVICES,”.

AMENDMENT NO. 4

On page 16, after line 23, 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 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;

(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) PROVIDE FUNDS TO EXPAND PUBLIC EARLY CHILDHOOD EDUCATION PROGRAMS IN THE STATE.**

#### AMENDMENT NO. 5

On page 23, strike beginning with “**(2)**” in line 1 down through “**ARTICLE.**” in line 9; in lines 10, 12, and 14, strike “**(5)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “**(2)**”, “**(3)**”, and “**(4)**”, respectively; in line 12, after “**LOTTERY**” insert “**FACILITY**”; in line 14, strike “**TERMINAL**” and substitute “**OPERATION LICENSE**”; in line 17, after “**A**” insert “**VIDEO LOTTERY OPERATION**”; and strike beginning with “**TO**” in line 17 down through “**STATE;**” in line 18, and substitute “**; AND**”.

On pages 23 and 24, strike in their entirety the lines beginning with line 19 on page 23 through line 2 on page 24, inclusive.

On page 24, in line 3, strike “**(5)**” and substitute “**(2)**”; in line 4, strike “**TERMINAL OR OTHER GAMING ACTIVITY**” and substitute “**FACILITY**”; and in lines 12 and 17, in each instance, after “**POLITICAL PARTY**” insert “**IN THE STATE**”.

#### AMENDMENT NO. 6

On page 35, after line 16, insert:

“9-1A-33.

(a) **(1)** The Commission shall:

[(1)] (I) establish an annual fee of \$425, to be paid by each video lottery operation licensee, for each video lottery terminal operated by the licensee during the year, based on the maximum number of terminal positions in use during the year; and

[(2)] (II) distribute the fees collected under item [(1)](I) of this subsection to the Problem Gambling Fund established in subsection (b) of this section.

**(2) THE COMMISSION MAY ESTABLISH AN ANNUAL FEE OF UP TO \$500 FOR EACH TABLE GAME TO BE PAID BY EACH VIDEO LOTTERY OPERATION LICENSEE AND DISTRIBUTED TO THE PROBLEM GAMBLING FUND UNDER SUBSECTION (B) OF THIS SECTION IN ORDER TO ENSURE SUFFICIENT FUNDS ARE AVAILABLE TO PROVIDE REQUESTED SERVICES.**

AMENDMENT NO. 7

On page 36, in lines 11 and 12, strike “4 MILES” and substitute “A 4-MILE RADIUS”.

AMENDMENT NO. 8

On page 40, in lines 21, 23, and 25, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; and line 22, after “LOCATED” insert “, PROVIDED THAT THE PROCEEDS PAID TO BALTIMORE CITY SHALL BE USED TO FUND SCHOOL CONSTRUCTION PROJECTS”.

On page 43, strike in their entirety lines 4 though 13, inclusive.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0001/513924/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 1, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 15 of the bill, in line 11, strike the third “AND” and substitute:

**“(8) 1% TO THE WAITING LIST EQUITY FUND ESTABLISHED UNDER § 7-205 OF THE HEALTH – GENERAL ARTICLE; AND”;**

and in line 12, strike “(8)” and substitute “(9)”.

On page 33 of the bill, after line 26, insert:

**“(8) 1% to the Waiting List Equity Fund established under § 7-205 of the Health – General Article; [and]”;**

and in line 27, strike “(8)” and substitute “(9)”.

On page 34 of the bill, in line 3, strike “(9)” and substitute “(10)”.

On page 37 of the bill, in lines 13 and 16, in each instance, strike “§ 9-1A-27(A)(8)” and substitute “**§ 9-1A-27(A)(9)**”.

On page 39 of the bill, after line 5, insert:

**“(8) 1% to the Waiting List Equity Fund established under § 7-205 of the Health – General Article;”;**

and in lines 6 and 12, strike “(8)” and “(9)”, respectively, and substitute “(9)” and “(10)”, respectively.

#### **AMENDMENT NO. 2**

On page 35 of the bill, in line 7, strike “80% OF” and substitute “**THE FOLLOWING AMOUNTS FROM**”; in line 8, after “FACILITY” insert “:

**(1) 65%”;**

in line 9, after “LICENSEE” insert “;

**(2) 15% TO THE WAITING LIST EQUITY FUND ESTABLISHED UNDER § 7-205 OF THE HEALTH – GENERAL ARTICLE;”;**

and in the same line, after “AND” insert:

**“(3)”**.

On page 40 of the bill, in line 23, strike “80%” and substitute “65%”; and in the same line, after “LICENSEE;” insert:

**“(3) 15% TO THE WAITING LIST EQUITY FUND ESTABLISHED UNDER § 7-205 OF THE HEALTH – GENERAL ARTICLE;”**.

On page 3 of the Budget and Taxation Committee Amendments (SB0001/489039/1), in line 2 of Amendment No. 8, strike “**(3)**” and substitute “**(4)**”.

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

Affirmative – 10    Negative – 34    (See Roll Call No. 16)

FLOOR AMENDMENT

**SB0001/983622/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “circumstances;” insert “prohibiting a certain contract from containing a project labor agreement that contains certain requirements;”.

AMENDMENT NO. 2

On page 13, after line 4, insert:

**“(9) A CONTRACT FOR CONSTRUCTION OR PROCUREMENT RELATED TO THE OPERATION OF VIDEO LOTTERY TERMINALS MAY NOT CONTAIN A PROJECT LABOR AGREEMENT THAT REQUIRES A CONTRACTOR OR SUBCONTRACTOR TO:**

**(I) PAY ANY FEES TO A LABOR ORGANIZATION;**

(II) REQUIRE EMPLOYEES OF THE CONTRACTOR OR SUBCONTRACTOR TO JOIN OR PAY SERVICE FEES TO A LABOR ORGANIZATION;

(III) MAKE CONTRIBUTIONS TO THE PENSION FUND OF A LABOR ORGANIZATION;

(IV) HIRE MEMBERS OF A LABOR ORGANIZATION IN ADDITION TO EMPLOYEES ALREADY EMPLOYED BY THE CONTRACTOR OR SUBCONTRACTOR;

(V) HIRE MEMBERS OF A LABOR ORGANIZATION TO REPLACE EMPLOYEES ALREADY EMPLOYED BY THE CONTRACTOR OR SUBCONTRACTOR; OR

(VI) REQUIRE THAT THE CONTRACTOR OR SUBCONTRACTOR ONLY USE EMPLOYEES WHO ARE MEMBERS OF A LABOR ORGANIZATION IN THE PERFORMANCE OF THE CONTRACT.”.

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

Affirmative – 10    Negative – 33    (See Roll Call No. 17)

FLOOR AMENDMENT

**SB0001/273420/1**

BY: Senator Jacobs

AMENDMENT TO SENATE BILL 1  
(First Reading File Bill)

On page 41, in lines 5, 6, and 7, in each instance, strike “\$200,000” and substitute “\$400,000”.

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

Affirmative – 11    Negative – 32    (See Roll Call No. 18)

FLOOR AMENDMENT

**SB0001/353221/1**

BY: Senator Jacobs

(To be offered in the Budget and Taxation Committee)

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 8, in line 18, strike “MAY” and substitute “SHALL”; and in line 19, strike “AS DETERMINED BY THE COMMISSION” and substitute “BASED ON:”

A. THE NUMBER OF VIDEO LOTTERY TERMINALS IN OPERATION IN EACH VIDEO LOTTERY FACILITY; OR

B. IF A VIDEO LOTTERY FACILITY IS NOT YET IN OPERATION, THE NUMBER OF VIDEO LOTTERY TERMINALS ALLOCATED TO THE VIDEO LOTTERY FACILITY”.

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

Affirmative – 9    Negative – 35    (See Roll Call No. 19)

FLOOR AMENDMENT

**SB0001/553822/1**

BY: Senator Jacobs

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 33, in line 30, after “COUNTY” insert “, CECIL COUNTY,”.

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

Affirmative – 13    Negative – 31    (See Roll Call No. 20)

FLOOR AMENDMENT

**SB0001/983929/1**

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 1  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “software” insert “, subject to a certain exception”.

AMENDMENT NO. 2

On page 14, in line 6, strike “FOR” and substitute “**1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR**”; and after line 9, insert:

**“2. A VIDEO LOTTERY FACILITY LOCATED IN ALLEGANY COUNTY OR WORCESTER COUNTY MAY APPLY TO THE COMMISSION FOR PERMISSION TO ASSUME OWNERSHIP OR THE RIGHT TO LEASE EACH VIDEO LOTTERY TERMINAL DEVICE USED BY THE FACILITY.”**

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**SB0001/203722/1**

BY: Senator Brinkley

AMENDMENTS TO SENATE BILL 1  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “Commission;” insert “increasing the maximum number of video lottery facilities in which an individual or business entity may own an interest;”.

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

AMENDMENT NO. 2

On page 11, in line 32, after “(d)” insert “(2) An individual or business entity may not own an interest in more than [one] TWO video lottery [facility] FACILITIES.”.

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

Affirmative – 12    Negative – 31    (See Roll Call No. 21)

FLOOR AMENDMENT

**SB0001/193327/1**

BY:    Senator Glassman

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 34, in line 4, after “subtitle” insert “, BUT BEFORE ANY PROCEEDS ARE CREDITED TO THE FUND UNDER THIS ITEM, THE COMPTROLLER SHALL DIRECT TO EACH COUNTY BOARD OF EDUCATION AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AN AMOUNT EQUAL TO 50% OF THE LOCAL SHARE OF THE TOTAL EMPLOYER CONTRIBUTION FOR LOCAL EMPLOYEES PAID BY EACH COUNTY BOARD OF EDUCATION AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS UNDER § 21-304(B)(4) OF THE STATE PERSONNEL AND PENSIONS ARTICLE”.

On page 39, in line 13, after “subtitle” insert “, but before any proceeds are credited to the Fund under this item, the Comptroller shall direct to each county board of education and the Baltimore City Board of School Commissioners an amount equal to 50% of the local share of the total employer contribution for local employees paid by each county board of education and the Baltimore City Board of School Commissioners under § 21-304(b)(4) of the State Personnel and Pensions Article”.

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

Affirmative – 10    Negative – 34    (See Roll Call No. 22)

FLOOR AMENDMENT

**SB0001/253525/1**

BY:    Senator Pipkin

AMENDMENTS TO SENATE BILL 1, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 2 of the bill, strike beginning with “prohibiting” in line 1 down through “circumstances;” in line 2.

On page 3 of the bill, strike in their entirety lines 22 through 26, inclusive.

AMENDMENT NO. 2

On pages 22 through 24 of the bill, strike in their entirety the lines beginning with line 27 on page 22 through line 17 on page 24, inclusive.

On page 2 of the Budget and Taxation Committee Amendments (SB0001/489039/1), in line 3 of Amendment No. 5, strike “**(2)**”, “**(3)**”, and “**(4)**”; in lines 3 and 10, in each instance, strike “**FACILITY**”; in line 4, strike “**OPERATION LICENSE**”; in line 5, strike “**VIDEO LOTTERY OPERATION**”; in line 6, strike “**;** **AND**”; in line 9, strike “**(2)**”; and in line 11, strike “**IN THE STATE**”.

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

Affirmative – 9    Negative – 33    (See Roll Call No. 23)

FLOOR AMENDMENT

**SB0001/153123/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after “to” insert “recommend legislation to”.

AMENDMENT NO. 2

On page 37, in line 7, strike “**PARAGRAPHS (2) AND (3)**” and substitute “**PARAGRAPH (2)**”; in line 9, after “**MAY**” insert “RECOMMEND LEGISLATION TO”; and strike beginning with “**(I)**” in line 14 down through “**ANY**” in line 24 and substitute “WHEN MAKING A RECOMMENDATION FOR AN”.

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

Affirmative – 10    Negative – 23    (See Roll Call No. 24)

## FLOOR AMENDMENT

SB0001/343427/1

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 4, in line 24, strike “SEVEN” and substitute “11”.

On page 6, in line 1, strike “FIVE” and substitute “SEVEN”; and after line 29, insert:

**“(F) THE COMMISSION SHALL INCLUDE AT LEAST ONE MEMBER WHO RESIDES IN A LOCAL JURISDICTION IN WHICH A VIDEO LOTTERY FACILITY IS LOCATED.”**

The preceding amendment was withdrawn.

## FLOOR AMENDMENT

SB0001/693022/2

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 6, in line 3, after “(4)” insert “(I)”; and after line 4, insert:

**“(II) OF THE MEMBERS OF THE COMMISSION, AT LEAST:**

**1. ONE SHALL BE A RESIDENT OF THE EASTERN SHORE; AND**

**2. ONE SHALL BE A RESIDENT OF ALLEGANY COUNTY, GARRETT COUNTY, OR WASHINGTON COUNTY.”**

The preceding amendment was withdrawn.

## FLOOR AMENDMENT

SB0001/183325/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “terminals;” insert “requiring certain proceeds to be distributed to the Bay Restoration Fund for disbursement to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture to fund certain activities;”.

AMENDMENT NO. 2

On page 14, in line 20, strike “AND (C)” and substitute “, (C), AND (E)”.

On page 16, after line 19, insert:

**“(E) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COMPTROLLER SHALL PAY \$25,000,000 FROM THE PROCEEDS DERIVED FROM VIDEO LOTTERY TERMINALS TO THE BAY RESTORATION FUND FOR DISBURSEMENT TO THE MARYLAND AGRICULTURE WATER QUALITY COST SHARE PROGRAM IN THE DEPARTMENT OF AGRICULTURE TO FUND COVER CROP ACTIVITIES IN ACCORDANCE WITH § 9-1605.2(H)(2)(II) OF THE ENVIRONMENT ARTICLE.**

**(2) THE FUNDS DISBURSED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE USED TO PROVIDE GRANTS TO FARMERS TO COMPLY WITH NUTRIENT MANAGEMENT REGULATIONS ADOPTED BY THE DEPARTMENT OF AGRICULTURE.**”.

On page 33, in line 4, strike “and (c)” and substitute “, (c), and [(e)] (F)”.

On page 35, after line 16, insert:

**“[(e)] (F) (1) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds derived from video lottery**

terminals AND TABLE GAMES to the Bay Restoration Fund for disbursement to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture to fund cover crop activities in accordance with § 9–1605.2(h)(2)(ii) of the Environment Article.

(2) The funds disbursed under paragraph (1) of this subsection shall be used to provide grants to farmers to comply with nutrient management regulations adopted by the Department of Agriculture.”.

On page 38, in line 14, strike “and (c)” and substitute “, (c), and (f)”.

On page 40, after line 32, insert:

“(f) (1) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds derived from video lottery terminals and table games to the Bay Restoration Fund for disbursement to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture to fund cover crop activities in accordance with § 9–1605.2(h)(2)(ii) of the Environment Article.

(2) The funds disbursed under paragraph (1) of this subsection shall be used to provide grants to farmers to comply with nutrient management regulations adopted by the Department of Agriculture.”.

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

Affirmative – 7    Negative – 24    (See Roll Call No. 25)

FLOOR AMENDMENT

**SB0001/833725/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “terminals;” insert “requiring certain proceeds to be distributed to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to provide

grants to certain counties for the implementation of watershed implementation plans;”.

AMENDMENT NO. 2

On page 3, after line 26, insert:

“BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2A–02(e) and (f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 3

On page 14, in line 20, strike “AND (C)” and substitute “, (C), AND (E)”.

On page 16, after line 19, insert:

“(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COMPTROLLER SHALL PAY \$25,000,000 FROM THE PROCEEDS DERIVED FROM VIDEO LOTTERY TERMINALS TO THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND ANNUALLY IN ACCORDANCE WITH § 8–2A–02 OF THE NATURAL RESOURCES ARTICLE.”.

On page 33, in line 4, strike “and (c)” and substitute “, (c), and [(e)] (F)”.

On page 35, after line 16, insert:

“[(e)] (F) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds derived from video lottery terminals AND TABLE GAMES to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annually in accordance with § 8–2A–02 of the Natural Resources Article.”.

On page 38, in line 14, strike “and (c)” and substitute “, (c), and (f)”.

On page 40, after line 32, insert:

“(f) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds derived from video lottery terminals and table

games to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund annually in accordance with § 8-2A-02 of the Natural Resources Article.”.

AMENDMENT NO. 4

On page 24, after line 17, insert:

“Article – Natural Resources

8-2A-02.

(e) The Fund consists of:

(1) Money appropriated in the State budget for the Fund;

**(2) MONEY DISTRIBUTED TO THE FUND UNDER § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE;**

~~[(2)]~~ (3) Money distributed to the Fund under §§ 2-1104 and 2-1302.1 of the Tax – General Article; and

~~[(3)]~~ (4) Any other money from any other source accepted for the benefit of the Fund.

(f) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE Fund may be used only for the implementation of nonpoint source pollution control projects to achieve the State’s tributary strategy developed in accordance with the Chesapeake 2000 Agreement and to improve the health of the Atlantic Coastal Bays and their tributaries.

**(2) (I) MONEY DISTRIBUTED TO THE FUND IN ACCORDANCE WITH § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE SHALL BE USED FOR AWARDING GRANTS FOR IMPLEMENTING COUNTY WATERSHED IMPLEMENTATION PLANS ONLY TO COUNTIES THAT ARE NOT SUBJECT TO A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE I MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT.**

(II) PRIORITY FOR GRANTS AWARDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE GIVEN TO COUNTIES THAT HAVE THE CHESAPEAKE BAY AS A NATURAL BOUNDARY.

[(2)] (3) It is the intent of the General Assembly that, when possible, moneys in the Fund shall be granted to local governments and other political subdivisions for agricultural, forestry, stream and wetland restoration, and urban and suburban stormwater nonpoint source pollution control projects.”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 11    Negative – 24    (See Roll Call No. 26)

FLOOR AMENDMENT

SB0001/403921/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 1  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “terminals;” insert “requiring certain proceeds to be distributed to a certain account in the Bay Restoration Fund;”.

AMENDMENT NO. 2

On page 14, in line 20, strike “AND (C)” and substitute “, (C), AND (E)”.

On page 16, after line 19, insert:

“(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE COMPTROLLER SHALL PAY \$25,000,000 FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS AT EACH VIDEO LOTTERY FACILITY TO THE SEPTICS ACCOUNT IN THE BAY RESTORATION FUND UNDER § 9-1605.2(H)(1) OF THE ENVIRONMENT ARTICLE.”.

On page 33, in line 4, strike “and (c)” and substitute “, (c), and [(e)] (F)”.

On page 35, after line 16, insert:

“[(e)] (F) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds of video lottery terminals AND TABLE GAMES at each video lottery facility to the septic account in the Bay Restoration Fund under § 9–1605.2(h)(1) of the Environment Article.”.

On page 38, in line 14, strike “and (c)” and substitute “, (c), and (f)”.

On page 40, after line 32, insert:

“(f) Notwithstanding any other provision of this section, the Comptroller shall pay \$25,000,000 from the proceeds of video lottery terminals and table games at each video lottery facility to the septic account in the Bay Restoration Fund under § 9–1605.2(h)(1) of the Environment Article.”.

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

Affirmative – 14    Negative – 25    (See Roll Call No. 27)

#### FLOOR AMENDMENT

**SB0001/273322/1**

BY: Senator Pipkin

#### AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after “Expansion” insert “and Proceeds”.

On page 2, in line 20, after “actions;” insert “requiring the Comptroller, before allocating certain gaming proceeds to the Education Trust Fund, to deduct a certain amount of the proceeds and credit that amount to the Maryland Transportation Authority for a certain purpose; requiring certain toll rates to be set at the rate that was in effect on a certain date;”.

On page 3, after line 26, insert:

“BY repealing and reenacting, without amendments,  
Article – Transportation

Section 4-312(a)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 4-312(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 24, after line 17, insert:

“Article – Transportation

4-312.

(a) (2) As to all or any part of any transportation facilities project, the Authority may:

(i) Fix, revise, charge, and collect rentals, rates, fees, tolls, and other charges and revenues for its use or for its services; and

(ii) Contract with any person who desires its use for any purpose and fix the terms, conditions, rentals, rates, fees, tolls, or other charges or revenues for this use.

**(D) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, BEFORE ANY GAMING PROCEEDS ALLOCATED TO THE EDUCATION TRUST FUND UNDER § 9-1A-27 OF THE STATE GOVERNMENT ARTICLE ARE CREDITED TO THE FUND, THE COMPTROLLER SHALL DEDUCT AN AMOUNT SUFFICIENT TO COVER THE REDUCTION OF TOLLS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CREDIT THAT AMOUNT TO THE AUTHORITY.**

**(2) THE E-Z PASS TOLL RATE FOR THE TOLL PLAZA LOCATED ON THE JOHN F. KENNEDY MEMORIAL HIGHWAY ONE MILE NORTH OF THE MILLARD TYDINGS MEMORIAL BRIDGE SHALL BE SET AT THE RATE THAT WAS IN EFFECT ON OCTOBER 1, 2011.”.**

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

Affirmative – 10    Negative – 25    (See Roll Call No. 28)

FLOOR AMENDMENT

**SB0001/403120/2**

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after “grants;” insert “requiring certain proceeds from a video lottery facility located in Prince George’s County to be distributed to the General Fund;”; and in line 35, after “responsibilities;” insert “declaring the intent of the General Assembly that certain legislation be introduced at a certain time and that certain proceeds be used for a certain purpose;”.

AMENDMENT NO. 2

On page 39, in line 11, strike “and”; and in line 12, after “(9)” insert “**THE REMAINDER OF THE PROCEEDS FROM A VIDEO LOTTERY FACILITY LOCATED IN PRINCE GEORGE’S COUNTY TO THE GENERAL FUND; AND**

**(10)**”.

AMENDMENT NO. 3

On page 46, after line 33, insert:

“SECTION 15A. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, if a license is issued for a video lottery facility in Prince George’s County:

(1) legislation be introduced in the legislative session following the issuance of the license to repeal the tax increases enacted by Chapter 2 of the Acts of the General Assembly of the First Special Session of 2012 and to reduce the State sales and use tax to 5%; and

(2) the revenue from a video lottery facility located in Prince George’s County that is allocated to the General Fund of the State under § 9–1A–27 of the State Government Article, as enacted by Section 3 of this Act, shall be used to offset a reduction in the General Fund that results from the repeal of the tax increases enacted by Chapter 2 of the Acts of the General Assembly of the First Special Session of 2012 and the reduction of the State sales and use tax to 5%.”.

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

Affirmative – 14    Negative – 29    (See Roll Call No. 29)

#### FLOOR AMENDMENT

**SB0001/483823/2**

BY: Senator Brochin

#### AMENDMENTS TO SENATE BILL 1, AS AMENDED

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 2 of the bill, strike beginning with “authorizing,” in line 3 down through “devices;” in line 5; strike beginning with “prohibiting” in line 6 down through “date;” in line 7; in line 7, before “repealing” insert “repealing a certain prohibition against providing food at no cost under certain circumstances;”; strike beginning with “authorizing” in line 10 down through “Assembly;” in line 18; and strike beginning with “authorizing” in line 23 down through “license;” in line 26.

On page 3 of the bill, in line 5, strike “9–1A–05(a), (c), and (d)(4)” and substitute “9–1A–05(c) and (d)(4)”; in line 7, strike “9–1A–24(c)” and substitute “9–1A–24(b)(2) and (c)”; strike beginning with “(f)” in line 8 down through “(i)(1)” in line 9 and substitute “(h)(3), (i)(1) and (3)”; in line 29, strike “9–1A–27,” and substitute “and 9–1A–27(d)”; in the same line, strike “9–1A–31(a) and (b), and 9–1A–36(r)”; and after line 32, insert:

“BY adding to

Article – State Government

Section 9–1A–27(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

On page 4 of the bill, strike in their entirety lines 5 through 10, inclusive.

AMENDMENT NO. 2

On pages 30 and 31 of the bill, strike in their entirety the lines beginning with line 21 on page 30 through line 5 on page 31, inclusive.

On page 32 of the bill, after line 17, insert:

“(b) (2) Except as provided in paragraph (4) of this subsection, a video lottery operation licensee may not provide [food or] alcoholic beverages to individuals at no cost.”.

On pages 33 through 35 of the bill, strike in their entirety the lines beginning with line 4 on page 33 through line 5 on page 35, inclusive.

On pages 35 through 43 of the bill, strike in their entirety the lines beginning with line 17 on page 35 through line 3 on page 43, inclusive.

On page 3 of the Budget and Taxation Committee Amendments (SB0001/489039/1), in Amendment No. 7, strike beginning with “A” in line 1 down through “RADIUS” in line 2; in Amendment No. 8, in line 2, strike “(1)”, “(2)”, and “(3)”; and strike beginning with “, PROVIDED” in line 3 down through “PROJECTS” in line 4.

On page 43 of the bill, in line 14, strike “4.” and substitute “3.”; in line 16, strike “6” and substitute “4”; strike in their entirety lines 18 through 22, inclusive; in line 23, strike “6.” and substitute “4.”; and strike beginning with “; to” in line 31 down through “County” in line 35.

On page 44 of the bill, in line 8, strike “7.” and substitute “5.”.

On page 45 of the bill, in lines 18 and 30, strike “8.” and “10.”, respectively, and substitute “6.” and “7.”, respectively; and strike in their entirety lines 26 through 29, inclusive.

On page 46 of the bill, in lines 1, 6, 12, 18, 24, and 34, strike “11.”, “12.”, “13.”, “14.”, “15.”, and “16.”, respectively, and substitute “8.”, “9.”, “10.”, “11.”, “12.”, and “13.”, respectively.

On page 47 of the bill, strike in their entirety lines 1 through 4, inclusive; and in lines 5 and 9, strike “18.” and “19.”, respectively, and substitute “14.” and “15.”, respectively.

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

Affirmative – 9    Negative – 33    (See Roll Call No. 30)

## FLOOR AMENDMENT

**SB0001/523721/1**

BY: Senator Muse

### AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 2, in line 2, after “circumstances;” insert “prohibiting certain persons from receiving certain contributions under certain circumstances;”; and in line 37, after “terminology;” insert “prohibiting certain campaign finance entities from receiving certain contributions for a certain time period;”.

#### AMENDMENT NO. 2

On page 24, after line 17, insert:

**“(E) A LOCAL ELECTED OFFICIAL MAY NOT, DIRECTLY OR INDIRECTLY, RECEIVE A CONTRIBUTION FROM A PERSON WHO OWNS AN INTEREST IN THE OPERATION OF A VIDEO LOTTERY FACILITY THAT IS LOCATED IN THE COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION FROM WHICH THE LOCAL ELECTED OFFICIAL WAS ELECTED.”**

On page 46, after line 40, insert:

**“SECTION 17. AND BE IT FURTHER ENACTED, That a campaign finance entity established by the individual who was elected to the office of Governor in the statewide general election held on November 2, 2010, or any other campaign finance entity organized under Title 13 of the Election Law Article and operated in coordination with that individual, may not, directly or indirectly, receive contributions**

that are governed by Title 13 of the Election Law Article for 4 years from the date this Act is enacted.”.

On page 47, in lines 1, 5, and 9, strike “17.”, “18.”, and “19.”, respectively, and substitute “18.”, “19.”, and “20.”, respectively.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

**SB0001/433528/1**

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 43, in line 26, strike “a question” and substitute “two questions”; in line 29, before “Do” insert “(a)”; in line 31, strike “; to” and substitute “?”

(b) Do you favor the expansion of commercial gaming in the State of Maryland for the primary purpose of raising revenue for education to”.

On page 44, in line 3, strike the second “the”; in the same line, after “question” insert “(a)”; in line 4, after “gaming,” insert “the provisions of”; in the same line, after “Act” insert “authorizing video lottery licensees to operate “table games””; in line 7, after “gaming,” insert “the provisions of”; in the same line, after “Act” insert “authorizing video lottery licensees to operate “table games”, those provisions of”; in the same line, strike “is” and substitute “are”; and in the same line, after “void.” insert “If a majority of the votes cast on question (b) are “For the additional expansion of commercial gaming”, the provisions of Section 2 of this Act authorizing the increase of the maximum number of video lottery terminals that may be operated in the State, the increase from 5 to 6 of the maximum number of video lottery operation licenses that may be awarded, and allowing a video lottery facility to operate in Prince George’s County shall become effective on the 30th day following the official canvass of votes for the referendum, but if a majority of the votes cast on the question are “Against the expansion of commercial gaming”, those provisions of Section 2 of this Act are of no effect and null and void.”.”

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

Affirmative – 11    Negative – 33    (See Roll Call No. 31)

FLOOR AMENDMENT

**SB0001/343427/2**

BY:    Senator Pipkin

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 6, after line 29, insert:

**“(F) THE COMMISSION SHALL INCLUDE AT LEAST ONE MEMBER WHO RESIDES IN A LOCAL JURISDICTION IN WHICH A VIDEO LOTTERY FACILITY IS LOCATED.”**

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**SB0001/653623/1**

BY:    Senator Pipkin

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after “date;” insert “requiring certain applicants and licensees to produce a certain escrow account to establish certain qualification criteria;”.

On page 3, in line 6, after “9-1A-06(a),” insert “9-1A-07(c)(7).”

AMENDMENT NO. 2

On page 12, after line 2, insert:

“9-1A-07.

(c) (7) Applicants and licensees shall produce information, documentation, and assurances to establish the following qualification criteria by clear and convincing evidence:

(i) the financial stability, integrity, and responsibility of the applicant or licensee, INCLUDING, WITHOUT LIMITATION, AN ESCROW ACCOUNT CONTAINING 25% OF THE TOTAL PROPOSED FACILITY DEVELOPMENT AND CONSTRUCTION COSTS FOR ALL PHASES FUNDED AT THE TIME THE APPLICATION IS SUBMITTED AS WELL AS A VERIFIABLE DEMONSTRATION THAT THE APPLICANT HAS, IN THE PRIOR 12 MONTHS, A TOTAL LEVERAGE RATIO BELOW 5;

(ii) the integrity of any financial backers, investors, mortgagees, bondholders, and holders of other evidences of indebtedness that bear a relation to the application;

(iii) the applicant's or licensee's good character, honesty, and integrity;

(iv) sufficient business ability and experience of the applicant or licensee; and

(v) that:

1. the applicant or licensee has entered into a labor peace agreement with each labor organization that is actively engaged in representing or attempting to represent video lottery and hospitality industry workers in the State;

2. the labor peace agreement is valid and enforceable under 29 U.S.C. § 158;

3. the labor peace agreement protects the State's revenues by prohibiting the labor organization and its members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the operation of the video lottery facility within the first 5 years of the effective date of the video lottery operation license; and

4. the labor peace agreement applies to all operations at the video lottery facility that are conducted by a lessee or tenant or under a management agreement.”.

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

Affirmative – 6    Negative – 38    (See Roll Call No. 32)

FLOOR AMENDMENT

**SB0001/113324/1**

BY: Senator Glassman

AMENDMENTS TO SENATE BILL 1  
(First Reading File Bill)

AMENDMENT NO. 1

On page 4, after line 10, insert:

“BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(14)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 43, after line 13, insert:

“Article – Education

5–202.

(a) (1) In this section the following words have the meanings indicated.

(14) “Wealth” means the sum of:

(i) Net taxable income;

(ii) 100 percent of the assessed value of the operating real property of public utilities;

(iii) 40 percent of the assessed valuation of all other real property; [and]

(iv) 50 percent of assessed value of personal property; AND

**(V) BEGINNING JULY 1, 2015, 100 PERCENT OF THE TOTAL REVENUES GENERATED FROM VIDEO LOTTERY TERMINALS AND TABLE GAMES AT THE VIDEO LOTTERY FACILITY LOCATED IN THE COUNTY.”.**

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

Affirmative – 7    Negative – 36    (See Roll Call No. 33)

FLOOR AMENDMENT

**SB0001/453529/1**

BY: Senator Glassman

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Games” insert “– Lottery Machines – Veterans’ Organizations”; in line 12, after “Commission;” insert “authorizing the Director of the State Lottery and Gaming Control Agency to issue to certain veterans’ organizations a license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; exempting certain counties from certain provisions; requiring a veterans’ organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans’ organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a

certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans' organizations to the Maryland Veterans Trust Fund; requiring a veterans' organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans' organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery and Gaming Control Agency to ensure that implementation of the provisions of this Act with respect to the conduct of gaming and the operation of the instant ticket lottery machines is consistent with a certain court decision:".

On page 2, in line 42, after "State" insert "and certain lottery machine ticket sales by veterans' organizations"; and in line 45, after "9-101(a)" insert ", 9-120(a)".

On page 3, in line 4, after "9-109," insert "9-112, 9-120(b), 9-913".

#### AMENDMENT NO. 2

On page 9, after line 27, insert:

"9-112.

(a) IN THIS SECTION, "VETERANS' ORGANIZATION" MEANS AN ORGANIZATION THAT IS TAX EXEMPT AND ORGANIZED AS A VETERANS' ORGANIZATION UNDER § 501(C)(19) OR § 501(C)(4) OF THE INTERNAL REVENUE CODE.

(B) [In] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IN accordance with the regulations of the Agency and this subtitle, the Director shall issue licenses to the persons and governmental units that will best serve the public convenience and promote the sale of State lottery tickets or shares.

[(b)](C) Before issuing a license to an applicant, the Director shall consider such factors as:

(1) the financial responsibility and security of the applicant and the business or activity of the applicant;

(2) the accessibility of the place of business or activity to the public;

and (3) the sufficiency of existing licenses to serve the public convenience;

(4) the volume of expected sales.

**(D) (1) THIS SUBSECTION DOES NOT APPLY IN:**

**(I) CAROLINE COUNTY;**

**(II) CECIL COUNTY;**

**(III) DORCHESTER COUNTY;**

**(IV) KENT COUNTY;**

**(V) QUEEN ANNE’S COUNTY;**

**(VI) SOMERSET COUNTY;**

**(VII) TALBOT COUNTY;**

**(VIII) WICOMICO COUNTY; AND**

**(IX) WORCESTER COUNTY.**

**(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DIRECTOR MAY ISSUE A LICENSE UNDER THIS SUBTITLE FOR NOT MORE THAN FIVE INSTANT TICKET LOTTERY MACHINES TO AN APPLICANT THAT IS A VETERANS’ ORGANIZATION.**

**(II) A VETERANS’ ORGANIZATION THAT IS ISSUED A LICENSE UNDER THIS SUBSECTION SHALL LOCATE AND OPERATE ITS INSTANT TICKET LOTTERY MACHINES AT ITS PRINCIPAL MEETING HALL IN THE COUNTY IN WHICH THE VETERANS’ ORGANIZATION IS LOCATED.**

**(3) AFTER DEDUCTION OF ANY COMMISSION AND VALIDATION PRIZE PAYOUT AS PROVIDED UNDER § 9-117 OF THIS SUBTITLE, A VETERANS’**

ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL CREDIT THE REMAINING RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES TO THE STATE LOTTERY FUND ESTABLISHED UNDER § 9-120(B) OF THIS SUBTITLE.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A VETERANS' ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL PURCHASE OR LEASE FROM THE AGENCY THE INSTANT TICKET LOTTERY MACHINES TO BE USED BY THE VETERANS' ORGANIZATION.

(II) AN ORGANIZATION MAY NOT USE RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES THAT WOULD OTHERWISE BE CREDITED TO THE STATE LOTTERY FUND FOR THE COSTS OF PURCHASING OR LEASING INSTANT TICKET LOTTERY MACHINES.

(5) THE DIRECTOR MAY ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION THAT INCLUDED RESTRICTING THE LOCATION OF INSTANT TICKET LOTTERY MACHINES IN AREAS OF A VETERANS' ORGANIZATION'S PUBLIC MEETING HALL THAT IS ACCESSIBLE TO THE PUBLIC.

(6) THE STATE LOTTERY AND GAMING CONTROL AGENCY SHALL ENSURE THAT THE CONDUCT OF THE GAMING AND THE OPERATION OF THE INSTANT TICKET LOTTERY MACHINES AS ESTABLISHED UNDER THIS SUBSECTION ARE CONSISTENT WITH THE HOLDING IN THE CASE OF CHESAPEAKE AMUSEMENTS INC. V. RIDDLE, 363 MD. 16 (2001).

(c) The Director may not issue a license to:

(1) a person or governmental unit to engage in business primarily as a licensed agent; or

(2) an individual who is under the age of 21 years.

(d) The Commission may hear and decide an appeal of a denial of a license.

(a) The Comptroller shall distribute the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or share.

(b) (1) Promptly after the 1st day of each month, the Comptroller shall pay:

(i) into the Maryland Stadium Facilities Fund the money that remains in the State Lottery Fund from the proceeds of the lotteries conducted for the benefit of the Maryland Stadium Authority, after the distribution under subsection (a) of this section; [and]

**(II) AFTER JUNE 30, 2014, INTO THE MARYLAND VETERANS TRUST FUND 10% OF THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES BY VETERANS’ ORGANIZATIONS UNDER § 9–112(D) OF THIS SUBTITLE, AFTER THE DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION; AND**

**[(ii)](III) into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all other lotteries after the distribution under subsection (a) of this section.**

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

9–913.

(a) In this section, “Fund” means the Maryland Veterans Trust Fund.

(b) There is a Maryland Veterans Trust Fund in the Department.

(c) (1) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(d) (1) The Secretary shall administer the Fund.

(2) The Maryland Veterans Commission, the Maryland Veterans' Home Commission, and program directors shall advise the Secretary on the administration of the Fund.

(e) The Fund consists of:

(1) gifts and grants that the Department receives under § 9-912(b) of this subtitle; AND

(2) CONTRIBUTIONS TO THE FUND FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES UNDER § 9-112(D) OF THIS TITLE.

(f) Money in the Fund may only be used to:

(1) make grants and loans under § 9-912(b)(2)(i) of this subtitle;

(2) be invested under § 9-912(b)(2)(ii) of this subtitle; and

(3) pay the costs of administering the Fund through distribution to an administrative cost account in the Department.

(g) (1) The State Treasurer shall invest the money in the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the Fund.

(h) Money expended from the Fund is supplemental to and is not intended to take the place of funding that would otherwise be appropriated to the Department.

(i) (1) On or before August 31 of each year, the Secretary shall submit a report to the General Assembly, in accordance with § 2-1246 of this article, on the status of the Fund.

(2) The report shall include:

(i) the gross amount of gifts and grants credited to the Fund;

(ii) the costs of administration of the Fund; and

(iii) a detailed accounting of the use of the Fund.”.

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

Affirmative – 19    Negative – 23    (See Roll Call No. 34)

FLOOR AMENDMENT

**SB0001/683626/1**

BY: Senators Young, Brinkley, Glassman, Jacobs, and Jennings

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “adding Frederick County and Harford County to the list of counties in which certain nonprofit fraternal, religious, and war veterans’ organizations may own and operate a certain number of slot machines under certain circumstances;”.

On page 2, after line 42, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12-304

Annotated Code of Maryland

(2012 Replacement Volume)

(As enacted by Chapters 8 and 9 of the Acts of the General Assembly of 2012)”.

AMENDMENT NO. 2

On page 4, after line 12, insert:

“Article – Criminal Law

12–304.

(a) In this section, “eligible organization” means:

(1) a nonprofit organization that:

(i) has been located in a county listed in subsection (b) of this section for at least 5 years before the organization applies for a license under subsection (e) of this section; and

(ii) is a bona fide:

1. fraternal organization;

2. religious organization; or

3. war veterans’ organization; or

(2) a nonprofit organization that has been affiliated with a national fraternal organization for less than 5 years and has been located in a county listed in subsection (b) of this section for at least 50 years before the nonprofit organization applies for a license under subsection (e) of this section.

(b) This section applies in:

(1) Caroline County;

(2) Cecil County;

(3) Dorchester County;

(4) **FREDERICK COUNTY;**

(5) **HARFORD COUNTY;**

[(4)] (6) Kent County;

[(5)] (7) Queen Anne’s County;

[(6)] (8) Somerset County;

[(7)] (9) Talbot County;

[(8)] (10) Wicomico County; and

[(9)] (11) Worcester County.

(c) (1) In this subsection, a console or set of affixed slot machines is not an individual slot machine.

(2) Notwithstanding any other provision of this subtitle, an eligible organization may own and operate a slot machine if the eligible organization:

(i) obtains a license under subsection (e) of this section for each slot machine;

(ii) owns each slot machine that the eligible organization operates;

(iii) owns not more than five slot machines;

(iv) locates and operates its slot machines at its principal meeting hall in the county in which the eligible organization is located;

(v) does not locate or operate its slot machines in a private commercial facility;

(vi) uses:

1. at least one-half of the net after payout proceeds from its slot machines for the benefit of a charity; and

2. the remainder of the proceeds from its slot machines to further the purposes of the eligible organization;

(vii) does not use any of the proceeds of the slot machine for the financial benefit of an individual; and

(viii) reports annually under affidavit to the State Comptroller:

1. the income of each slot machine; and
2. the disposition of the income from each slot machine.

(d) An eligible organization may not use or operate a slot machine unless:

(1) the slot machine is equipped with a tamperproof meter or counter that accurately records gross receipts; and

(2) the eligible organization keeps an accurate record of the gross receipts and payoffs of the slot machine.

(e) (1) (i) The State Comptroller shall regulate the operation of slot machines under this section.

(ii) The State Comptroller may adopt regulations to implement the requirements of this section, including requiring audits of the annual reports submitted to the State Comptroller under subsection (c)(2)(viii) of this section.

(2) Before an eligible organization may operate a slot machine under this section, the eligible organization shall obtain a license for the slot machine from the State Comptroller.

(3) (i) The State Comptroller shall:

1. charge an annual fee for each license for a machine;
- and
2. issue a license sticker to the applicant.

(ii) The applicant shall place the sticker on the slot machine.

(iii) The State Comptroller shall set the amount of the annual fee so that the total proceeds of the annual fee equal an amount directly related to administrative costs of the State Comptroller to regulate the operation of slot machines under this section.

(4) In the application to the State Comptroller for a license, one of the principal officers of the eligible organization shall certify under affidavit that the organization:

(i) is an eligible organization; and

(ii) will comply with this section.

(f) (1) A principal officer of the eligible organization may not intentionally misrepresent a statement of fact on the application.

(2) A person who violates this subsection is guilty of perjury and on conviction is subject to the penalty provided under Title 9, Subtitle 1 of this article.

(g) The Comptroller may not issue a license for a slot machine to an eligible organization located in Ocean City that is located east of South and North Baltimore Avenues.”.

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

Affirmative – 16    Negative – 24    (See Roll Call No. 35)

FLOOR AMENDMENT

**SB0001/313925/2**

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “Fund;” insert “requiring that the licensee for a video lottery facility constructed on or after a certain date pay for all road improvements necessitated by the facility;”.

On page 3, in line 8, before the second “and” insert “9-1A-32(a).”.

AMENDMENT NO. 2

On page 18, after line 7, insert:

“9-1A-32.

(a) **(1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE State may pay for the reasonable transportation costs to:**

**[(1)] (I) mitigate the impact on the communities in the immediate proximity to the facility; and**

**[(2)] (II) make each video lottery facility accessible to the public.**

**(2) A LICENSEE FOR A VIDEO LOTTERY FACILITY CONSTRUCTED ON OR AFTER OCTOBER 1, 2012, SHALL PAY FOR ALL ROAD IMPROVEMENTS NECESSITATED BY THE FACILITY.**”.

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

Affirmative – 15    Negative – 26    (See Roll Call No. 36)

FLOOR AMENDMENT

**SB0001/393324/2**

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 1  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “Education Trust Fund” and substitute “Transportation Trust Fund”.

AMENDMENT NO. 2

On page 35, strike beginning with “**EDUCATION**” in line 9 down through “**SUBTITLE**” in line 10 and substitute “**TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THE TRANSPORTATION ARTICLE**”.

On page 40, in line 25, strike “**EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THIS SUBTITLE**” and substitute “**TRANSPORTATION TRUST FUND ESTABLISHED UNDER § 3-216 OF THE TRANSPORTATION ARTICLE**”.

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

Affirmative – 9    Negative – 34    (See Roll Call No. 37)

FLOOR AMENDMENT

**SB0001/779132/1**

BY: Budget and Taxation Committee

**AMENDMENT TO SENATE BILL 1, AS AMENDED**

(First Reading File Bill)

On pages 3 and 4, strike in their entirety the lines beginning with line 39 on page 3 through line 4 on page 4, inclusive.

The preceding amendment was read and adopted.

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

The motion was adopted.

**SPECIAL ORDERS**

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

**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

**EMERGENCY BILL**

AN ACT concerning

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

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

**SB0002/673424/1**

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 2

(First Reading File Bill)

On page 2, in line 23, after “DOG;” insert:

**“(III) UNLESS THE INJURED OR DECEASED INDIVIDUAL WAS UNDER THE AGE OF 7 YEARS, THE INJURED OR DECEASED INDIVIDUAL WAS TRESPASSING ON THE REAL PROPERTY OF THE OWNER OF THE DOG AND THE OWNER CONSPICUOUSLY HAD POSTED THE PROPERTY WITH A “BEWARE OF DOG” SIGN OR WARNING;”**;

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

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Simonaire moved, duly seconded, to put **Senate Bill 2** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 40    Negative – 0    (See Roll Call No. 38)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 2** on Third Reading and Final Passage.

**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

EMERGENCY BILL

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

### RECESS

At 3:14 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 3:20 P.M. on Friday, August 10, 2012.

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**AFTER RECESS  
Annapolis, Maryland  
Friday, August 10, 2012**

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At 3:28 P.M. the Senate resumed its session.

On motion of Senator Garagiola it was ordered that Senators Gladden, Kelley and Shank be excused from today's session.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

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

**Senate Bill 10 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Colburn moved, duly seconded, to put **Senate Bill 10** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 39)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 10** on Third Reading and Final Passage.

**Senate Bill 10 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 44    Negative – 0    (See Roll Call No. 40)

The Bill was then sent to the House of Delegates.

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

### **Senate Bill 19 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Gaming**

Favorable report adopted.

FLOOR AMENDMENT

**SB0019/546615/1**

BY: Harford County Senators

#### AMENDMENTS TO SENATE BILL 19

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in lines 2 and 25, in each instance, after “County” insert “and Harford County”; in line 23, after “regulations;” insert “creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons under certain circumstances; authorizing certain organizations to use certain proceeds for certain purposes after certain costs are deducted; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the Sheriff of Harford County to refuse to issue a permit under certain conditions; requiring the sheriff to adopt certain regulations;”; in line 24, strike “a certain penalty” and substitute “certain penalties”; and after line 25, insert:

“BY renumbering

Article – Criminal Law

Section 13–1512

to be Section 13–1513

Annotated Code of Maryland

(2012 Replacement Volume)”.

On page 2, in line 3, after “13–906.1” insert “and 13–1512”.

AMENDMENT NO. 2

On page 2, strike lines 6 and 7 in their entirety and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 13–1512 of Article – Criminal Law of the Annotated Code of Maryland be renumbered to be Section(s) 13–1513.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 5, after line 14, insert:

“13–1512.

(A) IN THIS SECTION, “GAMING CONTEST” MEANS AN EVENT THAT INVOLVES A CARD GAME, DICE GAME, OR ROULETTE.

(B) AN ORGANIZATION SHALL BE ISSUED A PERMIT FROM THE SHERIFF OF HARFORD COUNTY BEFORE THE ORGANIZATION MAY CONDUCT A GAMING CONTEST IN HARFORD COUNTY.

(C) AN ORGANIZATION IS ELIGIBLE TO BE ISSUED A PERMIT IF THE ORGANIZATION QUALIFIES AS A NONPROFIT ORGANIZATION UNDER § 501(C)(3) OR (19) OF THE INTERNAL REVENUE CODE AND HAS BEEN LOCATED IN THE COUNTY FOR AT LEAST 3 YEARS BEFORE APPLYING FOR THE PERMIT.

(D) TO BE ISSUED A PERMIT, AN ORGANIZATION SHALL:

(1) SUBMIT AN APPLICATION TO THE SHERIFF ON A FORM THAT THE SHERIFF REQUIRES;

(2) STATE ON THE APPLICATION FORM THE PURPOSE FOR WHICH THE PROCEEDS OF THE GAMING CONTEST WILL BE USED; AND

(3) PAY THE PERMIT FEE THAT THE SHERIFF DETERMINES.

(E) (1) (I) A HOLDER OF A PERMIT MAY CONDUCT NOT MORE THAN FOUR GAMING CONTESTS IN A CALENDAR YEAR.

(II) A PERMIT IS NOT TRANSFERABLE.

(2) A GAMING CONTEST MAY BE HELD ONLY:

(I) BETWEEN 4 P.M. AND 1 A.M. THE FOLLOWING DAY; AND

(II) IN A STRUCTURE OR AT A LOCATION THAT IS OWNED OR LEASED BY THE HOLDER OF THE PERMIT.

(3) A SEPARATE PERMIT IS REQUIRED FOR EACH GAMING CONTEST.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, BINGO, INSTANT BINGO, A RAFFLE, A PADDLE WHEEL, OR A 50/50 RAFFLE MAY BE INCLUDED IN THE GAMES CONDUCTED AT A GAMING CONTEST.

(II) A GAMING CONTEST MAY NOT CONSIST EXCLUSIVELY OF A GAME SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(F) (1) THE MAXIMUM BET A SINGLE INDIVIDUAL MAY PLACE ON ANY GAME CONDUCTED DURING A GAMING CONTEST IS \$10.

(2) A HOLDER OF A PERMIT MAY SERVE OR SELL ALCOHOLIC BEVERAGES AT A GAMING CONTEST ONLY IF THE HOLDER IS ISSUED THE PROPER LICENSE BY THE HARFORD COUNTY LIQUOR CONTROL BOARD.

(3) THE HOLDER OF A PERMIT MAY AWARD PRIZES OF MONEY OR MERCHANDISE.

(G) AN ORGANIZATION MAY RENT OR PURCHASE NECESSARY EQUIPMENT AND SUPPLIES TO CONDUCT A GAMING CONTEST BUT MAY NOT ENTER INTO A LEASE OR OTHER AGREEMENT TO SHARE PROFITS FROM THE GAMING CONTEST.

(H) (1) A GAMING CONTEST SHALL BE MANAGED AND OPERATED PERSONALLY BY MEMBERS OF THE ORGANIZATION CONDUCTING THE GAMING CONTEST WITHOUT THE ASSISTANCE OF ANY OUTSIDE WORKER, INCLUDING A PAID OR PROFESSIONAL CASINO OPERATOR, MANAGER, OR SUPPLIER OF EQUIPMENT.

(2) A MEMBER OF THE ORGANIZATION MAY NOT RECEIVE OR BE PAID ANY OF THE PROCEEDS FROM THE GAMING CONTEST FOR PERSONAL USE OR BENEFIT.

(3) A PERSON MAY NOT RECEIVE A SALARY, COMMISSION, OR COMPENSATION OF ANY KIND FOR MANAGING THE GAMING CONTEST OR OPERATING A GAME PLAYED IN THE GAMING CONTEST.

(4) A PERSON OTHER THAN THE HOLDER OF THE PERMIT MAY NOT RECEIVE OR BE PAID ANY PROCEEDS.

(I) AFTER COSTS INCURRED IN CONDUCTING A GAMING CONTEST ARE DEDUCTED, PROCEEDS FROM A GAMING CONTEST MAY BE USED ONLY FOR THE PURPOSES OF THE ORGANIZATION.

(J) (1) WITHIN 30 DAYS AFTER A GAMING CONTEST, THE HOLDER OF THE PERMIT SHALL SUBMIT TO THE SHERIFF A FINANCIAL REPORT THAT LISTS ALL OF THE RECEIPTS AND EXPENDITURES FOR THE GAMING CONTEST.

(2) THE REPORT SHALL CONTAIN A FULL ACCOUNTING OF THE PROCEEDS AND EXPENSES OF THE GAMING CONTEST.

(3) THE SHERIFF OR THE OFFICE OF THE HARFORD COUNTY STATE’S ATTORNEY MAY REQUIRE THE HOLDER OF THE PERMIT TO PRODUCE ALL FINANCIAL RECORDS OF THE GAMING CONTEST.

(4) THE HOLDER OF THE PERMIT SHALL KEEP ALL FINANCIAL RECORDS OF THE GAMING CONTEST FOR AT LEAST 2 YEARS AFTER THE GAMING CONTEST.

(5) THE SHERIFF MAY REFUSE TO ISSUE A PERMIT TO AN APPLICANT WHO HAS FAILED TO FILE A REQUIRED REPORT FROM A PREVIOUS GAMING CONTEST OR IS LATE IN FILING FEDERAL OR STATE TAX REPORTS.

(6) IF REQUESTED BY THE SHERIFF, THE HOLDER OF THE PERMIT SHALL PAY ALL FINANCIAL AUDIT COSTS.

(K) THE SHERIFF SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

(L) 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 \$1,000 OR BOTH.”;

and in line 15, strike “2.” and substitute “3.”

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Glassman moved, duly seconded, to put **Senate Bill 19** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 41)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 19** on Third Reading and Final Passage.

**Senate Bill 19 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

STATUS OF BILL: BILL ON 3RD READING.

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

The motion was adopted.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

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

AN ACT concerning

**Gaming Expansion – Video Lottery Terminals and Table Games**

FLOOR AMENDMENT

**SB0001/223026/2**

BY: Senator Edwards

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 15, in line 20, after “**(2)**” insert “**(I) AFTER 1 YEAR OF OPERATIONS AT A VIDEO LOTTERY FACILITY IN ALLEGANY COUNTY, THE PERCENTAGE IN SUBSECTION (C)(1)(II) OF THIS SECTION IS EQUAL TO 50%, PROVIDED THAT EACH YEAR AN AMOUNT EQUIVALENT TO 0.5% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY IS SPENT ON CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY; OR**

**(II)**”;

in lines 22 and 26, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively.

On page 34, in line 10, after “(2)” insert “(I) After 1 year of operations at a video lottery facility in Allegany County, the percentage in subsection (c)(1)(ii) of this section is equal to 50%, provided that each year an amount equivalent to 0.5% of the proceeds from video lottery terminals at the video lottery facility is spent on capital improvements at the video lottery facility; or

(ii)”;

in lines 22 and 26, strike “(i)” and “(ii)”, respectively, and substitute “1.” and “2.”, respectively.

in line 17, strike “(3)” and substitute “(4)”.

On page 39, in line 19, after “After” insert “1 year of operations at a video lottery facility in Allegany County, the percentage in subsection (c)(1)(ii) of this section is equal to 50%, provided that each year an amount equivalent to 0.5% of the proceeds from video lottery terminals at the video lottery facility is spent on capital improvements at the video lottery facility.

(3) After”;

and in line 26, strike “(3)” and substitute “(4)”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer moved, duly seconded, to put **Senate Bill 1** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 42)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 1** on Third Reading and Final Passage.

### QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 43)

**RECESS**

At 3:42 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 6:00 P.M. on Friday, August 10, 2012.

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**AFTER RECESS  
Annapolis, Maryland  
Friday, August 10, 2012**

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At 6:15 P.M. the Senate resumed its session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 45)

On motion of Senator Garagiola it was ordered that Senators Gladden, Kelley and Shank be excused from today's session.

**SPECIAL ORDERS**

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

**Senate Bill 2 – Senators Frosh, Raskin, and Gladden**

**EMERGENCY BILL**

AN ACT concerning

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

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 41    Negative – 1    (See Roll Call No. 46)

The Bill was then sent to the House of Delegates.

**Senate Bill 19 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 42    Negative – 0    (See Roll Call No. 47)

The Bill was then sent to the House of Delegates.

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

AN ACT concerning

**Gaming Expansion – Video Lottery Terminals and Table Games**

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 28    Negative – 14    (See Roll Call No. 48)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 49)

**ADJOURNMENT**

At 6:26 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 7:00 P.M. on Tuesday, August 14, 2012.

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**Annapolis, Maryland**  
**Tuesday, August 14, 2012**  
**7:00 P.M. Session**

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The Senate met at 8:36 P.M.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 50)

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

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 51)

**RECESS**

At 8:46 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 10:15 P.M. on Tuesday, August 14, 2012.

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**AFTER RECESS  
Annapolis, Maryland  
Tuesday, August 14, 2012**

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At 11:58 P.M. the Senate resumed its session.

Prayer by Senator Pugh.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 52)

**CONCURRENCE CALENDAR #1**

**AMENDED IN THE HOUSE**

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

AN ACT concerning

**Gaming Expansion – Video Lottery Terminals and Table Games**

**SB0001/785868/1**

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Commission;” insert “authorizing the Presiding Officers of the General Assembly to recommend individuals to the Governor for appointment to the State Lottery and Gaming Control Commission;”; in line 14, after “Commission;” insert “establishing the Joint Committee on Gaming Oversight; providing for the membership, duties, and staffing of the Committee and the appointment of cochairs; establishing that a member of the Committee may not receive compensation but may receive a certain reimbursement; requiring the Committee to submit a certain annual report;”; in line 20, after “terminals;” insert “authorizing video”

lottery operation licensees to retain certain funds;” and in line 23, after “requirements;” insert “authorizing the State Racing Commission to use certain accounting services for a certain purpose; requiring certain holders of a license to hold a race meeting to reimburse the State Racing Commission for certain expenditures; altering the authorized use of certain revenues in Prince George’s County to require that the revenues be used for public safety projects instead of capital projects; altering the distance from Rosecroft Raceway for purposes of determining the communities within which certain revenues may be used for certain projects;”.

On page 2, in line 7, after “circumstances;” insert “exempting certain video lottery terminals, associated equipment and software, and table games from property tax;”; in line 11, after “circumstances;” insert “altering a certain provision relating to certain temporary facilities; prohibiting a certain video lottery facility from beginning certain operations in a temporary facility;”; in line 14, after “devices;” insert “authorizing, subject to a certain contingency, a holder of a video lottery facility license to apply for an additional license under certain circumstances and notwithstanding a certain prohibition against an individual or business entity owning an interest in more than one video lottery facility; authorizing, subject to a certain contingency, the State Lottery and Gaming Control Commission to allow an awardee of a video lottery operation license in Prince George’s County to commence operations in a permanent facility after a certain date;”; in line 26, after “grants;” insert “requiring a certain percentage of local impact grants to Prince George’s County to be used for a certain purpose subject to a certain limitation; authorizing the State to reimburse Prince George’s County under certain circumstances;”; in line 31, after “actions;” insert “authorizing the State Prosecutor to assess a certain penalty against a person who fails to submit a certain campaign finance statement or campaign finance report in a timely manner; requiring a regulated lobbyist that sought to influence executive or legislative action related to gaming issues in a certain special session of the General Assembly to submit a report including certain information to the State Ethics Commission on or before a certain date;”; in line 37, before “requiring” insert “stating the intent of the General Assembly that video lottery operation licensees partner with certain institutions of higher education to offer job training programs in the gaming and hospitality industries;”; strike beginning with “authorizing” in line 33 down through “license;” in line 37; and in line 38, after “reports;” insert “requiring certain holders of a license to hold a race meeting in the State to submit capital improvement plans to the State Racing Commission that contain certain information on or before a certain date and to submit a certain formal funding request; providing for forfeiture of certain funds under certain circumstances;”.

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

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7–244

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)”;

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

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7–244

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

## AMENDMENT NO. 2

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

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

On page 23, after line 11, insert:

“9–1A–38.

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

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

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

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

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

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

(E) (1) THE COMMITTEE SHALL EXAMINE:

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

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

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

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

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

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

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

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

in the same line, strike beginning with “for” down through “facility,”; and in line 21, after “subtitle” insert “AND DISTRIBUTED IN ACCORDANCE WITH THAT SECTION”.

On page 17, after line 10, insert:

“(a) There is a Racetrack Facility Renewal Account under the authority of the State Racing Commission.

(b) (1) The Account shall receive money as required under § 9-1A-27 of this subtitle FOR THE FIRST 16 YEARS OF OPERATIONS AT EACH VIDEO LOTTERY FACILITY.

(2) Money in the Account shall be invested and reinvested by the Treasurer and interest and earnings shall accrue to the Account.

(3) The Comptroller shall:

(i) account for the Account; and

(ii) on a properly approved transmittal prepared by the State Racing Commission, issue a warrant to pay out money from the Account in the manner provided under this section.

(4) The Account is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(5) Expenditures from the Account shall only be made on a properly approved transmittal prepared by the State Racing Commission as provided under subsection (c) of this section.

**(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE STATE RACING COMMISSION MAY USE THE SERVICES OF A CERTIFIED PUBLIC ACCOUNTANT TO REVIEW AN ELIGIBLE REQUEST FOR A GRANT UNDER THIS SECTION.**

**(II) THE HOLDER OF A LICENSE TO HOLD A RACE MEETING IN THE STATE THAT HAS REQUESTED A GRANT UNDER THIS SECTION SHALL REIMBURSE THE STATE RACING COMMISSION FOR ANY EXPENDITURES FOR SERVICES UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**”;

and in line 12, strike beginning with “on” through “**2026,**” and substitute “**AFTER A VIDEO LOTTERY FACILITY HAS BEEN IN OPERATION FOR 16 YEARS**”.

On page 34, in line 22, after “(5)” insert “(i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section; and

(ii) on or after the issuance of a video lottery operation license in Baltimore City.”;

and in line 22, strike beginning with “for” down through “facility.”.

On page 40, in line 17, after “(5)” insert “(i) until the issuance of a video lottery operation license in Baltimore City, 1.75% to the Racetrack Facility Renewal Account established under § 9–1A–29 of this subtitle and distributed in accordance with that section;

(ii) on or after the issuance of a video lottery operation license in Baltimore City.”;

and in line 17, strike beginning with “for” down through “facility.”.

#### AMENDMENT NO. 4

On page 19, in line 31, in each instance, strike the bracket.

On page 18, in line 17, strike “capital” and substitute “**PUBLIC SAFETY**”; and in the same line, strike “10” and substitute “**5**”.

On page 43, in line 24, strike “capital” and substitute “public safety”; and in the same line, strike “10” and substitute “5”.

AMENDMENT NO. 5

On page 12, strike in their entirety lines 9 through 13, inclusive.

On page 32, after line 8, insert:

“(d) (1) In this subsection, “owner” includes any type of owner or beneficiary of a business entity, including an officer, director, principal employee, partner, investor, stockholder, or beneficial owner of the business entity and, notwithstanding any other provisions of this subtitle, including a person having any ownership interest regardless of the percentage of ownership interest.

(2) An individual or business entity may not own an interest in more than one video lottery facility.

(3) A member of the Senate of Maryland or the House of Delegates may not be an owner or an employee of any business entity that holds a video lottery operation license.

(4) Notwithstanding paragraphs (1) and (2) of this subsection[.],:

(I) an individual or business entity may enter into a management agreement to operate a facility located in Allegany County that it does not own, subject to the approval of the Video Lottery Facility Location Commission and the State Lottery AND GAMING CONTROL Commission; AND

(II) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE MAY APPLY TO THE VIDEO LOTTERY FACILITY LOCATION COMMISSION FOR AN ADDITIONAL LICENSE PROVIDED THAT THE APPLICATION REQUIRED UNDER § 9-1A-36 OF THIS SUBTITLE INCLUDES A PLAN FOR DIVESTING FROM THE VIDEO LOTTERY OPERATION LICENSE HELD ON THE DATE OF THE APPLICATION.”;

and after line 16, insert:

“9-1A-11.

(b) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a licensee shall commence operation of video lottery terminals in a permanent facility at the location for which the video lottery operation license has been awarded within 18 months after the license is awarded.

(2) (i) On a determination by the Commission that extenuating circumstances exist that are beyond the control of an awardee and have prevented the awardee from complying with the requirements of paragraph (1) of this subsection, the Commission may allow the awardee an extension of 6 months to comply with the requirements.

(ii) The Commission may not grant more than two extensions to an awardee under this paragraph.

**(3) NOTWITHSTANDING PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, THE COMMISSION MAY ALLOW AN AWARDEE OF A VIDEO LOTTERY OPERATION LICENSE IN PRINCE GEORGE’S COUNTY TO COMMENCE OPERATION IN A PERMANENT FACILITY MORE THAN 18 MONTHS, BUT NOT MORE THAN 30 MONTHS, AFTER THE LICENSE IS AWARDED.**

[(3)] (4) If a video lottery operation awardee fails to comply with the requirements of this subsection, the license awarded to the awardee shall be revoked and shall automatically revert to the State.”.

#### AMENDMENT NO. 6

On page 32, before line 17, insert:

“(c) (1) Nothing in this subtitle may be construed to prohibit a video lottery operation licensee that is issued a license from beginning video lottery terminal **OR TABLE GAME** operations in a temporary facility that meets the minimum requirements established in regulations adopted by the State Lottery and Gaming Control Commission.

**(3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY MAY NOT BEGIN VIDEO LOTTERY TERMINAL OR TABLE GAME OPERATIONS IN A TEMPORARY**

**FACILITY OR IN A STRUCTURE, INCLUDING A HOTEL OR CONFERENCE CENTER, THAT EXISTS ON AUGUST 15, 2012.”**

On page 47, strike beginning with “SECTION” in line 16 down through “license.” in line 19.

**AMENDMENT NO. 7**

On page 15, in line 25, after “(7)” insert “**(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM,**”; after line 27 insert:

**“(II) 8% TO THE VIDEO LOTTERY OPERATION LICENSEE IN ANNE ARUNDEL COUNTY; AND”**.

On page 34, in line 27, after “(7)” insert “**(i) except as provided in item (ii) of this item,**”; and in line 29 after “software;” insert “**and**

**(ii) 8% to the video lottery operation licensee in Anne Arundel County;**”.

On page 40, in line 22, after “(7)” insert “**(i) except as provided in item (ii) of this item,**”; and in line 24 after “software;” insert “**and**

**(ii) 8% to the video lottery operation licensee in Anne Arundel County;**”.

On page 34, in line 32, strike “5%” and substitute “**8%**”; and in line 33, after “AND” insert “**7% TO THE LICENSEE IN**”.

On page 40, in line 26, strike “5%” and substitute “**8%**”; and in line 27, after “and” insert “**7% to the licensee in**”.

On page 38, in line 26, strike “AND (3)” and substitute “**THROUGH (5)**”; and strike beginning with “ANNE” in line 29 down through “SUBTITLE.” in line 32 and substitute “**:**”

**(I) ANNE ARUNDEL COUNTY, BY NOT MORE THAN 2% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE; AND**

(II) BALTIMORE CITY, BY NOT MORE THAN 3% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(8) OF THIS SUBTITLE.

(2) IF THE COMMISSION INCREASES THE PERCENTAGE OF PROCEEDS FROM VIDEO LOTTERY TERMINALS FOR THE VIDEO LOTTERY FACILITY IN ANNE ARUNDEL COUNTY UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSION SHALL INCREASE THE PERCENTAGE OF PROCEEDS FOR THE VIDEO LOTTERY FACILITY IN BALTIMORE CITY BY AT LEAST THE SAME PERCENTAGE POINT INCREASE AS FOR ANNE ARUNDEL COUNTY.

(3) (I) IF A VIDEO LOTTERY OPERATION LICENSE IS AWARDED TO A VIDEO LOTTERY FACILITY IN PRINCE GEORGE’S COUNTY, THE COMMISSION MAY INCREASE FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY, BY NOT MORE THAN 5% OF THE PROCEEDS FROM VIDEO LOTTERY TERMINALS AT THE VIDEO LOTTERY FACILITY, THE PERCENTAGE UNDER § 9-1A-27(A)(2) OF THIS SUBTITLE.

(II) ANY INCREASED DISTRIBUTION OF VIDEO LOTTERY TERMINAL PROCEEDS UNDER THIS PARAGRAPH FOR A VIDEO LOTTERY FACILITY IN CECIL COUNTY SHALL BE USED FOR:

1. MARKETING, ADVERTISING, AND PROMOTIONAL COSTS REQUIRED UNDER § 9-1A-23 OF THIS SUBTITLE; AND

2. CAPITAL IMPROVEMENTS AT THE VIDEO LOTTERY FACILITY.”.

On page 39, in line 1, strike “(2)” and substitute “(4)”; in line 4, after “SUBTITLE” insert “OR UNDER PARAGRAPH (3) OF THIS SUBSECTION”; in line 10, strike “(3)” and substitute “(5)”; and in line 25, after “ANY,” insert “AND COST”.

#### AMENDMENT NO. 8

On page 25, after line 20, insert:

“Article – Tax – Property7-244.

(a) (1) In this section the following words have the meanings indicated.

(2) “Associated equipment” has the meaning stated in § 9-1A-01 of the State Government Article.

**(3) “VIDEO LOTTERY OPERATION LICENSE” HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE GOVERNMENT ARTICLE.**

~~[(3)]~~ (4) “Video lottery terminal” has the meaning stated in § 9-1A-01 of the State Government Article.

(b) Video lottery terminals and any associated equipment or software leased by the State Lottery AND GAMING CONTROL Commission as provided in § 9-1A-21 of the State Government Article are not subject to property tax.

(c) An interest of a person in video lottery terminals and any associated equipment or software owned by the State Lottery AND GAMING CONTROL Commission as provided in § 9-1A-21 of the State Government Article is not subject to property tax.

**(D) VIDEO LOTTERY TERMINALS AND ANY ASSOCIATED EQUIPMENT AND SOFTWARE OWNED OR LEASED BY A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE ARE NOT SUBJECT TO PROPERTY TAX.”.**

On page 39, in line 1, strike “2015” and substitute “2019”; in line 9, strike “NO”; in the same line, strike “2016” and substitute “2019”; and after line 29, insert:

“Article – Tax – Property7-244.

(a) (1) In this section the following words have the meanings indicated.

(2) “Associated equipment” has the meaning stated in § 9–1A–01 of the State Government Article.

**(3) “TABLE GAMES” HAS THE MEANING STATED IN § 9–1A–01 OF THE STATE GOVERNMENT ARTICLE.**

**[(3)] (4) “Video lottery operation license” has the meaning stated in § 9–1A–01 of the State Government Article.**

**[(4)] (5) “Video lottery terminal” has the meaning stated in § 9–1A–01 of the State Government Article.**

(b) Video lottery terminals and any associated equipment or software leased by the State Lottery and Gaming Control Commission as provided in § 9–1A–21 of the State Government Article are not subject to property tax.

(c) An interest of a person in video lottery terminals and any associated equipment or software owned by the State Lottery and Gaming Control Commission as provided in § 9–1A–21 of the State Government Article is not subject to property tax.

(d) Video lottery terminals [and], any associated equipment and software, AND TABLE GAMES owned or leased by a holder of a video lottery operation license are not subject to property tax.”.

AMENDMENT NO. 9

On page 42, in line 14, after “**THAT**” insert “**:**

**1. 50% OF**”;

in line 16, after “**PROJECTS;**” insert “**AND**

**2. 50% OF THE PROCEEDS PAID TO BALTIMORE CITY SHALL BE USED TO FUND THE MAINTENANCE, OPERATION, AND CONSTRUCTION OF RECREATIONAL FACILITIES; AND**”;

and after line 26, insert:

**“(F) ON OR BEFORE DECEMBER 1, 2019, AND EVERY YEAR THEREAFTER, THE STATE LOTTERY AND GAMING CONTROL COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE DISTRIBUTION OF PROCEEDS OF VIDEO LOTTERY TERMINALS TO LICENSEES FOR THE PROCUREMENT OF VIDEO LOTTERY TERMINALS; MARKETING, ADVERTISING, AND PROMOTIONAL COSTS; AND CAPITAL IMPROVEMENTS AND THE DISTRIBUTIONS OF LOCAL IMPACT GRANTS TO JURISDICTIONS UNDER § 9-1A-31 OF THIS SUBTITLE.**

**“(G) BALTIMORE CITY SHALL REPORT TO THE BALTIMORE CITY SENATE AND HOUSE DELEGATIONS BY DECEMBER 31 OF EACH YEAR AS TO THE DISTRIBUTION AND USE OF THE FUNDS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION.”**

On page 43, in line 1, strike “\$200,000” and substitute “\$130,000”; in the same line, strike “AND”; after line 1, insert:

**“(III) TOWN OF PERRYVILLE – \$70,000; AND”**;

and in line 2, strike “(III)” and substitute “(IV)”.

On page 44, in line 10, after “subsection” insert “AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION”; and before line 28, insert:

**“(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN PRINCE GEORGE’S COUNTY, 40% OF LOCAL IMPACT GRANTS PROVIDED UNDER THIS SECTION SHALL BE USED TO ADDRESS INFRASTRUCTURE NEEDS RELATED TO MARYLAND ROUTE 210 IN PRINCE GEORGE’S COUNTY.**

**“(II) THE AMOUNT OF LOCAL IMPACT GRANTS USED AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED \$15,000,000 IN A FISCAL YEAR.**

**“(III) PRINCE GEORGE’S COUNTY MAY BE REIMBURSED BY THE STATE FOR ANY MONEY USED AS PROVIDED IN THIS PARAGRAPH.”**

On page 47, after line 19, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That, on or before February 1, 2013, the holder of a license to hold a race meeting in the State that is eligible to receive funds from the Racetrack Facility Renewal Account under § 9–1A–29 of the State Government Article shall submit a preliminary capital improvement plan to the State Racing Commission and the Department of Budget and Management. The preliminary capital improvement plan shall include a description of the racing licensee’s planned capital improvements, a preliminary project schedule, and an estimate of the funding to be requested from the Account. If the preliminary report is not submitted by the date required in this section, the racing licensee shall forfeit any right to funds in the Account and, notwithstanding any other provision of law, any unencumbered funds remaining in the Account that would otherwise be available to the racing licensee shall be paid to the Education Trust Fund established under § 9–1A–30 of the State Government Article. The racing licensee shall submit a formal funding request as provided under § 9–1A–29 of the State Government Article and regulations adopted by the State Racing Commission.”.

AMENDMENT NO. 10

On page 47, before line 20, insert:

“SECTION 9A. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that video lottery operation licensees partner with Maryland institutions of higher education, such as Morgan State University and Prince George’s Community College, to offer job training programs in the gaming and hospitality industries.”.

AMENDMENT NO. 11

On page 24, in line 20, strike “AND”; and after line 20, insert:

“(2) A HOLDER OF A VIDEO LOTTERY OPERATION LICENSE; OR”.

On page 25, in line 4, strike “(2)” and substitute “(3)”; in lines 12 and 18, in each instance, after “ANY” insert “NONFEDERAL”; in line 13, after the semicolon insert “OR”; strike beginning with “THE” in line 14 down through “(3)” in line 16; strike beginning with the colon in line 17 down through “(I)” in line 18; and strike beginning with the semicolon in line 18 down through “STATE” in line 20.

AMENDMENT NO. 12

On page 46, strike in their entirety lines 19 through 31, inclusive, and substitute:

“(c) (1) This subsection applies from the enactment of this Act through October 21, 2012, (the transactions end date for the campaign finance report due on the second Friday, October 26, 2012, immediately preceding the November 6, 2012 general election).

(2) A person subject to this section shall submit a campaign finance statement within 48 hours after:

(i) receiving aggregate contributions of \$10,000 or more from any single contributor subsequent to the enactment of this Act or subsequent to the closing date for the person’s most recent campaign finance statement or campaign finance report; or

(ii) making aggregate expenditures or becoming obligated to make aggregate expenditures of \$10,000 or more subsequent to the enactment of this Act or subsequent to the closing date for the person’s most recent campaign finance statement or campaign finance report.

(3) A campaign finance statement submitted under this subsection shall include only:

(i) the identity of the contributor who made aggregate contributions of \$10,000 or more and the total amount of contributions the contributor made subsequent to the enactment of this Act or subsequent to the closing date for the most recent campaign finance statement or campaign finance report; or

(ii) the total amount of aggregate expenditures of \$10,000 or more made or obligated to be made subsequent to the enactment of this Act or subsequent to the closing date for the most recent campaign finance statement or campaign finance report.

(d) (1) This subsection applies from October 22, 2012 (the day following the transactions end date for the campaign finance report due on the second Friday, October 26, 2012, immediately preceding the November 6, 2012 general election) through November 9, 2012, (the first Friday after the November 6, 2012 general election).

(2) A person subject to this section shall submit a campaign finance statement within 48 hours after:

(i) receiving aggregate contributions of \$5,000 or more from any single contributor on or after October 22, 2012 or subsequent to the closing date for the person’s most recent campaign finance statement; or

(ii) making aggregate expenditures or becoming obligated to make aggregate expenditures of \$5,000 or more on or after October 22, 2012 or subsequent to the closing date for the person’s most recent campaign finance statement.

(3) A campaign finance statement submitted under this subsection shall include only:

(i) the identity of the contributor who made aggregate contributions of \$5,000 or more and the total amount of contributions the contributor made on or after October 22, 2012 or subsequent to the closing date for the most recent campaign finance statement; or

(ii) the total amount of aggregate expenditures of \$5,000 or more made or obligated to be made on or after October 22, 2012 or subsequent to the closing date for the most recent campaign finance statement.”;

and in line 32, strike “(d)” and substitute “(e)”.

On page 47, in line 2, strike “within 24 hours” and substitute “on the next business day”.

#### AMENDMENT NO. 13

On page 47, strike in their entirety lines 3 through 7, inclusive, and substitute:

“(f) (1) The State Prosecutor may assess a penalty against any person subject to this section who fails to file a campaign finance statement or campaign finance report in a timely manner.

(2) A penalty under this subsection shall equal the greater of:

(i) \$1,000 for each day or part of a day that a campaign finance statement or campaign finance report is overdue; or

(ii) 10% of the amount of contributions or expenditures that were not reported in a timely manner.

(3) Except as otherwise provided in this subsection, a penalty under this subsection shall be assessed in accordance with § 13-604(b) through (f) of the Election Law Article.”.

AMENDMENT NO. 14

On page 15, before line 1, insert:

“9-1A-26.

(a) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, all proceeds from the operation of video lottery terminals shall be electronically transferred daily into the State Lottery Fund established under Subtitle 1 of this title and distributed as provided under § 9-1A-27 of this subtitle.

(2) The requirement under paragraph (1) of this subsection does not apply on a day when State government is closed.

**(3) THE AMOUNT FROM THE PROCEEDS OF VIDEO LOTTERY TERMINALS TO BE PAID TO VIDEO LOTTERY OPERATION LICENSEES UNDER § 9-1A-27(A)(2) AND (7), (B), AND (C)(1)(II) AND (2) OF THIS SUBTITLE SHALL BE RETAINED BY THE LICENSEE.**

(b) (1) The Commission shall account to the Comptroller for all of the revenue under this subtitle.

(2) The proceeds from video lottery terminals shall be under the control of the Comptroller and shall be distributed as provided under § 9-1A-27 of this subtitle.

(c) The admissions and amusement tax may not be imposed on any proceeds from the operation of video lottery terminals.”;

and in line 3, after “section” insert **“AND § 9-1A-26(A)(3) OF THIS SUBTITLE”**.

On page 33, in line 27, strike “paragraph (2)” and substitute “paragraphs (2) and (3)”; and after line 32, insert:

“(3) The amount from the proceeds of video lottery terminals to be paid to video lottery operation licensees under § 9–1A–27(a)(2) and (7), (b), and (c)(1)(ii) and (2) of this subtitle shall be retained by the licensee.”.

On page 34, in line 7, after “section” insert “and § 9–1A–26(a)(3) of this subtitle”.

On page 36, in line 12, after “(D)” insert “**(1) EACH VIDEO LOTTERY OPERATION LICENSEE SHALL RETAIN 80% OF THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY.**”.

**(2)**;

and strike beginning with “80%” in line 13 down through “REMAINDER” in line 15 and substitute “**20% OF THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY**”.

On page 42, in line 6, strike the opening bracket; in the same line, after “(d)” insert “(1) Each video lottery operation licensee shall retain 80% of the proceeds of table games at the video lottery facility.”.

(2);

strike beginning with “80%” in line 7 down through “remainder” in line 8 and substitute “**20% of the proceeds of table games of the video lottery facility**”; strike beginning with “(D)” in line 10 down through “PAY” in line 11; in line 13, strike “**(1)**” and substitute “**(I)**”; strike beginning with “**(2)**” in line 17 down through “**(3)**” in line 19 and substitute “**(II)**”; and in line 19, strike “THE REMAINDER” and substitute “**15%**”.

#### AMENDMENT NO. 15

On page 18, in line 26, strike “paragraph (2)” and substitute “**PARAGRAPHS (2) AND (3)**”.

On page 19, after line 10, insert:

**“(3) IN BALTIMORE CITY, LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION SHALL BE USED FOR IMPROVEMENTS IN THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE VIDEO LOTTERY FACILITY AND MAY BE USED FOR THE FOLLOWING PURPOSES:**

**(I) INFRASTRUCTURE IMPROVEMENTS;**

**(II) FACILITIES;**

**(III) PUBLIC SAFETY;**

**(IV) SANITATION;**

**(V) ECONOMIC AND COMMUNITY DEVELOPMENT, INCLUDING HOUSING; AND**

**(VI) OTHER PUBLIC SERVICES AND IMPROVEMENTS.”.**

On page 44, in line 10, strike “paragraph (2)” and substitute “paragraphs (2) and (3)”; and after line 27, insert:

**“(3) In Baltimore City, local impact grants provided under subsection [(a)(1)(i)] (A)(3)(I) of this section shall be used for improvements in the communities in immediate proximity to the video lottery facility and may be used for the following purposes:**

**(i) infrastructure improvements;**

**(ii) facilities;**

**(iii) public safety;**

**(iv) sanitation;**

**(v) economic and community development, including housing;**

and

(vi) other public services and improvements.”.

AMENDMENT NO. 16

On page 47, after line 15, insert:

“SECTION 8A. AND BE IT FURTHER ENACTED, That:

(a) (1) In this section the following words have the meanings indicated.

(2) “Own” has the meaning stated in § 9–1A–01 of the State Government Article.

(3) “Regulated lobbyist” has the meaning stated in § 15–701 of the State Government Article.

(4) “Video lottery facility” has the meaning stated in § 9–1A–01 of the State Government Article.

(5) “Video lottery operation license” has the meaning stated in § 9–1A–01 of the State Government Article.

(b) In addition to any report required under § 15–704 of the State Government Article, a regulated lobbyist that sought to influence executive or legislative action related to gaming issues in the General Assembly’s Second Special Session of 2012 shall submit a report on or before September 17, 2012, to the State Ethics Commission on a form prepared by the Commission that details:

(1) all amounts expended for the purpose of influencing executive or legislative action in the special session and the nature of the expenditures by categories, as determined by the Commission;

(2) all amounts disbursed to any third-party groups or entities for purposes of influencing executive or legislative action in the special session and the dates of the disbursements; and

(3) any contributions, loans, transfers, in-kind contributions, or other transfers of value to a campaign finance entity from an applicant for a video lottery operation license, a holder of a video lottery operation license, or a person who owns an

interest in the operation of a video lottery facility during the prior 6 months, including the dates and amounts of the contributions, loans, transfers, in-kind contributions, or other transfers of value.

(c) A person who violates this section is subject to enforcement provisions set forth in Title 15, Subtitle 9 of the State Government Article.”.

AMENDMENT NO. 17

On page 48, after line 37, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That the provisions of § 12-309 of the Courts Article, as amended by Section 1 of this Act, shall take effect August 15, 2012, and shall apply to any appeal pending as of that date.”;

and in line 38, strike “19.” and substitute “20.”.

The preceding 17 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/525660/2**

BY:    Committee on Ways and Means

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 59, in line 22, strike “a campaign finance entity” and substitute “the regulated lobbyist”.

On page 61, after line 32, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That Sections 7 and 8A of this Act shall take effect on enactment of this Act.”;

and in line 33, strike “20.” and substitute “21.”.

The preceding amendment was read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/573323/1**

BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 1  
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 16, after “Commission;” insert “increasing the percentage of a State lottery sales agent’s gross receipts from ticket sales that an agent receives as a commission under certain circumstances;”.

On page 4, after line 15, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 9–117(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 1 of the Acts of the General Assembly of the 2012 First Special Session)”.

AMENDMENT NO. 2

On page 11, after line 15, insert:

“9–117.

(a) (1) (i) Except as provided in [subparagraph (ii)] SUBPARAGRAPHS (II) AND (III) of this paragraph, a licensed agent shall receive regular commissions of 5.5% of the licensed agent’s gross receipts from ticket sales.

(ii) For fiscal [years] YEAR 2012 through [2013] DECEMBER 31, 2012, only a licensed agent shall receive regular commission of 5.0% of the licensed agents gross receipts from ticket sales.

(iii) IF A VIDEO LOTTERY OPERATION LICENSE FOR A VIDEO LOTTERY FACILITY IN BALTIMORE CITY IS ISSUED, A LICENSED AGENT SHALL RECEIVE REGULAR COMMISSIONS OF 6% OF THE LICENSED AGENT’S GROSS RECEIPTS FROM TICKET SALES.”.

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/633027/2**

BY: Delegate Minnick

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 2, after “Games” insert “– Lottery Machines – Veterans’ Organizations”; in line 20, after “report,” insert “authorizing the Director of the State Lottery and Gaming Control Agency to issue to certain veterans’ organizations a license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; exempting certain counties from certain provisions; requiring a veterans’ organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans’ organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans’ organizations to the Maryland Veterans Trust Fund; requiring a veterans’ organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans’ organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery and Gaming Control Agency to ensure that implementation of the provisions of this Act with respect to the conduct of gaming and the operation of the instant ticket lottery machines is consistent with a certain court decision;”.

On page 3, in line 45, after “State” insert “and certain lottery machine ticket sales by veterans’ organizations”.

On page 4, in line 2, after “9–101(a)” insert “, 9–120(a),”; and in line 7, after “9–109,” insert “9–112, 9–120(b), 9–913,”.

AMENDMENT NO. 2

On page 11, after line 15, insert:

“9–112.

(a) IN THIS SECTION, “VETERANS’ ORGANIZATION” MEANS AN ORGANIZATION THAT IS TAX EXEMPT AND ORGANIZED AS A VETERANS’ ORGANIZATION UNDER § 501(C)(19) OR § 501(C)(4) OF THE INTERNAL REVENUE CODE.

(B) [In] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, IN accordance with the regulations of the Agency and this subtitle, the Director shall issue licenses to the persons and governmental units that will best serve the public convenience and promote the sale of State lottery tickets or shares.

[(b)](C) Before issuing a license to an applicant, the Director shall consider such factors as:

(1) the financial responsibility and security of the applicant and the business or activity of the applicant;

(2) the accessibility of the place of business or activity to the public;

(3) the sufficiency of existing licenses to serve the public convenience;

and

(4) the volume of expected sales.

**(D) (1) THIS SUBSECTION DOES NOT APPLY IN:**

**(I) CAROLINE COUNTY;**

**(II) CECIL COUNTY;**

**(III) DORCHESTER COUNTY;**

**(V) MONTGOMERY COUNTY;**

**(IV) KENT COUNTY;**

**(VI) QUEEN ANNE’S COUNTY;**

(VII) SOMERSET COUNTY;

(VIII) TALBOT COUNTY;

(IX) WICOMICO COUNTY; AND

(X) WORCESTER COUNTY.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DIRECTOR MAY ISSUE A LICENSE UNDER THIS SUBTITLE FOR NOT MORE THAN FIVE INSTANT TICKET LOTTERY MACHINES TO AN APPLICANT THAT IS A VETERANS' ORGANIZATION.

(II) A VETERANS' ORGANIZATION THAT IS ISSUED A LICENSE UNDER THIS SUBSECTION SHALL LOCATE AND OPERATE ITS INSTANT TICKET LOTTERY MACHINES AT ITS PRINCIPAL MEETING HALL IN THE COUNTY IN WHICH THE VETERANS' ORGANIZATION IS LOCATED.

(3) AFTER DEDUCTION OF ANY COMMISSION AND VALIDATION PRIZE PAYOUT AS PROVIDED UNDER § 9-117 OF THIS SUBTITLE, A VETERANS' ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL CREDIT THE REMAINING RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES TO THE STATE LOTTERY FUND ESTABLISHED UNDER § 9-120(B) OF THIS SUBTITLE.

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A VETERANS' ORGANIZATION ISSUED A LICENSE UNDER THIS SUBSECTION SHALL PURCHASE OR LEASE FROM THE AGENCY THE INSTANT TICKET LOTTERY MACHINES TO BE USED BY THE VETERANS' ORGANIZATION.

(II) AN ORGANIZATION MAY NOT USE RECEIPTS FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES THAT WOULD OTHERWISE BE CREDITED TO THE STATE LOTTERY FUND FOR THE COSTS OF PURCHASING OR LEASING INSTANT TICKET LOTTERY MACHINES.

(5) THE DIRECTOR MAY ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION THAT INCLUDED RESTRICTING THE LOCATION OF INSTANT TICKET LOTTERY MACHINES IN AREAS OF A VETERANS' ORGANIZATION'S PUBLIC MEETING HALL THAT IS ACCESSIBLE TO THE PUBLIC.

(6) THE STATE LOTTERY AND GAMING CONTROL AGENCY SHALL ENSURE THAT THE CONDUCT OF THE GAMING AND THE OPERATION OF THE INSTANT TICKET LOTTERY MACHINES AS ESTABLISHED UNDER THIS SUBSECTION ARE CONSISTENT WITH THE HOLDING IN THE CASE OF CHESAPEAKE AMUSEMENTS INC. V. RIDDLE, 363 MD. 16 (2001).

[(c)](E) The Director may not issue a license to:

(1) a person or governmental unit to engage in business primarily as a licensed agent; or

(2) an individual who is under the age of 21 years.

[(d)](F) The Commission may hear and decide an appeal of a denial of a license.

9-120.

(a) The Comptroller shall distribute the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10-113.1 of the Family Law Article and § 11-618 of the Criminal Procedure Article, the holder of each winning ticket or share.

(b) (1) Promptly after the 1st day of each month, the Comptroller shall pay:

(i) into the Maryland Stadium Facilities Fund the money that remains in the State Lottery Fund from the proceeds of the lotteries conducted for the

benefit of the Maryland Stadium Authority, after the distribution under subsection (a) of this section; [and]

(II) AFTER JUNE 30, 2014, INTO THE MARYLAND VETERANS TRUST FUND 10% OF THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF SALES OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES BY VETERANS' ORGANIZATIONS UNDER § 9-112(D) OF THIS SUBTITLE, AFTER THE DISTRIBUTION UNDER SUBSECTION (A) OF THIS SECTION; AND

[(ii)](III) into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all other lotteries after the distribution under subsection (a) of this section.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

9-913.

(a) In this section, "Fund" means the Maryland Veterans Trust Fund.

(b) There is a Maryland Veterans Trust Fund in the Department.

(c) (1) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(d) (1) The Secretary shall administer the Fund.

(2) The Maryland Veterans Commission, the Maryland Veterans' Home Commission, and program directors shall advise the Secretary on the administration of the Fund.

(e) The Fund consists of:

(1) gifts and grants that the Department receives under § 9–912(b) of this subtitle; AND

(2) CONTRIBUTIONS TO THE FUND FROM THE SALE OF TICKETS FROM INSTANT TICKET LOTTERY MACHINES UNDER § 9–112(D) OF THIS TITLE.

(f) Money in the Fund may only be used to:

(1) make grants and loans under § 9–912(b)(2)(i) of this subtitle;

(2) be invested under § 9–912(b)(2)(ii) of this subtitle; and

(3) pay the costs of administering the Fund through distribution to an administrative cost account in the Department.

(g) (1) The State Treasurer shall invest the money in the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the Fund.

(h) Money expended from the Fund is supplemental to and is not intended to take the place of funding that would otherwise be appropriated to the Department.

(i) (1) On or before August 31 of each year, the Secretary shall submit a report to the General Assembly, in accordance with § 2–1246 of this article, on the status of the Fund.

(2) The report shall include:

(i) the gross amount of gifts and grants credited to the Fund;

(ii) the costs of administration of the Fund; and

(iii) a detailed accounting of the use of the Fund.”

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/543829/1**

BY: Delegate Norman

AMENDMENT TO SENATE BILL 1  
(Third Reading File Bill – Committee Reprint)

On page 26, in line 30, after “(B)” insert “(1)”; and in line 31, strike “(1)” and substitute “(I)”.

On page 27, in line 1, strike “(2)” and substitute “(II)”; and after line 2, insert:

**“(2) AT LEAST ONE SENATOR AND ONE DELEGATE APPOINTED UNDER THIS SUBSECTION SHALL BE A MEMBER OF THE MINORITY PARTY.”**

The preceding amendment was read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/503926/1**

BY: Allegany County Delegation

AMENDMENTS TO SENATE BILL 1  
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 29, after “facility;” insert “prohibiting a certain licensee from beginning table game operations until a certain condition is met;”.

On page 4, in line 39, after “9-1A-11(c)(1)” insert “and (d)”.

AMENDMENT NO. 2

On page 39, after line 2, insert:

“(d) (1) For a location in Allegany County, if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort, the licensee shall restrict public access to the video lottery facility from the Rocky Gap Lodge and Resort.

(2) (i) Subject to [subparagraph (ii)] SUBPARAGRAPHS (II) AND (III) of this paragraph, for a location in Allegany County, if video lottery terminals are

permanently located in the Rocky Gap Lodge and Resort and existing meeting space is eliminated as a result of the video lottery terminals, the licensee shall provide for meeting space that is accessible from the Rocky Gap Lodge and Resort within 36 months after issuance of the video lottery operation license, subject to the approval of the Video Lottery Facility Location Commission and the State Lottery AND GAMING CONTROL Commission.

(ii) The licensee shall restrict public access to the video lottery facility from any meeting space provided under subparagraph (i) of this paragraph.

**(iii) THE LICENSEE MAY NOT BEGIN TABLE GAME OPERATIONS UNTIL THE LICENSEE SUBMITS EVIDENCE SATISFACTORY TO THE STATE LOTTERY AND GAMING CONTROL COMMISSION THAT REPLACEMENT WORK HAS BEGUN TO PROVIDE MEETING SPACE EQUAL TO OR GREATER THAN THE ELIMINATED MEETING SPACE.**

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/793424/1**

BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 2, in line 2, after “terminals;” insert “requiring that regulations adopted by the State Lottery and Gaming Control Commission include provisions that prohibit automated teller machines located in video lottery facilities from accepting certain electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Resources for certain purposes;”.

On page 4, in line 10, after “9-1A-24(c)” insert “and (f)”.

AMENDMENT NO. 2

On page 16, after line 11, insert:

“9-1A-24.

(f) In order to protect the public interest, the regulations shall include provisions that:

(1) limit the number and location of and maximum withdrawal amounts from automated teller machines;

**(2) PROHIBIT AUTHORIZED AUTOMATED TELLER MACHINES FROM ACCEPTING ELECTRONIC BENEFIT CARDS, DEBIT CARDS, OR SIMILAR NEGOTIABLE INSTRUMENTS ISSUED BY THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF ACCESSING TEMPORARY CASH ASSISTANCE;**

[(2)](3) require payouts above an amount adopted by the Commission to be made by check;

[(3)](4) require conspicuous disclosures related to the payout of video lottery terminals;

[(4)](5) limit the dollar amount that video lottery terminals will accept;

[(5)](6) prohibit the use of specified negotiable instruments at video lottery facilities and the use of credit cards, debit cards, and similar devices in video lottery terminals;

[(6)](7) provide consumers with a record of video lottery terminal spending levels if marketing measures are utilized that track consumer spending at video lottery facilities;

[(7)](8) prohibit consumers from cashing paychecks at video lottery facilities; and

[(8)](9) prohibit video lottery operation licensees from engaging in or contracting with another to engage in predatory marketing practices.”.

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

SB0001/983824/2

BY: Delegate Bromwell

AMENDMENTS TO SENATE BILL 1  
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 11, after “Commission,” insert “requiring the Commission to refer a certain matter regarding the legal operation of amusement games in Baltimore City or Baltimore County to the State’s Attorney under certain circumstances;”.

On page 3, after line 45, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(a) and (b)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

(As enacted by Chapter 603 of the Acts of the General Assembly of 2012)”.

AMENDMENT NO. 2

On page 5, after line 28, insert:

“Article – Criminal Law

12–301.1.

(a) In this subtitle, “Commission” means the State Lottery AND GAMING CONTROL Commission.

(b) (1) [Subject to paragraph (2)] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) of this subsection and consistent with the provisions of this title and Title 13 of this article, the Commission shall certify and regulate the operation, ownership, and manufacture of an electronic gaming device authorized under this title.

(2) This section does not apply to:

(i) the ownership or operation of slot machines that are subject to regulation by the Comptroller under § 12-304 of this title; and

(ii) paper tip jar gaming where authorized.

**(3) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY AND BALTIMORE COUNTY.**

**(II) IF A LOCAL LAW ENFORCEMENT AGENCY REFUSES TO ENFORCE A PROVISION REGARDING THE LEGAL OPERATION OF AMUSEMENT GAMES, THE COMMISSION SHALL REFER THE MATTER TO THE APPROPRIATE OFFICE OF THE STATE’S ATTORNEY.”.**

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

**SB0001/763025/2**

BY: Delegate Rudolph

AMENDMENT TO SENATE BILL 1

(Third Reading File Bill – Committee Reprint)

On page 20, in line 28, strike “The” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE**”.

On page 21, after line 24, insert:

**“(4) BEGINNING AFTER A VIDEO LOTTERY OPERATION LICENSE IS ISSUED TO A VIDEO LOTTERY FACILITY IN BALTIMORE CITY, 100% OF THE LOCAL IMPACT GRANTS PROVIDED UNDER § 9-1A-27 OF THIS SUBTITLE FROM THE PROCEEDS OF THE VIDEO LOTTERY FACILITIES LOCATED IN ALLEGANY, CECIL, AND WORCESTER COUNTIES SHALL BE DISTRIBUTED TO THE LOCAL JURISDICTIONS IN WHICH THE THOSE VIDEO LOTTERY FACILITIES ARE LOCATED.”.**

On page 51, in line 32, strike “The” and substitute “Except as provided in paragraph [(4)] (7) of this subsection, the”.

On page 53, after line 14, insert:

“(7) Beginning after a video lottery operation license is issued to a video lottery facility in Baltimore City, 100% of the local impact grants provided under § 9-1A-27 of this subtitle from the proceeds of the video lottery facilities located in Allegany, Cecil, and Worcester counties shall be distributed to the local jurisdictions in which those video lottery facilities are located.”

The preceding amendment was read and concurred in by roll call vote as follows:

Affirmative – 32    Negative – 14    (See Roll Call No. 53)

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

Affirmative – 32    Negative – 14    (See Roll Call No. 54)

### **QUORUM CALL**

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

(See Roll Call No. 55)

At 12:22 A.M. on motion of Senator Garagiola the Senate adjourned Sine Die.

**Rules  
of the  
Senate  
of Maryland**

**2012 Second Special Session**



The Rules of the Senate of Maryland in effect at the end of the 2012 Regular Session were adopted for the Special Session of August 9, 2012.



# Appendix V

## Roll Calls



**Senate of Maryland  
2012 Special Session 2**

Roll Call By District

**42 Yeas   0 Nays   0 Not Voting   0 Excused   5 Absent**

**Voting Yea - 42**

Mr. President	Getty	Montgomery
Astle	Gladden	Muse
Benson	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 5**

Forehand	Kelley	Shank
Jones-Rodwell	Pugh	

**Senate of Maryland  
2012 Special Session 2**

**Consent Calendar of Vetoed Senate Bills #1  
Duplicative Bills**

Shall the bills pass notwithstanding the objections  
of the Chief Executive?

**0 Yeas 42 Nays 0 Not Voting 0 Excused 5 Absent**

**Voting Yea - 0**

**Voting Nay - 42**

Mr. President	Getty	Montgomery
Astle	Gladden	Muse
Benson	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 5**

Forehand	Kelley	Shank
Jones-Rodwell	Pugh	

Senate of Maryland  
2012 Special Session 2

Consent Calendar of Vetoed Senate Bills #2  
Technical Bills

SB 153 and SB 365

Shall the bills pass notwithstanding the objections  
of the Chief Executive?

0 Yeas 42 Nays 0 Not Voting 0 Excused 5 Absent

**Voting Yea - 0**

**Voting Nay - 42**

Mr. President	Getty	Montgomery
Astle	Gladden	Muse
Benson	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 5**

Forehand	Kelley	Shank
Jones-Rodwell	Pugh	

Senate of Maryland  
2012 Special Session 2

Quorum

42 Yeas   0 Nays   0 Not Voting   0 Excused   5 Absent

**Voting Yea - 42**

Mr. President	Getty	Montgomery
Astle	Gladden	Muse
Benson	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 5**

Forehand	Kelley	Shank
Jones-Rodwell	Pugh	

Senate of Maryland  
2012 Special Session 2

Quorum - Attendance

**44 Yeas   0 Nays   0 Not Voting   0 Excused   3 Absent**

**Voting Yea - 44**

Mr. President	Getty	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 2** Judicial Proceedings Report No. 1  
Sen. Frosh et al (JPR)  
Civil Actions - Liability for Personal Injury or  
Death Caused by Dog  
Floor amendment Kittleman /523127/1

**11 Yeas 33 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 11**

Brinkley	Glassman	Pipkin
Colburn	Jacobs	Reilly
Edwards	Jennings	Simonaire
Getty	Kittleman	

**Voting Nay - 33**

Mr. President	Garagiola	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Brochin	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Ferguson	McFadden	Stone
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland**  
**2012 Special Session 2**

<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
	Gaming Expansion - Video Lottery Terminals and	
	Table Games	
	Floor amendment Kittleman /513924/1	

**10 Yeas   34 Nays   0 Not Voting   0 Excused   3 Absent**

**Voting Yea - 10**

Brinkley	Glassman	Kittleman
Brochin	Jacobs	Pipkin
Colburn	Jennings	Reilly
Getty		

**Voting Nay - 34**

Mr. President	Jones-Rodwell	Peters
Astle	Kasemeyer	Pinsky
Benson	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Edwards	McFadden	Simonaire
Ferguson	Middleton	Stone
Forehand	Montgomery	Young
Frosh	Muse	Zirkin
Garagiola		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Kittleman /983622/1

**10 Yeas 33 Nays 1 Not Voting 0 Excused 3 Absent**

**Voting Yea - 10**

Brinkley	Glassman	Pipkin
Colburn	Jacobs	Reilly
Edwards	Kittleman	Simonaire
Getty		

**Voting Nay - 33**

Mr. President	Garagiola	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Brochin	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Ferguson	McFadden	Stone
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin

**Not Voting - 1**

Jennings

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Jacobs /273420/1

11 Yeas 32 Nays 1 Not Voting 0 Excused 3 Absent

**Voting Yea - 11**

Brinkley	Getty	Kittleman
Brochin	Glassman	Mathias
Colburn	Jacobs	Pipkin
Edwards	Jennings	

**Voting Nay - 32**

Mr. President	Jones-Rodwell	Pugh
Astle	Kasemeyer	Ramirez
Benson	King	Raskin
Conway J	Klausmeier	Reilly
Currie	Madaleno	Robey
DeGrange	Manno	Rosapepe
Dyson	McFadden	Simonaire
Ferguson	Middleton	Stone
Forehand	Montgomery	Young
Frosh	Peters	Zirkin
Garagiola	Pinsky	

**Not Voting - 1**

Muse

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Jacobs /353221/1		

**9 Yeas 35 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 9**

Brinkley	Getty	Jennings
Brochin	Glassman	Kittleman
Colburn	Jacobs	Pipkin

**Voting Nay - 35**

Mr. President	Jones-Rodwell	Pinsky
Astle	Kasemeyer	Pugh
Benson	King	Ramirez
Conway J	Klausmeier	Raskin
Currie	Madaleno	Reilly
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Edwards	McFadden	Simonaire
Ferguson	Middleton	Stone
Forehand	Montgomery	Young
Frosh	Muse	Zirkin
Garagiola	Peters	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Jacobs /553822/1

**13 Yeas 31 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 13**

Brinkley	Glassman	Muse
Brochin	Jacobs	Pipkin
Colburn	Jennings	Reilly
Edwards	Kittleman	Simonaire
Getty		

**Voting Nay - 31**

Mr. President	Jones-Rodwell	Peters
Astle	Kasemeyer	Pinsky
Benson	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Ferguson	McFadden	Stone
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin
Garagiola		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

<b>SB 1</b>	Budget & Taxation Report No. 1 The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Brinkley /203722/1		

**12 Yeas 31 Nays 1 Not Voting 0 Excused 3 Absent**

**Voting Yea - 12**

Brinkley	Glassman	Muse
Colburn	Jacobs	Pipkin
Edwards	Jennings	Reilly
Getty	Kittleman	Simonaire

**Voting Nay - 31**

Mr. President	Jones-Rodwell	Peters
Astle	Kasemeyer	Pinsky
Benson	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Ferguson	McFadden	Stone
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin
Garagiola		

**Not Voting - 1**

Brochin

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Glassman /193327/1

**10 Yeas 34 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 10**

Brinkley	Jacobs	Pipkin
Colburn	Jennings	Reilly
Getty	Kittleman	Simonaire
Glassman		

**Voting Nay - 34**

Mr. President	Garagiola	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Brochin	King	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Edwards	McFadden	Stone
Ferguson	Middleton	Young
Forehand	Montgomery	Zirkin
Frosh		

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Pipkin /253525/1

**9 Yeas 33 Nays 2 Not Voting 0 Excused 3 Absent**

**Voting Yea - 9**

Brinkley	Edwards	Pipkin
Brochin	Getty	Pugh
Colburn	Kittleman	Reilly

**Voting Nay - 33**

Mr. President	Glassman	Montgomery
Astle	Jennings	Muse
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Pinsky
Currie	King	Ramirez
DeGrange	Klausmeier	Raskin
Dyson	Madaleno	Robey
Ferguson	Manno	Rosapepe
Forehand	Mathias	Simonaire
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Not Voting - 2**

Jacobs	Stone
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Pipkin /153123/1

**10 Yeas 23 Nays 11 Not Voting 0 Excused 3 Absent**

**Voting Yea - 10**

Brinkley	Jacobs	Reilly
Brochin	Kittleman	Simonaire
Getty	Pipkin	Young
Glassman		

**Voting Nay - 23**

Mr. President	Frosh	McFadden
Astle	Garagiola	Middleton
Benson	Jones-Rodwell	Peters
Conway J	Kasemeyer	Ramirez
DeGrange	King	Raskin
Edwards	Klausmeier	Robey
Ferguson	Madaleno	Zirkin
Forehand	Mathias	

**Not Voting - 11**

Colburn	Manno	Pugh
Currie	Montgomery	Rosapepe
Dyson	Muse	Stone
Jennings	Pinsky	

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Pipkin /183325/1

7 Yeas 24 Nays 13 Not Voting 0 Excused 3 Absent

**Voting Yea - 7**

Brinkley	Jennings	Reilly
Brochin	Pipkin	Simonaire
Jacobs		

**Voting Nay - 24**

Mr. President	Frosh	Middleton
Astle	Garagiola	Muse
Conway J	Jones-Rodwell	Peters
Currie	Kasemeyer	Pinsky
DeGrange	Klausmeier	Pugh
Edwards	Madaleno	Raskin
Ferguson	Manno	Robey
Forehand	McFadden	Young

**Not Voting - 13**

Benson	King	Ramirez
Colburn	Kittleman	Rosapepe
Dyson	Mathias	Stone
Getty	Montgomery	Zirkin
Glassman		

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Pipkin /833725/1		

11 Yeas 24 Nays 8 Not Voting 0 Excused 4 Absent

**Voting Yea - 11**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Simonaire
Getty	Kittleman	

**Voting Nay - 24**

Astle	Kasemeyer	Pugh
Currie	King	Ramirez
DeGrange	Klausmeier	Raskin
Ferguson	Madaleno	Robey
Forehand	Manno	Rosapepe
Frosh	McFadden	Stone
Garagiola	Muse	Young
Jones-Rodwell	Pinsky	Zirkin

**Not Voting - 8**

Benson	Edwards	Montgomery
Conway J	Mathias	Peters
Dyson	Middleton	

**Excused from Voting - 0**

**Excused (Absent) - 4**

Mr. President	Kelley	Shank
Gladden		

**Senate of Maryland  
2012 Special Session 2**

<b>SB 1</b>	Budget & Taxation Report No. 1 The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Pipkin /403921/1		

**14 Yeas 25 Nays 4 Not Voting 0 Excused 4 Absent**

**Voting Yea - 14**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Simonaire
Edwards	Kittleman	Stone
Getty	Muse	

**Voting Nay - 25**

Astle	Jones-Rodwell	Middleton
Conway J	Kasemeyer	Montgomery
Currie	King	Pinsky
DeGrange	Klausmeier	Ramirez
Dyson	Madaleno	Robey
Ferguson	Manno	Rosapepe
Forehand	Mathias	Young
Frosh	McFadden	Zirkin
Garagiola		

**Not Voting - 4**

Benson	Pugh	Raskin
Peters		

**Excused from Voting - 0**

**Excused (Absent) - 4**

Mr. President	Kelley	Shank
Gladden		

Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Pipkin /273322/1

**10 Yeas 25 Nays 8 Not Voting 0 Excused 4 Absent**

**Voting Yea - 10**

Brinkley	Jacobs	Pipkin
Brochin	Jennings	Reilly
Colburn	Kittleman	Simonaire
Getty		

**Voting Nay - 25**

Astle	Klausmeier	Pinsky
Currie	Madaleno	Ramirez
DeGrange	Manno	Raskin
Dyson	Mathias	Robey
Ferguson	McFadden	Rosapepe
Forehand	Montgomery	Stone
Frosh	Muse	Young
Garagiola	Peters	Zirkin
King		

**Not Voting - 8**

Benson	Glassman	Middleton
Conway J	Jones-Rodwell	Pugh
Edwards	Kasemeyer	

**Excused from Voting - 0**

**Excused (Absent) - 4**

Mr. President	Kelley	Shank
Gladden		

**Senate of Maryland**  
**2012 Special Session 2**

<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Brochin /403120/2		

**14 Yeas 29 Nays 1 Not Voting 0 Excused 3 Absent**

**Voting Yea - 14**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Simonaire
Forehand	Kittleman	Stone
Getty	Klausmeier	

**Voting Nay - 29**

Mr. President	Jones-Rodwell	Peters
Astle	Kasemeyer	Pinsky
Benson	King	Pugh
Conway J	Madaleno	Ramirez
Currie	Manno	Raskin
DeGrange	Mathias	Robey
Dyson	McFadden	Rosapepe
Edwards	Middleton	Young
Ferguson	Montgomery	Zirkin
Garagiola	Muse	

**Not Voting - 1**

Frosh

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland  
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<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Brochin /483823/2		

**9 Yeas 33 Nays 2 Not Voting 0 Excused 3 Absent**

**Voting Yea - 9**

Astle	DeGrange	Kittleman
Brochin	Glassman	Pipkin
Colburn	Jacobs	Reilly

**Voting Nay - 33**

Mr. President	Jennings	Peters
Benson	Jones-Rodwell	Pinsky
Brinkley	Kasemeyer	Pugh
Conway J	King	Ramirez
Currie	Klausmeier	Raskin
Edwards	Madaleno	Robey
Ferguson	Manno	Rosapepe
Forehand	Mathias	Simonaire
Frosh	McFadden	Stone
Garagiola	Middleton	Young
Getty	Montgomery	Zirkin

**Not Voting - 2**

Dyson	Muse
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Kittleman /433528/1

**11 Yeas 33 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 11**

Brinkley	Glassman	Pipkin
Brochin	Jacobs	Reilly
Colburn	Jennings	Simonaire
DeGrange	Kittleman	

**Voting Nay - 33**

Mr. President	Getty	Muse
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	King	Pugh
Currie	Klausmeier	Ramirez
Dyson	Madaleno	Raskin
Edwards	Manno	Robey
Ferguson	Mathias	Rosapepe
Forehand	McFadden	Stone
Frosh	Middleton	Young
Garagiola	Montgomery	Zirkin

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
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**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Pipkin /653623/1

**6 Yeas 38 Nays 0 Not Voting 0 Excused 3 Absent**

**Voting Yea - 6**

Glassman	Jennings	Pipkin
Jacobs	Kittleman	Reilly

**Voting Nay - 38**

Mr. President	Frosh	Muse
Astle	Garagiola	Peters
Benson	Getty	Pinsky
Brinkley	Jones-Rodwell	Pugh
Brochin	Kasemeyer	Ramirez
Colburn	King	Raskin
Conway J	Klausmeier	Robey
Currie	Madaleno	Rosapepe
DeGrange	Manno	Simonaire
Dyson	Mathias	Stone
Edwards	McFadden	Young
Ferguson	Middleton	Zirkin
Forehand	Montgomery	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Glassman /113324/1

**7 Yeas 36 Nays 1 Not Voting 0 Excused 3 Absent**

**Voting Yea - 7**

Brinkley	Glassman	Jennings
Colburn	Jacobs	Kittleman
Getty		

**Voting Nay - 36**

Mr. President	Garagiola	Pinsky
Astle	Jones-Rodwell	Pipkin
Benson	Kasemeyer	Pugh
Brochin	King	Ramirez
Conway J	Klausmeier	Raskin
Currie	Madaleno	Reilly
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Edwards	Middleton	Simonaire
Ferguson	Montgomery	Stone
Forehand	Muse	Young
Frosh	Peters	Zirkin

**Not Voting - 1**

McFadden

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland**  
**2012 Special Session 2**

<b>SB 1</b>	Budget & Taxation Report No. 1	
	The President	(B&T)
Gaming Expansion - Video Lottery Terminals and Table Games		
Floor amendment Glassman /453529/1		

**19 Yeas   23 Nays   2 Not Voting   0 Excused   3 Absent**

**Voting Yea - 19**

Brinkley	Jennings	Pugh
Brochin	Kittleman	Reilly
Colburn	Klausmeier	Rosapepe
Edwards	Mathias	Simonaire
Getty	Muse	Stone
Glassman	Pipkin	Young
Jacobs		

**Voting Nay - 23**

Mr. President	Garagiola	Montgomery
Astle	Jones-Rodwell	Peters
Benson	Kasemeyer	Pinsky
Conway J	King	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Ferguson	McFadden	Zirkin
Forehand	Middleton	

**Not Voting - 2**

Dyson	Frosh
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Young et al. /683626/1

**16 Yeas 24 Nays 4 Not Voting 0 Excused 3 Absent**

**Voting Yea - 16**

Brinkley	Jennings	Pipkin
Brochin	Kittleman	Reilly
Edwards	Klausmeier	Rosapepe
Getty	Mathias	Simonaire
Glassman	Muse	Young
Jacobs		

**Voting Nay - 24**

Mr. President	Garagiola	Peters
Astle	Jones-Rodwell	Pinsky
Benson	Kasemeyer	Pugh
Conway J	King	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Ferguson	Middleton	Stone
Forehand	Montgomery	Zirkin

**Not Voting - 4**

Colburn	Frosh	McFadden
Dyson		

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Jennings /313925/2

**15 Yeas 26 Nays 3 Not Voting 0 Excused 3 Absent**

**Voting Yea - 15**

Brinkley	Getty	Mathias
Brochin	Glassman	Pipkin
Colburn	Jacobs	Reilly
DeGrange	Jennings	Simonaire
Edwards	Kittleman	Young

**Voting Nay - 26**

Mr. President	Jones-Rodwell	Pinsky
Astle	Kasemeyer	Pugh
Benson	King	Ramirez
Conway J	Klausmeier	Raskin
Currie	Madaleno	Robey
Dyson	Manno	Rosapepe
Ferguson	Middleton	Stone
Forehand	Montgomery	Zirkin
Garagiola	Peters	

**Not Voting - 3**

Frosh	McFadden	Muse
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Budget & Taxation Report No. 1  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Floor amendment Jennings /393324/2

9 Yeas 34 Nays 1 Not Voting 0 Excused 3 Absent

**Voting Yea - 9**

Brinkley	Getty	Jennings
Brochin	Glassman	Pipkin
Colburn	Jacobs	Reilly

**Voting Nay - 34**

Mr. President	Kasemeyer	Peters
Astle	King	Pinsky
Benson	Kittleman	Pugh
Conway J	Klausmeier	Ramirez
Currie	Madaleno	Raskin
DeGrange	Manno	Robey
Dyson	Mathias	Rosapepe
Edwards	McFadden	Simonaire
Ferguson	Middleton	Stone
Forehand	Montgomery	Young
Garagiola	Muse	Zirkin
Jones-Rodwell		

**Not Voting - 1**

Frosh

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

<b>SB 2</b>	Special Orders Sen. Frosh et al	(JPR)
Civil Actions - Liability for Personal Injury or Death Caused by Dog Suspend Rule 24/Constitutional Provision		

**40 Yeas 0 Nays 4 Not Voting 0 Excused 3 Absent**

**Voting Yea - 40**

Mr. President	Garagiola	Montgomery
Astle	Getty	Peters
Benson	Glassman	Pinsky
Brinkley	Jacobs	Pipkin
Brochin	Jennings	Pugh
Colburn	Jones-Rodwell	Ramirez
Conway J	Kasemeyer	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Madaleno	Simonaire
Edwards	Manno	Stone
Ferguson	Mathias	Young
Forehand	Middleton	Zirkin
Frosh		

**Voting Nay - 0**

**Not Voting - 4**

Klausmeier	Muse	Rosapepe
McFadden		

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 10** Budget & Taxation Report No. 1  
Sen. Colburn (B&T)  
Dorchester County - Restriction on Sunday Gaming -  
Repeal  
Suspend Rule 24/Constitutional Provision

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

**Voting Yea - 44**

Mr. President	Getty	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 10** Budget & Taxation Report No. 1  
Sen. Colburn (B&T)  
Dorchester County - Restriction on Sunday Gaming -  
Repeal  
On third reading

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

**Voting Yea - 44**

Mr. President	Getty	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland**  
**2012 Special Session 2**

**SB 19** Budget & Taxation Report No. 1  
Carroll Co. Senators et al (B&T)  
Carroll County - Gaming  
  
Suspend Rule 24/Constitutional Provision

**43 Yeas 0 Nays 1 Not Voting 0 Excused 3 Absent**

**Voting Yea - 43**

Mr. President	Getty	Muse
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	Middleton	Young
Frosh	Montgomery	Zirkin
Garagiola		

**Voting Nay - 0**

**Not Voting - 1**

McFadden

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 1** Special Orders  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Suspend Rule 24/Constitutional Provision

43 Yeas 0 Nays 1 Not Voting 0 Excused 3 Absent

**Voting Yea - 43**

Mr. President	Getty	Montgomery
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola		

**Voting Nay - 0**

**Not Voting - 1**

Muse

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

Quorum

43 Yeas 0 Nays 1 Not Voting 0 Excused 3 Absent

**Voting Yea - 43**

Mr. President	Getty	Montgomery
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola		

**Voting Nay - 0**

**Not Voting - 1**

Muse

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland  
2012 Special Session 2**

Quorum - Attendance

**42 Yeas   0 Nays   2 Not Voting   0 Excused   3 Absent**

**Voting Yea - 42**

Mr. President	Getty	Montgomery
Benson	Glassman	Muse
Brinkley	Jacobs	Peters
Brochin	Jennings	Pinsky
Colburn	Jones-Rodwell	Pipkin
Conway J	Kasemeyer	Pugh
Currie	King	Raskin
DeGrange	Kittleman	Reilly
Dyson	Klausmeier	Robey
Edwards	Madaleno	Rosapepe
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Voting Nay - 0**

**Not Voting - 2**

Astle	Ramirez
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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Senate of Maryland  
2012 Special Session 2

**SB 2** Special Orders  
Sen. Frosh et al (JPR)  
Civil Actions - Liability for Personal Injury or  
Death Caused by Dog  
On third reading

41 Yeas 1 Nays 2 Not Voting 0 Excused 3 Absent

**Voting Yea - 41**

Mr. President	Glassman	Muse
Benson	Jacobs	Peters
Brinkley	Jennings	Pinsky
Brochin	Jones-Rodwell	Pipkin
Colburn	Kasemeyer	Pugh
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola	Montgomery	

**Voting Nay - 1**

Getty

**Not Voting - 2**

Astle

Ramirez

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden

Kelley

Shank

Senate of Maryland  
2012 Special Session 2

**SB 19** Special Orders  
Carroll Co. Senators et al (B&T)  
Carroll County - Gaming  
  
On third reading

42 Yeas 0 Nays 2 Not Voting 0 Excused 3 Absent

**Voting Yea - 42**

Mr. President	Getty	Montgomery
Benson	Glassman	Muse
Brinkley	Jacobs	Peters
Brochin	Jennings	Pinsky
Colburn	Jones-Rodwell	Pipkin
Conway J	Kasemeyer	Pugh
Currie	King	Raskin
DeGrange	Kittleman	Reilly
Dyson	Klausmeier	Robey
Edwards	Madaleno	Rosapepe
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin

**Voting Nay - 0**

**Not Voting - 2**

Astle Ramirez

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden Kelley Shank

Senate of Maryland  
2012 Special Session 2

**SB 1** Special Orders  
The President (B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
On third reading

**28 Yeas 14 Nays 2 Not Voting 0 Excused 3 Absent**

**Voting Yea - 28**

Mr. President	Getty	McFadden
Benson	Jennings	Middleton
Brinkley	Jones-Rodwell	Peters
Colburn	Kasemeyer	Pugh
Conway J	King	Robey
Currie	Klausmeier	Rosapepe
Edwards	Madaleno	Stone
Ferguson	Manno	Young
Forehand	Mathias	Zirkin
Garagiola		

**Voting Nay - 14**

Brochin	Jacobs	Pipkin
DeGrange	Kittleman	Raskin
Dyson	Montgomery	Reilly
Frosh	Muse	Simonaire
Glassman	Pinsky	

**Not Voting - 2**

Astle	Ramirez
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**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland  
2012 Special Session 2**

Quorum

**43 Yeas   0 Nays   1 Not Voting   0 Excused   3 Absent**

**Voting Yea - 43**

Mr. President	Getty	Montgomery
Astle	Glassman	Muse
Benson	Jacobs	Peters
Brinkley	Jennings	Pinsky
Brochin	Jones-Rodwell	Pipkin
Colburn	Kasemeyer	Pugh
Conway J	King	Raskin
Currie	Kittleman	Reilly
DeGrange	Klausmeier	Robey
Dyson	Madaleno	Rosapepe
Edwards	Manno	Simonaire
Ferguson	Mathias	Stone
Forehand	McFadden	Young
Frosh	Middleton	Zirkin
Garagiola		

**Voting Nay - 0**

**Not Voting - 1**

Ramirez

**Excused from Voting - 0**

**Excused (Absent) - 3**

Gladden	Kelley	Shank
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**Senate of Maryland  
2012 Special Session 2**

Quorum - Attendance

**44 Yeas   0 Nays   0 Not Voting   0 Excused   3 Absent**

**Voting Yea - 44**

Mr. President	Gladden	Peters
Astle	Glassman	Pinsky
Benson	Jennings	Pipkin
Brinkley	Jones-Rodwell	Pugh
Brochin	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Klausmeier	Rosapepe
Edwards	Madaleno	Shank
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin
Getty	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Colburn	Jacobs	Muse
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Senate of Maryland  
2012 Special Session 2

Quorum

44 Yeas 0 Nays 0 Not Voting 0 Excused 3 Absent

**Voting Yea - 44**

Mr. President	Gladden	Peters
Astle	Glassman	Pinsky
Benson	Jennings	Pipkin
Brinkley	Jones-Rodwell	Pugh
Brochin	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Klausmeier	Rosapepe
Edwards	Madaleno	Shank
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin
Getty	Montgomery	

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 3**

Colburn	Jacobs	Muse
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Senate of Maryland  
2012 Special Session 2

Quorum

45 Yeas 0 Nays 1 Not Voting 0 Excused 1 Absent

**Voting Yea - 45**

Mr. President	Gladden	Montgomery
Astle	Glassman	Peters
Brinkley	Jacobs	Pinsky
Brochin	Jennings	Pipkin
Colburn	Jones-Rodwell	Pugh
Conway J	Kasemeyer	Ramirez
Currie	Kelley	Raskin
DeGrange	King	Reilly
Dyson	Kittleman	Robey
Edwards	Klausmeier	Rosapepe
Ferguson	Madaleno	Shank
Forehand	Manno	Simonaire
Frosh	Mathias	Stone
Garagiola	McFadden	Young
Getty	Middleton	Zirkin

**Voting Nay - 0**

**Not Voting - 1**

Benson

**Excused from Voting - 0**

**Excused (Absent) - 1**

Muse

Senate of Maryland  
2012 Special Session 2

**SB 1** Senate Bills Amended in the House No. 1  
The President (3rg#a1. B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
Motion to concur with the House amendments

**32 Yeas 14 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 32**

Mr. President	Gladden	Middleton
Benson	Glassman	Peters
Brinkley	Jennings	Pugh
Colburn	Jones-Rodwell	Ramirez
Conway J	Kasemeyer	Robey
Currie	King	Rosapepe
Edwards	Klausmeier	Shank
Ferguson	Madaleno	Stone
Forehand	Manno	Young
Garagiola	Mathias	Zirkin
Getty	McFadden	

**Voting Nay - 14**

Astle	Jacobs	Pipkin
Brochin	Kelley	Raskin
DeGrange	Kittleman	Reilly
Dyson	Montgomery	Simonaire
Frosh	Pinsky	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Muse

Senate of Maryland  
2012 Special Session 2

**SB 1** Senate Bills Amended in the House No. 1  
The President (3rg#a1. B&T)  
Gaming Expansion - Video Lottery Terminals and  
Table Games  
On third reading

**32 Yeas 14 Nays 0 Not Voting 0 Excused 1 Absent**

**Voting Yea - 32**

Mr. President	Gladden	Middleton
Benson	Glassman	Peters
Brinkley	Jennings	Pugh
Colburn	Jones-Rodwell	Ramirez
Conway J	Kasemeyer	Robey
Currie	King	Rosapepe
Edwards	Klausmeier	Shank
Ferguson	Madaleno	Stone
Forehand	Manno	Young
Garagiola	Mathias	Zirkin
Getty	McFadden	

**Voting Nay - 14**

Astle	Jacobs	Pipkin
Brochin	Kelley	Raskin
DeGrange	Kittleman	Reilly
Dyson	Montgomery	Simonaire
Frosh	Pinsky	

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Muse

**Senate of Maryland  
2012 Special Session 2**

Quorum

**46 Yeas   0 Nays   0 Not Voting   0 Excused   1 Absent**

**Voting Yea - 46**

Mr. President	Gladden	Montgomery
Astle	Glassman	Peters
Benson	Jacobs	Pinsky
Brinkley	Jennings	Pipkin
Brochin	Jones-Rodwell	Pugh
Colburn	Kasemeyer	Ramirez
Conway J	Kelley	Raskin
Currie	King	Reilly
DeGrange	Kittleman	Robey
Dyson	Klausmeier	Rosapepe
Edwards	Madaleno	Shank
Ferguson	Manno	Simonaire
Forehand	Mathias	Stone
Frosh	McFadden	Young
Garagiola	Middleton	Zirkin
Getty		

**Voting Nay - 0**

**Not Voting - 0**

**Excused from Voting - 0**

**Excused (Absent) - 1**

Muse



Appendix VI  
Committee Votes



# SENATE COMMITTEE VOTES

2012 Second Special Session

COMMITTEE	PAGE
Budget and Taxation.....	VI-3
Judicial Proceedings .....	VI-6



# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 2

Bill/Resolution Number: SB 1  
 Vote Date: Aug 9, 2012  
 Final Action: FWA

**Motion:**

- Favorable    
  Favorable with Amendment    
  Unfavorable    
  Withdrawn by Sponsor  
 No Motion    
  Referred to Interim - Summer Study    
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.		✓			
COLBURN, R.	✓				
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.	✓				
MADALENO, R.	✓				
BRINKLEY, D.	✓				
JONES-RODWELL, V.					✓
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
Totals	11	1			1

Amendment Numbers, Consent Bill lists, Other

*McFadden  
King*

Committee Reporter: *Gene Randy*

# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 2

Bill/Resolution Number: SB 10

Vote Date: Aug 9, 2012

Final Action: FAV

**Motion:**

- Favorable
- Favorable with Amendment
- Unfavorable
- Withdrawn by Sponsor
- No Motion
- Referred to Interim - Summer Study
- Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.	✓				
COLBURN, R.	✓				
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.	✓				
MADALENO, R.	✓				
BRINKLEY, D.	✓				
JONES-RODWELL, V.					✓
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
<b>Totals</b>	<b>12</b>				<b>1</b>

Amendment Numbers, Consent Bill lists, Other

*McFadden*  
*King*

Committee Reporter: *Ken Landry*

# Senate Budget and Taxation Committee

Voting Record - 2012 Special Session 2

Bill/Resolution Number: SB 19  
 Vote Date: Aug 9, 2012  
 Final Action: FAV

**Motion:**

- Favorable     
  Favorable with Amendment     
  Unfavorable     
  Withdrawn by Sponsor  
 No Motion     
  Referred to Interim - Summer Study     
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
DEGRANGE, J.	✓				
COLBURN, R.	✓				
ROBEY, J.	✓				
PETERS, D.	✓				
KING, N.	✓				
MANNO, R.	✓				
EDWARDS, G.	✓				
MADALENO, R.	✓				
BRINKLEY, D.	✓				
JONES-RODWELL, V.					✓
CURRIE, U.	✓				
MCFADDEN, N., VICE CHAIR	✓				
KASEMEYER, E., CHAIR	✓				
<b>Totals</b>	<b>12</b>				<b>1</b>

Amendment Numbers,  
 Consent Bill lists, Other  
Brinkley  
mcfadden

Committee Reporter: Kim Landry

**Senate Judicial  
Proceedings Committee**  
Voting Record - 2012 Special Session 2

Bill/Resolution Number: SB2

Vote Date: 8/9/12

Final Action: FAV

**Motion:**

- Favorable     
  Favorable with Amendment     
  Unfavorable     
  Withdrawn by Sponsor  
 No Motion     
  Referred to Interim - Summer Study     
  Re-referred to: \_\_\_\_\_

Name	Yea	Nay	Abstain	Excused	Absent
FROSH, B., CHAIR	✓				
GLADDEN, L., VICE CHAIR	✓				
BROCHIN, J.	✓				
FOREHAND, J.				✓	
GETTY, J.		✓			
JACOBS, N.		✓			
RAMIREZ, V.	✓				
RASKIN, J.	✓				
SHANK, C.				✓	
STONE, N.	✓				
ZIRKIN, B.	✓				
Totals	7	2		2	

Amendment Numbers,  
Consent Bill lists, Other

Committee Reporter: *Signat Hudson*

# Appendix VII

Exhibits A through C



**SENATE JOURNAL EXHIBITS**  
**2012 Second Special Session**

EXHIBIT	CONTENTS	PAGE
A	Prayers.....	VII-3
B	Executive Order 01.01.2012.16 – Proclamation Convening the General Assembly of Maryland in Extraordinary Session at Annapolis, Maryland on August 9, 2012 .....	VII-5
C	Vetoed Senate Bills and Messages – 2012 Regular Session .....	VII-8



9/9/12

Dear God,

We come to you today, thanking you for the great State of Maryland. We thank you for those who came before us and the decisions they made and for the division of powers so that our destiny rests in the hands of many. May we be motivated by your will and not our own personal concerns. And as we lift up our work to you, we ask for your guidance that we may have the wisdom to make decisions that will strengthen and prosper our state and our citizens. Amen

8/10/12

Almighty and Loving God,

You have created and are the power behind all things. This body of leaders has asked for your help in carrying out <sup>our</sup> ~~their~~ charge from the people ~~they~~ <sup>we</sup> represent. I ask that you give ~~them~~ <sup>us</sup> wisdom to make good decisions, courage to make the hard decisions, righteousness to make the right decisions, compassion to make helpful decisions, and faith to make big and hopeful decisions. Guide ~~their~~ <sup>our</sup> conversations, ~~their~~ <sup>our</sup> actions, and their votes to be in accordance with your will for this state, ~~and for the world~~. We ask in confidence that you, our God, are a very present help to us all. Amen.

Respectfully Submitted by  
The Rev. Tracey Davenport  
Harundale Presbyterian Church  
Glen Burnie, Maryland

1-27-12

Presented by Senator McFadden



**The State of Maryland**  
**Executive Department**

EXECUTIVE ORDER  
01.01.2012.16

Proclamation Convening the General Assembly of Maryland in Extraordinary Session at  
Annapolis, Maryland on August 9, 2012

- WHEREAS, Maryland's gaming industry supports thousands of jobs, and when fully implemented, is projected to generate more than \$1 billion in annual revenue, with hundreds of million benefitting the Education Trust Fund;
- WHEREAS, The State of Maryland has the opportunity to create thousands of new construction jobs and more than 2,000 new permanent jobs;
- WHEREAS, By acting now, the State of Maryland has the opportunity to secure additional revenue for Maryland's public schools over the next two years;
- WHEREAS, The proposed legislation will create predictability in the marketplace;
- WHEREAS, The proposed legislation will make Maryland's gaming program competitive with other states;
- WHEREAS, The proposed legislation will provide financial certainty, predictability, and fair treatment to current licensees;
- WHEREAS, The proposed legislation will protect local and city aid being generated at current sites;
- WHEREAS, If a majority of Maryland voters vote in favor of the question to expand gaming on the November 2012 ballot, the State Lottery and Gaming Control Commission shall immediately begin the regulatory process to authorize table games;
- WHEREAS, According to the fiscal analysis provided for the Workgroup to Consider the Expansion of Gaming, table games will likely generate approximately \$45-51 million per year in additional revenues for the Education Trust Fund;



- WHEREAS, If a sixth video lottery terminal facility opens, the State may realize millions of dollars in additional revenues to the Education Trust Fund;
- WHEREAS, Local jurisdictions with facilities will benefit by the proposed legislation through additional local impact grants and table games proceeds upon the opening of a sixth site;
- WHEREAS, In order to protect the State's interest, the proposed legislation would re-constitute the current State Lottery Agency as the State Lottery and Gaming Control Agency, consisting of members with expertise in fiscal matters and economics;
- WHEREAS, The legislation would authorize an additional site in Prince George's County only if: (1) a majority of Maryland voters vote in favor of the question to expand gaming on the November 2012 ballot; and (2) a majority of voters in Prince George's County approve the same question;
- WHEREAS, The Video Lottery Facility Location Commission may not permit the operation of an additional facility before the earlier of July 1, 2016, or 30 months after the Baltimore City facility is open to the public;
- WHEREAS, A transfer of ownership in the video lottery terminals is expected to generate tens of millions of dollars in savings to the State, all of which shall be appropriated to the Education Trust Fund;
- WHEREAS, The proposed legislation would ban political donations from gaming entities in order to restore confidence that important decisions are being made based on expertise and analysis and without unnecessary distractions;
- WHEREAS, The proposed legislation will provide the same level of funding to the racing industry as is currently expected to be generated by the existing VLT program; and
- WHEREAS, By finally resolving this issue of gaming in Maryland, we have an opportunity to provide significant additional funding for our number one ranked public schools, create more than 2,000 additional permanent jobs, and keep Maryland's facilities competitive with surrounding states.

NOW THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY ARTICLE II, SECTION 16 OF THE MARYLAND CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM AND CONVENE A SPECIAL AND EXTRAORDINARY SESSION OF THE GENERAL ASSEMBLY OF MARYLAND TO COMMENCE ON THURSDAY, AUGUST 9, 2012, IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 8<sup>th</sup> Day of August, 2012



Martin O'Malley  
Governor

ATTEST:

John McDonough  
Secretary of State

**2012 Vetoed Senate Bills and Messages**

May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 34 – *Talbot County – Zoning Regulations – Enforcement*.

This bill authorizes the legislative body of Talbot County to provide by local law for an administrative proceeding to enforce specified zoning regulations. This bill also allows the local law to include specified authority to impose specified fines and penalties for zoning violations and make a conforming change.

House Bill 60, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 34.

Sincerely,

Governor

**Senate Bill 34**

AN ACT concerning

**Talbot County – Zoning Regulations – Enforcement**

FOR the purpose of authorizing the legislative body of Talbot County to provide by local law for an administrative proceeding to enforce certain zoning regulations; allowing the local law to include certain authority to impose certain fines and penalties for zoning violations; *making a conforming change*; and generally relating to the enforcement of zoning regulations in Talbot County.

*BY repealing and reenacting, with amendments,*

*Article – Land Use*

*Section 1-401(b)(17) and (18)*

*Annotated Code of Maryland*

*(As enacted by Chapter (H.B. 1290) of the Acts of the General Assembly of 2012)*

BY adding to

Article – Land Use

Section 1-401(b)(18); and 9-1801 and 9-1802 to be under the new subtitle  
“Subtitle 18. Talbot County”

Annotated Code of Maryland

(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2lr0396) of the Acts of the General  
Assembly of 2012)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 44 – *Dorchester County – Bay Restoration Fund – Collection of Restoration Fee*.

This bill authorizes the Dorchester County Council to collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary District.

House Bill 61, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 44.

Sincerely,

Governor

### Senate Bill 44

AN ACT concerning

### Dorchester County – Bay Restoration Fund – Collection of Restoration Fee

FOR the purpose of authorizing the Dorchester County ~~Commissioners~~ Council to collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary District; and generally relating to the collection of the Bay Restoration Fee.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9-1605.2(d)(2) and (3)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
 Article – Environment  
 Section 9–1605.2(d)(4)  
 Annotated Code of Maryland  
 (2007 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 45 – *Dorchester County – Alcohol Awareness Program – Certificate of Completion*.

This bill prohibits the use of a certificate of completion of a specified alcohol awareness program by specified employees or employers at more than one licensed establishment in Dorchester County.

House Bill 58, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 45.

Sincerely,

Governor

### **Senate Bill 45**

AN ACT concerning

### **Dorchester County – Alcohol Awareness Program – Certificate of Completion**

FOR the purpose of prohibiting the use of a certificate of completion of a certain alcohol awareness program by certain employees or certain employers at more than one licensed establishment in Dorchester County; and generally relating to the use of a certificate of completion of an alcohol awareness program in Dorchester County.

BY repealing and reenacting, without amendments,  
 Article 2B – Alcoholic Beverages  
 Section 13–101(a), (b), (c)(1), (d), (e), (f), and (g)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

BY adding to  
 Article 2B – Alcoholic Beverages  
 Section 13–101(h)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 66 – *Harford County – Alcoholic Beverages Licenses – Class C–3 Club License*.

This bill removes the requirement in Harford County for a country club to maintain a specified number of tennis courts to be eligible for a Class C–3 club alcoholic beverages license.

House Bill 248, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 66.

Sincerely,

Governor

**Senate Bill 66**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Class C–3 Club License**

FOR the purpose of removing the requirement in Harford County for a country club to maintain a certain number of tennis courts to be eligible for a Class C–3 club

alcoholic beverages license; and generally relating to eligibility for a Class C–3 club alcoholic beverages license in Harford County.

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 6–301(n)(6)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 68 – *Harford County – Alcoholic Beverages – Wine Festival License*.

This bill repeals the requirement that wine festivals in Harford County be held one weekend annually, during the months of June, July, August, or September, and not conflict with other specified wine festivals.

House Bill 205, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 68.

Sincerely,

Governor

### **Senate Bill 68**

AN ACT concerning

#### **Harford County – Alcoholic Beverages – Wine Festival License**

FOR the purpose of removing a certain requirement that wine festivals in Harford County be held at a certain time, during certain months, and not conflict with other certain wine festivals; and generally relating to wine festival licenses in Harford County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
 Section 8–309  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 94 – *State Board for Certification of Residential Child Care Program Professionals – Sunset Extension and Program Evaluation*.

This bill continues the State Board for Certification of Residential Child Care Program Professionals in accordance with the provisions of the Maryland Program Evaluation Act by extending it to July 1, 2024. The termination provisions relating to specified authorities of the Board require that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2023. This bill also requires the Board to submit specified reports to specified committees of the General Assembly.

House Bill 72, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 94.

Sincerely,

Governor

**Senate Bill 94**

AN ACT concerning

**State Board for Certification of Residential Child Care Program  
 Professionals – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board for Certification of Residential Child Care Program Professionals in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the

Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit certain reports that address certain issues to certain committees of the General Assembly on or before certain dates; and generally relating to the State Board for Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, with amendments,  
 Article – Health Occupations  
 Section 20–502  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
 Article – State Government  
 Section 8–403(a)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
 Article – State Government  
 Section 8–403(b)(61)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 96 – *Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation*.

This bill continues the State Board of Certified Interior Designers in accordance with the provisions of the Maryland Program Evaluation Act by extending to July 1, 2024, the termination provisions relating to the statutory and regulatory authority of the Board; requires that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before July 1, 2023; and repeals specified termination provisions relating to the Occupational and Professional Licensing Design Boards' Fund.

House Bill 74, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 96.

Sincerely,

Governor

### **Senate Bill 96**

AN ACT concerning

#### **Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation**

FOR the purpose of continuing the State Board of Certified Interior Designers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; repealing certain termination provisions relating to the Occupational and Professional Licensing Design Boards' Fund and the authority of certain occupational and professional licensing design boards to set fees; and generally relating to the occupational and professional licensing design boards.

BY repealing and reenacting, with amendments,  
 Article – Business Occupations and Professions  
 Section 8–602  
 Annotated Code of Maryland  
 (2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
 Article – State Government  
 Section 8–403(a)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
 Article – State Government  
 Section 8–403(b)(32)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

BY repealing

Chapter 227 of the Acts of the General Assembly of 2003, as amended by  
 Chapter 273 of the Acts of the General Assembly of 2008  
 Section 8

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 104 – *Dorchester County – Sailwinds of Cambridge, Inc. – Service of Alcohol – Wristbands*.

This bill alters provisions of law to authorize Sailwinds of Cambridge, Inc., instead of Sailwinds Park, Inc., to obtain and renew a specified alcoholic beverages license in Dorchester County. This bill also authorizes Sailwinds of Cambridge, Inc. to distribute wristbands to specified individuals at specified events and prohibits Sailwinds of Cambridge, Inc. from serving alcoholic beverages to individuals who are not wearing wristbands at specified events under specified circumstances.

House Bill 57, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 104.

Sincerely,

Governor

### Senate Bill 104

AN ACT concerning

### **Dorchester County – Sailwinds ~~Park~~ of Cambridge, Inc. – Service of Alcohol – Wristbands**

FOR the purpose of altering certain provisions of law to authorize Sailwinds of Cambridge, Inc., instead of Sailwinds Park, Inc., to obtain and renew a certain alcoholic beverages license in Dorchester County; requiring authorizing Sailwinds ~~Park~~ of Cambridge, Inc. to distribute wristbands to certain individuals at certain events; prohibiting Sailwinds ~~Park~~ of Cambridge, Inc. from serving alcoholic beverages to individuals who ~~do not wear~~ are not wearing

wristbands at certain events under certain circumstances; and generally relating to ~~prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands~~ limitations on serving alcoholic beverages at events at Sailwinds of Cambridge, Inc.

BY repealing and reenacting, without amendments,  
 Article 2B – Alcoholic Beverages  
 Section 6–301(a) and (k)(1) and (2)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 6–301(k)(6)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 106 – *Talbot County – Alcoholic Beverages Violations – Issuance of Citations*.

This bill authorizes specified alcoholic beverages inspectors in Talbot County to issue citations for specified alcoholic beverages violations in the inspectors' jurisdiction.

House Bill 16, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 106.

Sincerely,

Governor

**Senate Bill 106**

AN ACT concerning

### Talbot County – Alcoholic Beverages Violations – Issuance of Citations

FOR the purpose of authorizing certain alcoholic beverages inspectors in Talbot County to issue citations for certain alcoholic beverages violations; and generally relating to the issuance of citations for alcoholic beverages violations by alcoholic beverages inspectors in Talbot County.

BY repealing and reenacting, with amendments,  
 Article – Criminal Law  
 Section 10–119  
 Annotated Code of Maryland  
 (2002 Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 153 – *Creation of a State Debt – Qualified Zone Academy Bonds*. Senate Bill 153 would authorize the creation of a state debt in the amount of \$15,324,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes authorized under the federal Qualified Zone Academy Bond (“QZAB”) program.

Senate Bill 153 is a supplementary appropriation bill, and pursuant to Article III, Section 52(8) of the Maryland Constitution may not be finally acted upon by the House and Senate prior to final action on the Budget Bill. Senate Bill 153 was passed by the General Assembly on March 29, 2012; the Budget Bill passed on April 9, 2012. For that reason, I have been advised by the Attorney General that Senate Bill 153 should be vetoed. Also pursuant to that advice, I sponsored and the General Assembly passed, similar legislation in the recent Special Session (Senate Bill 1303 of the 2012 Special Session), which will be signed today. Therefore, the original purpose of Senate Bill 153 has been satisfied.

For these reasons, I have vetoed Senate Bill 153.

Sincerely,

Governor

**Senate Bill 153**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

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

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 187 – *State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation*.

This bill continues the State Commission of Real Estate Appraisers and Home Inspectors in accordance with the provisions of the Maryland Program Evaluation Act by extending the Commission's termination date to July 1, 2023. The bill also renames the Commission and requires that an evaluation of the Commission be performed by July 1, 2022.

House Bill 341, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 187.

Sincerely,

Governor

### Senate Bill 187

AN ACT concerning

#### **State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Commission of Real Estate Appraisers and Home Inspectors 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 Commission; requiring that an evaluation of the Commission be performed on or before a certain date; requiring the Commission to submit ~~a certain report~~ *certain reports* to certain committees of the General Assembly on or before ~~a certain date~~ *certain dates*; repealing a requirement for the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; renaming the Commission; making conforming changes; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 16–101(g) to be under the amended title “Title 16. Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; 16–201 and 16–217(c)(2) to be under the amended subtitle “Subtitle 2. State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; and 16–801 and 16–802

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 2–106.7(a) and (b)(1), 2–106.8(a), and 2–108(a)(25)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
 Section 8–403(b)(59)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2011 Supplement)

BY repealing  
 Chapter 470 of the Acts of the General Assembly of 2001  
 Section 3

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 188 – *Washington County – Distribution of Amounts to Town of Williamsport – Payments in Lieu of Property Taxes on Electricity Generation Facilities*.

This bill alters the requirement that Washington County distribute to the Town of Williamsport 35% of any amount received under specified payments in lieu of property taxes from an electricity generation facility.

House Bill 216, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 188.

Sincerely,

Governor

### Senate Bill 188

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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 259 – *Harford County – Harford Community College – Authority to Incur Debt*.

This bill authorizes the Harford Community College Board of Trustees to borrow money for specified purposes and secure debt in a specified manner.

House Bill 214, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 259.

Sincerely,

Governor

**Senate Bill 259**

AN ACT concerning

**Harford County – Harford Community College – Authority to Incur Debt**

FOR the purpose of authorizing the Harford Community College Board of Trustees to borrow money for certain purposes and secure certain debt in a certain manner;

and generally relating to the authority of the Harford Community College Board of Trustees to incur debt.

BY repealing and reenacting, with amendments,  
 Article – Education  
 Section 16–302  
 Annotated Code of Maryland  
 (2008 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 265 – *Frederick County – Tax Sales – Auctioneer’s Fees*.

This bill sets the amount of the auctioneer’s fee allowed in Frederick County relating to specified tax sales to be the lowest responsive bid for each property sold.

House Bill 518, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 265.

Sincerely,

Governor

### **Senate Bill 265**

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 as an expense relating to certain tax sales to be the lowest responsive bid for each property sold; 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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 266 – *Frederick County and Washington County – Property Tax Credit – Job Creation by Small Businesses*.

This bill authorizes 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 specified new or existing business entities that meet specified requirements.

House Bill 125, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 266.

Sincerely,

Governor

**Senate Bill 266**

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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate

H–107 State House

Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 274 – *State Board of Pharmacy – Sunset Extension and Revisions*.

This bill continues the State Board of Pharmacy in accordance with the provisions of the Maryland Program Evaluation Act by extending to July 1, 2023, the termination provisions relating to the statutory and regulatory authority of the Board. The bill also repeals specified provisions requiring physician–pharmacist agreements to be approved by the State Board of Physicians and the State Board of Pharmacy and

repeals a provision requiring fees related to therapy management to be established in regulations.

House Bill 283, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 274.

Sincerely,

Governor

### Senate Bill 274

AN ACT concerning

#### State Board of Pharmacy – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Pharmacy 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; altering the dates on which a pharmacy permit and a wholesale distributor permit expires; altering the date by which the Board must send certain renewal information to certain permit holders; repealing certain provisions requiring certain physician–pharmacist agreements to be approved by the State Board of Physicians and the State Board of Pharmacy; repealing certain provisions that prohibit the State Board of Physicians and the State Board of Pharmacy from approving certain physician–pharmacist agreements under certain circumstances; repealing certain provisions relating to the time period during which a physician–pharmacist agreement is valid; requiring a certain physician and a certain pharmacist to submit a copy of a certain agreement to a certain board; requiring a therapy management contract to apply only to conditions for which protocols have been agreed to by certain parties; repealing a certain provision requiring ~~the establishment of~~ certain fees related to therapy management to be established in regulations; authorizing the State Board of Pharmacy to assess a certain fee established in regulation; repealing a requirement that certain regulations include provisions that establish a certain procedure; prohibiting certain regulations from requiring certain boards to approve certain physician–pharmacist agreements or the protocols specified in the agreements; requiring that an evaluation of the State Board of Pharmacy and the statutes and regulations that relate to the Board be performed on or before a certain date; providing for an extension of the renewal dates of certain permits; requiring the State Board of Pharmacy to submit certain reports to certain committees of the General Assembly on or before certain dates; altering a certain definition; making a conforming change; and generally relating to the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–407(a) and (b)(1), 12–6A–01(f), 12–6A–03, 12–6A–07, 12–6A–10,  
12–6C–06(a), and 12–802

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–6A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(45)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate

H–107 State House

Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 282 – *Office of Cemetery Oversight – Sunset Extension and Program Evaluation*.

This bill continues the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act by extending to July 1, 2023, the termination provisions relating to statutory and regulatory authority of the Office; exempts private family cemeteries that do not conduct public sales from specified permitting and registration, perpetual care, and preneed contract requirements of the Maryland Cemetery Act; and adds a representative from a crematory to the Advisory Council on Cemetery Operations.

House Bill 394, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 282.

Sincerely,

Governor

### **Senate Bill 282**

AN ACT concerning

#### **Office of Cemetery Oversight – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; exempting private family cemeteries that do not conduct public sales from certain permitting and registration, perpetual care, and preneed contract requirements of the Maryland Cemetery Act; altering the membership of the Advisory Council on Cemetery Operations; increasing the number of times the Advisory Council is required to convene each year; requiring the Director of the Office of Cemetery Oversight to include certain information regarding the number of registrants and permit holders in a certain annual report; requiring the Director to provide a copy of certain annual reports to each member of the Advisory Council; requiring the Director, at certain times, to deliver to each member of the Advisory Council certain paperwork; requiring the Advisory Council to respond to issues raised in certain annual reports and develop a plan to study ongoing issues; authorizing a certain registration to be transferred under certain circumstances; requiring a certain annual report to include certain information on the number of inquiries received by the Office; requiring an applicant for a permit to submit certain documentation to the Director; requiring certain reports to be accompanied by certain statements that include certain information; requiring a certain disclosure to be made in a certain manner; requiring the Office to provide a report on the implementation of certain recommendations to certain committees of the General Assembly on or before a certain date; requiring the Advisory Council to develop a plan for consumer outreach, study recordkeeping practices for cemeteries in a certain manner, and develop a legislative proposal on recordkeeping practices; requiring the Director and the Advisory Council to develop certain orientation materials and study the issue of the increasing rate of cremations and its effect on the Office's finances; requiring the Director and a committee formed of members of the Advisory Council to update the Office newsletter and develop a certain plan for updating the newsletter; making stylistic and technical changes; and generally relating to the Office of Cemetery

Oversight and the operation of cemeteries and burial goods businesses in the State.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–102(a), 5–201(c), 5–204(i) and (l), 5–305(b), 5–311(h), 5–404, 5–602(a), ~~5–606(b)~~, 5–702(a), ~~5–710(b)~~, 5–801, and 5–1002

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation

Section 5–204(m) and 5–204.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(10)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate

H–107 State House

Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 333 – *Garrett County – Hotel Rental Tax*.

This bill authorizes Garrett County to increase the hotel rental tax rate from 5% to 6%. The bill also alters the definition of “transient charge”, as it relates to a hotel rental tax imposed on transient charges collected by specified hotels in Garrett County.

House Bill 224, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 333.

Sincerely,

Governor

### Senate Bill 333

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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 365 – *Higher Education – The Charles W. Riley Fire and Emergency Medical Services Scholarship*.

Senate Bill 365 repeals the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program (Reimbursement Program) and creates the Charles W. Riley Fire and Emergency Medical Services Scholarship Program (Scholarship Program). The bill, which would take effect July 1, 2012, provides that any funds remaining in the Reimbursement Program after June 30, 2013 are to be used to fund the Scholarship Program for the 2013–2014 academic year.

Because the bill would repeal the Reimbursement Program effective July 1, 2012 without properly phasing out the program, individuals anticipating reimbursement payments for courses taken during the 2010–2011 and 2011–2012 academic years would not receive reimbursement for those courses. In fact, under the bill as passed by the General Assembly, courses taken during three academic years (2010–2011, 2011–2012, and 2012–2013) would not be eligible for either the Reimbursement Program or the Scholarship Program. In light of the implementation issues, and after consultation with the bill’s sponsors, I believe it is best to veto the bill and revisit the matter next session.

The Maryland Higher Education Commission (MHEC), which administers the Reimbursement Program, uses funds appropriated in one fiscal year to reimburse eligible students for tuition costs incurred two years earlier. Funds that were appropriated for the Reimbursement Program for fiscal 2013, therefore, will be used to reimburse tuition costs incurred during the 2010–2011 academic year. Senate Bill 365, however, would repeal the Reimbursement Program effective July 1, 2012, meaning that there would be no authorization to provide tuition reimbursements in fiscal 2013 and subsequent fiscal years. As a result, individuals who took courses during the 2010–2011 and 2011–2012 academic years anticipating reimbursement would not receive reimbursement for those courses. Moreover, scholarships would not be awarded under the new Scholarship Program until the 2013–2014 academic year, resulting in a three-year period during which firefighters and rescue workers would not receive tuition reimbursement or scholarships.

While I support the general intent of Senate Bill 365 – to provide scholarships for career and volunteer firefighters and rescue workers in the State – there are significant implementation issues caused by the manner in which the bill repeals the Reimbursement Program. During the 2013 session, I encourage the General Assembly to consider legislation that is consistent with the intent of Senate Bill 365 but provides for a proper phase-out of the Reimbursement Program.

For the above reasons, I have today vetoed Senate Bill 365.

Sincerely,

Governor

### Senate Bill 365

AN ACT concerning

### **Higher Education – ~~Volunteer Firefighters~~ The Charles W. Riley Fire and Emergency Medical Services Scholarship**

FOR the purpose of repealing a certain fire and emergency medical services tuition reimbursement program and establishing the ~~Volunteer Firefighters~~ Charles W.

Riley Fire and Emergency Medical Services Scholarship; establishing certain eligibility requirements for a scholarship; authorizing the use of a scholarship for certain educational expenses; ~~prohibiting~~ authorizing the annual amount of a scholarship ~~from exceeding~~ awarded to be up to a certain percentage of the equivalent tuition and certain fees of a certain institution of higher education; requiring a scholarship recipient to maintain a certain grade point average; providing for the duration of the scholarship; requiring scholarship recipients to file for certain federal and State financial aid by a certain date; authorizing legislative scholarship funds to be used for certain purposes; providing that funds for the scholarship are as provided in a certain annual budget by the Governor; establishing a ~~Volunteer Firefighters~~ Charles W. Riley Fire and Emergency Medical Services Scholarship Fund in the Higher Education Commission; directing the Commission to use certain gifts and grants for the Fund in a certain manner; requiring the Commission to prepare a certain annual report regarding the Fund; requiring a recipient of a certain scholarship to work for at least a certain number of years as a certain firefighter or certain rescue squad member in the State after completion of a certain program; requiring any funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program after a certain date to be used to fund the Charles W. Riley Fire and Emergency Medical Services Scholarship for a certain academic year; requiring the Office of Student Financial Assistance to provide certain public notice of the establishment of the Charles W. Riley Fire and Emergency Medical Services Scholarship as a replacement for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; and generally relating to the establishment of the ~~Volunteer Firefighters~~ Charles W. Riley Fire and Emergency Medical Services Scholarship.

BY repealing

Article – Education

Section 18–603

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section ~~18–605~~ 18–603

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House

Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 388 – *Howard County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences*.

This bill authorizes the Howard County Board of Education to waive the requirement that a participating employer reimburse the county for the cost of specified workers’ compensation insurance coverage for students placed in unpaid work–based learning experiences.

House Bill 1175, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 388.

Sincerely,

Governor

### Senate Bill 388

AN ACT concerning

#### ~~Carroll and Howard Counties~~ Howard County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences

FOR the purpose of authorizing the ~~boards of education in Carroll County and~~ Howard County Board of Education to waive the requirement that a participating employer reimburse the county for the cost of certain workers’ compensation insurance coverage for students placed in unpaid work–based learning experiences; and generally relating to the waiver of workers’ compensation reimbursement in connection with unpaid work–based learning experiences.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–228(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 450 – *State Board of Environmental Health Specialists – Transfer of Responsibilities*.

This bill renames the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transfers the Board and specified functions, powers, duties, assets, liabilities, and records from the Department of the Environment to the Department of Health and Mental Hygiene; renames environmental sanitarians to be environmental health specialists; alters the length of terms and the number of terms specified Board members may serve; and establishes a State Board of Environmental Health Specialists Fund.

House Bill 511, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 450.

Sincerely,

Governor

**Senate Bill 450**

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 repealing and reenacting, with amendments,

Article – Environment

Section 1–406

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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 – 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)

May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 470 – *Allegany County – Orphans’ Court Judges – Pension*.

This bill increases the pension of a judge of the Orphans’ Court for Allegany County under specified circumstances and makes a technical change.

House Bill 516, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 470.

Sincerely,

Governor

### **Senate Bill 470**

AN ACT concerning

### **Allegany County – Orphans’ Court Judges – Pension**

FOR the purpose of altering the pension of a judge of the Orphans’ Court for Allegany County under certain circumstances; making a technical change; and generally relating to the pension of a judge of the Orphans’ Court for Allegany County under certain circumstances.

BY repealing and reenacting, without amendments,  
 Article – Estates and Trusts  
 Section 2-108(b) and (y)(1)  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
 Article – Estates and Trusts  
 Section 2-108(y)(2), (6), and (7)  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Estates and Trusts  
 Section 2–108(y)(6)  
 Annotated Code of Maryland  
 (2011 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 472 – *Environment – Dormant Mineral Interests – Termination by Court Order Requirements*.

This bill requires a court order that terminates a dormant mineral interest to identify specified information and requires a clerk of the court that issued the order to record the order in the land records.

House Bill 402, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 472.

Sincerely,

Governor

### **Senate Bill 472**

AN ACT concerning

### **Environment – Dormant Mineral Interests – Termination by Court Order Requirements**

FOR the purpose of requiring a court order that terminates a certain dormant mineral interest to identify certain information; requiring a clerk of the court that issued a certain order to record the order in the land records; and generally relating to the termination of dormant mineral interests.

BY repealing and reenacting, without amendments,  
 Article – Environment  
 Section 15–1201

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 15–1203(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H–107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 527 – *Garrett County – Alcoholic Beverages – Class B Beer Licenses*.

This bill establishes in Garrett County a Class B beer license for specified hotels, motels, inns, and restaurants and authorizes the Board of License Commissioners to issue the license with or without a catering option.

House Bill 504, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 527.

Sincerely,

Governor

### **Senate Bill 527**

AN ACT concerning

#### **Garrett County – Alcoholic Beverages – Class B Beer Licenses**

FOR the purpose of establishing in Garrett County a Class B beer license for certain hotels, motels, inns, and restaurants; authorizing the Board of License Commissioners to issue the license with or without a catering option; specifying the privileges of certain licenses; requiring that to exercise the catering option, a holder of a license meet certain requirements; specifying certain license fees;

authorizing the Board to adopt certain regulations; and generally relating to Class B beer licenses in Garrett County.

BY repealing and reenacting, with amendments,  
 Article 2B – Alcoholic Beverages  
 Section 3–201(m)  
 Annotated Code of Maryland  
 (2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 587 – *Garrett County – Alcoholic Beverages – Nudity and Sexual Displays – License Revocation*.

This bill authorizes the Board of License Commissioners in Garrett County to revoke an alcoholic beverages license, after a hearing, if specified activities regarding nudity or sexual displays are found to have occurred on the premises or location for which the license was issued.

House Bill 222, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 587.

Sincerely,

Governor

**Senate Bill 587**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Nudity and Sexual Displays –  
 License Revocation**

FOR the purpose of authorizing the Board of License Commissioners in Garrett County to determine whether to revoke the alcoholic beverages license of a licensee if any of certain activities regarding nudity or sexual displays are found

to have occurred on the premises or location for which the license was issued; making a stylistic change; and generally relating to alcoholic beverages licenses in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–405  
Annotated Code of Maryland  
(2011 Replacement Volume)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H–107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 629 – *State Board of Physicians – Appointment and Term of Chair*.

This bill requires the Governor to appoint the chair of the State Board of Physicians and establish the term of office of the chair.

House Bill 824, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 629.

Sincerely,

Governor

**Senate Bill 629**

AN ACT concerning

**State Board of Physicians – ~~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. ~~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; prohibiting certain individuals from providing certain services to the Board under certain circumstances; prohibiting certain individuals from being appointed to the Board 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 certain physicians to practice medicine without a license under certain circumstances; providing for a certain exception to certain education qualifications necessary 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 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 consider engaging the services of a certain consultant to develop and recommend a certain strategy for addressing and implementing certain recommendations; requiring the Board to report certain results and a certain status to the General Assembly 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 amend the Board's regulations to reflect the procedures of the Board on or before a certain date; 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; and generally relating to the State Board of Physicians.~~

~~BY adding to~~

~~Article — Health Occupations~~

~~Section 14-202(l), 14-206.1, 14-401(l), and 14-416~~

~~Annotated Code of Maryland~~

~~(2009 Replacement Volume and 2011 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~14-206(d)(1), 14-302, 14-307, 14-308, 14-411(i), 14-411.1(b), (e)(2), and (f), 14-413, 14-414, and 14-702~~ 14-203

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 662 – *Carroll County – Archery Hunting – Safety Zone*.

This bill establishes a 50-yard safety zone for archery hunters in Carroll County within which archery hunting may not take place except under specified circumstances.

House Bill 134, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 662.

Sincerely,

Governor

### Senate Bill 662

AN ACT concerning

### **Carroll County – Archery Hunting – Safety Zone**

FOR the purpose of establishing for archery hunters in Carroll County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Carroll County.

BY repealing and reenacting, with amendments,

Article – Natural Resources  
 Section 10–410(g)  
 Annotated Code of Maryland  
 (2007 Replacement Volume and 2011 Supplement)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 663 – *Carroll County – Board of Elections – Membership*.

This bill alters the number of regular members and eliminates substitute members on the Carroll County Board of Elections. This bill also requires the members of the board to be of specified political parties and requires that a vacancy on the board be filled in a specified manner and provides for a delayed effective date.

House Bill 135, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 663.

Sincerely,

Governor

### **Senate Bill 663**

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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 670 – *Washington County – Tip Jars – Accountability and Oversight*.

This bill authorizes the County Commissioners of Washington County to require that the Washington County Volunteer Fire and Rescue Association submit financial reports; authorizes the county commissioners to adopt specified regulations; authorizes the county commissioners to withhold funds under specified circumstances; requires the Association to submit its budget to the county commissioners annually; and prohibits specified funds from being used for specified fire and rescue services.

House Bill 1005, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 670.

Sincerely,

Governor

**Senate Bill 670**

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 ~~on or before a certain date~~; 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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H–107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 802 – *Frederick County – Budgetary Processes*.

This bill requires the County Commissioners of Frederick County to replenish the committed general fund balance by the end of the following third fiscal year if a specified committed general fund balance is appropriated and expended by the County Commissioners.

House Bill 910, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 802.

Sincerely,

Governor

**Senate Bill 802**

AN ACT concerning

### Frederick County – Budgetary Processes

FOR the purpose of renaming certain balances in the general fund of Frederick County; requiring that if a certain committed general fund balance is appropriated and expended by the County Commissioners of Frederick County, the County Commissioners shall replenish the committed general fund balance by the end of a certain fiscal year; and generally relating to the budgetary processes of Frederick County.

BY repealing and reenacting, with amendments,  
 The Public Local Laws of Frederick County  
 Section 2-7-1, 2-7-4(a), and 2-7-11  
 Article 11 – Public Local Laws of Maryland  
 (2004 Edition and July 2011 Supplement, as amended)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate  
 H-107 State House  
 Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 1040 – *Frederick County – Middletown Wine Festival License*.

This bill establishes a special Middletown Wine Festival alcoholic beverages license in Frederick County.

House Bill 1368, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1040.

Sincerely,

Governor

**Senate Bill 1040**

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)

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May 22, 2012

The Honorable Thomas V. Mike Miller, Jr.  
 President of the Senate

H-107 State House  
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 1075 – *Worcester County – Alcoholic Beverages – Beer and Wine Festivals*.

This bill authorizes the Worcester County Board of License Commissioners to issue not more than three licenses each year for displaying and selling beer and wine at beer and wine festivals in the county.

House Bill 1436, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 1075.

Sincerely,

Governor

### **Senate Bill 1075**

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,  
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(2011 Replacement Volume)

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